



12.8.17

12.8.17.1

12.8.17.1.1

12.8.17.1.2

Objective

12.8.17.1.2.1

Objective

12.8.17.1.2.2

Objective

12.8.17.1.2.3

Objectives from other chapters

12.8.17.1.3

Policy

12.8.17.1.3.1

Policy

12.8.17.1.3.2

Policy

12.8.17.1.3.3

Policy

12.8.17.1.3.4

SPECIAL 17 (NORTH SHORE AERO PARK) ZONE

Zone Issues, Objectives, Policies and Description

Issues

Refer to section 12.2.

Objectives

To enable the development of an aviation park for combined residential and aviation activity, whilst retaining rural character.

To avoid, remedy or mitigate the adverse effects of activities on the operation of the airfield.

To avoid, remedy or mitigate any adverse effects of activities on dwellings on the site and on adjoining sites.

Readers should note that Objectives from the following chapters are also relevant:

Chapter 5 - Natural Hazards

Chapter 7 - Rural

Chapter 17 - Cultural Heritage

Chapter 19 - Utilities

Chapter 20 - Hazardous Substances and Contaminated Sites

Chapter 21 - Transportation and Access

Chapter 22 - Financial Contributions and Works

Chapter 23 - Subdivision and Servicing

Policies

Buildings should be sited and designed to avoid adverse effects on the operation of the airfield.

(This policy seeks to achieve Objectives 12.8.17.1.2.1 and 12.8.17.1.2.2)

Buildings should be sited and designed to avoid, remedy or mitigate adverse effects on adjoining sites and on the rural character and landscape of the surrounding rural area.

(This policy seeks to achieve Objective 12.8.17.1.2.3)

Activities should be sited, designed and operated to avoid, remedy or mitigate adverse effects on dwellings on the site and on adjoining sites.

(This policy seeks to achieve Objective 12.8.17.1.2.3)

Household units on the site should be designed to remedy or mitigate adverse effects from the operation of aircraft.

(This policy seeks to achieve Objective 12.8.17.1.2.3)



Policy
12.8.17.1.3.5

The subdivision of sites should not occur without access to the airfield being secured for each site.

(This policy seeks to achieve Objective 12.8.17.1.2.1)

Policy
12.8.17.1.3.6

Policies from the following chapters are also relevant:

Chapter 5 - Natural Hazards

Chapter 7 - Rural

Chapter 17 - Cultural Heritage

Chapter 19 - Utilities

Chapter 20 - Hazardous Substances and Contaminated Sites

Chapter 21 - Transportation and Access

Chapter 22 - Financial Contributions and Works

Chapter 23 - Subdivision and Servicing

Explanation and Reasons

This explanation and reasons relates to Policies 12.8.17.1.3.1 and 12.8.17.1.3.5.

While residential development is allowed to occur close to the airfield, it is important to ensure that it is able to continue to operate without adverse effects or complaints from the residential development which can occur.

It is also important that the activities on the site do not have adverse visual effects on adjoining sites.

As the park is associated with aviation activity, it is necessary to ensure that the dwellings which are allowed on the site are protected from the noise from the aircraft.

As the Zone is intended to provide residential development opportunities for those interested in aviation it is necessary to ensure that before sites are created there is agreement for access from the sites to the airfield.

12.8.17.1.4

Description

This Zone applies to 50 hectares of land immediately adjoining the North Shore Airfield at Dairy Flat, and has been introduced to provide for a residential Aero Park. All landowners within the Aero Park will become financial members of the Club and shareholders in the Aero Park company, North Shore Aero Park Limited. The arrangements between the North Shore Aero Club landowners and North Shore Aero Park Limited are recorded in:

- (a) easements to be registered against the certificates of title to the Airfield; and
- (b) land covenants to be registered against the certificates of title for the sites within the Aero Park; and
- (c) rules which are binding on the owners of sites as shareholders of the North Shore Aero Park Limited.

The Zoning allows for the creation of sites of between 2,500 and 8,000 m² in area, which will each have sealed aircraft taxiway access to and from the airfield.



The purpose of the Zone is to provide the opportunity for aircraft enthusiasts to live in close proximity to the airfield, and to offer permanent access for aircraft from individual properties to the airfield. In addition, the Zone provides a buffer of aviation friendly residents around the airfield which will secure its long term survival as a recreational facility.

It is intended that the aviation park will be developed in stages to be completed in general accordance with the concept plan attached as Appendix 12J. A structural planting concept plan is attached as Appendix 12K, with the species for framework planting specified in Appendix 12L, to indicate the key areas required to be planted in order to mitigate the visual impact of the development. In addition, there will be a Landscape Development Programme for the entire Zone, which will include a landscape master plan, a staging plan, a set of design standards and a landscape design plan.

Rule 12.8.17.2

Activity Rules

Rule 12.8.17.2.1

Activities in the Special 17 (North Shore Aero Park) Zone shall comply with the following:

- (a) All Permitted and Controlled Activities in the Activity Table in Rule 12.8.17.2.2 other than the activity "Permitted Activities provided for in the Greenbelt Countryside Living Rural Zone..." shall comply with Rule 12.8.17.3 Development Controls and Performance Standards, and any other relevant Rules in the Plan.
- (b) All activities covered by the Permitted Activity "Permitted Activities provided for in the Greenbelt Countryside Living Rural Zone..." shall comply with Rule 7.10 Development Controls and Performance Standards (*Chapter 7 - Rural*) and any other relevant Rules in the Plan.
- (c) All Controlled Activities in the Activity Table in Rule 12.8.17.2.2 will be assessed against the criteria set out in 12.8.17.4 Controlled Activities : Assessment Criteria.
- (d) All Discretionary Activities will be assessed against the criteria set out in 12.8.17.5 Discretionary Activities: Assessment Criteria, any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan and the relevant matters in section 104 of the Act.
- (e) No Controlled Activity shall be established, until the structural planting for all the key areas identified on the Structural Planting Concept Plan contained in Appendix 12K is completed. The species to be used shall be as shown in Appendix 12L and the trees comprising the planting shall be of sufficient size to screen the proposed development within three years of planting.

Rule 12.8.17.2.2

Activity Table

In the following table:

- P = Permitted Activity**
- C = Controlled Activity**
- D = Discretionary Activity**
- NC = Non-complying Activity**



PRO = Prohibited Activity

Note: Words in Capitals are defined in Chapter 3 - Definitions

ACTIVITY	ACTIVITY STATUS
Any activity not listed in this Activity Table.	NC
Any Permitted Activity in this Table, other than the "Permitted Activities provided for in the Countryside Living Rural Zone" in Chapter 7 - Rural that does not comply with the Development Controls in Rule 12.8.17.3.	D
All activities covered by the Permitted Activity "Permitted Activities provided for in the Countryside Living Rural Zone" that does not comply with the Development Controls in Rule 7.10 Chapter 7 – Rural.	D
The ERECTION, addition to or alteration of BUILDINGS AND ACCESSORY BUILDINGS for Permitted Activities.	P
The ERECTION, addition to or alteration of BUILDINGS AND ACCESSORY BUILDINGS for any Controlled Activity.	C
The DEMOLITION or removal OF BUILDINGS, except those protected by a rule in this Plan.	P
The construction, operation and maintenance of AIRCRAFT taxiways.	P
Domestic housing maintenance and restoration of AIRCRAFT.	C
Permitted Activities provided for in the Countryside Living Rural Zone on land not subdivided and developed in general accordance with the North Shore Aero Park Concept Plan contained in Appendix 12J.	P
HOME OCCUPATIONS	P
OUTDOOR RECREATION	P



SINGLE HOUSEHOLD UNIT per site where the SITE has been subdivided generally in accordance with the North Shore Aero Park Concept Plan contained in Appendix 12J.	C
Landing/Take off of helicopters	PRO
Refuelling of AIRCRAFT	PRO
Storage of aviation fuel	PRO
Taxiing of jet AIRCRAFT	PRO
District Wide Activities	<i>See Chapter 16 - General Rules</i>
EARTHWORKS and Vegetation and WETLAND MODIFICATION Activities	<i>See Rule 7.9.4 in Chapter 7 – Rural as if the land was in the Countryside Living Rural Zone.</i>
Transport Activities	<i>See Chapter 21 - Transportation and Access</i>
Use and Storage of HAZARDOUS SUBSTANCES	<i>See Chapter 20 - Hazardous Substances and Contaminated Sites</i>
UTILITIES	<i>See Chapter 19 - Utilities</i>

Rule 12.8.17.3

**Rule 12.8.17.3.1
Maximum Height**

Development Controls and Performance Standards

Maximum Height

- (a) No part of any building or any tree shall exceed a height of 10 metres, or the height limits specified on Planning Map 26 and Map Appendix I, whichever is the lesser.
- (b) Trees may exceed the 10 metre maximum height limit if they are specifically provided for in the landscape master plan approved in terms of subdivisional consent, provided that no tree shall exceed the height limits specified on Planning Map 26 and Map Appendix I.



Rule 12.8.17.3.2
Height in Relation to Boundary

Maximum Height in Relation to Boundary

No part of any building shall exceed a height equal to three metres plus the shortest horizontal distance between that part of the building and any site boundary.

Rule 12.8.17.3.3
Yards

Minimum Yards

The following minimum yards shall apply:

- (a) Front Yard 10m
- (b) Rear Yard 10m
- (c) Side Yard 3m

Rule 12.8.17.3.4
Use of Yards

Use of Yards

- (a) Subject to (b) below, yards are to be unoccupied and unobstructed by any buildings, parts of buildings, decks, terraces or steps.
- (b) The following can be built in any yard:
 - (i) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.3 of a metre, provided that they do not prevent vehicular access to a required parking space.
 - (ii) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sunblinds, provided that they do not encroach into the yard by more than 0.3 of a metre.

Rule 12.8.17.3.5
Maximum Site Coverage

Maximum Site Coverage

20% of the net site area.

Rule 12.8.17.3.6
Accessory Buildings Maximum Area

Accessory Buildings Maximum Area

The maximum gross floor area of detached accessory buildings on each site shall be 200m².

Rule 12.8.17.3.7
Accessory Buildings - Design

Accessory Buildings - Design

Accessory buildings shall be designed and constructed with external cladding, in a manner the same as, or similar to the design and external appearance of any existing or proposed household unit on the site. Where no household unit currently exists, accessory buildings shall be designed and constructed of materials which can be readily utilised in the construction of a future dwelling on the site.



**Rule 12.8.17.3.8
Acoustic Design**

Acoustic Design of Household Units

All household units shall be designed and constructed to an internal noise level of 45dBA (Ldn), in accordance with a design report which details the measures necessary to achieve the required noise level.

**Rule 12.8.17.3.9
Hours of Taxiway Use**

Hours of Taxiway Use

No taxiway shall be used between the hours of 10:00pm and 7:00am.

Explanation and Reasons

This explanation and reasons relate to Rules 12.8.17.3.1 to 12.8.17.3.8.

The abovementioned Rules are intended to ensure that activities in the Zone do not have an adverse effect on adjoining sites and residential activities within the Zone, and that activities within the Zone are not adversely affected by the airfield and vice versa.

The height limit is to ensure that buildings are not obtrusive and remain at a scale where they do not dominate the surrounding landscape. The limit has been set at a level which allows for aircraft to be housed within buildings on the sites within the Zone. The height restrictions around the airfield ensure that the airfield itself is protected from activities that may occur around it.

The height in relation to boundary controls are an attempt to reduce overbearing of buildings on neighbouring sites and to ensure admission of sunlight and daylight to neighbouring sites (both within and outside the Zone).

Yards help to maintain the amenity value of adjoining sites, by providing a degree of separation between buildings and neighbouring sites.

The maximum site coverage and maximum area of accessory buildings Rules are intended to limit the adverse effects on privacy.

The design Rules are intended to ensure that consistency between the appearance of the dwellings and the large accessory buildings, which will more often than not be aircraft hangars. This design approach is intended to reduce the overall visual impact of the buildings within the Zone.

The acoustic design Rules are to ensure that the amenity values of residents are retained, despite close proximity to the airfield, and that the proximity of sensitive activity such as household units, does not become a rationale for closing down the airfield.

**Rule 12.8.17.3.10
Rules in Other Chapters of the Plan**

Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with.

Chapter 16 - General Rules

Chapter 17 - Cultural Heritage

Chapter 19 - Utilities

Chapter 20 - Hazardous Substances and Contaminated Sites

Chapter 21 - Transportation and Access

Chapter 22 - Financial Contributions and Works

Chapter 23 - Subdivision and Servicing



Rule 12.8.17.4
Controlled Activities

Controlled Activities : Matters for Control and Assessment Criteria

In accordance with section 76(3A) of the Act, the Council will limit its control to the matters listed below, when considering resource consent applications for Controlled Activities.

Rule 12.8.17.4.1
All Controlled Activities

All Controlled Activities

Rule 12.8.17.4.1.1
Matters for Control

Matters for Control

The Council will limit its control to the following matters:

- (a) Building siting design and external appearance.
- (b) Landscape design and maintenance and external appearance.
- (c) Landform modification.

Rule 12.8.17.4.1.2
Assessment Criteria

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

Screening

- (a) Whether all buildings are sited so as to be screened by the structural planting when viewed from existing and proposed roads in the vicinity.

Visual impact

- (b) Whether all buildings are sited so that they are not visually obtrusive when viewed from existing and proposed public roads in the vicinity.

Rural character

- (c) Whether all buildings are of such design and colour as to be unobtrusive in the landscape, and in keeping with the rural/countryside living location.

Landscaping

- (d) Whether the building layout, the site layout and the on site landscaping are in keeping with the landscape development programme.

Structural planting

- (e) Whether any reduction or removal of the structural planting is required.

Planting

- (f) Whether any planting intended to screen the development is adequate for this purpose, and of sufficient size to be an effective screen within three years.

Explanation and Reasons

The matters for control and assessment criteria are intended to ensure that visually, the buildings within the Zone remain relatively unobtrusive, and that a lower density settlement is retained.

Rule 12.8.17.5

Discretionary Activities : Assessment Criteria

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Special 17 Zone, the Council will have



regard to the following assessment criteria, and any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act.

Refer to the relevant Assessment Criteria in section 12.9

Rule 12.8.17.6

Subdivision

Rule 12.8.17.6.1

- (a) The subdivision of land is a Restricted Discretionary Activity where Rules 12.8.17.6.2 to 12.8.17.6.9 are met.
- (b) Subject to (c) below and Rule 12.8.17.6.3(b), any subdivision not complying with Rules 12.8.17.6.2 to 12.8.17.6.9 shall be a Non-complying Activity.
- (c) Where land is not subdivided as part of the staged development of the aero parks, as set out in the plan at Appendix 12J, it may be subdivided in accordance with the Rules applying to the Countryside Living Rural Zone in *Chapter 7 - Rural* as a Restricted Discretionary Activity.

Rule 12.8.17.6.2

General Requirements

General Requirements

The rules in *Chapter 23 - Subdivision and Servicing* shall be complied with.

Rule 12.8.17.6.3

Concept Plan

Concept Plan

- (a) The Aero Park, including all sites, roads, taxiways, open space and reserves, shall be developed in general accordance with the Concept Plan contained in Appendix 12J.
- (b) The further subdivision of any site beyond that provided for in the Concept Plan at Appendix 12J shall be a Prohibited Activity.
- (c) The minimum site size shall be 2,500m² and the maximum site size shall be 8,000m².
- (d) The development may proceed in stages as outlined below:
 - Stage 1: Lots 1 to 8
 - Stage 2: Lots 9 to 30
 - Stage 3: Lots 31 to 42
 - Stage 4: Lots 43 to 62
 - Stage 5: Lots 63 to 79

Rule 12.8.17.6.4

Agreement to Use Airfield

Agreement to Use Airfield

At each stage of subdivision listed in Rule 12.8.17.6.3(d) above, the applicant shall provide documentary evidence, in the form of a legal agreement between the applicant (and subsequent owners) and the owner of the airfield, to the effect that the lots on the plan of subdivision are guaranteed access via the planned taxiways to the North Shore Airfield, for as long as the airfield remains in use. Any such agreement shall be noted on a certificate of title for any new site created. No subdivision shall occur until this requirement is met.



Rule 12.8.17.6.5
Landscape Development Programme

Landscape Development Programme

A Landscape Development Programme shall be prepared and submitted as part of any application for subdivision consent.

The Landscape Development Programme shall include:

- (a) A landscape master plan (scale 1:1,000) showing the layout of property boundaries, roads, taxiways, footpaths and areas of structural planting.
- (b) A staging plan, programme of works and species list for all structural planting.
- (c) All structural planting (other than that for the key structural planting areas identified on the plan contained in Appendix 12K), shall be established immediately upon completion of the formation of the roads shown on the concept plan at Appendix 12J.
- (d) A mechanism or process to ensure the maintenance of all structural planting, including that on the key structural planting areas identified on the plan at Appendix 12K.
- (e) A set of design standards for the whole development for both buildings, structures and outdoor elements and spaces, which address location, height, form and colour. These design standards shall be presented in an illustrated form, to show clearly the relationship between built elements, vegetation, access and open spaces. The design standards shall be prepared in accordance with the assessment criteria for controlled activities in Rule 12.8.17.4. The paving, signs, street furniture and lighting shall be designed to be in keeping with their location in a rural/countryside living area.
- (f) A landscape design plan (scale 1:200) for each stage of the development, depicting the precise layout, design and specification of all outdoor elements - paving, signs, street furniture, lighting, planting and grassing.

Rule 12.8.17.6.6
Roads and Taxiways

Roads and Taxiways

- (a) All roads and taxiways shall be set out and designed in general accordance with the layout shown on the concept plan at Appendix 12J.
- (b) All roads shall be designed, formed and sealed in accordance with the Council's Standards for Engineering Design and Construction, and shall vest in the Council.
- (c) All taxiways shall be designed (including safety fencing if necessary), formed and concreted in accordance with the requirements of the Civil Aviation Authority.

Rule 12.8.17.6.7
Sewerage System

Sewerage System

On site effluent treatment and disposal shall be provided for each site, in terms of the Harrison Grierson Consultants Ltd report dated September 1994 (Reference No. 11.5455.1).



Rule 12.8.17.6.8
Stormwater System

Stormwater System

A comprehensive stormwater system shall be provided for the entire Zone and each stage of development, in terms of the Harrison Grierson Consultants report dated September 1994 (Reference No. 11.5455.1).

Rule 12.8.17.6.9
Water Supply

Water Supply

All water shall be supplied using roof collection and onsite water storage tanks on each residential site.

Rule 12.8.17.6.10

Financial Contributions and Contributions of Works and Services

Rule 12.8.17.6.10.1
General

All financial contributions and contributions of works shall be calculated and taken in accordance with *Chapter 22 - Financial Contributions and Works*, except for financial contributions and contributions of works and services for neighbourhood reserves, which shall be calculated according to Rule 12.8.17.6.10.2; and financial contributions for community facilities which shall be calculated in accordance with *Chapter 22 - Financial Contributions and Works* less the value of the play equipment and seating provided for on the neighbourhood reserve required under Rule 12.8.17.6.10.2.

Rule 12.8.17.6.10.2
Neighbourhood Reserves

Neighbourhood Reserves

A contribution in land of 30m² for each residential site created shall be provided, and shall be grassed, planted and developed with play equipment and seating, prior to being vested in the Council as a reserve. The reserve is to be provided at the completion of Stage 3, the contribution required at that time being the same as would be necessary at the completion of Stage 5. If the development is not completed to Stage 3, then an alternative neighbourhood reserve contribution shall be provided to the satisfaction of the Council. Such contribution shall be either a cash contribution equal to the value of 30m² for each residential site created, or land contribution of 30m² for each residential created, or a combination of both.

In all circumstances the neighbourhood reserve shall meet the following criteria:

- (i) The shape factor of the reserve is to be such that it is able to contain a 40 metre diameter circle.
- (ii) The area for reserve shall be suitable for structured and unstructured play, and at least 75% of the area within the 40 metre diameter circle in (i) above shall have an inclination of no more than 10°.
- (iii) All parts of the reserve outside the 40 metre diameter circle must have a minimum dimension of 5 metres.
- (iv) The reserve should have a continuous street frontage of at least 5 metres.
- (v) The reserve shall not form a major component in the structural planting regime for the area.



Rule 12.8.17.6.11

Restricted Discretionary Activities : Matters for Discretion and Assessment Criteria

In accordance with section 76(3B) and 105(3A) of the Act, the Council will restrict its discretion to the matters listed, in addition to the matters set out in *Chapter 23 - Subdivision and Servicing*, when considering all applications for subdivision as Restricted Discretionary Activities.

Rule 12.8.17.6.11.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Site size and shape.
- (b) Site contour.
- (c) Site access and frontage.
- (d) Earthworks and land modification.
- (e) Tree and bush removal/protection.
- (f) Natural hazard avoidance/mitigation.
- (g) Reserve provision.
- (h) Financial contributions and contributions of works or services.
- (i) Utility provision and on site servicing.
- (j) Road safety and efficiency.
- (k) Consistency with the concept plan at Appendix 12J, and the Structural Planting Plan at Appendix 12K.
- (l) Taxiway location and construction.

12.8.17.6.11.2

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

Concept plan

- (a) Whether the layout of the sites is in conformity with the Concept Plan at Appendix 12J and the Structural Planting Plan at Appendix 12K.

Site size, shape, contour

- (b) Whether the site size, shape, contour and access are suitable for the intended activities within the Zone.

Earthworks

- (c) Whether the sites are located so that they do not require substantial earthworks or land modification to obtain access to a road, or aircraft taxiway.

Frontage

- (d) Whether the sites have adequate legal and physical frontage to a public road, to enable the Permitted and Controlled Activities to establish and operate.



Infrastructure

(e) Whether sites are provided with suitable, adequate and sufficient infrastructure, including water supply, sewerage and stormwater collection, treatment and disposal systems.

Roads and taxiways

(f) Whether the arrangement of sites, including roads and aircraft taxiways, results in a comprehensively designed and integrated development.

Safety

(g) Whether the arrangement of sites and taxiways will enable the airfield operations to continue without hindrance, or safety being compromised.

Explanation and Reasons

The subdivision Rules form an integral part of the package of provisions intended to enable the establishment of a Residential Aviation Park without significant adverse effects on the environment being generated. The sites created under the Rules need to be of such a size and shape to enable a house and aircraft hangar to be erected, along with associated taxiways. The sites also need to be large enough to ensure rural character is maintained. The layout of the sites has been devised to ensure that an integrated development will occur with adequate landscape screening and access and that operation of the airfield will not be compromised. It is important that the devised layout is adhered to, if adverse effects are to be avoided.



