

## 12 Te Rapa North Industrial Zone

### 12.1 Purpose

a. Industrial development in Te Rapa North has the potential to support regionally important infrastructure and industries. The existing Te Rapa Dairy Manufacturing Site, access to regionally significant transport infrastructure including the Waikato Expressway and North Island Main Truck Line as well as its location at the interface of commercial industrial activities in the north of Hamilton and the rural surrounding area, provides opportunity for industrial activity to develop in an integrated, efficient and co-ordinated manner. A Structure Plan contained within Chapter 3.9 guides the development of the first 91 hectares of the zone to support the delivery of a well-functioning urban environment coordinated with the delivery of efficient infrastructure.

**Note**

1. *The areas of the zone where the Deferred Industrial Zone area applies are subject to the provisions of Chapter 14 Future Urban Zone. This is because of the deferred industrial status of the land and a future urban zoning being applicable for deferred industrial.*

### 12.2 Objectives and Policies: Te Rapa North Industrial Zone

Objective	Policies
12.2.1 Industrial land uses are able to establish and operate within the zone in an efficient and effective manner.	<p><b>12.2.1a</b> Require the Te Rapa North Industrial Zone to be used for industrial uses.</p> <p><b>12.2.1b</b> Non-industrial uses establish and operate only where they are ancillary to or supportive of industrial activities.</p> <p><b>12.2.1c</b> Non-industrial uses do not adversely affect the industrial use of the Te Rapa North Industrial Zone, nor impact adversely on the strategic role of the Central City as the primary office, retail, and entertainment centre.</p> <p><b>12.2.1d</b> Development is undertaken in general accordance with the Te Rapa North Industrial Structure Plan.</p> <p><b>12.2.1e</b> Prevent new direct access to or from Te Rapa Road.</p> <p><b>12.2.1f</b> <a href="#">Prevent direct access to the East-West Road (future Northen River Crossing)</a></p> <p><b>12.2.1g</b> <a href="#">Enable all movement access to and from Fonterra North at Access 2</a></p>
<b>Explanation</b>	

Activities that are non-industrial and that are provided for in other parts of the City should in general not be carried out within industrial locations. The District Plan sets as the key principle in this regard that industrial land should be preserved for industrial activities. Nevertheless, there is the need for the provision of a range of non-industrial uses, ancillary to and supporting industrial activities, or specific forms of commercial activity acceptable within industrial environments due to their characteristics.

This means those businesses that attract a great deal of traffic are directed towards the Central City and commercial centres, where they will be more accessible, and where significant public investment has been made in providing amenities and facilities capable of supporting such activities.

Objective	Policies
<b>12.2.6 12.2.2</b> Industrial development is land uses are integrated with water allocation, wastewater capacity, and result in the efficient provision of infrastructure.	<p><b>12.2.2a</b> Require development to be co-ordinated with the provision of suitable transport and three waters infrastructure. Three Waters infrastructure is to be designed and constructed in accordance with Te Rapa North Industrial Structure Plan and Te Rapa Integrated Catchment Management Plan.</p> <p><b>12.2.2b</b> Industrial land use is to occur in an integrated and coordinated manner through the provision of suitable reticulated infrastructure (water and wastewater), and which aligns with current water and wastewater capacity allocations or capacity improvements.</p> <p><b>12.2.2c</b> Avoid development where the direct or cumulative effects on the three waters infrastructure network or water and wastewater capacity allocations cannot be mitigated to an acceptable level.</p> <p><b>12.2.2d</b> An Infrastructure Plan will be provided as part of each stage of development or subdivision, which responds to three waters infrastructure, water allocation and wastewater capacity requirements.</p>
<b>12.2.3</b> Industrial land uses are integrated with the efficient provision of transportation infrastructure.	<p><b>12.2.3a</b> Industrial land use is to occur in an integrated and coordinated manner through the provision of suitable transportation infrastructure. Transportation infrastructure is to be designed and constructed in accordance with Te Rapa North Industrial Structure Plan.</p> <p><b>12.2.6b-12.2.3b</b> Ensure that development does not compromise the ability for Hamilton City Council to construct the Northern River Crossing</p>

	<p><b>12.2.3c</b> Ensure that development does not compromise the ability for Hamilton City Council to construct Te Rapa Road Bus Rapid Transit.</p> <p><b>12.2.6e-12.2.3d</b> Enable a Rail Siding to be established alongside the North Island Main Trunk Line.</p>
<b>Explanation</b>	
<p>The Te Rapa North Zone forms part of the medium to long term industrial land supply for Hamilton and the Future Proof area. It is important that the supply is used in a sustainable and efficient manner. Accordingly, the enablement of development will be subject to the availability of infrastructure <u>and water and wastewater allocation and treatment capacity</u>. This is to ensure the efficient development of the zone, functionality of existing infrastructure services and the avoidance of unnecessary financial burdens being placed on the community as a whole.</p>	
<b>Objective</b>	<b>Policies</b>
<b>42.2.2 12.2.4</b> A high-quality Industrial area is achieved within the Te Rapa North Industrial Zone.	<b>42.2.2a-12.2.4a</b> Require industrial development to incorporate landscaping, screening and setbacks within the interfaces between the zone, the Deferred Industrial Zone areas and the Waikato Expressway and Te Rapa Road.
<b>42.2.3 12.2.5</b> The amenity levels of the existing Te Rapa Dairy Manufacturing Site are to be maintained.	<b>42.2.3b-12.2.5a</b> Amenity levels within the Dairy Manufacturing Site will continue to reflect the existing activity on site.
<b>Explanation</b>	
<p>Although lower standards of amenity are often characteristic of industrial locations, Plan provisions aim to enable a general improvement in the amenity of the City's industrial locations. The Te Rapa North Industrial Zone incorporates greenfield, industrial activities and the existing Dairy Manufacturing Site, and managing the amenity values of the parts of the zone that remain deferred is important to consider. The purpose of this is to create functional and attractive industrial precinct that reflects positively on Hamilton.</p>	
<b>Objective</b>	<b>Policies</b>
<b>42.2.4 12.2.6</b> Investment in the Te Rapa Dairy Manufacturing Site as a national and regionally important strategic facility is supported.	<p><b>42.2.4a-12.2.6a</b> The Dairy Manufacturing Site should be recognised for the important benefits it contributes to the community and dairy industrial base for the Waikato.</p> <p><b>42.2.4b-12.2.6b</b> Subdivision, use and development shall not compromise the ongoing and efficient operation of the Dairy Manufacturing Site.</p> <p><b>42.2.4c-12.2.6c</b> The Dairy Manufacturing Site, as an integral facility to the agricultural sector of Waikato, shall retain its opportunities for continued use, intensification and expansion.</p>

**12.2.4d-12.2.6d**

The ongoing development and use of the Dairy Manufacturing Site shall be supported through the application of specific provisions to enable buildings and structures, noise emissions and heavy vehicle movements occur in a manner to ensure the efficient operation of the Dairy Manufacturing Site.

**Explanation**

*The Dairy Manufacturing Site confers large benefits in terms of economic and community wellbeing at both the local, regional and national level. Therefore, due to its size and importance to the national economy the Dairy Manufacturing Site warrants special consideration in the District Plan through sustainable management practices while enabling opportunities for its continued use, intensification and expansion.*

*The establishment of incompatible uses nearby is a significant risk to its ongoing viability. Accordingly, it is important to consider the zoning around the Dairy Manufacturing Site. It is considered a zone with specific noise and air quality controls to assist with maintaining the viability of the Dairy Manufacturing Site.*

*The relevant activity statuses in 12.3.1 and general standards in 12.4 apply to the Dairy Manufacturing Site.*

*Nevertheless, it is important to note that whilst the ongoing operation and development of the Dairy Manufacturing Site is key, these will not occur as of right and in such cases resource consent will be required.*

Objective.	Policies
<b>12.2.5 12.2.7</b> Ecological values are maintained, and where possible, enhanced, as part of industrial use and development.	<b>4.2.1a-12.2.7a</b> Contribute to ecosystem connectivity by requiring setbacks and landscape requirements along the boundaries with: <ul style="list-style-type: none"> <li>i. The Te Rapa Stream</li> <li>ii. The Waikato River; and</li> <li>iii. Significant Natural Areas.</li> </ul>
	<b>4.2.2.5b-12.2.7b</b> Prevent development, other than that which provides for walking and cycling access, within setbacks from watercourses to avoid and mitigate adverse effects on freshwater values.
	<b>4.2.2.5c-12.2.7c</b> Require buildings to be setback from Significant Natural Areas and the Waikato River.
	<b>4.2.2.5d-12.2.7d</b> Minimise the risk of harm to long-tailed bats during any removal of confirmed or potential bat roost trees.
	<b>4.2.2.5e-12.2.7e</b> Require any removal of confirmed or potential bat roost trees to be undertaken in accordance with an approved Ecological Management Plan.

	<p><b>12.2.5f-12.2.7f</b> Avoid, remedy, or mitigate adverse effects on indigenous fauna and habitats, including those of long-tailed bats. Where residual effects remain, offset or compensate in line with best-practice ecological principles and the effects management hierarchy.</p> <p><b>12.2.5g 12.2.7g</b> Subdivision, use, and development shall require an assessment of potential effects on long-tailed bats and their habitats, applying the mitigation hierarchy in general accordance with Appendix 3 and Appendix 4 of the National Policy Statement for Indigenous Biodiversity (NPSIB), which outline principles for biodiversity offsetting and compensation.</p>
<b>Explanation</b>	
<p><i>The development of the Te Rapa North Industrial Zone has the potential to impact freshwater and terrestrial ecological values, particularly those associated with Te Rapa Stream and the Waikato River.</i></p> <p><i>The chapter provisions and Te Rapa North Structure Plan seek to create ecological corridors along the Te Rapa Stream and Waikato River corridors to enhance water quality and biodiversity values, including through the protection of potential pekapeka (New Zealand long-tailed bat) habitat. These corridors have the additional benefits of stormwater management and amenity value.</i></p> <p><i>The first land use and subdivision consent application will provide a bespoke detailed Ecological Management for the Te North Industrial Structure Plan area.</i></p>	

## 12.3 Rules

### 12.3.1 Activity Status Table — Te Rapa North Industrial Zone

Activity	Status
<b>Deferred Industrial Zone</b>	
a. Any activity proposed within the Deferred Industrial Zone	Subject to the activity status within Chapter 14 - Future Urban Zone
<b>Development activities</b>	
b. <a href="#">Any activity in the Te Rapa North Industrial zone not in accordance with Rule 3.9.3.1</a>	NC

c. any activity in the Te Rapa North Industrial zone not in accordance with Rule 3.9.3.2	NC
d. Any activity in the Te Rapa North Industrial zone not in accordance with Rule 3.9.3.3	NC
e. Any land use or subdivision in the Te Rapa North Industrial Zone not in accordance with Rule 3.9.3.4.	NC
f. Direct vehicle access to Te Rapa Road <del>that is not via either a public or private road.</del>	NC
g. <u>Direct vehicle access to the East-West Road (future Northern River Crossing)</u>	<u>NC</u>
h. Development within the Te Rapa Dairy Manufacturing Site	In accordance with the activity status provided below.
<b>Buildings</b>	
i. Any activity lawfully existing prior to 13 November 2012	P
j. New buildings and alterations and additions to existing buildings	P
k. Demolition or removal of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
l. Maintenance or repair of existing buildings (except heritage buildings scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage)	P
m. Minor works	P
<b>Activities</b>	
n. Collection, storage and processing of raw milk; Manufacture of dairy products from the processed raw milk; and associated dairy activities contained within the extent of the Te Rapa Dairy Manufacturing Site	P
o. Industrial activity	P
p. Logistics and freight-handling activities including rail infrastructure and sidings	P
q. Light industrial activity that generates <250 vehicle movements per day	P
r. Service industrial activity that generates <250 vehicle movements per day	P
s. Ancillary Offices	P
t. Ancillary Offices that do not comply with Rule 12.5.2	D
u. Ancillary Retail	P
v. Ancillary Retail that do not comply with Rule 12.5.3	NC

w.	Trade and industry training facilities	P
x.	Food and beverage outlets no greater than 250m <sup>2</sup> gross floor area per site within the Te Rapa North Industrial Focal Area	P
y.	Food and beverage outlets no greater than 250m <sup>2</sup> gross floor area per site outside the Te Rapa North Industrial Focal Area	RD
z.	Food and beverage outlets greater than 250m <sup>2</sup> gross floor area per site	NC
aa.	Wholesale retail and trade supplies	P
bb.	Yard-based retail (excluding car and boat sales)	P
cc.	Yard-based retail on sites (excluding car and boat sales) fronting Te Rapa Road	RD
dd.	Yard-based retail for car or boat sales	NC
ee.	Passenger transport facilities	P
ff.	Transport depot	P
gg.	Accessory buildings	P
hh.	Gymnasiums within the Te Rapa North Industrial Focal Area	P
ii.	Emergency service facilities	RD
jj.	Drive-through services within the Te Rapa North Industrial Focal Area	RD
kk.	Supermarkets	NC
ll.	Ancillary residential unit	NC
mm.	Places of worship	NC
nn.	Managed care facilities; retirement villages and rest homes	NC
oo.	Visitor accommodation	NC
pp.	Noxious or offensive activities	NC
qq.	<a href="#">Wet Industry</a>	RD
rr.	Activities not provided for in this table	NC
ss.	Activities that fail to meet one or more of the General Standards in Rule 12.4	D

**Commented [HCC1]:** Wet Industry: Any activity with a water demand of or greater than 15 cubic metres per day (phrasing to be refined).

**Note**

1. For activity status of subdivision activities, see Chapter 23 Subdivision
2. For any activity not identified above, see Section 1.1.8.1.

## 12.4

### Rules – General Standards

All activities listed as a permitted, controlled or restricted discretionary activities in Table 12.3.1 must comply with the following standards.

#### 12.4.1

##### Building Setbacks

Building setback (minimum distance)	
i. Transport corridor boundary — local and collector transport corridors	3m
ii. Transport corridor boundary — arterial transport corridors	5m
iii. Te Rapa Road	10m from the western side of Te Rapa Road 5m from the eastern side of Te Rapa Road
vii. Waikato Expressway (Designation E99 and E99a)	i. 5m from designation boundary
v. East — West Road (as shown on the Te Rapa North Industrial Structure Plan)	i. 6.5m <u>on the northern side</u> ; and ii. <u>A</u> 18.5m setback from the legal road corridor from the southern side of the East-West Road, which shall apply in addition to the above until such time as the Northern River Crossing is constructed. <sup>2</sup>
vi. Any boundary adjoining any Open Space Zones	8m
vii. From the bank of the Waikato River	30m Despite the above, a public amenity of up to 25m <sup>2</sup> on an esplanade reserve, a public walkway, a water take or discharge structure, or a pump shed are not subject to this rule
viii. From the banks of the Te Rapa Stream (Riparian Setback)	10m
ix. From the banks of any other watercourses (Riparian Setback)	5m
x. Adjoining any Significant Natural Area	5m
xi. Other boundaries	0m
xii. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)
xiii. <u>Deferred Industrial Area</u>	<u>5m (excluding the landscape strip required under 12.4.6)</u>

**Note**

1. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.
2. The intent is to achieve the 34.8m legal road width for the Northern River Crossing (refer Figure 3.9.2.5b) plus the 6.5m setbacks.

#### 12.4.2 Building Height

a. Maximum building height	20m
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b. Maximum container stacking height	25m
c. Height of lighting towers, poles, aerials, loading ramps, link spans, flagpoles, machinery rooms and cranes and other lifting or stacking equipment	35m

## 12.4.3

## Height in Relation to Boundary

a. No part of a building may penetrate a height control plane rising at an angle of 45 degrees (except for the southern boundary where it is measured at 28 degrees) starting at: an elevation of 3m above the boundary of any adjoining Open Space Zones (refer to Figure 12.4.3a) [and the deferred Industrial Area \(Future Urban Zone\)](#)

- ; and/or
- an elevation of 5m above the boundary adjoining any arterial transport corridor (refer to Figure 12.4.3b).

**Figure 12.4.3a:** Height Control Plane for Boundaries adjoining Open Space Zones [and the deferred Industrial Area \(Future Urban Zone\)](#)

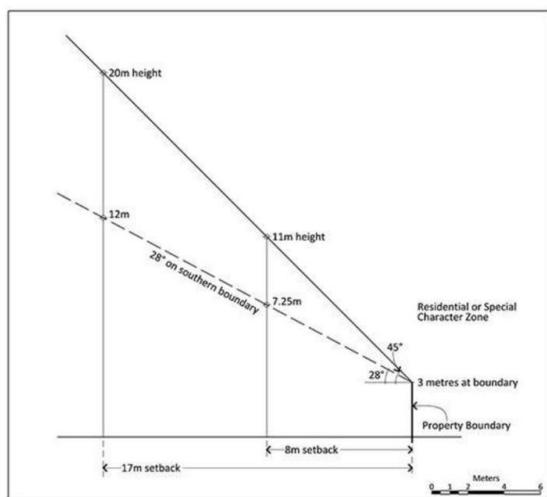
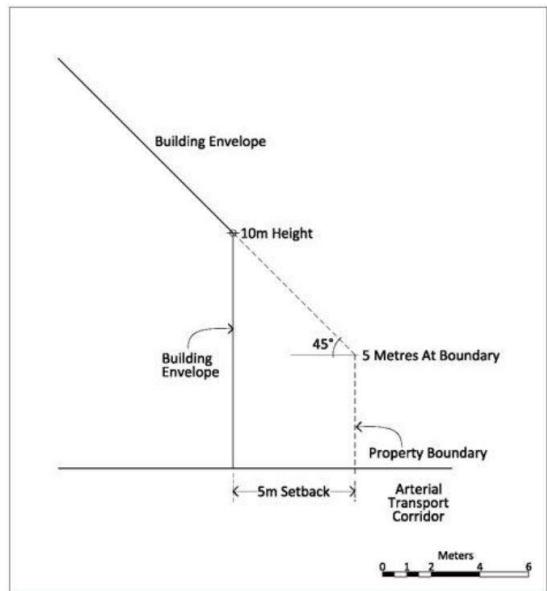
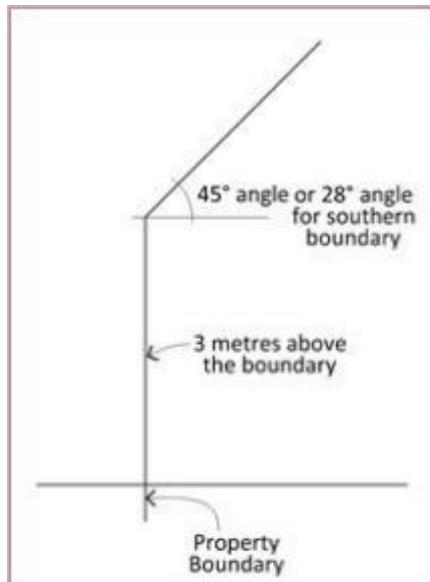


Figure 12.4.3b: Building envelope for buildings located on an Arterial Transport Corridor



**Figure 12.4.3C: Building envelope for buildings**

#### 12.4.4 Site Coverage

- a. No maximum.

#### 12.4.5 Permeable Surfaces

Permeability across the entire site	Minimum 10%
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#### 12.4.6 Landscaping

Notwithstanding the provisions in Chapter 25.5: City-wide — Landscaping and Screening, within the Te Rapa North Industrial Zone.

Area to be planted	Extent	Height at maturity (minimum)	Density
i. Between Parking areas and storage areas and road frontage	2m depth along whole road frontage	-	Buffer Strip
ii. Within 15m of the bank of the Waikato River where the land is not subject to	Full extent	-	Sufficient to visually screen the activity from the river (except for areas used for water take and

an esplanade reserve			discharge structures and associated infrastructure, and access to these.)
iii. Adjacent to Te Rapa Road	2m	At least 2 metres	1. Boundaries where no vehicle access is obtained: Buffer Strip 2. Within 5m of a vehicle access: Planting Strip
iv. Land adjacent to the Te Rapa section of the Waikato Expressway	5m depth along whole road frontage	-	-
v. Boundary of Te Rapa North Industrial Zone and any land subject to the Deferred Industrial <a href="#">Zone Area (Future Urban Zone)</a>	5m depth along whole boundary	10m (within 5 years of planting)	Buffer Strip
vi. Within a riparian setback	Entire extent	-	-

b. The landscaping requirements set out in above are to be planted in any combination of lawn and indigenous groundcover, shrubs and trees, so long as they achieve the dimensions and density requirements.

- Landscape buffers required under a. v. can be a mixture of exotic and indigenous species but must be evergreen and exclude pest species.
- Landscape required under a. vi. take precedent over any other landscape standards that may apply and are to be planted in only indigenous vegetation

c. The landscaping requirement for riparian setbacks do not apply to areas used for pedestrian accessways and amenities associated with public access.

#### 12.4.7 Site Layout

a. No plant or machinery shall be placed in the front of the building or within any building setback (with the exception of machinery displayed for sale, hire, or plant associated with on-site security).

#### 12.4.8 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- [Chapter 2: Strategic Framework](#)
- [Chapter 3: Structure Plans](#)
- Chapter 14: Future Urban Zone
- [Chapter 15: Open Space Zones](#)
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision

- Chapter 24: Financial Contributions
- Chapter 25: City-wide

## 12.5 Rules— Specific Standards

### 12.5.1

#### Vehicle Access Restriction

- Lot 1 DPS 85687, [Lot 1 DPS 61136](#), [Lot 3 DPS 61136](#) and Lot 5 DPS 18043 shall achieve vehicle access via the Te Rapa Dairy Manufacturing Site onto Te Rapa Road and shall be restricted from achieving vehicle access onto Meadow View Lane. This rule shall not apply once the Deferred Industrial Zone overlay is removed from all properties along Meadow View Lane.

### 12.5.2

#### Ancillary Offices

- The total ancillary office activity shall not occupy more than 50% of the gross floor space of all buildings on the site.
- Offices ancillary to industrial buildings shall be located at the front of building and facing the road. On corner sites, offices are only required to face one road.

### 12.5.3

#### Ancillary Retail

- The total ancillary retail shall not occupy more than the equivalent of 10% of the gross floor area of all buildings on the site or 250m<sup>2</sup>, whichever is the lesser.

### 12.5.4

#### Food and Beverage within the Focal Area

- The total gross floor area for all food and beverage activities within the focal area of the Te Rapa North Industrial zone shall (cumulatively) not exceed 800m<sup>2</sup>.

## 12.6

### ~~Controlled Activities: Matters of Control~~

- ~~In determining any application for resource consent for a controlled activity in addition to the relevant standards within Rules 12.4 and 12.5, the Council shall have control over the following matters referenced below:~~

## ~~12.7-12.6~~

### ~~Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria~~

- In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion.

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number
a. Any activity that infringes Rules 12.4.1 Building Setbacks, 12.4.2 Height, 12.4.3 Height In Relation to Boundary, 12.4.4 Site Coverage, 12.4.5 Permeable Surfaces, 12.4.6 Landscaping, 12.4.7 Site Layout	<ul style="list-style-type: none"> <li>• A — General Criteria</li> <li>• B — Design and Layout</li> <li>• C — Character and Amenity</li> </ul>
b. Any activity requiring an air discharge permit under the Waikato Regional Plan within 100m of any Residential Zone	<ul style="list-style-type: none"> <li>• C — Character and Amenity</li> <li>• F — Hazards and Safety</li> </ul>
c. Yard-based retail (excluding car and boat sales) fronting Te Rapa Road	<ul style="list-style-type: none"> <li>• C — Character and Amenity</li> <li>• F — Hazards and Safety</li> </ul>
d. Emergency service facilities	<ul style="list-style-type: none"> <li>• C — Character and Amenity</li> <li>• F — Hazards and Safety</li> </ul>
e. Drive-through services within the Te Rapa North Industrial Focal Area	<ul style="list-style-type: none"> <li>• M — Drive-through services</li> <li>• C — Character and Amenity</li> <li>• F — Hazards and Safety</li> <li>• Q — Te Rapa North Industrial</li> </ul>
f. <u>Wet Industry</u>	<ul style="list-style-type: none"> <li>• <u>F — Hazards and Safety</u></li> <li>• <u>J — Three Waters Technique</u></li> </ul>

Commented [HCC2]: To be determined.

## 12.8-12.7 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities — Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation