

Variation to Plan Change 41: Milton Zoning

Plan Change 41A: Milton Industrial Structure Plan

Schedule of Changes

1 Planning Maps H45B Waiholo and H45D Milton:

Rezone the following sites from Rural Resource Area to Industrial Resource Area (Toko Plains):

- LOT 1 DP 407615 SEC 28 PT SEC 27 BLK III etc.
- SEC 32 BLK III TOKOMAIRO SD,
- LOT 1 DP 5756 BLK III TOKOMAIRO SD,
- LOT 4 DP 390540 PT SECS 19-20 BLK etc.
- PT SECS 57-58 BLK VII TOKOMAIRO SD,
- SEC 1 SO 465421 LOT 2 DP 23974,
- LOT 1 DP 448568, LOT 1 D P 8596 BLK 3 TOKOMAIRO SD,
- LOT 3 DP 473798 LOT 1 DP 434344,
- LOT 2 DP 473798
- Lot 1 DP 473798
- Allotment 75-78 Deeds Plan 121 Block VI Tokomairiro Survey District
- Lot 4 Deposited Plan 390540

The amendments necessary to incorporate the Industrial Resource Area (Toko Plains) into the District Plan are as follows:

2 Section 4.4 Industrial Resource Area:

(a) Add the following Objective and Policy to Section 4.3.3 Objectives and Policies:

Objective IND.3

That development within the Industrial Resource Area (Toko Plains) is efficient, co-ordinated and supported by adequate services; integrates with adjoining infrastructure; does not compromise surrounding land use; and does not compromise the existing drainage systems and the safety and efficiency of the transport system

Policy IND.5

All development within the Industrial Resource Area (Toko Plains) to be undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan in order to establish:

- The location of activities taking into account:
 - the effects they generate;
 - compatibility with neighbouring activities/ Resource Areas;
 - the location and efficiency of infrastructure, including transportation infrastructure;
 -
 - the location and efficiency of the existing drainage systems within the Structure Plan area.
- The provision of the primary roading structure within the Structure Plan area;

- The staging of development, having regard to the efficient and co-ordinated provision of services including internal roading;

(d) Safe and efficient connections with adjoining infrastructure, in particular the State Highway and the Main South Railway Line.

- Appropriate areas of landscaping and open space;
 - to mitigate any adverse visual effects of industrial development;
 - to protect existing drainage systems within the Structure Plan area or provide an appropriate alternative management response;
 - and to provide for an appropriate level of amenity within the Structure Plan area;
 - The provision of stormwater management areas, including stormwater detention ponds.

Explanation.

The Industrial Resource Area (Toko Plains) comprises a large (approximately 330ha), tract of generally undeveloped rural land on the Tokomairiro Plain that stretches from Milburn in the north down to the outskirts of Milton in the South. The zone is bordered by the Main South railway line to the west and State Highway One to the east. To achieve co-ordinated and integrated development of this site, a Structure Plan is considered necessary.

(b) Amend Rule IND.1 GENERAL SECTION as follows:

Rule IND.1 GENERAL SECTION

- General Section Rules.

All activities shall comply with the rules contained in Section 3 of this Plan.

....

- Toko Plains Structure Plan.

All development occurring on any site not already developed for industrial purposes within the Industrial Resource Area (Toko Plains), shall be undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan (attached at page X), including the associated Staging Plan.

[Note: For the purposes of this report the Structure Plan and associated documents are attached at Appendix 1]

(c) Amend Rule IND.2 Permitted activities to read as follows:

Any activity that conforms with the rules contained in Rule IND.4 Performance Standards

(except as provided in Rule IND.3) and where the activity is located in the Industrial

Resource Area (Toko Plains) and the Structure Plan for that Resource Area, is a permitted activity.

Reason

The performance standards of Rule IND.4 are intended to avoid, minimise or mitigate adverse effects of any activity. Development of the Industrial Resource Area (Toko Plains) in general accordance with the Structure Plan will ensure:

- the efficient and integrated development of the land for industrial purposes;
- the provision of a connected, safe, and efficient transportation network;
- the ongoing efficiency of the existing drainage system within the area;
- the provision of water, sewer and stormwater infrastructure on a coordinated basis;
- the mitigation of any adverse effects visual effects of industrial development.

(d) Amend Rule IND.3 Discretionary activities as follows:

The following are discretionary activities:

...

(e) Unless otherwise stated, non-compliance with any standard within Rule IND.4;

(f) Activities or development that are not in general accordance with the Structure Plan for the Industrial Resource Area (Toko Plains).

Note: For the purposes of Rule (f), the following activities and amendments do not constitute a breach of the Industrial Resource Area (Toko Plains) Structure Plan:

- movement of the central spine road identified within the Industrial Resource Area (Toko Plains) Structure Plan by 25 metres in an eastern or western direction;
- the provisions for breaks in the western boundary landscape strip in order to accommodate entry and egress of rail sidings into and out of the Industrial Resource Area (Toko Plains) or where landscaping is required to be reduced in order to achieve the safe and efficient operation of existing road and rail networks.
- resizing and the provision of additional dry and wet detention ponds;
- Access to the State Highway for land to the north of Limeworks Road, which is to be assessed in accordance with Rule TRANS 4(iii) (f).

(g) Any development within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan that occurs before any underlying subdivision of these areas in accordance with Rule SUB.4 D.2

Any development advanced under this rule must be supported with an Integrated Transport Assessment, which considers the transportation effects of the proposed development and shall include but not be limited to the following matters:

- The level and type of roading intervention required on the adjoining roading network;
- Evidence of consultation undertaken with the New Zealand Transport Authority with respect to any proposed intervention identified in (i) above; and
- The timing of the proposed intervention identified in (i) and the need for these measures to be implemented before development occurs on site.

(h) Any development that occurs before implementation of landscaping response required under Rule IND.4.6 Landscaping.

(i) Any development that does not comply with the design controls required under Rule IND.4.8 Design Controls.

(e) Amend Rule IND.4 Industrial Performance as follows:

(i) Add the following to Rule IND.4(1)(b):

(b) Rear and side yards of 4.5 metres shall be provided where a site adjoins any Urban, Transitional or Rural Settlement Resource Area without intervention of a road or railway line except that within the Industrial Resource Area (Toko Plains) Structure Plan, where the site of a building adjoins the site of a residential activity that existed at the time that the Industrial Resource Area (Toko Plains) was made operative (date x), the bulk and location requirements of this building shall provide for the following:

- Be set back a minimum distance of 10 metres from the common boundary with the adjoining residential property;
- The maximum height shall be determined by an inclined plane which originates from 3.5 metres at any point on the common boundary of the residential property and then slopes upwards at an angle of 25 degrees to the horizontal into the adjoining Industrial Resource Area (Toko Plains) zoned property;
- A landscape buffer zone of 10 metres shall be planted within the 10 metre space identified in (a) in order to screen / soften the visual effects of industrial activities and shall be implemented before occupation of the adjoining industrial building.

This rule shall also apply to the storage of outdoor containers.

For the purpose of this rule chimneys and stacks with a diameter of 2.5 metres or less are exempt from this height restriction.

For the purposes of this rule, where it can be demonstrated that the residential use of the residential property has ceased and the property is no longer being utilised for residential occupation and use, this rule shall not apply.

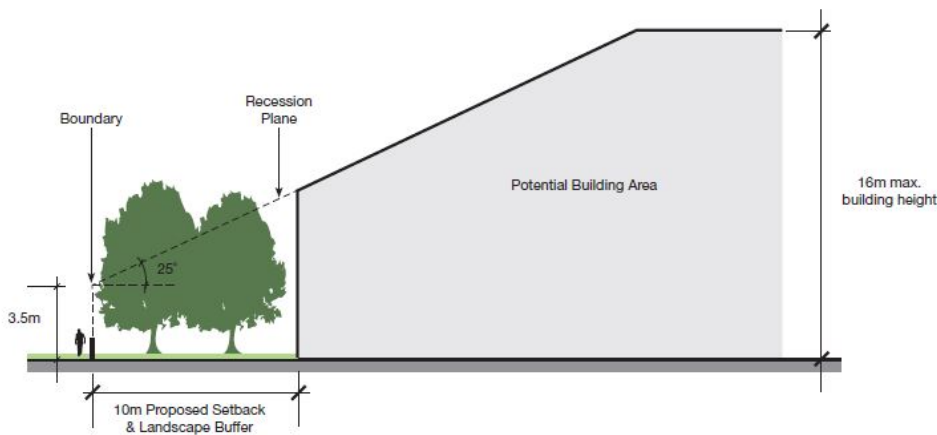


Figure 23 – Height Recession Line and Landscape Buffer to Support RuleIND.4.1(f)

(ii) Amend Rule IND.4(1)(c) to read as follows:

“The maximum height for buildings and structures in the area shall be 12 metres from ground level provided that where the site adjoins an Urban, Transitional or Rural Settlement Resource Area, Rule URB 4 (2) shall apply. In the case of the Industrial Resource Area (Toko Plains) maximum building heights shall be in accordance with the structure plan for this zone which provides for a maximum building height of 25 metres from ground level for Large Format Industrial and a maximum building height of 16 metres from ground level for Industrial Resource Area (Toko Plains). For the purpose of this rule, chimneys and stacks with a diameter of 2.5 metres or less are exempt from the height restriction and within the Large Format area contained within the Industrial Resource Area (Toko Plains) Industrial Structure Plan chimneys and stacks with a diameter of 3.5 metres or less are exempt from the height restriction; Fire Station hose drying towers up to a maximum height of 15 metres and maximum width of 1.5 ... The maximum building heights shall also apply to outdoor storage activities. For the purposes of this rule, container cranes shall be exempt from this rule.”

(iii) Amend Rule IND.4(3) as follows:

“Signs shall conform with the following:

(a) One sign per road frontage for industrial buildings ...

(b) Illuminated signs are permitted provided that no signs are flashing and in the Industrial Resource Area (Toko Plains) all illumination of signage is directed downwards.

(c) No sign shall exceed the following dimensions:

(i) For horizontal signs - the length of the building frontage and a width of 1.2 metres.

(ii) In the Industrial Resource Area (Toko Plains) for horizontal signs - the length of the building frontage and a width of 3 metres.

(iii) For vertical signs - the height of the building frontage and a width of 1.2 metres.

(iv) In the Industrial Resource Area (Toko Plains) for vertical signs - the height of the building frontage and a width of 3 metres.

(v) For pole signs - an area of 3m² not exceeding 6 metres in height, with a separation distance of 10 metres between such signs.

(vi) In the Industrial Resource Area (Toko Plains) for pole signs - an area of 8m² not exceeding 8 metres in height, with a maximum of 2 per site or 1 per 50 metres of street frontage, whichever is lesser and with a minimum distance of 10 metres between such signs.

(iv) Amend IND.4 (4) Servicing and Financial Contributions, **Section 3.7 Subdivision and Section 3.8 Financial and Reserve Contributions (Rule FIN.3 WHEN PAYABLE)** by adding the following:

“Unless otherwise agreed in writing by Council, where subdivision and development is implemented within the Industrial Resource Area (Toko Plains) all infrastructure servicing and financial contributions shall be provided for in accordance with the staging plan for

the Industrial Resource Area (Toko Plains) and financial contributions are sought at a time when demand is generated on Council infrastructure.”

(v) Add the following to Rule IND.4(5) Storage:

“This rule does not apply to the storage of shipping containers within the Industrial Resource Area (Toko Plains) Structure Plan.”

(vi) Amend Rule IND.4(6) to read as follows:

“All sites, including within the Industrial Resource Area (Toko Plains), adjoining public roads, reserves or other public land, or adjacent resource areas shall be landscaped to mitigate any adverse visual effects of industrial activities from these places screened from the view of those sites. Such landscaping screening shall be designed and implemented erected or planted to a suitable height and density so as to mitigate the visual dominance of future industrial development and the adverse visual and amenity effects that have the potential to occur and shall not impede visibility on adjacent roads. Any such landscaping screening shall be appropriately maintained.

In the Industrial Resource Area (Toko Plains), all landscaping shall be designed in accordance with the following design principles and outcomes:

- Landscaping and any associated mounding shall seek to mitigate the visual dominance of future industrial development on site when viewed from public places and the wider receiving environment;
- Where adjacent to rural zoned land, integrate the industrial zone with the surrounding rural character;
- Enhance the internal visual amenity of the Industrial Resource Area (Toko Plains) in order to complement future industrial activities; ~~to facilitate a high quality industrial landscape;~~
- Landscaping of a scale and impact to effectively mitigate the built elements and outdoor storage areas shall be provided for;
- The green spaces identified within the Structure Plan are provided for. These shall be substantially unencumbered by services or other constraints that conflict with achieving the landscape mitigation objectives;
- Where appropriate, plantings shall seek to enhance the indigenous biodiversity and natural character of the area, particularly within the riparian and stormwater management areas (where appropriate).
- Plantings and other landscape treatments are to be appropriate to their intended mitigating function and specific situation. Further detail on appropriate landscape approaches plant species and mounding design is provided in the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines; ~~Planting shall be undertaken using the range of species identified in Table 1 attached at page X;~~
- All development stages shall be underpinned with a landscape plan that is informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guideline and identifies any proposed mounding areas, planted areas detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting;
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme) and must

provide for replacement and successful establishment of plants that die or fail to thrive.

- All landscaping shall be implemented prior to occupation of the development or where completion of the development occurs outside of a planting season then landscaping shall be undertaken within the first planting season following.
- For the purposes of the 10-metre landscape strip fronting the property legally described as Section 1 SO 465421 and Lot 2 DP 23974 and identified within the Industrial Structure Plan, the landscaping strip shall comprise a minimum landscaping strip of 4.5 metres from the front State Highway boundary with associated naturalised mounding. Note: For the purposes of this rule, mounding may extend outside of this 10-metre landscape strip and naturalised mounding is encouraged along the State Highway frontage.

Documentation requirements

(i) All development stages shall be underpinned with a landscape plan informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines that spatially identifies areas to be planted and/or mounded. Details are required as to plant species, plant sourcing, plant sizes at the time of planting, plant locations, density of planting, and timing of planting; and

(ii) A documented programme of establishment and post establishment protection and maintenance is required addressing such matters as site preparation, fertilizing, watering, weed control, control of pest animals, replacement of dead or non-thriving plants and the length of the maintenance period. The proposed maintenance programme must provide for replacement and successful establishment of plants that die or fail to thrive.

(vii) Adopt the 'Tokomairiro Plains Industrial Zone Landscape Design Guidelines' dated November 2019 as attached to the Joint Witness Statement of the Landscape Architects, modified as follows:

(a) Page 5 (iii) amend reference to 'facilitate a high-quality industrial landscape' to 'complement future industrial activities'.

(b) Page 10 and 11 roading design responses: retain option B only but remove turning median and parking identified, and show the roading corridor at the minimum Clutha District Council Industrial road width standard. Amend the reference to '5.0 landscape strip' fronting the development to 'Indicative Landscape Strip'

(c) Pages 12-14 and 19: delete the landscape area identified in the 'private space' from Figures 10, 11, 12 and 17.

(d) Page 15 – Figure 13 should be retitled 'Figure 13: 20m Western Boundary – Adjoining Large Format Area'.

(e) Page 16 – Figure 14 should be retitled 'Figure 14 – 10m Western Boundary for 16 metre height area up to Limeworks Road (and excluding Pan Pac site legally described as Section 1 SO 465421 and Lot 2 DP 23974)'.

(viii) That the Structure Plan is amended to incorporate the following landscaping strips:

- That a Landscape Strip of 20m in width shall be provided along the Western Boundary of the zone where this adjoins the Large Format Area.
- That a Landscape Strip of 10m in width shall be provided along the Western Boundary south of Limeworks Road where this adjoins that part of Industrial Resource Area that has a 16m height maximum.

Note: No Landscape Strip shall be shown along the Western Boundary north of Limeworks Road (Pan Pac's land) or within the central spine access road.

(ix) Amend Rule IND.4(7) Earthworks to read as follows:

"Earthworks not required for construction of a building for which a building consent has been issued that exceed the following:

(a) An excavation depth or fill height exceeding 3 metres, or

...

(d) involve the use of explosives

(e) In the case of the Industrial Resource Area (Toko Plains) the following earthworks thresholds apply:

(i) An excavation depth or fill height exceeding 3 metres, or

(ii) the removal or the depositing of material exceeding 5,000m³, or

- an area of earthworks exceeding 30,000 m²,
- Clauses (ii) to (iii) apply in any consecutive 12-month period.

are a restricted discretionary activity...

This rule does not apply to earthworks associated with the construction of utility services and roads (including works within road reserves for footpaths, drainage systems etc.) authorised by this plan or appropriate resource consents or earthworks associated with subdivision activities within the Industrial Resource Area (Toko Plains) ..."

(x) Add the following new Rule:

8. Design Controls

All buildings within the Industrial Resource Area (Toko Plains) that exceed 8m in height shall be designed in accordance with the following external design controls:

(i) Exterior building wall colours: The external materials and colours of buildings, including but not limited to walls, spouting, joinery, doors etc., and water tanks shall be of a recessive colour within the natural tones of grey, green or cool browns with a light reflectivity value (LRV) of no more than 40%.

(ii) Roofing: Rooftop materials shall have a colour which has a reflectivity value of no more than 30% LRV.

(iii) Accessory buildings: to be constructed in similar materials and colours to principal buildings (unless below 8m in height, in which case these design controls do not apply).

(iv) Glazing: mirror glazing not permitted.

(v) No activities shall result in any light spill onto any adjoining property beyond Industrial Resource Area (Toko Plains) exceeding 10 lux (horizontal and vertical)."

"Note: For the purposes of compliance with Rule IND.4 (8) (ii) Design Control (30% LRV for roofing materials:

(i) untreated zincalume is discouraged as a roofing material;

(ii) this rule does not apply to solar panels erected on the roof of Industrial Buildings located within the Industrial Resource Area (Toko Plains), however the intention within the Industrial Resource Area (Toko Plains) is that low reflectivity solar panels are selected in order to minimise glare effects."

3 Section 3.3 Transportation

(a) Amend Rule TRAN.4 (iii) by adding the following:

(f) That any future development north of Limeworks Road involving access onto the State Highway is a Restricted Discretionary Activity. Council's discretion shall be limited to the following matters:

a) Safe systems compliant access design;

b) Practicality of alternative access options to Limeworks Road;

c) The intensity and duration of the activity utilising the access;

d) Any effect on the safety and efficiency of the State Highway;

e) The level and type of roading intervention required on the adjoining roading network;

(Note: Evidence of consultation undertaken with the New Zealand Transport Agency with respect to any proposed intervention identified in (e) above is required);

f) The timing of the proposed intervention identified in (e) and the need for these measures to be implemented before development occurs on site.

In order to assess matters a) to f) any resource consent application shall be supported with an Integrated Transport Assessment.

(b) Amend Rule TRAN.6 PARKING (ii)(b) as follows:

"(b) Stormwater originating from parking areas shall be adequately disposed of within the confines of the site with the exception of the Industrial Resource Area (Toko Plains), where all stormwater will be managed accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3."

(c) Amend Rule TRAN.7 Vegetation by adding the following exemption:

"(IV) Industrial Resource Area (Toko Plains).

This rule does not apply to the Industrial Resource Area (Toko Plains), where landscaping is to be approved under SUB.4.D.1."

4 Section 3.7 Subdivision

(a) Add the following new rule to Section 3.7:

“(aa) All subdivision of land within the Industrial Resource Area (Toko Plains) shall be a controlled activity.

Council’s control shall be restricted to the matters of control set out in Rule SUB.1 and subdivision performance standards under Rule SUB.4.

(b) Add the following to Rule SUB.4 Subdivision Performance Standard:

D. Matters Specific to the Industrial Resource Area (Toko Plains)

1. Any subdivision of land contained within the Industrial Resource Area (Toko Plains) shall be supported with a comprehensive landscape plan that seeks to mitigate any adverse visual effects of industrial development over the proposed lots being created and provides for a high quality industrial landscape. Council’s control shall be limited to the following considerations:

- Landscaping shall seek to mitigate the visual dominance of future industrial development on site when viewed from public places and the wider receiving environment;
- Where adjacent to rural zoned land, the degree to which landscaping will integrate the industrial zone with the surrounding rural character;
- Enhance the internal visual amenity of the Industrial Resource Area (Toko Plains) ~~and provides for a high quality industrial landscape~~ in order to complement future industrial activities.
- Landscaping of a scale and impact to effectively mitigate the built elements and outdoor storage areas shall be provided for;
- The green spaces identified within the Structure Plan are provided for. These shall be substantially unencumbered by services or other constraints that conflict with achieving the landscape mitigation objectives;
- The degree to which landscaping will enhance the indigenous biodiversity and natural character of the area, particularly within the riparian and stormwater management areas (where appropriate);
- Planting shall be informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines. attached at page X.;
- All development stages shall be underpinned with a landscape plan that is informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guideline and identifies any proposed mounding areas, planted areas detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting;
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme) and must provide for replacement and successful establishment of plants that die or fail to thrive.
- All landscaping shall be implemented prior to certification under section 224C of the Resource Management Act, where planting occurs within a planting season or alternatively within the first planting season following section 224C approval where this extends outside of a planting season.

2. Any subdivision of land contained within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan shall be supported with an Integrated Transport Assessment, which considers the effects of further industrial development undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan, with Council's control limited to the following considerations:

- i. The level and type of roading intervention required on the adjoining roading network;
- ii. Evidence of consultation undertaken with the New Zealand Transport Authority with respect to any proposed intervention identified in (i) above; and
- iii. Timing of proposed intervention identified in (i) and the need for these measures to be implemented before the issue of titles within Stage 2 and 3 and before development occurs on site.

(c) Add new Rule SUB.2:

(c) Any subdivision of land contained within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan that is not supported with an Integrated Transport Assessment is a discretionary activity.

(d) Add the following to Rule SUB.4.A Land Stability Standard:

3. Drainage Systems

Where significant drainage systems are located within the land to be subdivided, or the site is located within the area provided for by the "Milton 2060 strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain", a structure plan shall be prepared that sets out the measures to be put in place that ensure the efficiency of the drainage system and its associated overland flow paths are not compromised by the subdivision design and any subsequent development.

- A subdivision design that recognises and protects the integrity of the drainage system.
- ...
- The integration of infrastructure, including roading and reserves, with the stormwater management systems.
- ~~In the case of the Industrial Resource Area (Toko Plains) Any subdivision within the Industrial Resource Area (Toko Plains) shall be supported by a Stormwater Management Structure Plan relevant to the area being subdivided and relevant for~~ ~~at~~ ~~the~~ ~~areas~~ ~~identified~~ ~~in~~ ~~the~~ ~~Industrial~~ ~~Resource~~ ~~Area~~ ~~(Toko~~ ~~Plains)~~ ~~annotated~~ ~~structure~~ ~~plan~~ ~~and~~ ~~shall~~ ~~provide~~ ~~for~~ ~~those~~ ~~matters~~ ~~set~~ ~~out~~ ~~above~~"

5 Section 3.9 Natural Hazards

(a) Amend Rule NHZ.2.1 as follows:

1. LANDFILLS, WASTE DISPOSAL, OR THE STORAGE OR USE OF COMMERCIAL QUANTITIES OF HAZARDOUS GOODS OR SUBSTANCES

Landfills, waste disposal, or the storage or use of commercial quantities of hazardous goods or substances are non-complying activities in any area identified as being a natural

hazard site where the site is not protected from the natural hazard by floodbanks or erosion protection. For the purposes of this rule, where hazard mitigation responses have been implemented on sites located within the Industrial Resource Area (Toko Plains) and implemented in accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3 and where stored in accordance with Hazardous Substances and New Organisms (HSNO) Act, the storage of commercial quantities of hazardous substances is a permitted activity

(b) Amend Rule NHZ.3 Activities within Areas Identified as Flood Prone as follows;

(i) Add the following to Rule 3.1.1. AREA 1A: TOKOMAIRO RIVER FLOODPLAIN(a) Dwellings and Other Buildings that Accommodate People:

"This rule does not apply to other buildings that accommodate people located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan and where appropriate hazard mitigation responses have been implemented on site in accordance with an approved Stormwater Management Structure Plan in accordance with Rule SUB.4.A.3.

(ii) Add the following to Rule 3.1.1. AREA 1A: TOKOMAIRO RIVER FLOODPLAIN (b) Other Buildings:

"This rule does not apply to other buildings that are located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan and where appropriate hazard mitigation responses have been implemented on site in accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3

(iii) Add the following to Rule 3.1.1. AREA 1A: TOKOMAIRO RIVER FLOODPLAIN (c) Standards for Other Activities:

"This rule does not apply to activities listed in (i) and (ii) located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3

(iv) Add the following to Rule 3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS

(a) Dwellings and Buildings that Accommodate People – 4B:

"This rule does not apply to other buildings located within Area 4B and 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3

(v) Add the following to Rule 3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS

(c) Dwellings and Buildings that Accommodate People – 4C

"This rule does not apply to other buildings located within Area 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate

hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance Rule SUB.4.A.3.

- (vi) Add the following to Rule 3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS
(c) Other Buildings:

“This rule does not apply to other buildings located within Area 4B identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

- (vii) Amend Rule 3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS (d) Earthworks to read as follows:

“All earthworks located within Area 4B and 4C shall be restricted discretionary activities.

Council’s discretion shall be restricted to matters that ensure the overland passage of floodwaters or stormwater flows are not obstructed, impeded, or redirected. This measure may include measures that mitigate such effects.

Provided that this rule does not apply to earthworks that are part of any public flood protection work designed to mitigate or reduce the effects of flooding on the Milton Township or where the earthworks form part of a hazard mitigation response implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

- (viii) Add the following to Rule 3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS (e) Standards for Other Activities:

“This rule does not apply to any fence, shelterbelt, plantings or storage areas established within Area 4B and 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

6 Section 11 Other Environmental Issues

- (a) Amend Section 11.4.2 Other Environmental Issues (Glare) by adding the following:

“In the case of glare and illumination controls within the Industrial Resource Area (Toko Plains), the controls under Rule IND.4 (8) Design Control prevail for all development within the Industrial Resource Area (Toko Plains).”

7 Section 3.14 Infrastructure

- (a) Amend Rule INF.2 Transportation Routes as follows:

- (i) Amend Rule INF.2.1(i) Encroachment beyond an Existing Road Reserve of Formed Road as follows:

“The physical encroachment of a road due to upgrading, shape correction, or minor realignment works for the purpose of improving safety and efficiency of the road, or realignment works to give effect to the structure plan for the Industrial Resource Area (Toko Plains) outside the existing road reserve boundary, is a permitted activity provided...”

(ii) Amend Rule INF.2.1(ii) New Roads as follows:

“The construction of a new road, whether aligned with a legal road reserve or not, is a discretionary activity except where the road is to be formed as part of subdivision consent, or where the road is to be formed in general accordance with the structure plan for the Industrial Resource Area (Toko Plains).”

(iii) Amend Rule INF.2.2(ii) Rail as follows:

“The development and operation of a new railway line where there is no existing designation is a discretionary activity- except where the railway line is to be formed in general accordance with the structure plan for the Industrial Resource Area (Toko Plains), in which case the new railway line shall be assessed as a controlled activity.”

Council’s control shall be limited to the following matters:

- *The effects of noise, vibration, glare and dust effects.*
- *The effects on the safe and efficient operation of the roading network and other infrastructure in the area*

c. The method of construction, in particular,

- *measures to avoid, remedy, or mitigate:*
- *loss of or damage to soil; and*
- *movement of vegetation, soil, or debris, into any water body.*
- *Stormwater runoff.*

(b) Amend Rule INF.3 Airports as follows:

(iii) Except as provided for in (iv) below Commercial Airports, Landing Strips and Landing Pads Airports, Landing Strips and Landing Pads providing for the transport of passengers, freight transport services or that act as a base for commercial operations (including commercial recreation operations) are discretionary activities.

“(iv) Helicopter Pads providing for the transport of passengers, freight transport services or that act as a base for commercial operations (including commercial recreation operations) in the Industrial Resource Area (Toko Plains) are a restricted discretionary activity.”

Council’s discretion is limited to the following matters:

- *The scale of the operation, including the frequency of flights.*
- *The adverse effects of noise on not only the adjacent environment but also those areas affected by flight paths.*
- *Visual effects.*

- Any increase in traffic volume and flow and its effect on the transportation network in the locality.”