

**Chapter 28****PORT INDUSTRIAL ZONE - RULES****Introduction**

This chapter contains rules managing land uses in the Port Industrial Zone. The boundaries of this zone are shown on the planning maps. In addition, the Port of Napier Planning Boundary contained within the Hawke's Bay Regional Council's Regional Coastal Plan (Operative June 1999) is shown in Appendix 2 of this Plan.

All rules apply throughout the Port Industrial Zone unless otherwise stated.

**28.1 Summary of Port Industrial Zone Rules**

The following is a quick reference guide that summarises the Port Industrial Zone Activity Table and Condition Table. It is intended as a guide only and must not be used in place of the Port Industrial Zone Activity Table and Condition Table elsewhere in this Chapter.

Rule Number and Description		Classification	Page Number
Rule 28.2	Any land use not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity, or a prohibited activity, and complies with all the relevant conditions.	Permitted	2
Rule 28.3	Land development (excluding Subdivision, but including Multi Unit Development other than for Residential Multi Unit Development)	Permitted	2
Rule 28.4	Industrial, transport, storage, goods-handling and port-related activities.	Permitted	2
Rule 28.5	Commercial activities (includes offices and retailing).	Permitted	2
Rule 28.6	Residential activities (in a caretaker role).	Permitted	3
Rule 28.7	Helicopter landing areas.	Permitted	3
Rule 28.8	Subdivision of land.	Controlled	4
Rule 28.9	Any subdivision, use or development of land referred to in Rules 28.2 to 28.8 that does not comply with all the relevant conditions, unless stated by a rule elsewhere in this Chapter.	Restricted Discretionary	4
Rule 28.10(a)	Residential activities not accessory to a port-related activity.	Discretionary	4
Rule 28.10(b)	Travellers' accommodation.	Discretionary	4
Rule 28.10(c)	Camping grounds.	Discretionary	4
Rule 28.10(d)	Day care centres.	Discretionary	4
Rule 28.10(e)	Tyre storage activities that do not comply with all the relevant conditions.	Discretionary	4
Rule 28.10(f)	Retail activities that fail to comply with all of the relevant conditions.	Discretionary	4
Rule 28.10(g)	Office accommodation not accessory to a permitted activity.	Discretionary	4
Rule 28.10(h)	Noise sensitive activities not stated by a rule in this Chapter.	Discretionary	4

## PORT INDUSTRIAL ZONE – ACTIVITY TABLE

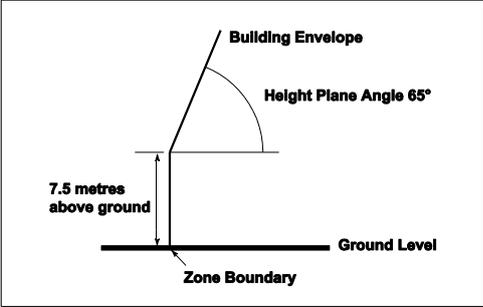
PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>28.2 <b>Land Uses Generally</b></p> <p>1. Any land use is a permitted activity provided that:</p> <ul style="list-style-type: none"> <li>a) It must comply in all respects with the relevant conditions in the Port Industrial Zone activity table and condition table.</li> <li>b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</li> </ul>	<p>The Council will restrict its discretion to the matters referred to in Rule 28.9</p>
<p>28.3 <b>Land Development (Excluding Subdivision, but including Multi Unit Development other than for Residential Multi Unit Development)</b></p> <p>1. Land development excluding subdivision but including multi unit development other than for residential multi unit development, is a permitted activity provided that:</p> <ul style="list-style-type: none"> <li>a) It must comply in all respects with the conditions stated in Chapter 66 (Volume II) of this Plan.</li> <li>b) It must comply in all respects with the relevant conditions in the Port Industrial Zone Activity Table and Condition Table.</li> </ul>	<p>The Council will restrict its discretion to the matters referred to in Rule 28.9, including the matters specified in Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development).</p>
<p>28.4 <b>Industrial, Transport, Storage, Goods-Handling and Port-Related Activities</b></p> <p>1. Unless otherwise provided for, any industrial, transport, storage, goods-handling and port-related activity is a permitted activity provided that:</p> <ul style="list-style-type: none"> <li>a) It must comply in all respects with the relevant conditions stated elsewhere in the Port Industrial Zone activity table and condition table.</li> </ul> <p>2. Any storage of tyres is a permitted activity provided that:</p> <ul style="list-style-type: none"> <li>a) The activity is ancillary to another activity on the site</li> <li>b) The tyres must be stored in a single storage area that is either inside a building or at least 10m from the front boundary of the site</li> <li>c) The storage area must not exceed 10m<sup>2</sup> and must not have a dimension of more than 4m</li> <li>d) Tyres must not be stored above a height of 1.5m</li> <li>e) Outdoor storage areas must be fully screened from all public spaces and adjoining sites</li> <li>f) The storage area must be locked at all times when the premises is not in use.</li> </ul>	<p>The Council will restrict its discretion to the matters referred to in Rule 28.9.</p> <p>NOTE: Any storage of tyres activity that does not comply with all of the relevant conditions is a discretionary activity (see Rule 27.10).</p>
<p>28.5 <b>Commercial Activities</b></p> <p>1. Any commercial activity is a permitted activity provided that:</p> <ul style="list-style-type: none"> <li>a) It must comply in all respects with the relevant conditions in the Port Industrial Zone activity table and condition table.</li> <li>b) It is not stated by a rule elsewhere in this Plan as a controlled</li> </ul>	<p>The Council will restrict its discretion to the matters referred to in Rule 28.9, including the following:</p> <ul style="list-style-type: none"> <li>- The actual and potential effects on people's health, safety and wellbeing.</li> <li>- The effects on traffic and pedestrian safety.</li> <li>- The effects on amenity values.</li> </ul>

<p>activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p> <p>2. Any office accommodation is a permitted activity provided that:</p> <p>a) It must relate to the administration and management of an industrial or commercial activity otherwise permitted in the Port Industrial zone.</p> <p>b) It must comply in all respects with the relevant conditions in the Port Industrial Zone activity table and condition table.</p> <p>c) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p> <p>3. Any retail activity is a permitted activity provided that:</p> <p>a) The goods or services offered must be manufactured, processed, repaired, serviced or warehoused within the Port Industrial Zone.</p> <p>b) The retailing component is limited to 25% of the gross floor area of the building within which the retail activity is located.</p> <p>c) It must comply in all respects with the relevant conditions in the Port Industrial Zone activity table and condition table.</p> <p>d) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p>	<ul style="list-style-type: none"> <li>- The need for traffic control, including signs, signals, and traffic islands.</li> <li>- The effects on the heritage values of the Inner City art deco resource.</li> </ul>
<p>28.6 <b>Residential Activities</b> (in a caretaking-type role)</p> <p>1. Any residential activity, unless stated by a rule elsewhere in this Plan, is a permitted activity provided:</p> <p>a) It is used solely by the owner of the business premises or any permanent employee undertaking a caretaking function and their immediate relatives.</p> <p>b) That it is accessory to a port-related activity.</p> <p>c) That it must comply in all respects with the relevant conditions elsewhere in the Port Industrial Zone activity table and condition table.</p> <p>d) That each residential activity must provide for the exclusive use of the occupants:</p> <p>i) An off-road parking space, garage or carport for at least one vehicle which complies with Appendices 17 and 18.</p> <p>ii) A service court with the minimum dimension of 3 metres by 3 metres.</p> <p>e) The outlook from any window of the unit must not be obscured by any sign erected on the building.</p>	<p>The Council will exercise its discretion over the matters referred to in Rule 28.9, including the assessment criteria specified in Chapter 31 of this Plan.</p>
<p>28.7 <b>Helicopter Landing Areas</b></p> <p>1. A helicopter landing area is a permitted activity provided that:</p> <p>a) Any noise from the use of the helicopter landing area must comply with the limits in New Zealand Standard 6807:1994 "Noise Management and Land Use Planning for Helicopter Landing Areas".</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 28.9, including the following:</p> <ul style="list-style-type: none"> <li>- The effects of noise on surrounding residential areas.</li> <li>- The effects on amenity values.</li> <li>- The health, safety, and wellbeing of people.</li> </ul>

b) It must comply in all respects with the conditions stated in the Port Industrial Zone activity table and condition table.	
<b>CONTROLLED ACTIVITIES</b>	<b>Matters the Council will restrict its discretion to for restricted discretionary activities.</b>
<p><b>28.8 Subdivision</b></p> <p>1. Subdivision is a controlled activity provided that:</p> <p>a) It must comply in all respects with the standards and terms specified in Chapter 66 (Volume II) of this Plan.</p> <p>b) It is assessed according to the matters in Chapter 66 (Volume II) over which the Council has reserved its control.</p> <p>2. Applications for resource consent will not be publicly notified in respect of subdivision that fully complies with the standards and terms, and notice of applications need not be served.</p>	The Council will exercise its discretion over the assessment criteria specified in Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan.
<b>RESTRICTED DISCRETIONARY ACTIVITIES</b>	<b>Matters the Council will restrict its discretion to for restricted discretionary activities.</b>
<p><b>28.9 Land Uses Not Complying With Conditions</b></p> <p>1. Any subdivision, use or development of land referred to in Rules 28.2 to 28.8 that does not comply with all of the relevant conditions in the Port Industrial Zone activity table and condition table, is a restricted discretionary activity, unless stated by a rule elsewhere in this Chapter.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> <li>- The matters identified in the second column of the Port Industrial Zone activity table and/or condition table.</li> <li>- The cumulative effect of non-compliance with more than one condition.</li> <li>- In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over.</li> <li>- The matters set out in Chapter 1.6.5.</li> <li>- The assessment criteria in Chapter 31 of this Plan where applicable.</li> </ul>
<b>DISCRETIONARY ACTIVITIES</b>	
<p><b>28.10 Discretionary Activities</b></p> <p>1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the assessment criteria in Chapter 31. The Council's discretion is unrestricted.</p> <p>a) Residential activities not accessory to a port-related activity.</p> <p>b) Travellers' accommodation.</p> <p>c) Camping grounds.</p> <p>d) Day care centres.</p> <p>e) Any tyre storage activity that does not comply in all respects with the relevant conditions.</p> <p>f) Retail activities that do not comply with all of the relevant conditions.</p> <p>g) Office accommodation not accessory to a permitted activity.</p> <p>h) Noise sensitive activities not specifically stated by a rule elsewhere in this Chapter.</p>	

PROHIBITED ACTIVITIES	
<p>28.11 <b>Prohibited Activities</b></p> <p>1. There are no land uses that are a prohibited activity within the Port Industrial Zone.</p>	

## PORT INDUSTRIAL ZONE – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.										
<p><b>28.12 Height in Relation to Boundary</b></p> <p>1. The following height in relation to boundary conditions shall apply to all land uses:</p> <p>a) Any part of a building, structure or tree must not exceed the Airport Height Control Designation in Appendix 7.</p> <p>b) Any part of a building, structure or stored goods must not project beyond a building envelope constructed by drawing planes along all parts of all zone boundaries, other than the coastal marine area boundary. The planes must commence 7.5 metres above ground level at the zone boundary and at any site boundary adjoining a road or designated rail corridor and must be inclined to the horizontal at an angle of 65 degrees, except that:</p> <p>i) This condition does not apply to lighting poles, quayside cranes and container cranes.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The effects of building scale and bulk in relation to adjacent the site.</li> <li>- The effects on amenity values.</li> <li>- The effects on air traffic safety.</li> </ul> 										
<p><b>28.13 Site Coverage</b></p> <p>1. The following site coverage conditions shall apply to all land uses:</p> <p>a) Site coverage (measured by gross building area) must not exceed 75% of the net site zone area.</p> <p>NOTE: For the purposes of this rule the areas of the zone occupied by road or designated rail corridor are not included within the zone area.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The scale and bulk of the building in relation to the zone.</li> <li>- The existing built density of the area.</li> <li>- The control of stormwater runoff.</li> </ul>										
<p><b>28.14 Outdoor Storage</b></p> <p>1. The following outdoor storage conditions shall apply to all land uses:</p> <p>a) Outdoor storage areas, refuse storage areas or stockpiles:</p> <p>i) Must comply with the height in relation to boundary conditions in Rule 28.12.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The effects on the shading of adjacent sites.</li> <li>- The effects on the visual amenity of the area.</li> <li>- The effects on people's health and safety.</li> </ul>										
<p><b>28.15 Noise</b></p> <p>1. The following noise conditions shall apply to all land uses, other than those exempted in Rule 57.5 and container repair, and maintenance activities (See Rule 28.15.2 below):</p> <p>a) All land uses within the zone must be conducted so as to ensure the following noise limits are not exceeded at any point beyond the Port Inner Noise Boundary shown on the planning maps:</p> <table border="0" data-bbox="268 1713 938 1854"> <tr> <td>Over any 5 consecutive day period</td> <td><math>L_{dn}</math> 65 dBA</td> </tr> <tr> <td>On any day</td> <td><math>L_{dn}</math> 68 dBA</td> </tr> <tr> <td>2200 hours to 0700 hours the following day</td> <td><math>L_{eq(9hour)}</math> 60 dBA</td> </tr> <tr> <td></td> <td><math>L_{eq(15min)}</math> 65 dBA</td> </tr> <tr> <td>2200 hours to 0700 hours the following day</td> <td><math>L_{max}</math> 85dBA</td> </tr> </table> <p>NOTE: To demonstrate non-compliance it shall only be necessary to show non-compliance with any one noise limit.</p> <p>b) The Port Operator shall include in a Port Noise Management Plan minimum monitoring and reporting requirements for noise management as set out in Appendix 33A.</p>	Over any 5 consecutive day period	$L_{dn}$ 65 dBA	On any day	$L_{dn}$ 68 dBA	2200 hours to 0700 hours the following day	$L_{eq(9hour)}$ 60 dBA		$L_{eq(15min)}$ 65 dBA	2200 hours to 0700 hours the following day	$L_{max}$ 85dBA	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The sound level likely to be generated.</li> <li>- The nature and frequency of the noise including any special audible characteristics.</li> <li>- The effects of noise on amenity values.</li> <li>- The length of time for which specified noise levels is exceeded, especially at night.</li> <li>- The likely adverse effects beyond the zone.</li> <li>- The mitigation measures to reduce noise generation.</li> <li>- Whether an acoustic insulation treatment offer has been made to affected noise sensitive activities.</li> <li>- In the case of an acoustic insulation offer being made the likely effectiveness of the acoustic insulation in mitigating noise within habitable spaces to an acceptable level.</li> </ul>
Over any 5 consecutive day period	$L_{dn}$ 65 dBA										
On any day	$L_{dn}$ 68 dBA										
2200 hours to 0700 hours the following day	$L_{eq(9hour)}$ 60 dBA										
	$L_{eq(15min)}$ 65 dBA										
2200 hours to 0700 hours the following day	$L_{max}$ 85dBA										

- c) Where any noise sensitive activity is partly or wholly contained within the area seaward of a noise contour line that is 65 dBA  $L_{dn}$  (5 day average) as shown on the current Port Noise Contour Map attached to the Port Noise Management Plan; or

Where sound level monitoring indicates that port noise equals or exceeds 65 dBA  $L_{eq}$  (15 minutes 10pm-7am) on more than three occasions (more than 24 hours apart) during any rolling 12 month period within the boundary of a noise sensitive activity:

The Port Operator shall comply with the matters set out in Appendix 33B(1).

- d) Where any noise sensitive activity is partly or wholly contained within the area seaward of a noise contour line that is 68 dBA  $L_{dn}$  (5 day average) as shown on the current Port Noise Contour Map attached to the Port Noise Management Plan; or

Where sound level monitoring indicates that port noise equals or exceeds 68 dBA  $L_{eq}$  (15 minutes 10pm-7am) on more than three occasions (more than 24 hours apart) during any rolling 12 month period within the boundary of a noise sensitive activity:

The Port Operator shall comply with the matters set out in Appendix 33B(2).

- e) The Port Operator shall establish, maintain and participate in a Port Noise Liaison Committee which shall operate in accordance with the requirements set out in Appendix 33C.

- f) Noise must be measured in accordance with the provisions of New Zealand Standard NZS6801:1999 "Acoustics: Measurement of Environmental Sound" and New Zealand Standard NZS6809:1999 "Acoustics: Port Noise Management and Land Use Planning".

2. The following noise conditions shall apply to container repair and maintenance activities within the Port Industrial Zone:

- a) Noise from container repair, and maintenance activities must not exceed the following noise limits at any point within any residentially zoned land:

Monday to Saturday inclusive	
0700 hours to 2200 hours	$L_{10}$ 55 dBA
Sunday and all other times	$L_{10}$ 45 dBA
Monday to Sunday inclusive	
2200 hours to 0700 hours the following day	$L_{max}$ 75 dBA

3. All land uses must comply in all respects with the relevant conditions in Chapter 57 (Noise) of this Plan.

4. The following acoustic insulation conditions shall apply to all new noise sensitive activities within the Port Industrial Zone:

- a) All habitable spaces within buildings used for the noise sensitive activity must be adequately insulated from noise arising from all other land uses within the zone.
- b) Adequate sound insulation must be achieved by constructing the building to achieve a spatial average indoor design sound level of 40 dBA  $L_{eq}$  in any room used for sleeping and 45 dBA  $L_{eq}$  in all other habitable spaces. The indoor design level must be achieved with all windows and doors open, unless adequate

<p>alternative ventilation means is provided, used and maintained in operating order.</p> <p>c) An acoustic design report must be provided to the Council prior to any building consent being granted or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits stated in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits stated in this rule.</p> <p>d) Prior to any person requesting a Certificate of Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with (b) above.</p> <p>e) It will be a condition of subdivision of land (as defined in the Act) that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements in (b) above are achieved.</p>	
<p><b>28.16 Light Spill</b></p> <p>1. The following light spill condition shall apply to all land uses:</p> <p>a) Between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space in a building within a residential zone).</p> <p>b) The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft.</p> <p>NOTE: Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The orientation, strength, intensity, colour and frequency of any light.</li> <li>- The effects on traffic safety.</li> <li>- The effects on pedestrian safety.</li> <li>- The effects on amenity values.</li> <li>- The effects on the health, safety, security and wellbeing of people.</li> </ul>
<p><b>28.17 Vibration</b></p> <p>1. The following vibration conditions shall apply to all land uses:</p> <p>a) Land uses must not generate a vibration that causes an unreasonable adverse effect on any adjacent land use.</p>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The effects on public health.</li> <li>- The effects on the structural integrity of adjacent buildings and facilities.</li> <li>- The effects on amenity values of the area.</li> </ul>
<p><b>28.18 Odour and Dust</b></p> <p>NOTE: The discharge of contaminants (including odour and dust) onto or into air, land or water is regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	

<p><b>28.19 Aerials, Lines and Support Structures</b></p> <p>1. The following conditions shall apply to all aerials, lines and support structures other than for the purposes of a network utility operation:</p> <ol style="list-style-type: none"> <li>a) Aerials, lines and/or support structures must not exceed 40 metres in height.</li> <li>b) Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 7.</li> <li>c) Where there is conflict between any of the height control lines or limits above, the lowest height must prevail.</li> <li>d) Where the Airport Height Control Designation prevails in accordance with Rule 28.19.1(c): <ol style="list-style-type: none"> <li>i) Any application for a building consent must be accompanied by a registered surveyor's certificate verifying that the building plans do not exceed the Airport Height Control Designation in Appendix 7.</li> <li>ii) Prior to a person requesting a Certificate of Compliance, a registered surveyor's certificate must be supplied, verifying compliance with the Airport Height Control Designation in Appendix 7.</li> </ol> </li> <li>e) Dish antenna must not exceed 5 metres in diameter.</li> <li>f) The aerial, line and/or support structure must comply with the conditions relating to height in relation to boundary in the Port Industrial Zone condition table.</li> </ol>	<p>Matters:</p> <ul style="list-style-type: none"> <li>- The effects on amenity values.</li> <li>- The scale in relation to adjacent buildings.</li> <li>- The bulk and form of the aerial, line and/or supporting structures.</li> <li>- The effects of shading.</li> <li>- The extent to which heritage or cultural values are adversely affected.</li> <li>- The cumulative effect of additional aerials, lines and/or support structures.</li> <li>- The prominence of the site taking into account significant public views and any significant landscapes.</li> <li>- The effects on public health and safety.</li> <li>- The effects on air traffic safety.</li> </ul>
<p><b>28.20 High Volume Water Using Activities</b></p> <p>NOTE: The maximum rate of wastewater discharge to the Napier City Council's reticulated wastewater system is controlled by the Napier City Council Trade Waste Bylaw.</p> <p>There are limitations on the capacity of this reticulated wastewater system in some parts of the City which may require restrictions on the rate of discharge.</p> <p>Discussion with the Works Asset Department of Napier City Council is recommended.</p>	
<p><b>28.21 Earthworks</b></p> <p>1. The relevant provisions of Chapter 52A (Earthworks) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 52A (Earthworks) of this Plan.</p>
<p><b>28.22 Heritage</b></p> <p>1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 56 (Heritage) of this Plan.</p>
<p><b>28.23 Signs</b></p> <p>1. The following sign conditions must apply to all land uses:</p> <ol style="list-style-type: none"> <li>a) The relevant provisions of Chapter 58 (Signs) of this Plan must be complied with, subject to the following exceptions: <ol style="list-style-type: none"> <li>i) Signs for directional and/or instructional purposes, relating to land uses within the zone need not comply with the maximum sign area conditions within Chapter 58 (Signs).</li> </ol> </li> </ol>	<p>Matters:</p> <p>Refer to Chapter 58 (Signs) of this Plan.</p>

<p><b>28.24 Trees</b></p> <p>1. The relevant provisions of Chapter 60 (Trees) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 60 (Trees) of this Plan.</p>
<p><b>28.25 Transport</b></p> <p>1. The following access and manoeuvring conditions shall apply to all land uses:</p> <p>a) The requirements for access and manoeuvring in Chapter 61 (Transport) of this Plan must be complied with.</p> <p>b) There must be no new vehicle crossing on to any road.</p>	<p>Matters:</p> <p>Refer to Chapter 61 (Transport) of this Plan.</p>
<p><b>28.26 Natural Hazards</b></p> <p>1. The relevant provisions of Chapter 62 (Natural Hazards) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62 (Natural Hazards) of this Plan.</p>
<p><b>28.27 Hazardous Substances</b></p> <p>1. The relevant provisions of Chapter 63 (Hazardous Substances) of this Plan must be complied with, except that:</p> <p>a) Any hazardous substance in transit need not comply with the provisions of this Plan.</p> <p>b) For the purposes of this condition, 'in transit' means hazardous substances otherwise being transported that have not reached their final destination and which for the time being are deposited within the Port Industrial Zone and are under the responsibility of the Port of Napier Limited.</p> <p>NOTE: The length of time for hazardous substances 'in transit' may differ in accordance with the provisions of other legislation, regulations and Codes controlling hazardous substances and dangerous goods etc. This condition shall not extend, the requirements of such statutes, regulations or codes of practice, but for the purposes of the Plan exempts hazardous substances 'in transit' within the Port Industrial Zone from the provisions of Chapter 63.</p>	<p>Matters:</p> <p>Refer to Chapter 63 (Hazardous Substances) of this Plan.</p>
<p><b>28.28 Activities on the Surface of Water</b></p> <p>1. The relevant provisions of Chapter 62A (Activities on the Surface of Water) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62A (Activities on the Surface of Water) of this Plan.</p>
<p><b>28.29 Contaminated Sites</b></p> <p>1. The relevant provisions of Chapter 64 (Contaminated Sites) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 64 (Contaminated Sites) of this Plan.</p>
<p><b>28.30 Financial Contributions</b></p> <p>1. The relevant provisions of Chapter 65 (Financial Contributions) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 65 (Financial Contributions) of this Plan.</p>
<p><b>28.31 Code of Practice for Subdivision and Land Development</b></p> <p>1. The relevant provisions of Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan.</p>