

# Chapter 27: Te Kowhai Airpark Zone

Proposed Waikato District

Plan Stage I

(Notified version)

# Waikato



**DISTRICT COUNCIL**

*Te Kaunihera aa Takiwaa o Waikato*

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## Chapter 27: Te Kowhai Airpark Zone

- (1) The rules that apply to activities in the Te Kowhai Airpark Zone are contained in **Rule 27.2** Land Use – Effects and, **Rule 27.3** Land Use – Building.
- (2) The provision for subdivision in the Te Kowhai Airpark Zone are contained in **Rule 27.4**.
- (3) The activity status tables and standards in the following chapters also apply to activities in the Te Kowhai Airpark Zone:
  - 14 Infrastructure and Energy as specified in **Rule 27.2**;
  - 15 Natural Hazards and Climate Change (Placeholder).
- (4) The following symbols are used in the tables:
  - (a) P Permitted activity
  - (b) C Controlled activity
  - (c) RD Restricted discretionary activity
  - (d) D Discretionary activity
  - (e) NC Non-complying activity
- (5) The Te Kowhai Airpark comprises four separate precinct areas:
  - (a) **Precinct A:** Runway and Operations;
  - (b) **Precinct B:** Commercial;
  - (c) **Precinct C:** Medium Density Residential;
  - (d) **Precinct D:** Residential;
- (6) The Te Kowhai Airpark Zone is shown on the planning maps along with the location of the four precinct areas within the zone.
- (7) **Rule Table 27.1.1** identifies Permitted activities (P), Controlled Activities (C), Discretionary activities (D) and Non-complying activities (NC) within each precinct.

### 27.1 Land Use - Activities

- (a) All Permitted and Controlled activities identified in Activity Status **Table 27.1.1** must comply with all Land Use - Effects rules in **Rule 27.2** and Land Use - Building rules in **Rule 27.3**.
- (b) With respect to controlled activities, Council reserves control over the following matters:
  - (i) the proposed site design and layout in relation to:
    - A. the sensitivity of the surrounding natural, human and physical environment,
    - B. potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities, and
    - C. interaction with natural hazards (flooding, instability), as applicable,
  - (ii) proposed emergency management planning (spills, fire and other relevant hazards), and
  - (iii) proposed procedures for monitoring and reporting of incidents.
- (c) To reference the activity status use the following format:
  - (i) Rule
  - (ii) Activity status and number
  - (iii) Activity
  - (iv) Precinct

(for example 21.7 D I I Navigation Equipment Precinct B Commercial)

## 27.1.1 Activity Status Table

Activity	Precinct A Runway & Operations	Precinct B Commercial	Precinct C Medium Density Residential	Precinct D Residential
General aviation	P1	P2	D1	D2
Recreational flying	P3	P4	P5	P6
Commercial Car Parks	P7	P8	D3	D4
Storage	P9	P10	P11	D5
Fuel storage and refuelling <b>infrastructure</b> , including self-automated dispensing facilities for aircraft and vehicles	C1	C2	D6	D7
Water, stormwater and wastewater utility <b>infrastructure</b> to service Te Kowhai Airpark	P12	P13	P14	P15
Commercial maintenance and servicing of aircraft;	P16	P17	D8	D9
Domestic maintenance and servicing of aircraft	P18	P19	P20	P21
Events and promotions, including temporary events	P22	P23	P24	D10
Taxiways	P25	P26	P27	P28
Navigational equipment.	P29	D11	D12	D13
Clubrooms	NC1	P80	D14	D15
Cafes and Restaurants (including licensed premises)	NC2	P31	D16	D17
Retail (to a maximum 300m <sup>2</sup> gross floor area in each precinct).	NC3	P32	D18	D19
Teaching & Conference facilities	NC4	P33	D20	D21
Car rentals	NC5	P34	D22	D23
<b>Community facility</b> (to a maximum 300m <sup>2</sup> gross floor area in each precinct)	NC6	P35	P36	D24
Playgrounds	NC7	P37	D25	D26
<b>Home occupation</b>	NC8	D27	P38	P39
Residential	NC9	D28	P40	P41
<b>Visitor accommodation</b>	NC10	D29	P42	D50

Hangars ancillary to residential development, providing the hangar is constructed simultaneously with, or subsequent to, its associated dwelling.	NC11	D31	D32	P43
<b>Minor Dwellings</b>	NC12	D33	P44	P45
(1) Activities not specifically listed in Rules Table 27.1.3	D34	D35	D36	D37

## 27.2 Land Use – Effects

### 27.2.1 On Site Services

Any activity must comply with the requirements for service connections in [Rules 14.2 and 14.11](#) of Chapter 14 (Infrastructure and Energy)

### 27.2.2 Access and road performance standards

Any activity must comply with the requirements for new roads in [Rule 14.12](#) of Chapter 14 (Infrastructure and Energy Rules).

### 27.2.3 On Site parking and loading

Any activity must comply with the requirements for on-site parking and loading in [Rule 14.12](#) of Chapter 14 (Infrastructure and Energy Rules).

### 27.2.4 On site manoeuvring

Any activity must comply with the requirements for on-site manoeuvring and queuing in [Rule 14.12](#) of Chapter 14 (Infrastructure and Energy).

### 27.2.5 Vehicle movements

Any activity must comply with the requirements for traffic generation in [Rule 14.12](#) of [Chapter 14](#) (Infrastructure and Energy).

### 27.2.6 Noise - Other than Taxiways

PI	(a) Noise from any activity in PRECINCT B must not exceed the following noise limits when measured at the <b>notional boundary</b> of a <b>site</b> within the Rural Zone: (i) 55dB (L <sub>Aeq</sub> ), 7am to 10pm every day; and (ii) 40dB (L <sub>Aeq</sub> ) and 70dB (L <sub>AFmax</sub> ), 10pm to 7am the following day.
P2	(a) Noise from any activity in PRECINCTS C OR D must not exceed the following noise limits when measured at the <b>notional boundary</b> of any <b>site</b> in the Rural zone outside of the Te Kowhai Airpark Zone: (i) 50dB (LAeq), 7am to 7pm every day; and (ii) 45dB (LAeq), 7pm to 10pm every day; and (iii) 40dB (LAeq), and 65dB (LAFmax) all other times.
P3	(a) In ALL PRECINCTS, Rules P1 and P2 do not apply to: (i) Noise from aircraft movement on the taxiways; or (ii) Construction noise, or (iii) Noise from emergency sirens.
DI	Any activity that does not comply with <b>Rule 27.2.6 PI, P2 or P3</b>

### 27.2.7 Noise – Taxiways

PI	(a) In ALL PRECINCTS, noise from aircraft movements on the taxiways must not exceed the following <b>noise</b> limits: (i) When measured at the <b>notional boundary</b> of 202, 212 and 214 Limmer Road: A. 50dB (L <sub>Aeq</sub> ), 7am to 10pm every day; and B. 40dB (L <sub>Aeq</sub> ), and 65dB (L <sub>AFmax</sub> ) at all other times; or (ii) When measured at the <b>notional boundary</b> of any other <b>site</b> in the Rural Zone: A. 50dB (L <sub>Aeq</sub> ), 7am to 7pm every day; and B. 45dB (L <sub>Aeq</sub> ), 7pm to 10pm every day; and C. 40dB (L <sub>Aeq</sub> ), and 65dB (L <sub>AFmax</sub> ) at all other times (b) <b>Rule 27.2 (PI)(a)(ii)</b> does not apply to 98A and 98B Limmer Road
DI	Any activity that does not comply with <b>Rule 27.2.7PI</b> .

### 27.2.8 Construction Noise

PI	(a) Construction noise generated from a construction <b>site</b> in ALL PRECINCTS must meet the limits in <b>NZS 6803:1999 (Acoustics – Construction Noise)</b> . (b) Construction noise must be measured and assessed in accordance with the requirements of <b>NZS6803:1999 'Acoustics – Construction Noise'</b> .
DI	Any activity that does not comply with <b>Rule 27.2.8 PI</b> .

### 27.2.9 Glare and Lighting

PI	(a) In ALL PRECINCTS, illumination from glare and artificial light spill must not exceed 10 <b>lux</b> measured vertically at any other <b>site</b> .
RD I	(a) Illumination from glare and artificial light spill that does not comply with <b>Rule 27.2.9 PI</b> . (b) Council's discretion is restricted to the following matters: (i) Effects on amenity values; (ii) Light spill levels on any other <b>site</b> ; (iii) Road safety; (iv) Duration and frequency.

### 27.2.10 Earthworks

PI	<p>(a) In ALL PRECINCTS, <b>earthworks</b> within a <b>site</b> must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Earthworks must be located more than 1.5m either side of a public sewer, open drain, overland flowpath or other service pipe;</li> <li>(ii) Earthworks must not exceed a volume of more than 1,000m<sup>3</sup> in a single calendar year;</li> <li>(iii) Earthworks must not exceed an area of more than 1,000m<sup>2</sup> in a single calendar year;</li> <li>(iv) The <b>height</b> of the resulting cut or batter face does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(v) Areas exposed by the <b>earthworks</b> not covered by buildings or other impervious surfaces are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <b>earthworks</b>;</li> <li>(vi) Sediment is retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls;</li> <li>(vii) Earthworks must not divert or change natural water flows or established drainage paths.</li> </ul>
P2	<p>(a) In ALL PRECINCTS, the importation of <b>fill material</b> to a <b>site</b> must meet all of the following conditions, in addition to the conditions in <b>Rule 27.2.10 PI (a)</b>:</p> <ul style="list-style-type: none"> <li>(i) Earthworks do not exceed a total volume of 20m<sup>3</sup> per <b>site</b> and a depth of 1m;</li> <li>(ii) Earthworks must be fit for <b>compaction</b>;</li> <li>(iii) The <b>height</b> of the resulting batter face in <b>stable ground</b> must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(iv) Earthworks do not restrict the ability for land to drain;</li> <li>(v) Earthworks are not located within 1.5m of public sewers, utility services or manholes; and</li> <li>(vi) The sediment from <b>fill material</b> is retained on the <b>site</b>.</li> </ul>
RDI	<p>(a) <b>Earthworks</b> that do not comply with <b>Rule 27.2.10 PI or P2</b>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values and landscape effects;</li> <li>(ii) Volume, extent and depth of <b>earthworks</b>;</li> <li>(iii) Nature of <b>fill material</b>;</li> <li>(iv) Contamination of <b>fill material</b>;</li> <li>(v) Location of the <b>earthworks</b> to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) Compaction of the <b>fill material</b>;</li> <li>(vii) Volume and depth of <b>fill material</b>;</li> <li>(viii) Geotechnical stability;</li> <li>(ix) Flood risk, including natural water flows and established drainage paths;</li> <li>(x) Land instability, erosion and sedimentation;</li> <li>(xi) Proximity to underground services and service connections.</li> </ul>

### 27.2.11 Hazardous Substances

PI	<p>(a) In ALL PRECINCTS, the <b>use, storage</b> or disposal of any <b>hazardous substance</b> where:</p> <ul style="list-style-type: none"> <li>(i) The aggregate quantity of <b>hazardous substance</b> of any hazard classification on a <b>site</b> is less than the quantity specified for Te Kowhai Airpark Zone in <b>Table 5.1</b> contained within <b>Appendix 5 (Hazardous Substances)</b>;</li> <li>(ii) The <b>storage</b> or <b>use</b> of radioactive materials is in approved equipment for medical and diagnostic purposes, or specified as an exempt activity or article in the <b>Radiation Safety Act and Regulations 2017</b>.</li> </ul>
CI	<p>(a) Fuel storage and refuelling infrastructure, including self-automated dispensing facilities in PRECINCTS A AND B must not exceed:</p> <ul style="list-style-type: none"> <li>(i) An aggregate of 100,000 litres of petrol or aviation fuel in underground storage tanks; and</li> <li>(ii) An aggregate of 50,000 litres of diesel in underground storage tanks; and</li> <li>(iii) An aggregate of 6 tonnes of LPG (single vessel storage).</li> </ul> <p>(b) Council reserves its control over the following matters:</p> <ul style="list-style-type: none"> <li>(i) The proposed <b>site</b> design and layout in relation to: <ul style="list-style-type: none"> <li>A. The sensitivity of the surrounding natural, human and physical environment; potential</li> </ul> </li> </ul>



	<p>hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities;</p> <p>B. Interaction with natural hazards such as flooding, instability;</p> <p>C. Proposed emergency management planning (spills, fire and other relevant hazards);</p> <p>D. Procedures for monitoring and reporting of incidents.</p>
D1	The use, storage or disposal of any hazardous substance that does not comply with one or more of the conditions in Rule 27.2.11.PI or CI.

### 27.2.12 Signs

PI	<p>(a) Any sign located in PRECINCT A OR B that is visible from a public place or site in another zone must comply with all of the following conditions:</p> <p>(i) The sign height does not exceed 10m;</p> <p>(ii) Where the sign is attached to a building, it must not:</p> <p>A. Extend more than 300mm from the external wall of the building; and</p> <p>B. Exceed the height of the building;</p> <p>(iii) Where the sign is a free-standing sign, it must:</p> <p>A. Not exceed an area of 3m<sup>2</sup> for one sign per site; and 1m<sup>2</sup> for any other free-standing sign on the site; and</p> <p>B. Be set back at least 5m from the boundary of any site in the Village Zone,</p> <p>(iv) Where the sign is illuminated, it must:</p> <p>A. Not have a light source that flashes or moves; and</p> <p>B. Not contain moving parts or reflective materials; and</p> <p>C. Be directed to ensure it does not spill light beyond the site.</p>
P2	<p>(a) Any sign located in PRECINCT C OR D that is visible from a public place or site in another zone must:</p> <p>(i) Relate to goods or services available on the site; or</p> <p>(ii) Be a property name sign; and</p> <p>(iii) Be the only sign on the site; and</p> <p>(iv) Not be illuminated, flashing or moving; and</p> <p>(v) Not exceed 0.25m<sup>2</sup>; and</p> <p>(vi) Not exceed 2m in height.</p>
P3	<p>(a) In ALL PRECINCTS, a real estate 'for sale' sign must:</p> <p>(i) Relate- to the sale of the site on which it is located; and</p> <p>(ii) Be no more than 2 signs per site; and</p> <p>(iii) Be no larger than 1m<sup>2</sup> in area (per sign).</p>
P4	<p>(a) In ALL PRECINCTS, a sign advertising a community event or temporary event must:</p> <p>(i) Be on display for no more than 3 months prior to the event; and</p> <p>(ii) Be removed no later than 5 days after the event.</p>
RD1	<p>(a) Any sign that does not comply with Rule 27.2.12 PI, P2, P3 or P4.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on amenity values;</p> <p>(ii) Visual impact of the sign;</p> <p>(iii) Nature, scale and location;</p> <p>(iv) Streetscape;</p> <p>(v) Effects on any other site in the locality;</p> <p>(vi) Glare and light spill;</p> <p>(vii) Traffic safety.</p>

### 27.2.13 Signs - effects on traffic

PI	<p>(a) In ALL PRECINCTS, any sign directed at road users must:</p> <p>(i) Not imitate the content, colour or appearance of any traffic control sign; and</p> <p>(ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; and</p> <p>(iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections; and</p>
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	<ul style="list-style-type: none"> <li>(iv) Contain maximum 40 characters and a maximum of 6 symbols; and</li> <li>(v) Have lettering that is at least 150mm high; and</li> <li>(vi) Where the sign directs traffic to a site entrance, the sign must be at least 130m from the entrance.</li> </ul>
RD1	<ul style="list-style-type: none"> <li>(a) Any sign that does not comply with Rule 27.2.13 PI.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Effects on amenity values, including cumulative effects;</li> <li>(ii) Effects on the safe and efficient operation of the road network;</li> <li>(iii) Size and number of characters and symbols;</li> <li>(iv) Size of sign and support structure;</li> <li>(v) Visual appearance.</li> </ul> </li> </ul>

### 27.2.14 Temporary Events

PI	<ul style="list-style-type: none"> <li>(a) In ALL PRECINCTS, a temporary event must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) The event occurs no more than 3 times per consecutive 12 month period;</li> <li>(ii) It does not involve motorised outdoor recreation (except flying);</li> <li>(iii) It does not involve outdoor musical events or concerts;</li> <li>(iv) It operates within the hours of: <ul style="list-style-type: none"> <li>A. 7.30am to 10pm Monday to Saturday; and</li> <li>B. 7.30am to 6pm Sunday;</li> </ul> </li> </ul> </li> <li>(b) Temporary structures are: <ul style="list-style-type: none"> <li>(i) Erected no more than 2 days before the event occurs; and</li> <li>(ii) Removed no more than 3 days after the end of the event;</li> </ul> </li> <li>(c) The site is returned to its original condition no more than 3 days after the end of the event;</li> <li>(d) There is no direct site access from a national route or regional arterial road.</li> </ul>
RD1	<ul style="list-style-type: none"> <li>(a) A temporary activity that does not comply with Rule 27.3.14 PI.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Amenity;</li> <li>(ii) Noise levels;</li> <li>(iii) Timing and duration of the event;</li> <li>(iv) Traffic and road safety effects.</li> </ul> </li> </ul>

### 27.2.15 Outdoor storage

PI	<ul style="list-style-type: none"> <li>(a) In PRECINCT A AND B, outdoor storage of goods or materials must: <ul style="list-style-type: none"> <li>(i) Be associated with a Permitted Activity operating from the site;</li> <li>(ii) Not exceed a height of 9m;</li> <li>(iii) Not encroach on any required parking and manoeuvring areas; and</li> <li>(iv) Not exceed 30% site coverage.</li> </ul> </li> </ul>
P2	<ul style="list-style-type: none"> <li>(a) In PRECINCT C AND D, outdoor storage of goods or materials must: <ul style="list-style-type: none"> <li>(i) Be associated with a Permitted Activity operating from the site; and</li> <li>(ii) Not encroach on any required parking and manoeuvring areas.</li> </ul> </li> </ul>
RD1	<ul style="list-style-type: none"> <li>(a) Outdoor storage of goods or materials that does not comply one or more conditions in Rule 27.2.15 PI and P2.</li> <li>(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Effects on amenity;</li> <li>(ii) Visual impact;</li> <li>(iii) Nature, scale and location of screening;</li> <li>(iv) Proximity and height of stockpiles to road reserve or other sites;</li> <li>(v) Access to sunlight and daylight;</li> <li>(vi) Safety of road users and pedestrians.</li> </ul> </li> </ul>

## 27.3 Land Use – Building

### 27.3.1 Height of buildings, structures, trees and other vegetation

PI	(a) The construction or alteration of any <b>building</b> or structure in PRECINCT A OR B must not exceed a height of 10m, and (b) Any <b>building</b> , structure, tree or other vegetation in PRECINCT A OR B must not protrude through the Obstacle Limitation Surfaces defined in <b>Appendix 9 (Te Kowhai Airfield and Obstacle Limitation Surface)</b> .
P2	(a) The construction or alteration of any <b>building</b> or structure in PRECINCT C OR D must not exceed a <b>height</b> of 7.5m, and (b) Any <b>building</b> , structure tree or other vegetation in PRECINCTS C OR D must not protrude through the Obstacle Limitation Surfaces defined in <b>Appendix 9 (Te Kowhai Airfield and Obstacle Limitation Surface)</b> .
RDI	(a) Any <b>building</b> , structure, tree or other vegetation that does not comply with <b>Rule 27.3.1.P1 or P2</b> . (b) Council's discretion is restricted to the following matters: (i) Form, bulk and location of <b>building</b> , structure, object, mast or tree; (ii) Effect on the safe and efficient operation of Te Kowhai aerodrome and airpark; (iii) Access to daylight and sunlight.
D1	Any <b>building</b> , structure, tree or other vegetation that does not comply with <b>Rule 27.3.1 RDI</b> .

### 27.3.2 Daylight Admission

PI	(a) Any <b>building</b> or stockpiling of materials in PRECINCT A OR B must not protrude through a <b>height control plane</b> rising at an angle of: (i) 45 degrees commencing at an elevation of 2.5m above ground level at every point of the Precinct <b>boundary</b> ; or (ii) 37 degrees commencing at an elevation of 2.5m above ground level at every point of the Precinct <b>boundary</b> between south-east or south-west of the <b>building</b> or stockpile. (b) <b>Rule 27.3.2 PI (a)</b> does not apply to a Record of Title less than 1000m <sup>2</sup> in Precinct A or B.
P2	(a) Construction or alteration of a <b>building</b> in PRECINCT C OR D must not protrude through a <b>height control plane</b> rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at every point of the <b>site boundary</b> . (i) <b>Rule 27.3.2 P2 (a)</b> does not apply to any semi-detached development within PRECINCT C. (ii) <b>Rule 27.3.2 P2 (a)</b> does not apply to a Record of Title 1000m <sup>2</sup> or less in PRECINCT C.
RDI	(a) Any building or stockpile that does not comply with <b>Rule 27.3.2 PI or P2</b> . (b) Council's discretion is restricted to the following matters: (i) Effects on amenity values; (ii) Admission of daylight and sunlight to the <b>site</b> and other sites; (iii) Extent of areas of non-compliance.

### 27.3.3 Building coverage and impervious area

PI	(a) Construction or alteration of a <b>building</b> in PRECINCT B must comply with all of the following: (i) Total <b>building coverage</b> does not exceed 70% in each lot; (ii) Impervious area does not exceed 90% in each lot. (b) <b>Rule 27.3.3 PI (a)</b> does not apply to any <b>building</b> in PRECINCT A. (c) <b>Rule 14.1.1.P2</b> does not apply to PRECINCTS A AND B of the Te Kowhai Airpark Zone.
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P2	<p>(a) Construction or alteration of a <b>building</b> in PRECINCT C OR D must comply with all of the following:</p> <p>(i) For a lot less than 1500m<sup>2</sup>, the total <b>building coverage</b> must not:</p> <p>A. exceed 60% <b>site</b> area, up to a maximum of 600m<sup>2</sup>; and</p> <p>B. result in more than 90% of the <b>site</b> having an <b>impervious surface</b>, up to a maximum 1200 m<sup>2</sup> impermeability; or</p> <p>(ii) For a lot between 1500 m<sup>2</sup> and 2500 m<sup>2</sup>, the total <b>building coverage</b> must not:</p> <p>A. exceed 40% <b>site</b> area, up to a maximum of 750 m<sup>2</sup>; and</p> <p>B. result in more than 80% of the <b>site</b> having an <b>impervious surface</b>, up to a maximum 1500 m<sup>2</sup> impermeability; or</p> <p>(iii) For a lot greater than 2500 m<sup>2</sup>, the total <b>building coverage</b> must not exceed:</p> <p>A. 30% <b>site</b> area, up to a maximum of 900m<sup>2</sup>; and</p> <p>B. result in more than 60% of the <b>site</b> having an <b>impervious surface</b>, up to a maximum 1800 m<sup>2</sup> impermeability.</p> <p>(b) <b>Rule 14.1.1 P2</b> does not apply to PRECINCTS C AND D of the Te Kowhai Airpark Zone.</p>
RD1	<p>(a) Construction or <b>alteration</b> of a <b>building</b> that does not comply with <b>Rule 27.3.3 P1 and P2</b>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on amenity values;</p> <p>(ii) <b>Building</b> form, bulk, location, external cladding and colour;</p> <p>(iii) Extent of area of non-compliance;</p> <p>(iv) Effects on adjacent sites;</p> <p>(v) Effects on streetscape;</p> <p>(vi) Stormwater management;</p> <p>(vii) Onsite parking provision;</p> <p>(viii) Landscape planting and other visual mitigation measures</p>

#### 27.3.4 Building setbacks – General

PI	<p>(a) The construction or <b>alteration</b> of a <b>building</b> in PRECINCT A OR B must be set back:</p> <p>(i) 5m from all road boundaries (private or vested roads); and</p> <p>(ii) 5m from precinct boundaries except:</p> <p>A. No setback is required between PRECINCT A AND PRECINCT B boundaries.</p>
P2	<p>(a) The construction or <b>alteration</b> of a <b>building</b> in PRECINCT C OR D must be set back:</p> <p>(i) For a lot over 1500 m<sup>2</sup>, 5m from all <b>boundaries</b>, except a taxiway; or</p> <p>(ii) For a lot between 600 m<sup>2</sup> and 1500 m<sup>2</sup>, 3m from all boundaries, except a taxiway; or</p> <p>(iii) For a Record of Title under 600m<sup>2</sup>, 3m from front and rear boundaries, and 1.5m from side boundaries.</p> <p>(b) In PRECINCT C OR D, no setback from internal boundaries is required where development is of a semi-detached nature.</p>
RD1	<p>(a) Construction or alteration of a <b>building</b> that does not comply with <b>Rule 27.3.4 P1 or P2</b>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on amenity values;</p> <p>(ii) Effects on adjacent sites.</p>

#### 27.3.5 Building setback from taxiway

PI	In ALL PRECINCTS, construction or alteration of a <b>building</b> must be set back at least 3m from a taxiway.
RD1	<p>(a) Construction or alteration of a <b>building</b> that does not comply with <b>Rule 27.3.5 P1</b></p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) Effects on amenity values;</p> <p>(ii) Effects on adjacent sites;</p> <p>(iii) Effects on aircraft safety and taxiing.</p>

#### 27.3.6 Building setback from airpark zone boundary

PI	In ALL PRECINCTS, construction or alteration of a <b>building</b> must be set back at least 25m from a Te
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	Kowhai Airpark Zone <b>boundary</b> .
RD1	(a) Construction or alteration of a <b>building</b> that does not comply with <b>Rule 27.3.6 P1</b> . (b) Council's discretion is restricted to the following matters: (i) Effects on amenity values; (ii) Effects on adjacent sites; (iii) Effects on aircraft safety and taxiing.

### 27.3.7 Building setback from a State highway

PI	In ALL PRECINCTS, construction or alteration of a <b>building</b> must be set back at least 15m from a State Highway.
DI	Construction or alteration of a <b>building</b> that does not comply with <b>Rule 27.3.7 P1</b> .

### 27.3.8 Living Court

PI	(a) Construction or alteration of a <b>dwelling</b> in PRECINCT C, or within the Airside Overlay of PRECINCT D, must provide an outdoor <b>living court</b> complying with the following conditions: (i) It is for the exclusive use of the occupants of a <b>dwelling</b> , and (ii) It is accessible from a living area of a <b>dwelling</b> , and either: A. On the ground floor of a <b>dwelling</b> , the <b>living court</b> must have a minimum area of 60 m <sup>2</sup> capable of containing a circle of 6m diameter, exclusive of parking and manoeuvring areas and buildings; or B. If the <b>dwelling</b> does not have a habitable room on the ground floor, the <b>living court</b> must be above ground-level with a balcony containing at least 15 m <sup>2</sup> .
P2	(a) A <b>living court</b> must be provided for each <b>minor dwelling</b> that meets all of the following conditions: (i) It is for the exclusive use of the occupants of the <b>minor dwelling</b> ; (ii) It is located between 45 degrees northeast through north to 90 degrees west of the <b>minor dwelling</b> measured from the southernmost part of the <b>minor dwelling</b> ; (iii) It is accessible from a living area of the <b>minor dwelling</b> , and either: A. On the ground floor of the <b>minor dwelling</b> , the <b>living court</b> must have a minimum area of 40m <sup>2</sup> capable of containing a circle of 6m diameter; or B. Above ground floor of the <b>minor dwelling</b> , the <b>living court</b> must be located on a balcony capable of containing at least 15 m <sup>2</sup> and a circle with a diameter of at least 2.4m.
RD1	(a) Any <b>living court</b> that does not comply with <b>Rule 27.3.8 P1 or P2</b> . (b) Council's discretion is restricted to the following matters: (i) Amenity

### 27.3.9 Service Court

PI	(a) Construction or alteration of a <b>dwelling</b> in PRECINCT C must provide (i) <b>service court</b> with a minimum area of 15m <sup>2</sup> , exclusive of parking and manoeuvring areas and buildings. (b) <b>Rule 27.3.9 P1 (a)</b> does not apply to a <b>dwelling</b> in PRECINCTS A, B OR D.
DI	Construction or alteration of a <b>dwelling</b> that does not comply with <b>Rule 27.3.9 P1</b> .

### 27.3.10 Wastewater treatment setback

PI	(a) In ALL PRECINCTS, construction or alteration of a <b>dwelling</b> must: (i) Be setback at least 30m from a wastewater treatment plant where the treatment process is fully enclosed; and (ii) Be setback at least 15m from the boundary of a <b>site</b> containing a wastewater treatment plant where the treatment process is fully enclosed.
DI	Construction or alteration of a <b>dwelling</b> that does not comply with <b>Rule 27.3.10 P1</b> .

**27.3.11 Number of Dwellings**

PI	In PRECINCTS C AND D, construction of one dwelling on the land contained in a lot.
DI	Construction or alteration of a dwelling that does not comply with Rule 27.3.11 PI.

**27.3.12 Minor Dwelling**

PI	(a) Construction or alteration of a minor dwelling must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) It is located within PRECINCT D;</li> <li>(ii) The site contains a net site area of at least 2500m<sup>2</sup>;</li> <li>(iii) There is only one other dwelling on the site;</li> <li>(iv) It is within 20m of the other dwelling on the site;</li> <li>(v) It shares a single driveway access with the other dwelling on the site;</li> <li>(vi) There is no more than a single car garage with a maximum gross floor area of 24 m<sup>2</sup> associated with the minor dwelling;</li> <li>(vii) Maximum of 70m<sup>2</sup> gfa.</li> </ul>
DI	Construction or alteration of a minor dwelling that does not comply with Rule 27.3.12 PI.

**27.3.13 Minimum site area for a dwelling**

PI	(a) In ALL PRECINCTS, construction or alteration of a dwelling is a permitted activity if: <ul style="list-style-type: none"> <li>(i) The site is connected to the Te Kowhai Airpark reticulated wastewater system, or</li> <li>(ii) The net site area is at least 2500 m<sup>2</sup>.</li> </ul>
RDI	(a) Construction or alteration of a dwelling that does not comply with Rule 27.3.13 PI. (b) Council's discretion is restricted to the following matters:: <ul style="list-style-type: none"> <li>(i) Effects on amenity, health and safety, and the environment;</li> <li>(ii) Effects on wastewater treatment system.</li> </ul>

## 27.4. Subdivision

### 27.4.1 – Subdivision General

NCI	Subdivision within PRECINCT A.
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### 27.4.2 Subdivision Allotment Size

RD1	<p>(a) Subdivision within PRECINCT B.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) The extent to which the <b>allotment</b> can be serviced by the Te Kowhai Airpark reticulated system;</li> <li>(ii) The ability to connect with reticulated services outside of the Te Kowhai Airpark reticulated network, as and when these become available;</li> <li>(iii) Consistency with the <b>Te Kowhai Airpark Framework Plan in Appendix 9</b>;</li> <li>(iv) Access, parking and traffic safety considerations;</li> <li>(v) Impacts on aviation and airpark activity;</li> <li>(vi) <b>Site</b> suitability and the extent to which the intended activity can be accommodated on <b>site</b>.</li> </ul>
RD2	<p>(a) Subdivision within PRECINCT C AND D where:</p> <ul style="list-style-type: none"> <li>(i) It is in accordance with <b>Appendix 9 - the Te Kowhai Airpark Framework Plan</b>; and</li> <li>(ii) Every <b>allotment</b> within PRECINCT C, other than a <b>utility allotment</b>, has a <b>net site area</b> of at least: <ul style="list-style-type: none"> <li>A. 450 m<sup>2</sup> if connected to the Te Kowhai Airpark reticulated wastewater network and not bordering the 25m building setback perimeter; or</li> <li>B. 1000 m<sup>2</sup> if connected to the Te Kowhai Airpark reticulated wastewater network, and borders the 25m building setback perimeter; or</li> <li>C. 2500 m<sup>2</sup> in the case of any <b>allotment</b> not connected to the Te Kowhai Airpark reticulated wastewater network; or</li> </ul> </li> <li>(iii) Every <b>allotment</b> within the 'Airside Overlay' of PRECINCT D has a <b>net site area</b> of at least 800m<sup>2</sup> and is connected to the Te Kowhai Airpark reticulated wastewater network; or</li> <li>(iv) Every <b>allotment</b> within PRECINCT D outside of the 'Airside Overlay' has a <b>net site area</b> of at least 2,500 m<sup>2</sup>, except:</li> <li>(v) The <b>net site area</b> may be reduced to 1000 m<sup>2</sup> providing it is connected to a reticulated wastewater network and is not bordering the perimeter 25m building setback.</li> </ul> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Subdivision layout;</li> <li>(ii) Ability of titles to accommodate a practical <b>building platform</b> including geotechnical stability for <b>building</b>;</li> <li>(iii) Avoidance or mitigation of natural hazards;</li> <li>(iv) Matters referred to within the infrastructure chapter;</li> <li>(v) Impacts on stormwater and wastewater disposal;</li> <li>(vi) Amenity and streetscape;</li> <li>(vii) Vehicle and pedestrian networks.</li> <li>(viii) Compatibility with the <b>Te Kowhai Airpark Framework Plan in Appendix 9</b>.</li> </ul>
DI	Subdivision that does not comply with <b>Rules 27.4.2 RD1 or RD2</b>

### 27.4.3 Title boundaries

RD1	<p>(a) In ALL PRECINCTS, the <b>boundary</b> of every <b>allotment</b> on the subdivision scheme plan must be located so that:</p> <ul style="list-style-type: none"> <li>(i) Existing buildings comply with the Permitted Activity standards in <b>Rules 27.2 and 27.3</b> relating to <b>building coverage</b>, set-backs, and daylight admissions.</li> </ul> <p>(b) <b>Rule 27.4.3 (a)</b> does not apply to any non-compliance that existed lawfully prior to the subdivision.</p> <p>(c) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Effects on amenity values and character;</li> </ul>
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	(ii) Reverse sensitivity effects; (iii) Effects on existing buildings.
DI	Subdivision that does not comply with Rule 27.4.3 RDI.

#### 27.4.4 Road frontage

RD I	(a) In ALL PRECINCTS, every allotment with a road boundary must have a width along the road boundary of at least 15m. (b) Rule 27.4.4 RDI (a) does not apply to an access allotment, access leg or utility allotment. (c) Council's discretion is restricted to the following matters: (i) Road efficiency and safety; (ii) Amenity and streetscape.
DI	Subdivision that does not comply with Rule 27.4.4 RDI.

#### 27.4.5 Road access

RD I	(a) In ALL PRECINCTS, every allotment must be provided with vehicle access to a public road. The vehicle access may include a private road. (b) The road network (public or private) within the Te Kowhai Airpark Zone must be in general accordance with the Indicative Road Network in the Te Kowhai Airpark Framework Plan in Appendix 9. Roads which are within 30m of the Indicative Road Network are deemed to be in general accordance with the Te Kowhai Airpark Framework Plan in Appendix 9. (c) Airpark roads which are to be vested in Council must comply with the requirements in Tables 14.12.5.14 and 14.12.5.15. (d) Council's discretion is restricted to the following matters: (i) Adequacy of the access for its intended use; (ii) Road efficiency and safety; (iii) Degree of compliance with the Transportation Rules 14.12; and (iv) The extent to which non-compliance creates road efficiency or safety issues.
DI	Subdivision that does not comply with Rule 27.4.5 RDI.

#### 27.4.6 Building Platform

RD I	(a) In ALL PRECINCTS, every allotment must be capable of containing a building platform: (i) Upon which a dwelling could be sited as a permitted activity in accordance with Rule 27.3; and (ii) The building platform is able to accommodate either: A. A circle with a diameter of at least 10m exclusive of boundary setbacks; or B. A rectangle of at least 100 m <sup>2</sup> , exclusive of boundary setbacks, of which each dimension is at least 8m. (b) Rule 27.4.6 RDI (a) does not apply to a utility allotment or an access allotment. (c) Council's discretion is restricted to the following matters: (i) Subdivision layout; (ii) Shape of allotments; (iii) Ability of allotments to accommodate a practical building platform; (iv) Likely location of future buildings and their potential effects on the environment; (v) Geotechnical suitability for building.
DI	Subdivision that does not comply with Rule 27.4.6 RDI.

#### 27.4.7 Perimeter shelter-belt planting

RD I	(a) In ALL PRECINCTS, subdivision must provide shelterbelt screen planting in the perimeter locations identified in the Te Kowhai Airpark Framework Plan in Appendix 9. (b) The shelterbelt screen planting required by Condition (a) must be limited to the Precinct(s) within which the newly created allotment(s) are located. (c) At the time of planting, shelterbelts must be a minimum height of 2.0m and must be planted at 2.5m
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	<p>spacings, except that:</p> <ul style="list-style-type: none"> <li>(i) Spacing allowance can be made for aircraft access from adjacent Zones onto the Te Kowhai Airpark perimeter taxiway where agreement has been reached between adjacent landowner(s) and Te Kowhai Airpark.</li> <li>(d) The shelterbelt screen planting required by Condition (1) must be identified on the subdivision scheme plan.</li> <li>(e) The shelterbelt screen planting required by condition (1) must be given effect prior to the issuing of new Records of Title.</li> <li>(f) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> <li>(i) Consideration of landscape and visual amenity values;</li> <li>(ii) The ability of landowners adjoining the airpark to access the perimeter taxiway;</li> <li>(iii) Compatibility with aircraft manoeuvring;</li> <li>(iv) Legal mechanisms to implement and thereafter protect shelterbelt planting;</li> <li>(v) Aircraft safety.</li> </ul> </li> </ul>
D1	Subdivision that does not comply with a condition of <a href="#">Rule 27.4.7 RD1</a> .