

PART 32 RULE 32 - IRON AND STEEL PRODUCTION ZONE

(Note: Refer to Part 21 and Objective 21.3 of the Plan)

For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts 7, 8, 10, 11, 12, 15, 22, 26, 50, 51, 52 and 53 of this Plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

32.1 PERMITTED ACTIVITIES

The activities listed below are *Permitted*, and do not require a resource consent, if they comply in all respects with Rule 32.4 (DEVELOPMENT METHODS) and Rule 32.5 (PERFORMANCE STANDARDS).

Note: Notwithstanding the *Permitted* status of the following land-use activities, one or more other types of 'consent' may currently apply, or be required from the Auckland Regional Council (refer to Part 20 for further explanation).

- The manufacture of iron and steel including storing, stockpiling and processing of materials used in the manufacture of iron and steel.
- The manufacture and treatment of materials required or obtained during iron and steel manufacturing, including oxygen, nitrogen, other process gases, vanadium oxides, and slag.
- Rolling, drawing and fabricating of ferrous and aluminium products including the manufacture or metallic pipe, plate and sheet products.
- Galvanising and surface coating of ferrous and aluminium products.
- Electric power supply and distribution systems including substations and capacity for electricity generation from waste heat.
- Natural gas supply and distribution systems for industrial and automotive purposes including any necessary compressor stations and all related pipework. This use includes a CNG filling station for company use.
- Warehousing, packaging, storage and loading finished products and waste material for disposal.
- Workshops, laboratories and other buildings and structures for the maintenance and repair of, or used in connection with any plant, machinery, equipment or means of transport, whether road, rail or water, for any of the foregoing purposes.
- Administrative buildings and the provision of staff amenities and training facilities.
- Water reservoirs, lakes and water courses not naturally occurring (subject to any necessary consents from the Auckland Regional Council).
- Farming of any kind including the erection of any building used for farming purposes other than residential accommodation.
- Roadways, railway lines, other material conveying systems, and structures incidental thereto, and hard standing for vehicles.
- All water, sewage and effluent treatment facilities.

- Residential accommodation not exceeding 10 household units for persons engaged in farming land within the *Iron and Steel Production Zone*, or for persons whose duties require them to live within the Zone.
- Accessory buildings for any of the foregoing purposes.
- Temporary construction facilities including huts, storage buildings and areas of hard standing.
- Public viewing areas, open space recreational facilities and structures (including signs) incidental thereof provided that access to such viewing areas from the adjoining public road shall be sited and constructed to the satisfaction of the Chief Executive or officer(s) acting under delegated authority.

32.2 RESTRICTED DISCRETIONARY ACTIVITIES

- i. *Restricted Discretionary* activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
 - ii. Applications will be assessed primarily in terms of the matters set out in Rule 32.6, and any conditions of consent will only relate to those matters.
 - iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 32.6. The application must also clearly demonstrate compliance with the stated performance standards applicable to the activity.
 - iv. An application for a *Restricted Discretionary* activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a *non-notified* application in terms of the Act).
 - v. The activities listed below are *Restricted Discretionary* activities in the *Iron and Steel Production Zone*.
- Any *Permitted* activity of Rule 32.1 which does not comply with one or more of the development standards of Rule 32.4.

32.3 DISCRETIONARY ACTIVITIES

- i. *Discretionary* activities require a resource consent, and the consent may be granted (conditionally or unconditionally) or refused. An application must be submitted in the prescribed format (available from the Council).
 - ii. Applications will be assessed in terms of the matters set out in Rule 53, and conditions of consent may be imposed.
 - iii. The information submitted with the application must be in terms of Rule 52.
 - iv. An application for a *Discretionary* activity may be considered without public notification where Council so determines in terms of Section 94 of the Act. (This is a *non-notified* application in terms of the Act).
 - v. The activities listed below are *Discretionary* activities in the *Iron and Steel Production Zone*.
- Activities not complying as *Permitted* or *Restricted Discretionary*.

32.4 DEVELOPMENT STANDARDS FOR PERMITTED ACTIVITIES**32.4.1 SITING OF BUILDINGS AND LANDSCAPING:**

1. All "production" buildings are to be sited at least 150 metres from all boundaries of the Zone. The area contained within this line and the boundaries shall be landscaped to the satisfaction of the Council in accordance with the provisions of Rule 29.5.11 (*Business Zone -"Amenity Planting"*) excluding 29.5.11: 1 (which refers to the area to be planted). "Production" buildings includes all buildings except the following (which are deemed to be "non-production" buildings):
 - buildings related to security.
 - buildings related to providing public information, viewing areas, conveniences or facilities.
 - dwelling houses and accessory buildings related to farming.
 - buildings solely for storage but not any dangerous goods or hazardous substances.
 - buildings or structures not exceeding 100 square metres related to any underground supply of energy or water.
 - temporary buildings or structures.
 - buildings related to recreation for or training of employees.
 - rail lines, roadways and similar ancillary works, services or areas, including accessory buildings necessary for their effective operation.
2. Subject to 32.4.2 which follows, all "non-production" buildings shall be sited at least 30 metres from all boundaries of the Zone, and the resultant yard shall be landscaped as per clause 32.4.1: 1 above.

32.4.2 COASTAL PROTECTION YARD:

No building or part of any building shall be erected closer than 60 metres from mean high water springs of the Waiuku Estuary provided that this restriction shall not apply to any stormwater and waste water discharge facilities which relate to discharge consents.

EARTHWORKS in this yard unrelated to stormwater and waste water discharge facilities which have consent shall not exceed a total volume of 25 cubic metres or a total area of 250 square metres.

Any bare ground arising from EARTHWORKS shall be revegetated as soon as practicable.

32.4.3 PARKING REQUIREMENTS

The parking, loading and manoeuvring of all vehicles associated, whether on a temporary or ongoing basis, with any activity in the Zone shall be accommodated wholly within the Zone.

32.4.4 SIGNS AND HOARDINGS

Refer to Part 54.4.

32.5 PERFORMANCE STANDARDS**32.5.1 OPERATIONAL NOISE LEVELS.**

All activities in the Zone shall be conducted or managed to ensure that the average corrected noise level as measured at the six monitoring locations shown in Diagram 32.A does not exceed:

- 55 dBA (L_{10}) for Monday to Saturday excluding public holidays, 0700 to 2200 hours.
- 45 dBA (L_{10}) for all other times, including Sunday and Public Holidays.

A corrected noise level shall be as defined in Rule 50 provided that the Sound Level Meter shall be a Type 2 meter.

Averaging of Noise Levels:

Noise levels at any one monitoring location which exceed the aforementioned limits will be acceptable only where such exceeded levels can be clearly attributed to meteorological conditions.

In no case shall the measured noise level at any one monitoring location exceed the permitted maximums by more than 5 dBA.

For the purpose of calculating any one average noise level, measurements from the six monitoring locations shall be taken consecutively over a continuous 6 hour period.

A correction of 2 dBA shall be added to any measurements taken at monitoring locations 5 and 6.

Noise Monitoring:

Weather permitting, BHP New Zealand Steel Limited, shall monitor regularly the night time noise level generated by its operations. This monitoring shall be at intervals of no greater than three months and shall be from the 6 monitoring locations shown in Diagram 32.A. All information obtained from monitoring shall be forwarded to Council and to the Medical Officer of Health as a matter of course. Council reserves the right to require monitoring at shorter intervals and/or from additional locations as the need arises.

32.6 ASSESSMENT OF RESTRICTED DISCRETIONARY ACTIVITIES

In assessing an application for a *Restricted Discretionary* activity the Council will assess the activity in terms of the following matters over which it has restricted the exercise of its discretion, and conditions of consent will only relate to these matters:

- The effect on the public services the Council is responsible for in the locality or District and which the residents, occupants, users, or operators of the developed area would make use of, generate a need for, or have an impact on (and for which "financial contributions" in terms of Section 108 of the Act may be appropriate or necessary).
- The necessity for the building or structure to be in the yard (set back area).
- The visual impact of the structure/s in terms of the character of the surrounding areas.
- The extent to which the structure/s will be screened or could be screened so as to complement, or avoid any detraction from, the amenities of the locality.
- The extent of shading that might occur for any adjoining site.
- The extent to which the structure would be inconsistent with the overall pattern and scale of development of the Zone and the appropriateness of a major "industrial" development in a rural and coastal location having a significant "buffer" right around its perimeter, and particularly along the coastal margin.
- The extent to which the proposal would interfere with the safe and efficient use of any nearby road, taking into account its function in the District.
- The extent to which the proposal is inconsistent with the original concept of the development and use of the site/s and whether it would be adverse in terms of the reasonable expectations of the local community.
- The extent to which any earthworks would affect the ecological, landscape or landform values of the area, or the natural character of the coast or of the margins of lakes and rivers; whether they would increase any risk of land instability or erosion; whether the proposed activity includes any proposals to revegetate land disturbed or prevent siltation or other adverse effects of stormwater runoff.

32.7 SUBDIVISION

Subdivision in accordance with the following provisions is a *Discretionary* activity. The application information and assessment requirements shall be as per Rules 52 and 53 respectively.

- Subdivision for the adjustment of boundaries and the consent to the subdivision is made subject to a provision requiring the issue of one Certificate of Title on a boundary adjustment, or
- Subdivision for the disposal of land for the purposes of a public work within the meaning of the Public Works Act 1981, or a public reserve within the meaning of the Reserves Act 1977.
- Subdivision required to provide a separate title for *Permitted* production facilities and the application for subdivision is accompanied by a certificate from the owner of the mill to the effect that such separate title is a security requirement of those investing in the production facilities to be constructed on that land, and provided that the owner of the mill shall retain a significant interest in the lands.

DIAGRAM 32.A: LOCATION OF NOISE MONITORING STATIONS

SCHEDULE OF NOISE MONITORING STATIONS (as shown on Diagram below):

- Station 1. Glenbrook Beach Road - 130 metres north of West Road intersection.
- Station 2. Reg Benett Road - 100 metres north of Glenbrook Road intersection.
- Station 3. Mission Bush Road - 140 metres east of Williams Road intersection.
- Station 4. Williams Road - on dog leg bend.
- Station 5. Rangiwhea Road, Waiuku - at boat ramp adjacent to Sandspit Reserve.
- Station 6. Maraeorahia Road - at north-eastern (no-exit) end.

