

# Section 49 – Industrial Zone

## 49.1 Zone Description

The Industrial Zone is located outside and within Thames, Whangamata, Whitianga and Tairua. Transport links to main roads are important for these areas. The Industrial Zone hosts activities such as timber processing, cement production, foundries, and marine industries. It generates business, employment, and provides goods and services to the District and beyond. This contributes significantly to the overall economic wellbeing of the District.

Distinguishing features of the Zone include:

- Large-scale buildings, with the scale and design of the buildings derived from their function;
- Larger infrastructure and road networks to cater for high stormwater runoff, trade waste, energy needs and heavy vehicles;
- Good access to regional road corridors and district arterial roads;
- Large lot sizes to store material and to park, load and manoeuvre vehicles;
- Storage and use of hazardous substances; and
- Emission of noise, light, odour, dust and smoke from industrial activities.

## 49.2 Zone Purpose

The Industrial Zone provides for industrial activities that may be incompatible with other activities because of their environmental effects such as dust, noise, odour, light spill and heavy vehicle traffic. However being able to generate these effects is critical to maintaining a functional and resilient Industrial Zone. Therefore, the Industrial Zone restricts certain residential, commercial and community activities that could create reverse sensitivity issues and undermine the Zone's function.

The Industrial Zone is also located and designed so industrial activities have the necessary land area for: storage, manufacturing, heavy vehicle loading and manoeuvring, and internalising some of the environmental effects generated.

## 49.3 Activity Table and User Information

The Activity Table groups activities under broad headings and provides a rule and section number to go to as a starting point. In the table the following abbreviations are used:

R =	Rule
S =	Section

The zone rules are part of a hierarchy of rules. There may be overlay rules, district wide rules or special purpose provisions that also apply to the activity and site. Where there is conflict between rules the rule hierarchy applies to the extent of the conflict (see [Section 1 Background and How to Use the Plan](#) for more information).

Activity Table				
Activity	PER (S 49.4)	RDIS (S 49.5)	DIS (S 49.6)	NC (S 49.7)
<b>Activities not provided for</b>				
Activities not provided for in the Plan			R 15	
Activities not provided for in Section 49				R 17
<b>Building removal</b>				
Demolition	R 12			
Partial demolition	R 12			
Removal	R 12			
<b>Commercial</b>				
Restaurant	R 1			
Service station		R 13		
<b>Community</b>				
Community facility	R 17			
Emergency service training, military training	R 2			
Festival, event	R 3			
Informal recreation	R 2			
Scientific equipment, navigational aid	R 2			
<b>Earthworks</b>				
Earthworks	R 4			
Earthworks not within a kauri hygiene zone	R 4			
Earthworks within a kauri hygiene zone	R 5			
<b>Industrial</b>				
Industrial	R 6			
Industrial on Lot 1 DPS 67313, Pt Lot 3 DPS 60395, Lot 2 DPS 60395 and Lot 1 DP339369	R 8			
Marine equipment storage, maintenance and harvesting	R 6			
Retail accessory to an industrial activity	R 9			
<b>Noise</b>				
Noise not covered by another rule in Section 49	R 10			
<b>Residential</b>				
One dwelling per lot		R 14		
<b>Water, Wastewater, Stormwater and Solid Waste</b>				
Other water, wastewater, stormwater infrastructure	R 11			
Refuse transfer station, recycling operation			R 16	
Sanitary landfill			R 16	

Activity Table				
Activity	PER (S 49.4)	RDIS (S 49.5)	DIS (S 49.6)	NC (S 49.7)
Wastewater treatment plant, treated waste disposal site (including composting)			R 16	
Water treatment plant, reservoir	R 11			
<b>Non-regulatory method</b>				
Measures to prevent the spread of kauri dieback disease	M 1			

**Note:**

1. Works in close proximity to any electricity line can be dangerous. Compliance with the [New Zealand Code of Practice for Electrical Safe Distances \(NZECP 34:2001\)](#) is mandatory for all buildings and mobile plant within close proximity to all electricity lines.
2. Vegetation to be planted near electricity lines should be selected and/or managed to ensure that it will not result in vegetation breaching the [Electricity \(Hazards from Trees\) Regulations 2003](#).

## 49.4 Permitted Activities

### Rule 1: Restaurant

1. A restaurant is a permitted activity provided it meets the standards in Table 4 at the end of Section 49.
2. A restaurant that is not permitted under Rule 1.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-3 and 6 in Table 5 at the end of Section 49.

### Rule 2: Emergency service training, military training; Informal recreation; Scientific equipment, navigational aid

1. An activity listed in Rule 2 is a permitted activity.

### Rule 3: Festival, event

1. A festival, event, and any noise from it, is a permitted activity provided:
  - a) Electronically amplified noise and vehicle noise at the notional boundary of adjacent sites from 10 pm to 7 am the following day is no louder than 40 dB LAeq (15 min) and 70 dB LAF max; and
  - b) The noise of any helicopter associated with the festival, event complies with the standards in NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding Section 5: Land Use Planning); and
  - c) No buildings are erected (under this rule) that remain after the festival, event finishes; and
  - d) It lasts no longer than 24 consecutive hours.
2. A festival, event that is not permitted under Rule 3.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-4 and 8-9 in Table 5 at the end of Section 49.

**Note:**

1. After 10 pm, the Council may apply excessive noise provisions under sections 326 - 328 of the RMA if noise, particularly electronically amplified noise, is excessive for the location and event.
2. The Council recommends event planners contact the Area Manager prior to the festival, event.
3. Where a Festival, event has direct access onto or adjoins a State highway, the event organisers should contact the NZ Transport Agency to determine their traffic management requirements.

**Rule 4: Earthworks; Earthworks not within a kauri hygiene zone**

1. Earthworks not within a kauri hygiene zone are a permitted activity provided:
  - a) They are for flood defence installation, maintenance or removal commissioned by the Waikato Regional Council; or
  - b) They are for drainage works installed below ground level where the ground surface is fully restored and planted within 3 months from when work started; or
  - c) They are for cultivation or gardening; or
  - d) They are for utility installation, maintenance, upgrading and/or removal by the Council or a network utility operator; or
  - e) They are to establish a building platform, and the earthworks are completed, and covered by a building or stabilised, within 3 months from when work started; or
  - f) They are for temporary stream and river gravel extraction and crushing facilities; or
  - g) They meet the following standards:
    - i) The standards in Table 1; and
    - ii) Silt and sediment resulting from the earthworks remain within the site; and
    - iii) Any surplus excavated material is reused on the site or is removed from the site within 3 months from when work started; and
    - iv) The earthworks are stabilised within 3 months from when work started; and
    - v) For fills/cuts to be assessed separately for the purpose of the Table 1 standards, a flat 'terrace' between fills/cuts must have a width perpendicular to the adjoining fill/cut that is more than twice the height of the adjoining fill/cut above the terrace. Otherwise, the earthworks are treated as one fill/cut.
2. Earthworks not within a kauri hygiene zone and are not a permitted activity under Rule 4.1 are a restricted discretionary activity.
3. The Council restricts its discretion for earthworks under Rule 4.2 to matters 1, 2 and 7 in Table 5 at the end of Section 49.

**Table 1 – Earthworks Standards**

<ol style="list-style-type: none"> <li>1. Maximum area per <u>site</u> per calendar year is 1000 m<sup>2</sup>.</li> <li>2. Maximum volume per <u>site</u> per calendar year is 1000 m<sup>3</sup>.</li> <li>3. Maximum <u>height</u> of any fill and/or cut is 5 m.</li> </ol>	
<b>Minimum Setback Distance of Earthworks</b>	
4. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>toe of a fill</b> (without a legally established retaining wall)	Equal to the maximum <u>height</u> of the fill
5. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>toe of a cut</b> (without a legally established retaining wall)	Equal to 1.5 times the maximum depth of the cut (also see 6. below)
6. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>crest of a cut</b> (without a legally established retaining wall)	0.3 m (also see 5. above)
7. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the <b>top or bottom</b> of a legally established retaining wall supporting a cut or a fill	Equal to the maximum <u>height</u> of the retaining wall
8. From buried Council-owned wastewater, stormwater or water pipe	The depth of the pipe plus the pipe radius (i.e. a 45° setback zone either side of the pipe)

**Note:**

1. For diagrams illustrating the above setback distances, refer to 'Earthworks' in Section 3 Definitions.

**Rule 5: Earthworks within a kauri hygiene zone**

1. Earthworks within a kauri hygiene zone are a permitted activity provided they are for gardening that:
  - a) Is within a maximum area surface disturbance of 250m<sup>2</sup> within the kauri hygiene zone; and
  - b) Is no deeper than 300mm below the ground surface; and
  - c) Uses only handheld tools; and
  - d) Avoids disturbance or movement of soil when cutting lawns; and
  - e) When planting uses either:
    - i) sterilised seeds; or
    - ii) cuttings free of soil; or
    - iii) accredited *Phytophthora agathidicida* free plants; or
    - iv) plants within the same kauri hygiene zone with root system less than 300 mm deep; and
  - f) The kauri hygiene zone boundary is readily identifiable; and
  - g) Retains spoil and organic material within the kauri hygiene zone where it cannot enter any waterbody or flow onto adjoining kauri trees; and
  - h) The following hygiene procedures are undertaken:
    - i) All equipment and footwear used is cleaned of all soil and organic material prior to entry into or exit from the kauri hygiene zone; and

- ii) Where gardening is being undertaken within a kauri hygiene zone and a specific access point(s) is being used, that access point(s) must include a hygiene station where hand-held equipment, clothing and footwear is cleaned immediately before entering into and exiting from a kauri hygiene zone.
  - i) The hygiene station must include the materials specified in Table 6 at the end of Section 49; and
  - j) All hand-held equipment, clothing and footwear must be cleaned of all soil immediately before entry to the kauri hygiene zone. Any soil or organic material removed during this before-entry cleaning must remain outside the kauri hygiene zone; and
  - k) All hand-held equipment, clothing and footwear must be cleaned of all soil immediately before exit from the kauri hygiene zone. Any soil or organic material removed during this before-exit cleaning must remain inside the kauri hygiene zone in a location where it cannot enter any waterbody or flow to any adjoining kauri trees; and
  - l) The only living plant material that can enter a kauri hygiene zone is either sterilised seeds, or accredited *Phytophthora agathidicida* free plants, or plant cuttings free of any soil; and
  - m) A plant (or plants) with a root system less than 300 mm deep may be shifted around within the same kauri hygiene zone.
2. Earthworks within a kauri hygiene zone for the following activities are a controlled activity provided that a Kauri Dieback Disease Risk Management Plan (“management plan”) is prepared in accordance with Rule 5.4 below and submitted with an application for resource consent:
- a) Installation of fenceposts undertaken with handheld equipment; or
  - b) Drainage works to service a dwelling or minor unit on a single lot; or
  - c) Utility installation, maintenance, upgrading and/or removal by the Council or a network utility operator.
3. The Council reserves its control over matters in the management plan under Rule 5.2 to:
- a) The extent to which a Kauri Dieback Disease Risk Management Plan is prepared and implemented; and
  - b) Monitoring and reporting requirements.
4. Earthworks within a kauri hygiene zone that are not a permitted activity under Rule 5.1 or a controlled activity under Rule 5.2 are a restricted discretionary activity, provided that:
- a) A Kauri Dieback Disease Risk Management Plan (“management plan”) is prepared, approved and implemented; and
  - b) The management plan shall include the matters specified in Table 7 at the end of Section 49; and
  - c) A report must be submitted annually to the Council until completion of the consented earthworks using a form provided by the Council, recording all earthworks undertaken in the kauri dieback disease containment zone (including the date, type of equipment and vehicle used, the cleaning procedures followed and the disposal location of all disturbed soil and organic material); and
  - d) The Council will review the annual report and may require amendments to the management plan to ensure the continued effectiveness of the management plan; and
  - e) The consent holder’s annual report shall include any proposed amendment to the management plan. An amendment to the management plan does not take effect until the

Council confirms in writing the amendment meets the requirements in Rule 5.4.b) above; and

- f) Until a final annual report is submitted, up to date records of all earthworks undertaken in the kauri dieback disease containment zone, since the earthworks reported in the most recent annual report submitted to the Council, must be made available to the Council as soon as practicable after a request for them is received.
- 5. The Council restricts its discretion for earthworks under Rule 5.4 to:
  - a) Matters 1, 2 and 7 in Table 5 at the end of Section 49; and
  - b) The extent to which the Kauri Dieback Disease Risk Management Plan is likely to be effective in avoiding the spread of kauri dieback disease; and
  - c) Where cultivation occurs in the kauri hygiene zone:
    - i) The extent of cultivation within the kauri hygiene zone; and
    - ii) Whether monitoring and reporting requirements are included in the Kauri Dieback Disease Risk Management Plan.
- 6. Earthworks that are not a restricted discretionary activity under Rule 5.4 are a discretionary activity.

**Note:**

- 1. Also see *Method 1: Measures to prevent the spread of kauri dieback disease* at the end of this section
- 2. [Building Act 2004](#) requirements may be triggered for some earthworks, such as where work is needed because land instability threatens a building and retaining walls.
- 3. All earthworks must comply with [Heritage New Zealand Pouhere Taonga Act 2014](#) which protects recorded, suspected and unrecorded archaeological sites from destruction, damage and modification.
- 4. Consent may be required from the Waikato Regional Council. You are advised to check the Waikato Regional Plan prior to starting the earthworks.
- 5. Guidelines to avoid the discharge of earth material are available in: *Erosion and Sediment Control - Guidelines for Soil Disturbing Activities*. Waikato Regional Council Technical Report No. 2009/02. January 2009. Available at [www.waikatoregion.govt.nz](http://www.waikatoregion.govt.nz).
- 6. Earthworks in close proximity to any electricity distribution line can be dangerous. The New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001) applies to earthworks and the operation of mobile machinery within close proximity to all electric lines.
- 7. See also the Waikato Regional Plan for permitted activity standards and consent requirements relating to gravel extraction.
- 8. Section 330 of the RMA provides for emergency works for preventative or remedial action.

#### **Rule 6: Industrial; Marine equipment storage; Maintenance and harvesting**

1. An activity listed in Rule 6 is a permitted activity provided:
  - a) It meets the standards in Table 4 at the end of Section 49; and
  - b) If present, any office component of the building is located adjacent to the front yard or a publicly accessible driveway, and:
    - i) Has a pedestrian entrance facing the street or driveway that is directly accessible from the street or driveway; and
    - ii) The main windows of the building face the street; and
    - iii) Has no loading bay or storage of materials or waste between the office and the street or driveway.
2. An activity that is not permitted under Rule 6.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 3 and 5 in Table 5 at the end of Section 49.

#### **Rule 7: Community facility**

1. A community facility is a permitted activity provided:
  - a) It meets the standards in Table 4 at the end of Section 49; and
  - b) If present, any office component of the building is located adjacent to the front yard or a publicly accessible driveway, and:
    - i) Has a pedestrian entrance facing the street or driveway that is directly accessible from the street or driveway; and
    - ii) The main windows of the building face the street; and
    - iii) Has no loading bay or storage of materials or waste between the office and the street or driveway; and
  - c) It is directly related to an industrial activity.
2. A community facility that is not permitted under Rule 7.1 a) or b) is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 3 and 5 in Table 5 at the end of Section 49.
4. A community facility that is not permitted under Rule 7.1 c) is a discretionary activity.

#### **Note:**

1. *For example, an education and training facility for industrial trades and manual skills meets the standard in Rule 7.1 c).*

#### **Rule 8: Industrial on Lot 1 DPS 67313, Pt Lot 3 DPS 60395, Lot 2 DPS 60395 and Lot 1 DP339369**

1. An industrial activity on Lot 1 DPS 67313, Pt Lot 3 DPS 60395, Lot 2 DPS 60395 and Lot 1 DP339369 is a permitted activity provided it meets the standards in Table 2.
2. An industrial activity on Lot 1 DPS 67313, Pt Lot 3 DPS 60395, Lot 2 DPS 60395 and Lot 1 DP339369 that is not permitted under Rule 8.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters in 1-7 in Table 5 at the end of Section 49.

**Table 2 – Standards**

**Yards**

1. Front yard including a planted landscape buffer is 25 m.
2. Yard including a planted landscape buffer where the site adjoins a Commercial Area, Recreation Area, Rural Area or Road Zone is 25 m.
3. Yard including a planted landscape buffer where the site adjoins a Rural Area is 7.5 m.

**Bulk and Location**

4. Maximum site coverage is 50 %.
5. Maximum building height is 15 m.
6. Maximum height in relation to boundary where the site adjoins a non-Industrial Area is 3 m & 45°.
7. Maximum fence height on the boundary for side/rear yard is 2 m.

**Glare and Spill**

8. Maximum lux level received at any point beyond the site, as measured vertically and horizontally is 5 lux.

**Rule 9: Retail accessory to an industrial activity**

1. Retail activity is a permitted activity provided:
  - a) It meets the standards in Table 4 at the end of Section 49; and
  - b) It is accessory to an industrial activity.
2. Retail activity that is not permitted under Rule 9.1 a) is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1 - 3, 6 and 7 in Table 5 at the end of Section 49.
4. Retail activity that is not permitted under Rule 9.1 b) is a restricted discretionary activity provided:
  - a) The maximum building height is 10 m; and
  - b) The activity is located on:
    - i) Lot 2 DPS 18577; or
    - ii) Lot 1 or Lot 2 DP 471436; or
    - iii) Lot 1 or Lot 2 DPS 23241.
5. The Council restricts its discretion to matters 1–5, 7, 8 a), 10 and 11 in Table 5 at the end of Section 49.
6. Retail activity that is not a restricted discretionary activity under Rules 9.4 is a discretionary activity.

### Rule 10: Noise not covered by another rule in Section 49

1. Noise not covered by another rule in Section 49 is a permitted activity provided:
  - a) The noise meets the standards in Table 3; or
  - b) It is from a temporary site or building maintenance activity between 7 am and 8 pm; or
  - c) It is from emergency service training or emergency response activities; or
  - d) It is from military training; or
  - e) It is from the temporary use of an emergency electricity generator; or
  - f) It is from a temporary construction activity that complies with NZS 6803:1999 Acoustics – Construction noise.
2. Noise not covered by another rule in Section 49 that is not permitted under Rule 10.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matter 1 Table 5 at the end of Section 49.

**Table 3 - Maximum Noise Level Standards**

Time period	L <sub>Aeq</sub> (15 min)	L <sub>AF</sub> max	Measured at
1. At all times	70 dB	N/A	The receiving site at any point within the: <ul style="list-style-type: none"> <li>- <u>Airfield</u> Zone</li> <li>- Commercial Zone</li> <li>- Gateway Zone</li> <li>- <u>Industrial</u> Zone</li> <li>- Light <u>Industrial</u> Zone</li> <li>- Marine Service Zone</li> <li>- Recreation Active Zone</li> <li>- <u>Road</u> Zone</li> </ul>
2. Monday to Saturday 7 am to 10 pm	60 dB	N/A	At any point within the <u>notional boundary</u> of a <u>site</u> within any other zone not listed above
3. Sunday 7 am to 6pm	60 dB	N/A	
4. At all other times	50 dB	65 dB	

**Note:**

1. Rule 10.1 b) includes noise from lawn mowing, waterblasting, leaf blowing, and similar temporary maintenance activities. It does not include home business activities.
2. Noise will be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.
3. Activities may be subject to the excessive noise provisions set out in s326 to s328 of the RMA

**Rule 11: Other water, wastewater, stormwater infrastructure; Water treatment plant, reservoir**

1. An activity listed in Rule 11 is a permitted activity, provided it meets the standards in Table 4 at the end of Section 49; and
2. An activity that is not permitted under Rule 11.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-3 and 4 in Table 5 at the end of Section 49.

**Rule 12: Demolition; Partial demolition; Removal**

1. Demolition, partial demolition or removal of a building is a permitted activity.

## 49.5 Restricted Discretionary Activities

**Rule 13: Service station**

1. A service station is a restricted discretionary activity provided it meets the standards in Table 4 at the end of Section 49; and
2. The Council restricts its discretion to matters 1-4 in Table 5 at the end of Section 49.
3. A service station that is not a restricted discretionary activity under Rule 13.1 is a discretionary activity.

**Note:**

1. *Also refer to Section 38 Contaminated Land and Hazardous Substances.*

**Rule 14: One dwelling per lot**

1. One dwelling per lot is a restricted discretionary activity provided:
  - a) It meets the standards in Table 4; and
  - b) It is accessory to an industrial activity
2. The Council restricts its discretion to matters 2-4 and 6 in Table 5 at the end of Section 49.
3. One dwelling per lot that is not a restricted discretionary activity under Rule 14.1 is a discretionary activity.

## 49.6 Discretionary Activities

**Rule 15: Activities not provided for in the Plan**

1. An activity not listed in the Activity Table at the beginning of Section 49, and not in the Activity Summary Table (in Section 1.8) is a discretionary activity.

**Rule 16: Refuse station, recycling operation, Sanitary landfill, Wastewater treatment plant, treated waste disposal site (including composting)**

1. An activity listed in Rule 16 is a discretionary activity.

## 49.7 Non-Complying Activities

### Rule 17: Activities not provided for in Section 49

1. An activity that is not listed in the Activity Table at the beginning of Section 49, but is listed in the Activity Summary Table (in Section 1.8) and is not a district-wide activity is a non-complying activity.

## 49.8 Assessment Standards, Matters and Criteria

**Table 4 – Standards**

1. Front yard is 6 m.
2. Yard from a non-Industrial Area boundary is 7.5 m.
3. Maximum building height is 15 m.
4. Maximum height in relation to boundary of a Residential Area is 3m & 45°.
5. Maximum site coverage is 70 %.
6. Maximum fence height in a yard that extends from a non-Industrial Area is 3 m.
7. Maximum lux level received at any point beyond the site, as measured vertically and horizontally is 5 lux.

**Table 5 – Restricted Discretionary Matters**

1. **Effects of not meeting the standard(s)**
  - a) Whether actions taken (if any) to avoid, remedy, or mitigate the adverse effects of not meeting the standard(s) are appropriate and effective.
2. **The suitability of the site for the scale of the activity**
  - a) The extent to which the site can accommodate all aspects of the activity without causing adverse effects that are more than minor.
  - b) The location of noise sensitive activities in relation to the activity and the extent to which they will be affected.
  - c) Whether the provision of wastewater, water and solid waste is adequate for the number of people anticipated and the duration of the activity.
3. **Positive and adverse effects on adjacent sites and the local community**
  - a) The extent to which shading, electromagnetic interference or other effects from the activity do not affect adjacent sites.
  - b) Whether the frequency and duration of the activity and of any effects in 3 a) above are tolerable.
  - c) Whether these effects are appropriate to occur in the Industrial Zone, and whether any spill-over of effects into adjacent zones is appropriate.
  - d) The extent to which positive effects from the activity contribute to the economic, social and cultural wellbeing of the local community.

**Table 5 – Restricted Discretionary Matters**

**4. Utility infrastructure provision and location (including easements) for water, wastewater, solid waste, stormwater, electricity, telecommunications**

- a) Whether the provision and location of utility infrastructure on-site is appropriate.
- b) The extent to which the activity may impact on the capacity or integrity of reticulation networks.
- c) Whether the activity should be connected to existing reticulation networks.
- d) The extent to which the proposed infrastructure improves the resilience and security of the network.
- e) Where hydraulic neutrality is not able to be achieved, the extent to which the development incorporates low impact urban design and development principles to minimize the increase of stormwater flows and the extent to which the receiving environment can sustain the increased flows.
- f) Whether easements are appropriate.
- g) Whether there is technical and practical potential for co-location of infrastructure on a site.
- h) The extent to which technical and functional needs require the proposed location of the utility infrastructure.
- i) The extent to which the utility infrastructure contributes to the functioning and well-being of the community.
- j) Whether the extension of existing above-ground utility infrastructure is appropriate.
- k) The extent to which the activity will contribute to central and regional government energy policy objectives and renewable energy targets.

**5. Consistency with a Council-approved concept plan, or other plan that outlines staging of an activity**

- a) The extent to which the activity is consistent with this plan.
- b) Whether proposed staging can mitigate an existing lack of infrastructure provision or capacity.

**6. Reverse sensitivity**

- a) The extent to which the activity meets the primary purpose of the Zone.
- b) The extent to which an accessory activity or building is vital to the operation of the Industrial Zone.

**7. Off-site effects from earthworks**

- a) Whether existing infrastructure and utilities are protected.
- b) The extent to which changes in water drainage to and from adjacent sites because of the earthworks causing adverse effects, such as ponding, erosion, drainage or flooding, are avoided or remedied.
- c) Whether mitigation measures are implemented to avoid earthwork debris being carried into adjacent properties, waterways, estuaries and harbours, also taking into account cumulative effects.

**Table 5 – Restricted Discretionary Matters**

**8. Rooding, vehicle parking and access**

- a) Whether adequate consideration has been given to parking and the extent to which convenient vehicle parking is provided on-site.
- b) Whether traffic associated with the activity will have an adverse effect on the safety and efficiency of the rooding network.
- c) Whether consultation and approval is needed from the rooding authority.

**9. New permanent buildings**

- a) Whether the building/s have a viable use beyond the festival, event.
- b) The extent to which the building/s comply with the standards in Table 2.

**10. Effects on the viability and vitality of Commercial Areas in the District**

- a) Whether the activity primarily serves the needs or requirements of the travelling public.

**11. Building and site layout**

- a) The extent to which the building is designed to reflect the built form of adjacent buildings and to take into account its wider surroundings, particularly any development in the Kaiwhenua area.

**Table 6 – The hygiene station must include the following materials:**

- (i) a container to enable the cleaning of hand-held equipment, clothing and footwear; and
- (ii) clean water and spray bottles; and
- (iii) implements capable of removing soil from hand-held equipment, clothing and footwear; and
- (iv) paper towels; and
- (v) clean plastic bags for removed clothing and footwear; and
- (vi) 2% Sterigene or 70% methylated spirits for spraying cleaned hand-held equipment, clothing and footwear; and
- (vii) alcohol wipes for wiping down sensitive electronic equipment.

**Table 7 – The Kauri Dieback Disease Risk Management Plan shall include the following matters:**

1. The purpose of the management plan setting out the procedures that will be followed to avoid the risk of the spread of kauri dieback disease where the soil and organic matter from earthworks within the kauri hygiene zone is proposed to be confined in a larger kauri dieback disease containment zone; and
2. The management plan must contain:
  - a. The objectives of the management plan; and
  - b. A map or maps showing:
    - i. The area that the management plan applies to; and
    - ii. The location of each kauri tree within that area and its associated kauri hygiene zone; and
    - iii. Locations where access to the kauri hygiene zone will be prevented (e.g. by fencing off, covering the soil with a protective surface); and
    - iv. The boundary of the kauri dieback disease containment zone beyond which soil and organic material from a kauri hygiene zone will not be transported; and
    - v. Equipment and vehicle cleaning points (which are to be located within the kauri dieback disease containment zone); and
    - vi. Any water bodies, fences, roads, tracks or structures within the kauri dieback disease containment zone; and
    - vii. Location of any bund or other means to be used if necessary to prevent washdown water entering any stream or flowing to any adjoining kauri trees.
  - c. The method by which the boundaries of any kauri hygiene zone and kauri dieback disease containment zone will be clearly marked out; and
  - d. The procedures to be followed to ensure that any vehicles, equipment and personnel are cleaned of all soil and organic material prior to entry into or exit from the kauri dieback disease containment zone; and
  - e. The procedures to ensure that any soil, sludge or organic material not retained within the kauri hygiene zone is either stored within the kauri dieback disease containment zone or transported in a sealed vehicle to an approved Kauri Dieback Programme landfill; and
  - f. The water management procedures to be used:
    - i. Can washdown at this site occur at least 30 m from a water course? Yes/No
    - ii. Can water at this site be drained away from any neighbouring kauri trees? Yes/No

If 'No' to either of the above, the procedures required will be one of the following:

    - (a) A bund or bunds will be provided to ensure washdown water does not enter streams or drain toward any neighbouring kauri trees (as shown on the map under Rule 6.4 b) ii) b. above; or
    - (b) Washdown will be undertaken at an identified facility where water does not enter the stormwater system; and
  - g. The contact details of the person responsible for the implementation of the management plan.

### **Method 1: Measures to prevent the spread of kauri dieback disease**

Earthworks within three times the maximum radius of the canopy dripline of a New Zealand kauri tree (“kauri hygiene zone”) commenced or undertaken after this District Plan comes into effect may require a resource consent from the Council.

Where earthworks within a kauri hygiene zone have existing use rights under section 10 RMA or an Existing Use Certificate issued under section 139A RMA, they may be continued within the limits authorised by section 10 or section 139A RMA. Establishing whether such earthworks are authorised can be a demanding process. Landowners who intend continuing earthworks within a kauri hygiene zone in reliance on section 10 RMA may wish to take professional advice so they are aware of applicable parameters.

Persons undertaking earthworks within a kauri hygiene zone in reliance of section 10 and/or section 139A RMA are also strongly encouraged to make themselves familiar with the kauri dieback disease hygiene disposal procedures - including information on approved disposal sites for soil and organic material – at the following website.

<https://www.kauriprotection.co.nz/resources/best-practice-guides>

Further information on responsible management of earthworks for kauri dieback purposes may be obtained from the Thames-Coromandel District Council, Waikato Regional Council or Department of Conservation.

Where persons proceed in reliance on section 10 and/or section 139A RMA they are strongly encouraged to apply the following checklist.

<b>Table 8: Checklist for earthworks undertaken within a kauri hygiene zone</b>	
Clearly define <u>kauri hygiene zone</u> , entry and exit points	YES/NO
List all vehicles, machinery and equipment to be used	YES/NO
Has all equipment and footwear been cleaned of soil and organic material and sprayed with Sterigene before entering the <u>kauri hygiene zone</u> ?	YES/NO
For washdown on- <u>site</u> define the appropriate washdown facility	YES/NO
Is the washdown facility within the <u>kauri hygiene zone</u> ?	YES/NO
Is the washdown facility at least 30 m away from a water course or waterbody?	YES/NO
Is the wash down facility draining away from any kauri trees?	YES/NO
Will a bund be used because drainage is not practicable?	YES/NO
Will all soils and mud be physically removed by brush or compressed air before washdown?	YES/NO
Will soil and organic material be left on <u>site</u> within the <u>kauri hygiene zone</u> ?	YES/NO
For off- <u>site</u> washdown is the vehicle or trailer to be used to transport machinery sealed?	YES/NO
Will washdown occur in a purpose-built washdown facility?	YES/NO
Does the facility to be used drain its wastewater into the stormwater system?	YES/NO
Will a truck wash facility be used?	YES/NO
Will the washdown water be used to irrigate farmland?	YES/NO
Will a Council depot be used for washdown?	YES/NO
Will the truck or trailer be cleaned and sprayed with Sterigene and will liners be disposed of?	YES/NO