

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU**

Decision [2025] NZEnvC 042

IN THE MATTER OF appeals under clause 14 of the First
Schedule of the Resource Management
Act 1991

BETWEEN

GREIG METCALFE

(ENV-2022-AKL-029)

NZTE OPERATIONS LIMITED

(ENV-2022-AKL-085)

Appellants

AND

WAIKATO DISTRICT COUNCIL

Respondent

Court: Alternate Environment Judge L J Newhook sitting alone under
s 279 of the Act

Last case event: 24 January 2025

Date of Order: 13 February 2025

Date of Issue: 13 February 2025

CONSENT DETERMINATION



A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) The zoning maps of the Proposed Waikato District Plan (decisions version) be amended in accordance with **Appendix A**;
- (2) New appendix, APP18 – PREC36 Te Kowhai West Structure Plan, be inserted into Part 4 of the PDP in accordance with **Appendix B**;
- (3) Rule TRPT-R6 in the PDP decisions version be amended in accordance with **Appendix C**;
- (4) The ANOC, TRPT, SUB, NOISE and TKAZ chapters, and APP1 and APP10 in the PDP decisions version be amended in accordance with **Appendix D**; and
- (5) The appeals by Greig Metcalfe and NZTE Operations Ltd are otherwise resolved.

B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This consent determination relates to the appeals by Greig Metcalfe and NZTE Operations Ltd (**NZTE**) against parts of the decisions of the Waikato District Council (**Council** or **Respondent**) in respect of the Proposed Waikato District Plan (**PDP**).

[2] The relief sought in the appeals have been assigned to Topic 1.3: Zoning – Te Kowhai, Topic 9: Te Kowhai Airpark Zone, and Topic 14: Subdivision – other zones. The consent determination resolves Mr Metcalfe and NZTE’s appeals in their entirety. Mr Metcalfe’s remaining interest in Topic 14 is as a section 274 party to the appeal by The Surveying Company.

PDP Decision – National Planning Standards

[3] During the hearings on the PDP, the Independent Hearing Panel (**IHP**) made the decision to amend the notified PDP to adopt the National Planning Standards which came into force after notification of the PDP. As a result, the chapters and provisions referenced in submissions, further submissions, and in some notices of appeal do not reflect the chapter and provision references in the decisions version of the PDP.¹ For ease of reference, the decisions version provisions are referred to in this determination with the notified provision number.

Background to the Te Kowhai zones and hearings

[4] In the notified version of the PDP, a new Te Kowhai Airpark zone (**TKAZ**) chapter was introduced which contained the relevant rules relating to functioning of the zone. The purpose of the zone is to provide for aircraft operations and facilitate the development of the Te Kowhai Airpark.² The Te Kowhai Airpark is split into four precincts: Precincts 27 - 30.³ Different subdivision rules apply to each precinct. There are also different requirements laid out in the Subdivision (**SUB**) chapter of the PDP dependant on precinct and lot size. The land surrounding the TKAZ is predominantly zoned as General rural zone (**GRUZ**) with smaller pockets of land zoned as Future urban zone (**FUZ**) and Large lot residential zone (**LLRZ**).

[5] In the notified PDP, Te Kowhai included a Village zone. This provided for a two-tier management approach to growth whereby proposed lots connected to public water and wastewater infrastructure must have a minimum net site area of 1,000m² and proposed lots not connected to public water and wastewater infrastructure must

¹ The decision to implement the National Planning Standards is set out in Decision Report 3: Overview. In that decision, the Independent Hearings Panel confirmed that the National Planning Standards version is the Decisions Version of the PDP and has legal standing going forward. The Panel stated that the tracked change provisions against the notified plan have no legal status and have only been included in Decision reports for reference to assist submitters to understand the changes to each provision. Where there are inconsistencies between the two versions, the Panel confirmed the provisions of the National Planning Standards version prevail.

² Waikato District Council Proposed District Plan: Decisions Version, TKAZ – Te Kowhai airpark zone, at page 1.

³ Notified respectively as Precinct A – Runway and Operations, Precinct B – Commercial Precinct, Precinct C – Medium Density Residential and Precinct D – Residential Precinct.

have a minimum net site area of 3000m² (except where the proposed lot is an access allotment or reserve lot).⁴ In Decision Report 17: Village zone, the IHP replaced the Village zone with either the Settlement zone (**SETZ**) or the LLRZ. The decisions version of the PDP does not therefore contain a Village zone.

[6] Of relevance to Te Kowhai, the development of a new FUZ arose out of two hearings. First, the s 42A report author for the Village zone (Hearing 6), recommended the development of a FUZ in response to concerns raised in submissions about the two-tier management of growth in the Village zone which had different provisions for Tuakau and Te Kowhai to enable intensification. Secondly, there were a number of submissions challenging the live zoning of growth areas and seeking inclusion of a mechanism in the PDP to identify areas for growth while not allowing for development until appropriate infrastructure could be provided. In response to these submissions, the s 42A author for the Zone Extents Hearing (**Hearing 25**) prepared a thematic report⁵ proposing the introduction of a FUZ and included a suite of provisions for submitters to consider and address in their evidence. A second s 42A report was then prepared for Hearing 25 which considered evidence on the concept of the FUZ and the provisions, recommending inclusion of the new zone in the PDP.⁶

Submissions and Decisions

Mr Metcalfe

[7] Mr Metcalfe owns a large block of land on the western edge of Te Kowhai village at 702 and 703A Horotiu Road (**Metcalfe Land**). The block is to the west of, and in close proximity to, the Te Kowhai Aerodrome (**the Aerodrome**).

⁴ 24.4.2 Subdivision – Te Kowhai and Tuakau, Notified Waikato District Plan.

⁵ Section 42A report for Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone.

⁶ Section 42A report for Hearing 25: Zone Extents – Thematic Issues, Future Urban Zone and Medium Density Residential Zone.

Topic 1.3 - Zoning

[8] In the notified version of the PDP, the Metcalfe Land was zoned Village. In his submissions, Mr Metcalfe sought for the Village zoning to be retained as it would allow for residential development.

[9] Mr Metcalfe also lodged a further submission in support of submissions from Waikato Regional Council and GD Jones which sought an increase in the density for serviced sites in the Village zone. In particular, Waikato Regional Council's submission notes that the densities for serviced sites should more resemble those in the Residential zone to assist with promoting a more compact, sustainable urban form and supporting efficient infrastructure provision.

[10] In Decision Report 28J: Zoning – Te Kowhai (**Decision Report 28J**), the IHP rezoned the Metcalfe Land to FUZ because the sites are identified as a growth area in Waikato 2070 (within the 10 – 30 year time period). The key issue identified with live zoning the Metcalfe Land for residential development is the absence of a structure plan and reticulated services being available within the short to medium term timeframe.⁷ The IHP agreed with the s 42A report recommendation that the most efficient use of the land could be realised with more intensive residential development once reticulated services are available.

Definitions

[11] In his submissions, Mr Metcalfe also asked for definitions for 'General aviation' and 'Recreational flying' to be added to the PDP. The IHP decided to delete these terms from the TKAZ chapter where they were used and, therefore, there was no need for them to be defined.⁸

[12] The IHP accepted Mr Metcalfe's submissions requesting the inclusion of definitions for 'Circuit training' and 'Flight school training' in the PDP. The IHP decided that both activities should be included in the PDP as they have different adverse effects from general flight-related activities due to their repetitive nature. The

⁷ Decision Report 28J: Zoning – Te Kowhai, at [3.6] - [3.7].

⁸ Decision Report 30: Definitions, Report and Decisions of the Waikato District Plan Hearing Panel, at [121].

IHP added them to the PDP as discretionary activities as they believed this is the appropriate status in recognition of the functional need for the activities to be undertaken at an aerodrome.⁹ As they were added to the PDP the IHP also decided it was necessary to include a definition for each activity.¹⁰

Airpark Policy

[13] Mr Metcalfe made submissions to amend policy TKAZ-P8¹¹ by adding a number of clauses regarding the management of adverse airpark effects. The IHP accepted Mr Metcalfe's submissions in principle, but not his proposed wording. This was in line with the recommendation of the s 42A report which took the view that neither of the notified policies associated with objective TKAZ-O2¹² would be sufficiently specific to deal with flight training school and circuit training. Amending TKAZ-P8 was seen as consequential amendments of adding activities for flight training school and circuit training.¹³ The clauses added to the policy did not reflect the wording requested by Mr Metcalfe.

TKAZ Rules

[14] Mr Metcalfe sought in his submissions to amend the TKAZ rules relating to Land use – effects.¹⁴ He asked that various standards be inserted for 'general aviation' and 'recreational flying' so that these activities are carried out in accordance with 'Fly Neighbourly' principles to avoid adverse impacts on neighbours. This included the addition of hours of operation for the Aerodrome to limit night flying. The IHP accepted Mr Metcalfe's submission in part and made changes to a number of provisions under Land use – effects including adding hours of operation.¹⁵ They agreed with the reasons given in the s 42A report which were to address noise concerns and take into account the site and its surrounds, nearby land use and the small-scale private

⁹ Decision Report 26: Te Kowhai Airpark Zone, Report and Decisions of the Waikato District Plan Hearing Panel, at [4.42].

¹⁰ Ibid, at pages 46 - 47.

¹¹ Notified as 9.2.2.1.

¹² Notified as 9.2.2.

¹³ Section 42A Hearing Report Te Kowhai Airpark, at [160].

¹⁴ Notified as 27.2 Land Use – Effects.

¹⁵ Decision Report 26: Te Kowhai Airpark Zone, Report and Decisions of the Waikato District Plan Hearing Panel, at [4.31].

nature of the Aerodrome. The setting of the hours was based on a consent condition of a resource consent granted for the Mercer Airport.¹⁶

[15] Mr Metcalfe also sought in his submissions to add a rule for the TKAZ prescribing a maximum number of annual aircraft movements to provide clear guidance to the Airpark operations and ensure the ‘noise bucket’ was not exceeded. The IHP found that a threshold for aircraft movements was not required, given the Air Noise Boundary rules which control the noise effects of aircraft operations.¹⁷

NZTE

[16] NZTE owns and operates the Aerodrome within the TKAZ. In the notified version of the PDP, the Aerodrome was zoned the TKAZ. NZTE made a submission and further submission on the PDP in relation to the TKAZ. The relief sought of relevance to this consent determination is outlined below.

Transitional side surfaces under the Obstacle Limitation Surface

[17] NZTE’s submission on the PDP supported the introduction of the Obstacle Limitation Surface (**OLS**) for the TKAZ (the notified OLS was then modified by Variation 1 to the PDP). The OLS is made up of three different surfaces: the take off and approach surface, the inner horizontal surface and the transitional surface. The purpose of the OLS is to provide a means of controlling obstacles, whether tall buildings, structures, or vegetation around the Aerodrome which could affect the safety of aircraft operations. Each surface represents a different three-dimensional plane defined in the PDP, of which buildings, structures and vegetation require resource consent for intrusions into the respective plane.¹⁸

[18] In Decision Report 26: Te Kowhai Airpark Zone (**Decision Report 26**), the IHP found that including the expanded OLS in the PDP (as provided for in Variation 1) would enable the Aerodrome to upgrade to instrument flight rules, which would improve safety. As such, the IHP retained the OLS as notified in Variation 1 on the planning maps.

¹⁶ Section 42A Hearing Report Te Kowhai Airpark, at [734] - [746].

¹⁷ Decision Report 26: Te Kowhai Airpark Zone, at [4.37].

¹⁸ Decision Report 26: Te Kowhai Airpark Zone, at [3.3].

[19] Decision Report 26 also included several matters to address submitter concerns regarding protrusions into the OLS. With respect to activity status for protrusions into the OLS, the IHP implemented the following tiered approach:¹⁹

- (a) Protrusions into the approach and take-off surfaces – Non-Complying; and
- (b) Protrusions into the transitional side surfaces and inner horizontal surface – restricted discretionary, with discretion limited to effects on the safe and efficient operation of the Aerodrome.

[20] This tiered activity status was recommended in the s 42A rebuttal report²⁰ in reliance on aviation evidence from Mr David Park²¹ on behalf of NZTE. His evidence was that protrusions were mostly an issue in the take-off and approach OLS and that vegetation protruding through the inner horizontal surface OLS could usually be managed.²² As addressed further below, there appears to be a misunderstanding by the s 42A author and IHP of Mr Park's evidence in relation to the transitional side surfaces.

Water supply for firefighting

[21] NZTE also made a further submission on the PDP in support of the submission by Fire and Emergency New Zealand (**FENZ**). The FENZ submission sought that rules SUB-R142 and SUB-R143²³ be amended to require the proposed lots of the TKAZ to 'be connected to a public- reticulated water supply or water supply sufficient for firefighting purposes.'²⁴ NZTE supported FENZ's submission on the grounds that water supply for firefighting is appropriate at an airpark development.

¹⁹ Ibid, at [4.9].

²⁰ Section 42A Report – Rebuttal Evidence – Hearing 17: Te Kowhai Airpark dated 1 March 2021, at [18].

²¹ Director of Astral Limited.

²² Evidence-in-Chief of David Park on behalf of NZTE Operations Ltd dated 15 February 2021, at [59] and [63].

²³ Notified as rule 27.4.2. It is noted that when the PDP was amended to adopt the NPS formatting, all the subdivision provisions in the relevant zone chapters were brought together in one single subdivision chapter.

²⁴ Submission 378.76.

[22] The s 42A report recommended that the IHP accept, in part, the submission by FENZ in relation to water supply for firefighting. The report author recommended that proposed lots be connected to a private reticulated water supply sufficient for firefighting purposes as standards of restricted discretionary rules SUB-R142(1) and SUB-R143(1),²⁵ and a matter of discretion be included in those rules for provision of infrastructure, including water supply for firefighting purposes.²⁶

[23] During the PDP hearings, Mr James Armitage²⁷ presented infrastructure evidence on behalf of NZTE. His evidence concluded that the water supply solution will provide adequate firefighting storage and supply for potable use and has the ability to be connected to any future public water supply. Thus, a private reticulated water system is not required to meet the relevant standards.²⁸

[24] In Decision Report 26, the IHP accepted the recommendation of the s 42A report author with respect to rules SUB-R142 and SUB-R143.²⁹ However, although a private reticulated potable water system is recorded in the amended provision of SUB-R142(1)(a)(ii) in the s 42A report,³⁰ the corresponding provision in Decision Report 26 states that a public reticulated potable water supply network is required.³¹ No reason for the change is provided by the IHP in Decision Report 26.

Appeals

[25] On 28 February and 1 March 2022 respectively, Mr Metcalfe and NZTE lodged appeals.

[26] Mr Metcalfe's appeal seeks the following relief:

- (a) Amend zoning of the Metcalfe Land from FUZ to LLRZ or SETZ or an appropriate alternative live urban zoning;

²⁵ Notified as 27.4.2 RD1 and RD2.

²⁶ Section 42A Report – Te Kowhai Airpark Zone, at [1002] - [1007].

²⁷ Senior Civil Project Engineer at Holmes Consulting Group.

²⁸ Decision Report 26, at [3.56(b)].

²⁹ See Decision Report 26, at pages 44 – 45.

³⁰ Section 42A Report – Te Kowhai Airpark Zone, at [1015].

³¹ See Decision Report 26, at page 44.

- (b) Amend the activity status of Circuit Training (PREC27-R21, PREC28-R21, PREC29-R21, PREC30-R21) from discretionary to non-complying;
- (c) Amend the activity status of Flight Training School (PREC28-R22, PREC29-R22, PREC30-R22) from discretionary to non-complying;
- (d) Amend rule TKAZ-S3 to change the hours of operation to 0600 hours to 2100 hours in the Summer Period; and 0700 hours to 1730 hours in the Winter Period;
- (e) Include a new rule in the TKAZ chapter limiting the number of aircraft movements per calendar year; and
- (f) Replace the FUZ subdivision rules with those that applied to the Village zone as notified in the PDP.

[27] NZTE's appeal seeks the following relief:

- (a) Amendment to ANOC-R3(2)(a) to require resource consent for infringement into the transitional side surfaces of the OLS as a non-complying activity instead of restricted discretionary; and
- (b) Amendment to SUB-R142 and SUB-R143 to remove the requirement for the TKAZ to be connected to a 'public reticulated' water supply 'network'.

[28] Hamilton City Council and NZTE gave notice of an intention to become a party to Mr Metcalfe's appeal under s 274 of the Act. HCC were interested in the rezoning of the Metcalfe Land because they sought to ensure that the land resource is protected from both subdivision and land uses that would compromise well-planned and integrated planning of the area and avoid ad-hoc development outside defined growth areas. HCC later confirmed that, as the urban growth of the Metcalfe Land is consistent with the growth plans shown for Te Kowhai in the Future Proof Strategy 2022,³² HCC has no concerns with the idea of development at that location. HCC remained concerned that there is insufficient clarity regarding how the land will

³² Future Proof Strategy 2022, at pages 59 – 67.

be serviced and is interested in protecting against the possibility that HCC may be called on to provide servicing to the area.

[29] Mr Metcalfe and M & K Stead gave notice of an intention to become a party to the NZTE's appeal under s 274 of the Act. On 16 May 2024, the Steads withdrew their interest in the NZTE appeal. Their withdrawal was confirmed by the Court on 29 May 2024.

Agreement reached

[30] The parties attended court-assisted mediation for the parts of the appeals in Topic 9 – TKAZ on 31 October 2023. Following mediation, the parties have continued to engage in direct discussions and have now agreed on a proposal which will resolve both appeals in their entirety. As a consequence of the agreement, Mr Metcalfe no longer wishes to pursue appeal point 2, allocated to Topic 14: Subdivision – other zones, which relates to replacing the FUZ subdivision rules.

Metcalfe appeal

Interpretation (other than Noise-Sensitivity)

[31] During negotiations Mr Metcalfe, NZTE and Council agreed to amend the definition of 'Aircraft operations' by adding sub-clauses and expanding the meaning of 'Flight training' to be consistent with the meaning under the Civil Aviation Rules. However, there is a resolved appeal³³ which relies on the definition of 'aircraft operations', as it applies to other airfields. Accordingly, to avoid impacting those separate provisions, the parties have agreed to an alternative solution which will make it clear that the new definition applies to the TKAZ only. As such, the parties have agreed to add a definition of 'Aircraft operations' with the additional sub-clause for flight training, which will apply within the TKAZ only. The existing definition of 'Aircraft operations' is also proposed to be amended as a consequential change to clarify that it applies to all zones other than the TKAZ.

³³ (ENV-2022-AKL-000061).

[32] The parties also agreed to the inclusion of a new definition in the PDP for ‘Aviation training organisation activities.’ Mr Metcalfe was concerned that, without these changes, NZTE could establish intensive commercial aircraft training with the potential for adverse amenity effects. NZTE was concerned that the definitions in the Decisions Version of the PDP are unclear.

[33] The revised provisions draw a distinction between general flight training such as is currently undertaken at the Aerodrome (such as training by pilots to retain their licences and ratings) and training under pt 141 of the Civil Aviation Rules (which applies to large scale training operations). This distinction recognises the intention that NZTE may continue the informal training activities that have existed for many years, and that those activities may grow organically with the airfield. However, the amended definition and associated rules ensure that large-scale aircraft training requires assessment as a discretionary activity.

[34] As a consequence of the above agreement, references to ‘Circuit training’ and ‘Flight school training’ no longer need to be used in (or defined by) the PDP. The new definition for ‘aircraft operations’ for the TKAZ and inclusion of the new definition ‘Aviation training organisation activities’ covers those activities instead. As a further consequence, the parties agreed to amend policy TKAZ-P8 to remove the reference to ‘circuit training’ and replace it with the new term ‘aviation training organisation activities.’ Further amendments to policy TKAZ-P8 were agreed to and are discussed below.

[35] In addition to the amendments to the Interpretation chapter of the PDP, the parties also agreed to amend the Land use – activities rules in the TKAZ chapter to reflect the addition to, and removal of, the defined activities from the PDP. ‘Aviation training organisation activities’ was added as a discretionary activity in all four precincts to ensure that activity is controlled in all areas.

TKAZ-P8 Airpark standards

[36] The parties agreed to amendments to policy TKAZ-P8 to delete TKAZ-P8(3) and add three management strategies to TKAZ-P8(4). The added sub-clauses acknowledge that ‘aviation training organisation activities’ need to be appropriately

managed to manage adverse effects on amenity in the Te Kowhai area. The sub-clauses aim to minimise the impact on noise sensitive activities by limiting the hours, days or periods during which aviation training organisation activities can occur.

Hours of operation for aircraft operation

[37] The parties agreed to add a note to TKAZ-S3 which states that Aircraft operations that are associated with ‘aviation training organisation activities’ require a resource consent and may be subject to more restrictive hours of operation. This note was added to reflect that there may be restrictions on the hours of operation of ‘aviation training organisation activities’ to manage amenity effects.

Noise – aircraft operations

[38] The parties also agreed to changes to rule NOISE-R41 which relates to noise from aircraft operations within the TKAZ. The parties agreed to additions to NOISE-R41(1)(b) to clarify that compliance assessments need to occur once every two years in accordance with NZS6805:1992 “Airport Noise Management and Land Use Planning,” and that details of this monitoring need to be provided to the Council as soon as possible after it has been completed. They also agreed to add a sub-clause, NOISE- R41(1)(c), to clarify that ‘aviation training organisation activities’, ‘touch and gos’ and ‘go arounds’ are to be included when calculating the noise contours as part of the biennial assessment.

Appendix 1

[39] In Decision Report 26, the IHP made various amendments to s 3.1 of Appendix 1 – Acoustic insulation (**APP1**) of the PDP, which is specific to the TKAZ. The IHP’s decision did not make any amendments to clauses (1) and (2) of the notified version of s 3.1 regarding the standards for any building containing Noise-Sensitive Activities inside the Aerodrome Airport Noise Control Boundaries (**ANCB**).³⁴ However, when the PDP was converted into the NPS formatting, clauses (1) and (2) were inadvertently omitted from the decisions version of APP1.

³⁴ Decision Report 26: Te Kowhai Airpark Zone, at pages 47 - 48.

[40] Given Mr Metcalfe's submission touches on adverse airpark effects (including noise) on neighbouring land, the parties have agreed to rectify this administrative error by reinserting the two clauses into s 3.1 of APP1. The first clause sets out the process for demonstrating that any building within the ANCB containing a noise sensitive activity complies with internal noise levels. The second clause sets out the external aircraft noise octave bands that are to be used when calculating an internal noise level.

Topic 3.1 – Zoning

Further information

[41] The Council and Mr Metcalfe have met to discuss the zoning relief in Topic 1.3. During these meetings, Council advised that it did not agree that Village zone would be an appropriate zone for the Metcalfe Land as it would be contrary to the planning standards. However, Council did agree that the appeal process is an appropriate and efficient avenue to agree to an alternative live urban zoning, as sought in Mr Metcalfe's notice of appeal.

[42] As stated above, while Mr Metcalfe's submission sought to retain the Village zoning over the Metcalfe Land, his further submission was in support of relief which sought higher densities for any Village type zoning in Te Kowhai. It is the further submission which establishes the scope for the relief in the appeal seeking 'live zoning'.

[43] To transition to a 'live' urban zoning, policy FUZ-P1 in the PDP Decisions Version states that the following is required:

- (a) Confirmation that transport infrastructure and reticulated water, stormwater, and wastewater services are able to be provided; and
- (b) A structure plan.

[44] As a result of discussions between the parties, Mr Metcalfe provided the following technical assessments, as required under policy FUZ-P1, in support of the live zoning of the Metcalfe Land:

- (a) PREC36 Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan);³⁵
- (b) Integrated transport assessment³⁶ which concluded that there were no traffic or transportation reasons why the rezoning cannot be accepted. While the Metcalfe Land exceeds the trip generation thresholds within the General residential zone (**GRZ**), analysis showed that the surrounding road network is expected to be able to accommodate traffic volumes associated with future development anticipated within the site;
- (c) Ecological assessment which concluded that the development, as currently proposed, avoids or minimises direct effects on most key ecological values;³⁷
- (d) Geotechnical suitability assessment which concluded that despite the identification of geohazards on the site, the Metcalfe Land is suitable for either residential or rural residential development;³⁸
- (e) Preliminary site investigation which concluded that it is highly unlikely that there will be risk to human health should the proposed zone change or subdivision be undertaken;³⁹
- (f) Stormwater assessment which concluded that the implementation of the proposed stormwater management plan will ensure that the urban development for the Metcalfe Land will mitigate any potential detrimental effects prior to discharge to the receiving environments;⁴⁰ and
- (g) Planning response to Council’s further questions regarding how the proposed rezoning meets strategic policy direction.⁴¹

³⁵ Prepared by CKL Ltd / Studio SW, dated 13 June 2023.

³⁶ Prepared by CKL Limited, dated 20 February 2023.

³⁷ Prepared by 2 Awa Ecology Ltd, dated 20 March 2023.

³⁸ Prepared by AECOM Ltd, dated 3 February 2017.

³⁹ Prepared by HDGeo Ltd, dated 24 November 2022.

⁴⁰ Prepared by CKL Ltd, dated 15 March 2023.

⁴¹ Prepared by CKL Ltd, dated 17 May 2023.

[45] In addition, Watercare commissioned a “Te Kowhai Water Supply and Wastewater Servicing Options Assessment” with input from Mr Metcalfe with regards to the proposed development at Te Kowhai. This assessment outlined the water and wastewater servicing strategy for Te Kowhai (including future development areas) and demonstrated that the development can be serviced subject to further assessments.

[46] To provide additional certainty as to the provision of infrastructure, as required under policy FUZ-P1, a Memorandum of Understanding regarding infrastructure provision has been signed by Mr Metcalfe and the Council.

[47] The Integrated Transportation Assessment and Stormwater Assessment were peer reviewed on behalf of Council. The peer reviews agreed with the findings in the assessments and concluded that the information provided was acceptable to support the live zoning of the Metcalfe Land, with any outstanding matters of concern to be addressed at the resource consent stage.

Agreement reached

[48] Based on the technical assessments provided, and the peer reviews, the Council, Mr Metcalfe and the s 274 parties have agreed that the most appropriate zone for the Metcalfe Land is GRZ. This zone aligns with the density, urban form and development timeframes set out in the higher order policy documents (as detailed further in the assessment of the statutory planning framework contained below). Mr Metcalfe has demonstrated, through the technical assessments, that the Metcalfe Land can be serviced within the next 10 years.

[49] The amendments with respect to the rezoning of the Metcalfe’s Land can be summarised as follows:

- (a) Rezone the Metcalfe Land to GRZ and delineate the Te Kowhai West Precinct (**the Precinct**) on the planning maps as shown in **Appendix A**; and
- (b) Inclusion of a structure plan (PREC36) in Part 4 of the PDP as APP18 – Te Kowhai West Structure Plan (**the Structure Plan**), as shown in

Appendix B. The Structure Plan provides clear guidance as to how development within the Precinct should be undertaken.

[50] To support the development of the Metcalfe Land and assist with implementation of the Structure Plan, the parties have agreed to the addition of a new policy and rule into the SUB chapter as well as an amendment to rule TRPT-R6 in the Transportation (**TRPT**) chapter as follows:

- (a) Amend the SUB chapter to:
 - (i) Add a new subdivision policy (SUB-P23) to require subdivision and development within the Precinct ensures consistency with the Structure Plan, protects natural features, provides public access to open spaces and is adequately serviced for wastewater, stormwater and water delivery infrastructure;
 - (ii) Add a new rule (SUB-R29A) which provides for subdivision within the Precinct as a restricted discretionary activity, subject to standards. If the subdivision does not connect to public reticulated water and wastewater infrastructure and/or a signed development agreement regarding water services is not obtained prior to granting the subdivision consent, the subdivision is non-complying. Subdivision which does not meet the remaining standards is discretionary; and
- (b) Amend rule TRPT-R6(1)(a)(iii) in the TRPT chapter by adding a new subclause (5). This provides that, within the Precinct, the road typology requirements in the Structure Plan take priority over the standards in TRPT Table 12, in the event of conflict.

[51] The findings of the technical reports, and peer reviews, has guided the development of the additional provisions as well as the Structure Plan. Mr Metcalfe has also engaged with Council's Parks & Reserves, Strategic Planning, Infrastructure, Transportation, and Stormwater Teams to align the additional provisions with Council's objectives.

[52] While the Court has already issued a Consent Order which amended part of provision TRPT-R6,⁴² the agreement reached amends a different clause of TRPT-R6 which is not the subject of the earlier Consent Order. **Appendix C** illustrates the changes to the rule already made by the earlier Consent Order (in red text) and the agreed changes (in green text).

[53] The parties agree that the proposed new policy, rule and amendment to TRPT-R6, alongside the Structure Plan, fully addresses the concerns raised by the IHP in not rezoning the Metcalfe Land to a live urban zoning as there is now sufficient technical evidence, as required in FUZ-P1, to support live zoning.

[54] The agreed amendments to Appendix 1 and the Interpretation, TRPT, SUB, NOISE and TKAZ chapters of the PDP decisions version as a result of resolution of the Metcalfe appeal are shown in **Appendix D** (additions marked as underlined and deletions as strikethrough).

Topic 14: Subdivision – other zones

[55] The relief sought by Mr Metcalfe to replace the FUZ subdivision rules with those that applied to the Village zone, as notified in the PDP, was allocated to Topic 14: Subdivision – other zones. This was sought as alternative relief, should the parties not agree to rezone the Metcalfe Land. As the parties have agreed to the rezoning, Mr Metcalfe is no longer pursuing this alternative relief. Mr Metcalfe's remaining interest in Topic 14 is as a s 274 party to The Surveying Company Ltd's appeal.

NZTE appeal

Transitional side surfaces

[56] During negotiations, the Respondent agreed with NZTE that the s 42A report author and the IHP appeared to have misunderstood the aviation evidence presented by Mr Park on behalf of NZTE, which supported a restricted discretionary status only

⁴² *The Surveying Company Limited and WEL Networks Limited v Waikato District Council* [2024] NZEnvC 064.

in relation to protrusions into the inner horizontal surfaces. Mr Park's rebuttal aviation evidence clarified he did not support giving flexibility to enable protrusions into the transitional side surfaces.⁴³ A non-complying activity status was considered most appropriate given the safety and operational concerns.

[57] The parties have therefore agreed to amend ANOC-R3(2)(a) to change the activity status of protrusions into the transitional side surfaces of the OLS from restricted discretionary to non-complying.

[58] As a consequence of resolving this appeal point, the parties have also agreed to a further consequential amendment to the PDP Decisions Version to assist the application of the rules with respect to the OLS. The parties have agreed to amend Appendix 10 – Te Kowhai Aerodrome (**APP10**) in Part 4: Schedules and appendices of the PDP, to include two new diagrams labelling the different components of the OLS. The dimensions in the diagrams reflect the dimensions referred to in the text of APP10 for the OLS. These new diagrams will replace the existing figures 50 – 52 in APP10 which were produced for discussion purposes only and not intended for inclusion in the PDP.

Water supply for firefighting

[59] In its notice of appeal, NZTE states that it supported FENZ's submission because the use of the conjunctive 'or' between the requirement to connect to a public reticulated water supply or water supply sufficient for firefighting purposes in its proposed additional clause 27.4.2(x) indicated FENZ's view that the water supply merely needs to be sufficient for firefighting purposes, irrespective of its source. NZTE further states that the TKAZ is not connected to a 'public reticulated' water supply 'network', and it is not anticipated that it will be connected to a public network in the immediate future.⁴⁴

[60] During negotiations between the parties, advice was obtained from Watercare (who is contracted to operate the Council's water infrastructure) as to the plans for providing reticulated water supply to Te Kowhai. Based on the updated information

⁴³ Hearing 17 – Aviation EIR of David Park for NZTE dated 8 April 2021, at [7].

⁴⁴ Notice of appeal on behalf of NZTE Operations Ltd dated 1 March 2022, at [9].

received from Watercare, Council agreed that it was unreasonable to require development in the TKAZ to connect to a reticulated water supply, where there is no certainty of whether or when that infrastructure would be delivered. The parties have therefore agreed to amend rules SUB-R142 and SUB-R143 to delete the word ‘public reticulated’ and ‘network’ from the activity-specific standards and add an additional matter of discretion which promotes the integration of development of the Airpark with any planned public reticulated infrastructure provision. This will ensure that it is clear that new lots are expected to connect to the reticulated network, if the timing of future development reasonably aligns with the expected provision of reticulated water infrastructure.

[61] The parties have also agreed to other minor amendments to SUB-R142 and SUB-R143 to correct numbering and other minor errors.

[62] As a consequence of resolving this appeal point, the parties have also agreed to further amend the TKAZ chapter to introduce a new rule addressing the amenity effects of large rainwater tanks on smaller lots. This responds to a concern that providing private water supply could result in adverse amenity outcomes. The agreed wording of new rule TKAZ-S27 requires such tanks to be underground or behind the front façade of a dwelling.

Consequential relief

[63] In its submission, NZTE sought that the ANCB in the PDP be expanded to a size that appropriately reflects best practice for aerodromes of this nature as well as amendments to the associated rules regarding the activity status of Noise Sensitive Activities within the ANCB. It is noted that the term ‘Noise-Sensitive Activity’ was a defined term under the PDP as notified.

[64] In Decision Report 26, the IHP accepted NZTE’s submission in part amending the PDP to update the ANCB and making some amendments to the rules regarding Noise Sensitive Activities within the ANCB. The IHP, in Decision

Report 30: Definitions, also retained the notified definition of Noise-Sensitive Activity, with some minor amendments as sought by other submitters.⁴⁵

[65] However, when the PDP was converted into the NPS formatting, the definition of ‘Noise Sensitive Activity’ (as amended by the IHP in Decision Report 30) was inadvertently omitted from the Interpretation chapter of the PDP decisions version.⁴⁶ Given the NZTE submission touched on the matter, the parties have agreed to rectify this administrative error by amending the Interpretations chapter to include the definition of ‘Noise Sensitive Activity’.

[66] The agreed amendments to APP10 and the Interpretation, Airport noise and obstacle controls (**ANOC**), SUB and TKAZ chapters of the PDP decisions version as a result of the resolution of the NZTE appeal are shown in **Appendix D** (additions marked as underlined and deletions as ~~striketrough~~).

Statutory planning framework

[67] The parties have assessed the amendments against the relevant statutory requirements. There are no national planning instruments relevant to the proposed changes. The changes are assessed against the relevant requirements below.

Council functions

[68] One of Council’s functions under s 31 of the Act is the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

[69] The proposed amendments will assist Council to carry out the above function by managing the effects on infrastructure and amenity from developing the TKAZ and protecting the Aerodrome’s future operations.

⁴⁵ Decision Report 30: Definitions, at page 66.

⁴⁶ See Decision Report 30: Definitions at [68] and Proposed Waikato District Plan - Decisions Version, Part 1: Introduction and general provisions / Interpretation, at page 26.

[70] The inclusion of a non-complying activity status for ANOC-R3 (intrusions to the Transitional Side Surfaces) is for the purpose of carrying out Council's functions under s 31, as it will contribute towards protecting the resource of the Aerodrome. In assessing this rule, Council has had regard to the actual and potential effects on the environment. Council considers that a non-complying activity status recognises that any protrusions into the Transitional Side Surfaces are inappropriate due to potential adverse health and safety effects and adverse effects on the future operations of the Aerodrome.

[71] The changes regarding water supply also contribute to the Council's functions under s 31, as they establish provisions that enable development to proceed, while integrating it with infrastructure where available.

[72] The proposed amendments with regards to the rezoning of the Metcalfe Land to GRZ will assist Council to carry out the above function by managing the effects on infrastructure and amenity from live zoning the site, as detailed below:

- (a) The inclusion of a new subdivision policy SUB-P23 "Subdivision and development in the PREC36 – Te Kowhai West Precinct" within Part 2 of the PDP will enable the Council to ensure development is consistent with the Structure Plan. It will also ensure protection of natural features, provision of public access to open spaces, and provision of adequate services and infrastructure. The policy will enable the Council to reject subdivisions that do not connect to the public reticulated wastewater and water services;
- (b) The new subdivision rule SUB-R29A specific to the PREC36 – Te Kowhai West Precinct specifies a series of standards which must be met for subdivision to have a restricted discretionary activity status. This rule enables the Council to closely control subdivisions which do not connect to public reticulated water and wastewater infrastructure under the control of Council, and/or where there is no signed development agreement regarding water services between the Council and the Applicant prior to granting subdivision consent;

- (c) Rule TRPT-R6 will be amended to include a new subpoint TRPT-R6(1)(a)(iii)(5). This amendment clarifies that, for roads within the PREC36 – Te Kowhai West Precinct, the road typology requirements as detailed in the Structure Plan will take priority over the roading standards in Table 12, in the event of any conflict; and
- (d) The Structure Plan will be included as Appendix “APP18” to the PDP Decisions Version and provides clear guidance as to how development within PREC36 – Te Kowhai West Precinct should be undertaken.

Part 2 of the Act

[73] The purpose of the Act is to promote sustainable management of natural and physical resources. The proposed amendments are aligned with the following specific aspects of the purpose:⁴⁷

- (a) Providing for the communities’ health and safety;
- (b) Sustaining the potential of physical resources to meet the reasonably foreseeable needs of future generations; and
- (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.

Topic 9

[74] The proposed amendments will support the purpose by facilitating the Aerodrome’s future operations in a way which provides for health and safety and mitigating the adverse effects of the TKAZ’s development on infrastructure and amenity. They will also provide reassurance for the community about the nature of amenity effects that can be anticipated from the Aerodrome. Having a more stringent activity status for structures protruding into the transitional side surface and additional OLS diagrams protects the safety of people both in aircraft as well as any habitable structures that may be proposed in that location. The amendments regarding water

⁴⁷ Sections 5(2)(b) and (c).

servicing ensures that there is appropriate water supply, thus satisfying the need to protect the health and safety of the community in s 5(2).

Topic 1.3 – Zoning

[75] The proposed amendments will constitute sustainable management of natural and physical resources in accordance with s 5(1) of the Act as the rezoning will supply additional land at Te Kowhai for residential subdivision and development, which will enable people and communities to provide for their social, economic and cultural wellbeing.

[76] By rezoning the Metcalfe Land, the proposal enables development of approximately 68 hectares to meet the needs of future generations in accordance with s 5(2)(a) of the Act, while also utilising the land in a sustainable manner. The site-specific provisions agreed will provide the opportunity to avoid, remedy or mitigate any adverse effects on the local environment in accordance with s 5(2)(c). The proposal will also achieve comprehensive development that is integrated with appropriate infrastructure, and therefore supports the health and safety of the community by ensuring safe drinking water, reticulated wastewater, connection to the transport network and efficient management of stormwater (amongst other infrastructure).

Waikato Regional Policy Statement

[77] The agreed amendments, for all topics, will give effect to the Waikato Regional Policy Statement (**WRPS**), including the amendments made under Change 1 which is currently under appeal, by being consistent with, and contributing to, the following objectives and policies:

- (a) Objective UFD-O1(3), (7) and (12b), by integrating land use and infrastructure planning and ensuring that development minimises land use conflicts and does not compromise the safe, efficient and effective operation of infrastructure corridors, while also providing for improved housing choice, quality and affordability;

- (b) Policy UFD-P1 and development principle (f) in APP11, that new development should identify water requirements necessary to support development and ensure the availability of the volumes required;
- (c) Policy UFD-P2(1)(d), by ensuring that new development does not occur until the provision for infrastructure necessary to service the development is in place; and
- (d) Policy UFD-P12, by enabling a compact urban environment to be achieved in Te Kowhai where reticulated services exist.

Future Proof 2024

[78] The proposed amendments give effect to the Future Proof Strategy 2024 by being consistent with, and contributing to, the following Key Guiding Principles of the strategy:

- (a) Guiding Principle 2.5 promotes increased densities in new residential developments. Live zoning the Metcalfe Land to GRZ will result in economies of scale with regards to infrastructure and an efficient use of the land, which is a finite resource;
- (b) Guiding Principle 3.2 seeks to restore, enhance and create blue-green corridors for the protection and improvement of the natural environment. This is a key design principle of the Structure Plan and is underpinned by a vegetation strategy and planting pallet, which recognise the intrinsic value of the ecosystems on site. Planting in stormwater reserves and within roads, as well as providing connections between open spaces across the site, are all important actions which will maintain and enhance the intrinsic value of the existing ecosystem;
- (c) Guiding Principle 4.4 focuses on ensuring that planning is integrated with infrastructure and investment plans. The proposal will achieve this by promoting a comprehensive development approach which supports the health and safety of the community by ensuring safe drinking water, reticulated wastewater, connection to the transport network and efficient

management of stormwater (amongst other infrastructure). Council and Mr Metcalfe are working together to plan and confirm funding for the necessary infrastructure.

Section 32AA assessment

[79] Section 32AA of the Act requires a further evaluation of any changes to a proposal since the evaluation report was completed.

Topic 1.3 – Zoning

[80] Council's planner has prepared a comprehensive stand-alone s 32AA evaluation for the agreed amendments to resolve the parts of the Metcalfe appeal in Topic 1.3: Zoning – Te Kowhai which is included in **Appendix E** to this determination.

[81] In summary, the s 32AA assessment concludes that:

- (a) The objective of the Metcalfe proposal, and the subsequent amendments to the SUB and TRPT chapters, are the most appropriate to achieve the purpose of the Act on the following basis:
 - (i) The proposal constitutes sustainable management of natural and physical resources in accordance with s 5(1) of the Act;
 - (ii) The proposal enables development of approximately 68 hectares to meet the needs of future generations in accordance with s 5(2)(a) of the Act, while also utilising the land in a sustainable manner;
 - (iii) The site-specific provisions will provide the opportunity to avoid, remedy or mitigate any adverse effects on the local environment in accordance with s5(2)(c);
- (b) While three options were initially considered, Option 2 (the agreed amendments) was the preferred option as:

- (i) It will enable the development of the Metcalfe Land to support residential development within an appropriate timeframe and without an additional plan change process;
 - (ii) It enables serviced residential development and densities which are outcomes anticipated by a series of strategic planning documents (WRPS, Future Proof 2024 and Waikato 2070);
 - (iii) The inclusion of the Structure Plan and the site-specific district plan provisions (policy, rules and assessment criteria) will best ensure future development of the Metcalfe Land constitutes an integrated, sustainable, comprehensively planned and efficient use of land; and
- (c) It was agreed by all parties that the agreed amendments to the SUB and TRPT chapters as well as the addition of the Structure Plan and associated provisions and mapping are the most appropriate way to achieve the objectives and policies of the PDP as well as the proposal.

Topic 9 – TKAZ

[82] NZTE’s planner has prepared a comprehensive stand-alone s 32AA evaluation to resolve the parts of the Appeals in Topic 9 – TKAZ which is included in **Appendix F** to this memorandum.

[83] In summary, the s 32AA assessment concludes that:

- (a) The objective of the proposed agreement and the subsequent amendments, are the most appropriate to achieve the purpose of the Act on the following basis:
 - (i) It ensures that the physical resource of the Aerodrome can continue to operate and grow, with appropriate management of adverse effects and ensures that the Aerodrome operates safely thereby providing for social, economic and cultural well-being of persons in the area in accordance with s 5 of the Act;

- (ii) It ensures efficient use and development of both the Aerodrome and nearby land ensuring the Aerodrome can co-exist with sensitive activities in accordance with s 7(b) of the Act;
 - (iii) The proposed amendments recognise the Aerodrome is an established physical resource that cannot be relocated and ensures appropriate management of effects as well as health and safety of the community in accordance with s 7(g);
- (b) The proposed amendments are the most appropriate way to achieve the purpose of the proposal and the objectives of the PDP as:
- (i) It has greater environmental, economic and social benefits and fewer costs;
 - (ii) The proposed amendments provide a tailored response to the issues for activities locating near the Aerodrome while not constraining the efficient use and development of the existing Aerodrome activities;
 - (iii) Provides the best health and safety outcomes for the future operations of the Aerodrome; and
 - (iv) Enables appropriate servicing of TKAZ without adverse effects on the Aerodrome or endangering the safety of operations at the Aerodrome.

[84] In summary, it is agreed by all of the parties that the agreed amendments to the subdivision rules and rules regarding the placement of water tanks for the TKAZ are the most appropriate to achieve the objectives of the PDP and the objectives of the NZTE proposal.

Consideration

[85] The Court has read and considered:

- (a) Mr Metcalfe's Notice of Appeal dated 28 February 2022;

- (b) NZTE's Notice of Appeal dated 1 March 2022; and
- (c) The joint memorandum of parties in support of draft consent orders dated 24 January 2025.

[86] The Court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order; and
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[87] The Court is satisfied that the changes are sought within the scope of Mr Metcalfe and NZTE's submissions and appeals.

Orders

[88] Therefore, the Court orders, by consent, that:

- (a) The zoning maps of the Proposed Waikato District Plan (decisions version) be amended in accordance with **Appendix A;**
- (b) New appendix, APP18 – PREC36 Te Kowhai West Structure Plan, be inserted into Part 4 of the PDP in accordance with **Appendix B;**
- (c) Rule TRPT-R6 in the PDP decisions version be amended in accordance with **Appendix C;**
- (d) The ANOC, TRPT, SUB, NOISE and TKAZ chapters, and APP1 and APP10 in the PDP decisions version be amended in accordance with **Appendix D;**

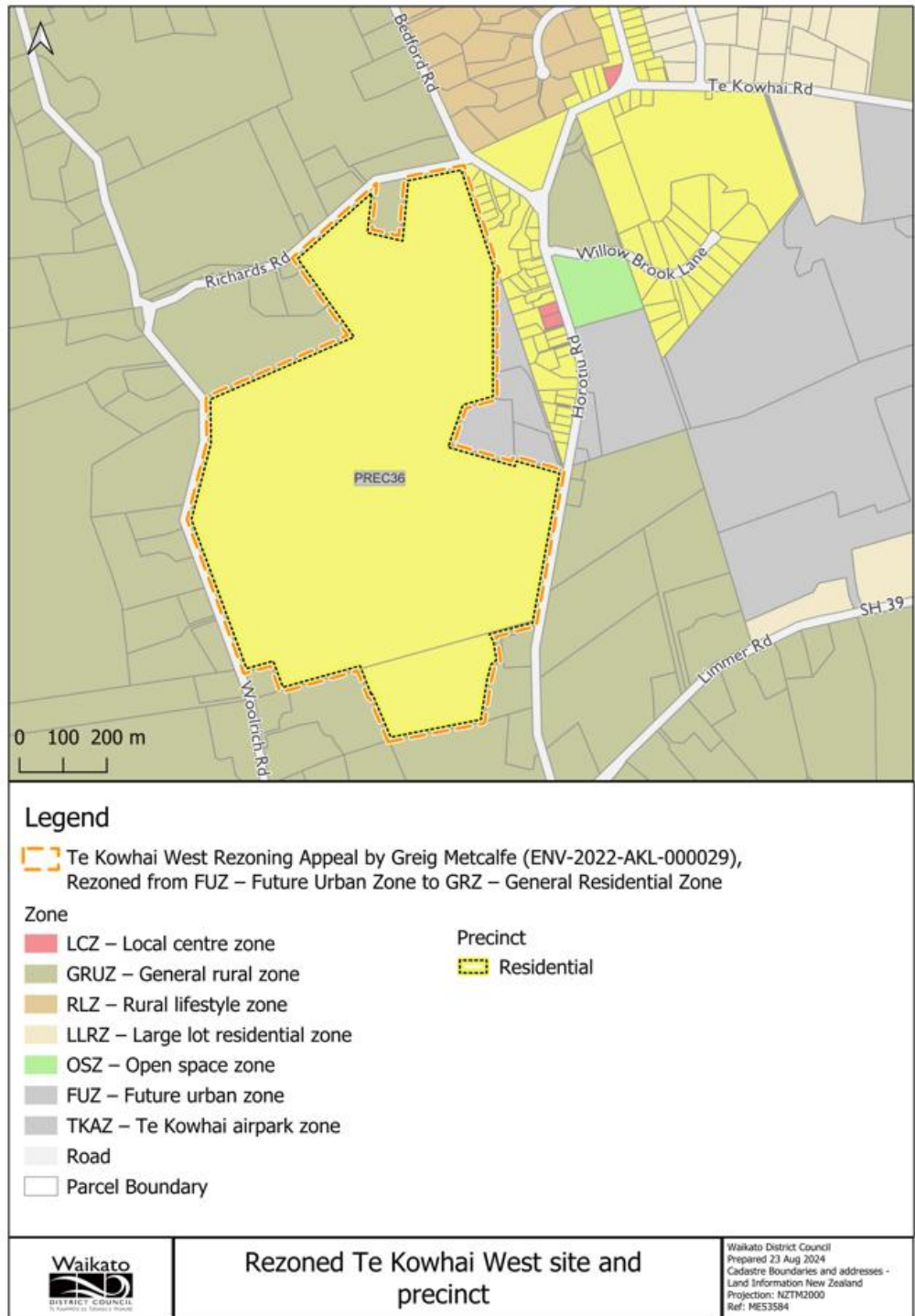
- (e) The appeals by Mr Metcalfe and NZTE Operations Ltd are otherwise resolved; and
- (f) There is no order as to costs.



L J Newhook
Alternate Environment Judge | Kaiwhakawā o te Kōti Taiao



Appendix A: Amended zoning map for the Metcalfe Land



Rezoned Te Kowhai West site and precinct

Waikato District Council
 Prepared 23 Aug 2024
 Cadastre Boundaries and addresses -
 Land Information New Zealand
 Projection: NZTM2000
 Ref: M53584

Appendix B: New APP18 – PREC36 Te Kowhai West Structure Plan

TE KOWHAI WEST STRUCTURE PLAN

702 and 730A Horotiu Road, Te Kowhai

14/01/2025 [FINAL - REVISION G]





REPORT QUALITY CONFIRMATION
STUDIO SW | 2024, TE KOWHAI WEST STRUCTURE PLAN. REPORT by STUDIO SW & CKL for 702 TE KOWHAI LP

PREPARED BY:	SIMON WHITE LANDSCAPE ARCHITECT STUDIO SW
REVIEWED BY:	BEVAN HOULBROOKE DIRECTOR - PLANNER CKL
STATUS: [FINAL]	REVISION / VERSION: REVISION G

CONTENTS

INTRODUCTION	3
DESIGN PRINCIPLES	3
DEVELOPMENT PLAN	4
ROAD TYPOLOGY & WALKING / CYCLING STRATEGY PLAN	5
ROAD TYPOLOGY CONCEPT	6
OPENSOURCE FRAMEWORK & BLUE/GREEN NETWORK PLAN	7
PUBLIC OPEN SPACES - PLANS	8
STAGING PLAN	9
PLANTING PALETTES	10

INTRODUCTION

BACKGROUND

This Structure Plan will guide development of the Te Kowhai West growth cell, a greenfield area of some 68.2 ha held in two allotments adjoining Te Kowhai Village and bound by Horotiu Road, Richards Road and Woolrich Road.

The Te Kowhai West Structure Plan provides a strategic and spatial framework for future land uses, open space, transport and utility networks. This structure plan has been prepared to facilitate the rezoning of the land and will guide subsequent subdivision applications.

LOCAL CONTEXT AND FEATURES

Te Kowhai is located approximately 12 minutes' drive north-west of Te Rapa and about 10 minutes drive south west of Ngaaruawaahia. It presently has a country village identity and comprises a full primary school, community hall, church, fruit and vegetable store, dairy and takeaways, vehicle repair workshop, retirement village, and a large recreation park with a skate bowl and playground. At the northern end of the village a new retail hub is being developed which includes a café and superette. Te Kowhai Airfield is situated on the southern periphery of the village and has been enabled for aviation and residential development. Te Otamanui Lagoon is a key landscape feature and is accessible from the village via a shared trail.

Other than a small reticulated wastewater network servicing around 12 dwellings, there are no reticulated water and wastewater services at Te Kowhai. These are proposed to be extended from Horotiu, some 6km to the north-east of Te Kowhai.

EXISTING LANDSCAPE

The topography of the Te Kowhai West growth cell is described as 'Lowlands' and 'Rolling Hills' with the lowlands being level with gradual undulation featuring river and stream gully systems. The rolling hills have an elevation of up to 20.0 meters high above the alluvial terraces of the lowlands.

A prominent tributary gully system runs east to west through the site, with a series of open man made waterbodies present across the site and is connected to the routes of the water courses.

Vegetation within the site is predominantly rural grassland with mature stands of trees appearing in patches over the site with the sites entry (702 Horotiu Road) featuring a mature avenue of Platanus trees (Plane trees).

DEVELOPMENT PROPOSAL

The development of Te Kowhai West will comprise of residential allotments, a stormwater and drainage network and a series of proposed public roads. The Lot layout and lot sizes will be determined at the time of subdivision and are expected to be strongly influenced by topography. For the purposes of this Structure Plan lot sizes are anticipated to range between 450m² and 800m², on the basis that 60% of the site is developable once primary and local roads, open space and stormwater devices have been excluded, a net density of 12-15 dwellings per hectare is anticipated. Applying an average lot size of 650m² would for example result in a yield of approximately 640 lots. Final lot yields will be confirmed once detailed planning has been completed as part of a future subdivision application process.

The proposed open space network has been designed to celebrate the natural landscape characteristics of the site while achieving an open space network that maximises walkability through the prominent tributary gully system connecting to the Te Kowhai Village and the Te Otamanui Lagoon.

DESIGN PRINCIPLES

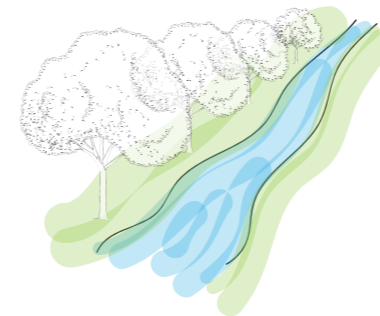
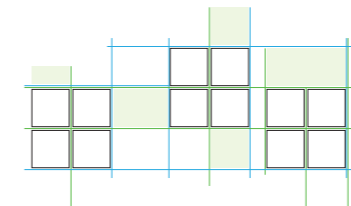
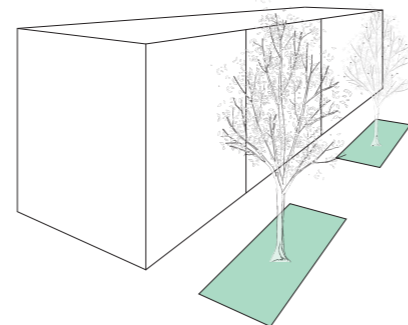
A SECURE WALKING & CYCLING NETWORK

By providing a secure, accessible walking and cycling network along important corridors and through public open space, users can promote active recreation and transport modes.



POSITIVE STREETS

A well-planned street takes into account more than just the smooth movement of vehicles. Streets that improve the experience of people and the feeling of place and identity of the neighbourhood are made possible by the incorporation of vegetation, materiality, footpath widths, and accessible crossing locations. Positive streets support biodiversity, have an ecological response to the surroundings and link to a larger network of parks and other natural areas.

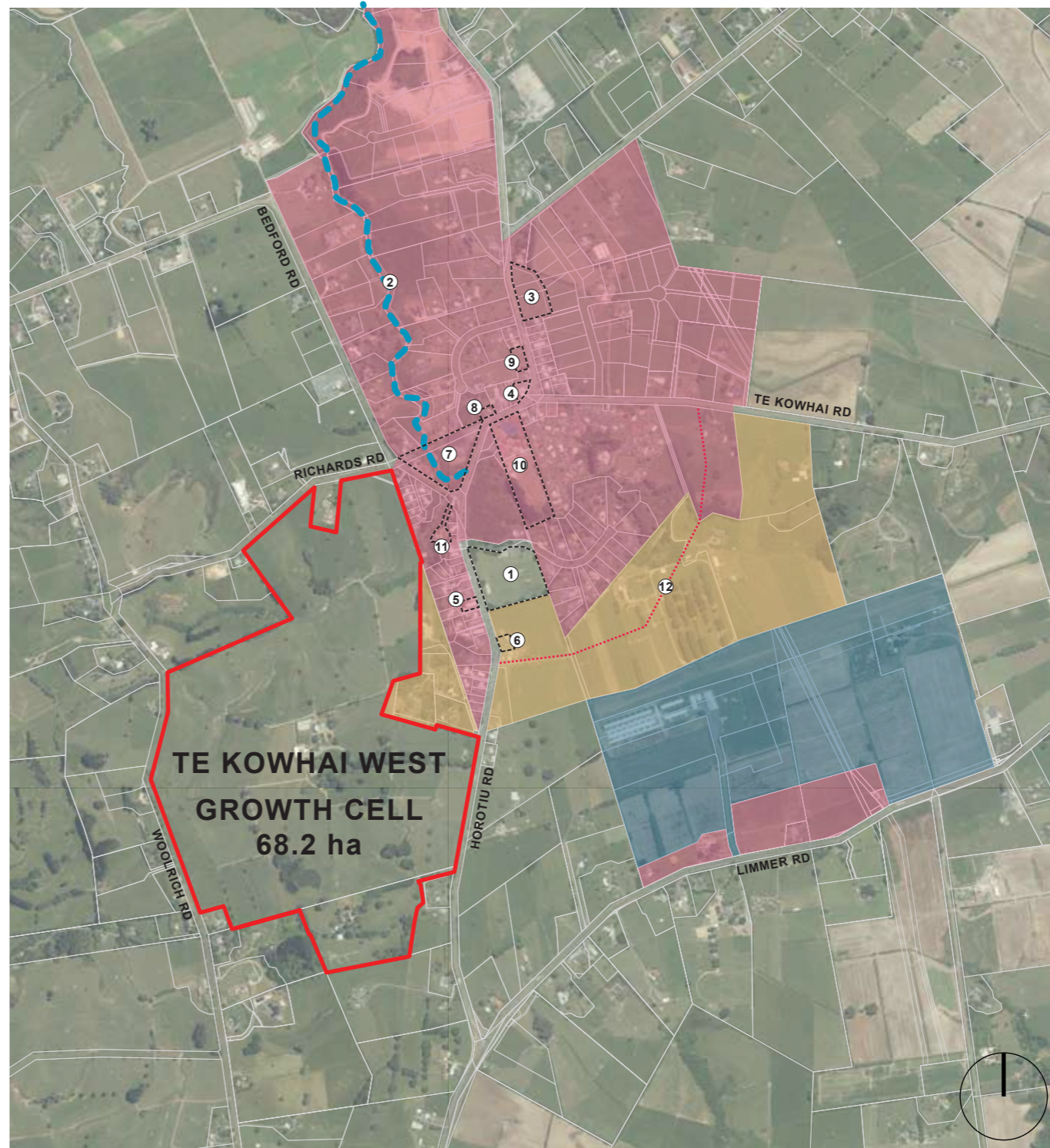


COMMUNITY CONNECTION

Individuals, and the community as a whole, need access to a range of outdoor areas near their homes. The connected open space network enhances access to a variety of passive experiences that respond to the requirements of the community while also strengthening the environment and how we interact with it.

BLUE / GREEN INFRASTRUCTURE

A unified and bio-diverse ecosystem benefits from blue green infrastructure. Streams, rivers, lakes, wetland habitats, and isolated bush remnants are all connected by blue green infrastructure. The improvement and promotion the natural occurring systems contributes to the local character, improves amenity and enhances diverse recreational opportunities making the neighbourhood more resilient and sustainable.



CONTEXT MAP

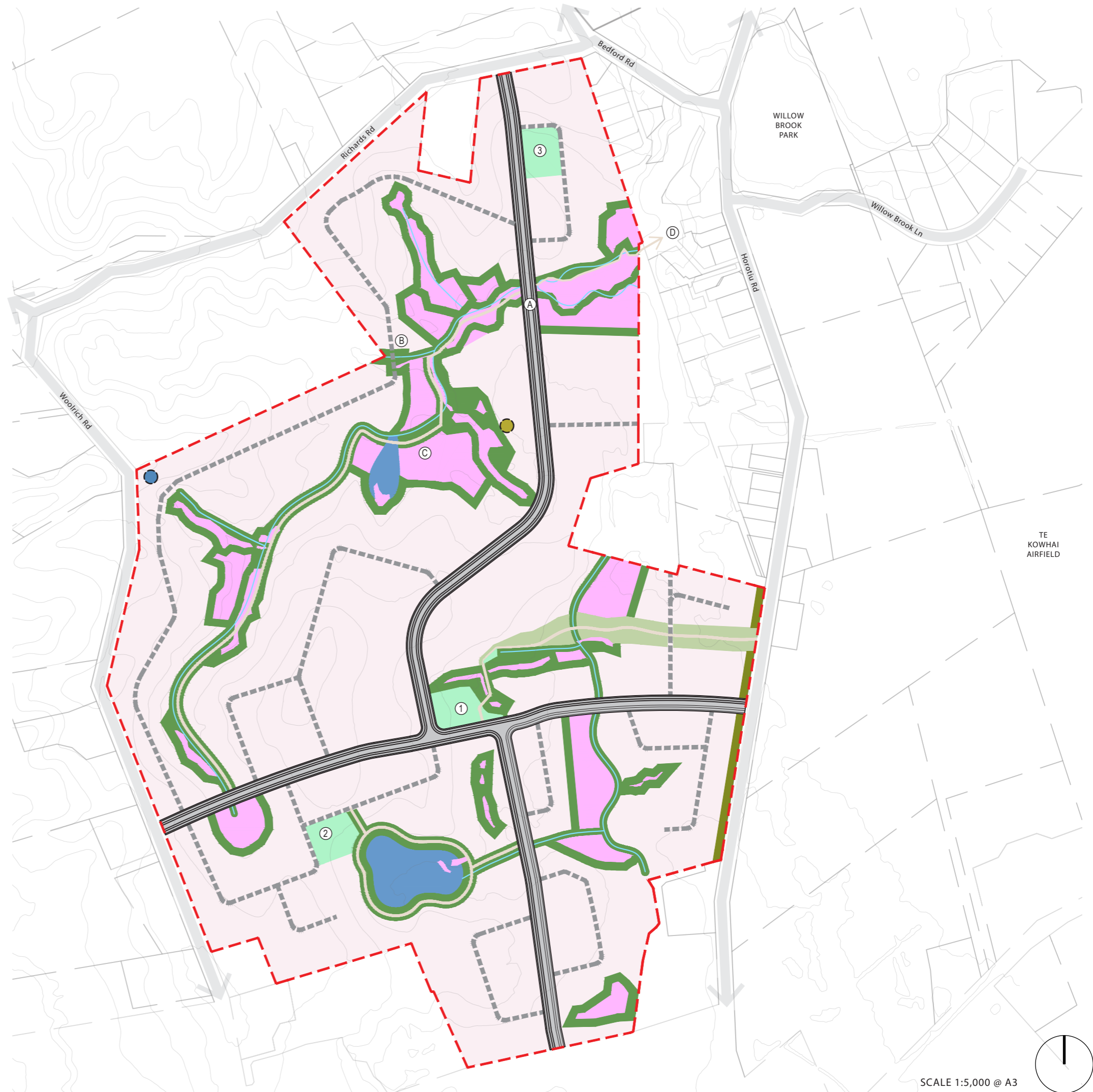
KEY

- ① Willow Brook Park
- ② Te Otamanui Lagoon
- ③ Northern Retail Centre & Cafe
- ④ Garage
- ⑤ General Store
- ⑥ Cafe & Produce Store
- ⑦ Hall & Kindergarten
- ⑧ Church
- ⑨ Church
- ⑩ School
- ⑪ Wastewater Plant
- ⑫ Indicative Future Road
- Future Growth Cells
- Te Kowhai Airpark
- Existing Village (Residential, Large Lot Residential or Rural Residential Zone)

DEVELOPMENT PLAN

KEY

-  SITE BOUNDARY
-  DEVELOPMENT AREA (SUBDIVIDED LOTS)
-  PRIMARY ROAD - 20.0m ROAD RESERVE
-  LOCAL ROAD (INDICATIVE LOCATION) - 16.0m ROAD RESERVE
-  SHARED PATH (3.0m WIDE)
-  PARK, RECREATION, PUBLIC OPEN SPACE
-  ENTRY AVENUE PLANTING
-  NATIVE REVEGETATION PLANTING
-  NATIVE HOROTIU ROAD BUFFER PLANTING
-  STORMWATER RESERVES, WETLANDS, STREAMS & DEVICES
-  ARTIFICIAL WATER BODIES
-  RESERVOIR (INDICATIVE LOCATION)
-  PROPOSED TE KOWHAI TERMINAL WASTEWATER PUMP STATION
-  CROSSINGS SUBJECT TO APPROVAL UNDER S45c OF NES FOR FRESHWATER
-  POTENTIAL CONNECTION POINT FOR FUTURE EXTENSION OF TE OTAMANUI LAGOON SHARED PATHWAY
-  PUBLIC OPEN SPACE
 - 1. Area = 3050m²
 - 2. Area = 3060m²
 - 3. Area = 3000m²

















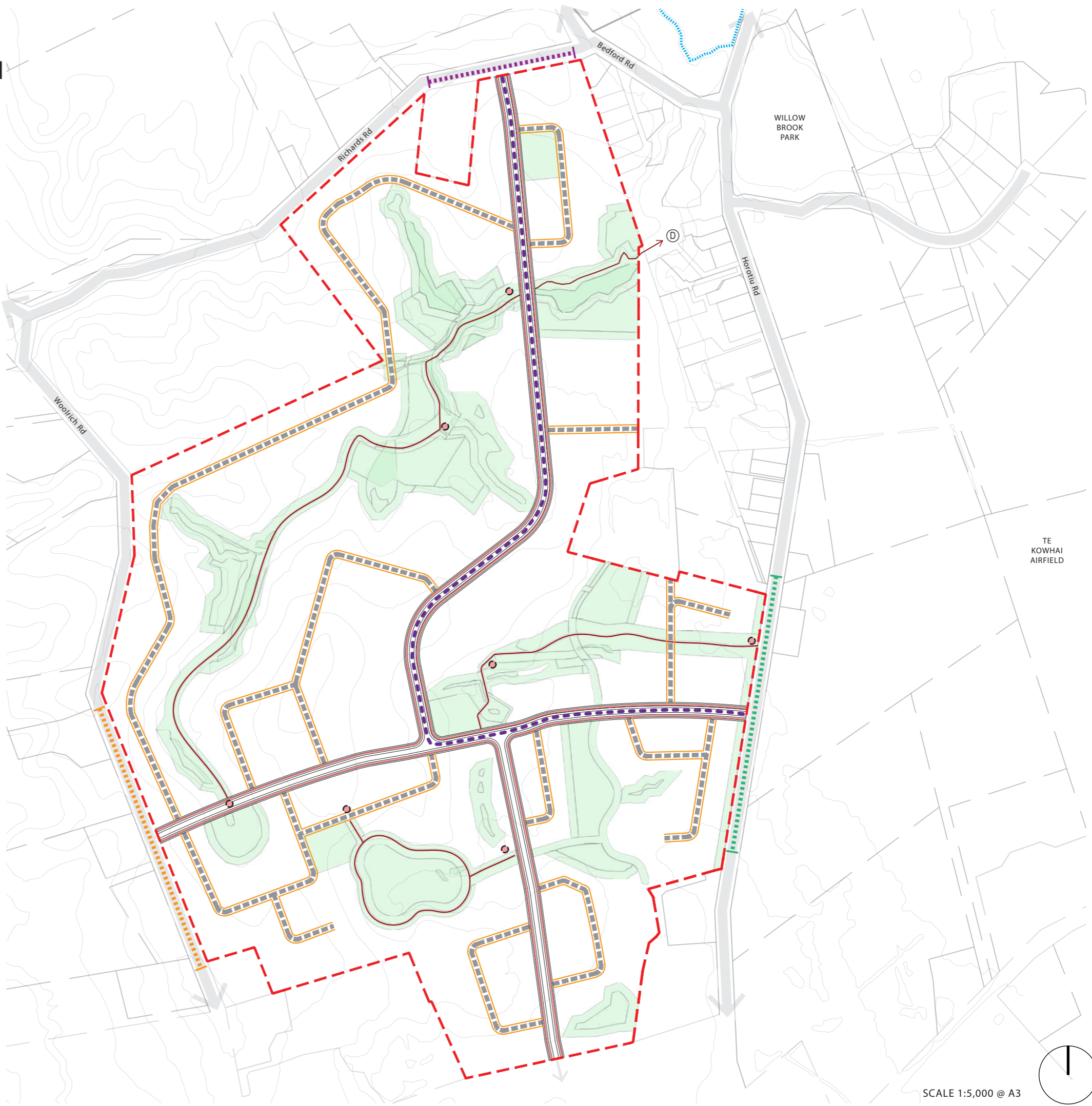
SCALE 1:5,000 @ A3



ROAD TYPOLOGY & WALKING / CYCLING STRATEGY PLAN

KEY

-  SITE BOUNDARY
-  PRIMARY ROAD (50 KM / HR)
-  LOCAL ROAD (40 KM / HR)
-  3.0m WIDE SHARED PATH
-  1.8m WIDE PEDESTRIAN FOOT PATH
-  PEDESTRIAN & COMMON SHARED PATH (3.0m WIDE)
-  BUS ROUTE (INDICATIVE)
-  TE OTAMANUI LAGOON & SHARED PATHWAY
-  RICHARDS RD VISIBILITY - 97.0m (ASSUME 50 KM / HR EXTENDED)
-  HOROTIU RD VISIBILITY - 181.0m (80 KM / HR RETAINED)
-  WOOLRICH RD VISIBILITY - 181.0m (80 KM / HR RETAINED)
-  WAYFINDING ELEMENTS
-  PUBLIC OPENSOURCE & STORMWATER DEVICES
-  POTENTIAL CONNECTION POINT FOR FUTURE EXTENSION OF TE OTAMANUI LAGOON SHARED PATHWAY

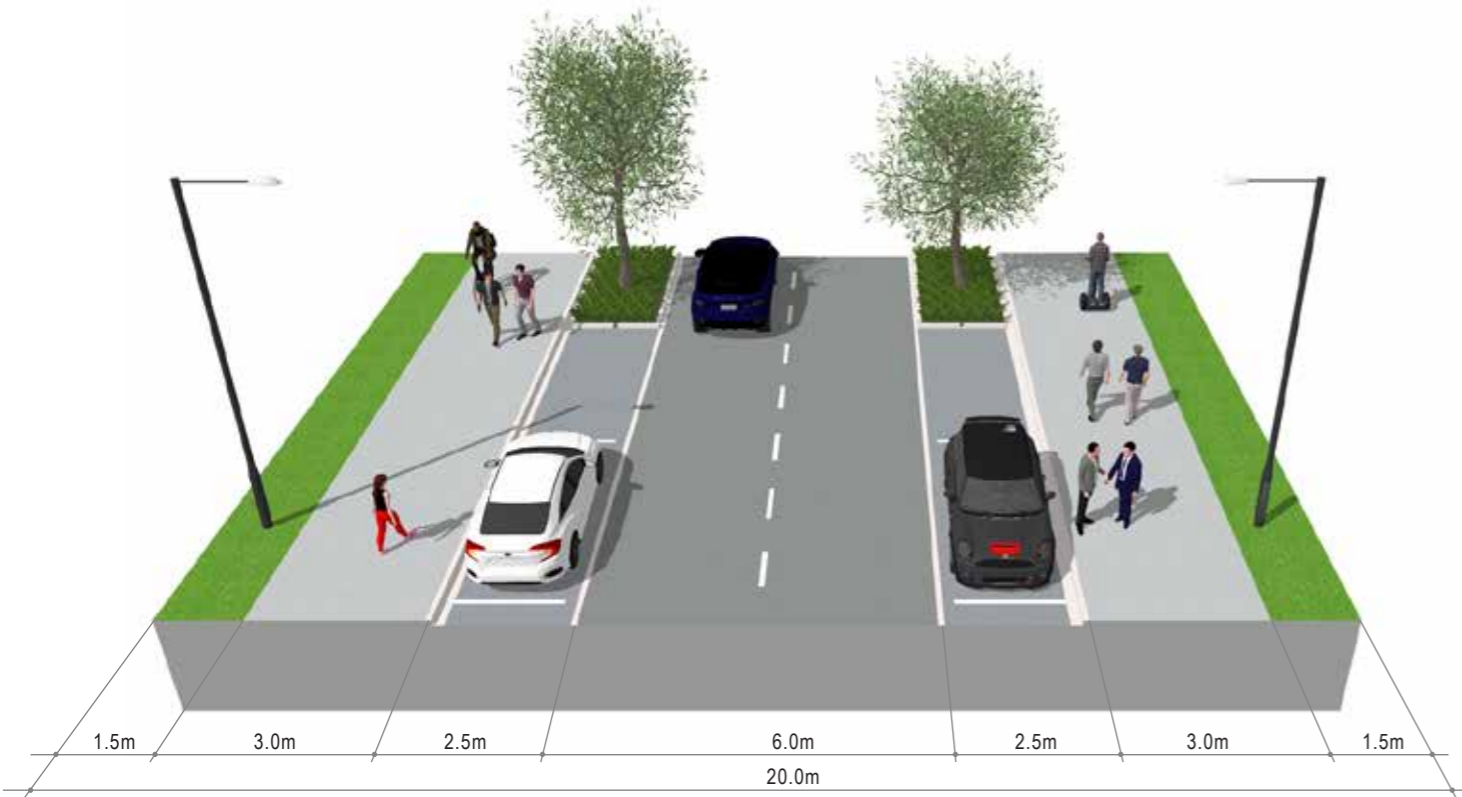


WALKING AND CYCLING STRATEGY

1. A shared path (pedestrian and cycling) is provided on both sides of the Primary Rd.
2. Walking and cycling connections are provided to & around the stormwater reserves allowing for passive/active recreation, connection throughout the site, providing route choice and circulation connecting development areas.
3. Road connection south to potential future development.
4. Future pedestrian and cycle connection to existing Te Otamanui Lagoon shared pathway.
5. The two street types combine to create a network of footpaths and designated cycle paths providing connections to community spaces and local destinations.



ROAD TYPOLOGY CONCEPT



PRIMARY ROAD

- ROAD RESERVE - 20.0m overall width.
- CARRIAGEWAY TOTAL - 11.0m (Double-sided).
- ROAD DESCRIPTION - Sealed 6.0m.
- 50kph design speed limit.
- PARKING - Defined bays.
- Permeable surface.
- PEDESTRIAN - Shared pedestrian / cycle paths.
- 3.0m wide sealed pavement.
- LANDSCAPE ELEMENTS - Designated rain gardens for stormwater management will be implemented where possible, with size and extent dependent on stormwater modeling.
- Clear stemmed trees with under-plantings of low grasses and native species.
- 1.5m wide berm with low planting or lawn separating property boundary and shared path.



LOCAL ROAD

- ROAD RESERVE - 16.0m - 20.0m overall width.
- CARRIAGEWAY TOTAL - 11.0m (Double-sided).
- ROAD DESCRIPTION - Sealed 6.0m.
- 30kph design speed limit.
- Flush kerbs where possible.
- PARKING - Defined bays.
- Permeable surface.
- PEDESTRIAN - Shared pedestrian / cycle paths.
- 1.8m wide sealed pavement.
- LANDSCAPE ELEMENTS - Designated rain garden where possible
- Clear stemmed trees with under-plantings of low grasses and native species.
- 0.7m wide berm with low planting or lawn separating property boundary and shared path.

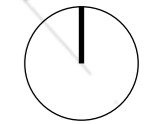
OPENSOURCE FRAMEWORK & BLUE/GREEN NETWORK PLAN

KEY

- - - SITE BOUNDARY
- PRIMARY ROAD TREE & PLANTING MIX
- LOCAL ROAD TREE & PLANTING MIX
- PATH WAY BUFFER PLANTING
- HOROTIU RD BUFFER PLANTING
- ENTRY AVENUE PLANTING
- NATIVE REVEGETATION / 10m OFFSET PLANTING
- PUBLIC OPEN SPACE
- STREAMS (INDICATIVE LOCATIONS)
- ARTIFICIAL PONDS
- STORMWATER TREATMENT DEVICES (1-6, 8, 9, 11 & 12) -
The sizes of SW basins are provisional and may need adjustments based on stormwater modeling results.
- BIO-RETENTION (7, 10, 13 & 14)
- CAREX WETLAND
- WILLOW WETLAND
- SEEPAGE WETLAND
- ① CATCHMENT AREAS

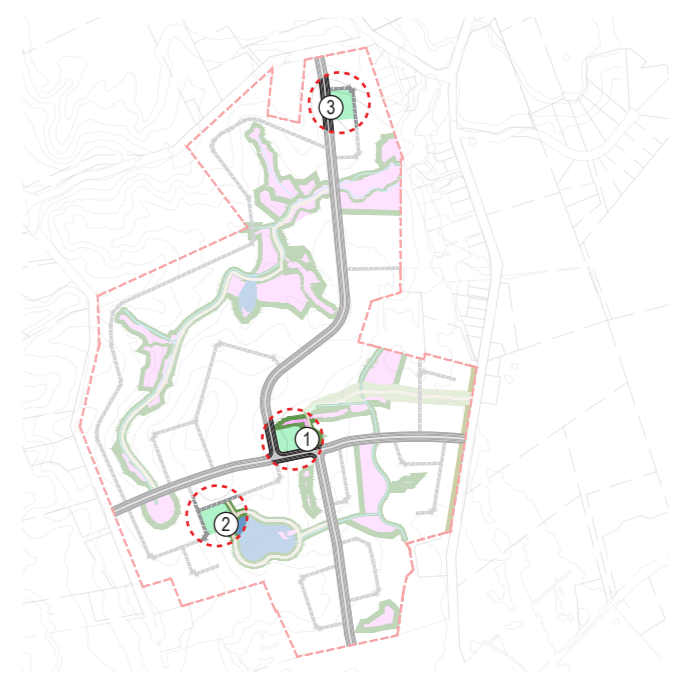
VEGETATION STRATEGY

1. Planting is designed to align with Mana Whenua guidance with species that reflect history of the area.
2. Green spaces within the Primary and Local Road reserves include street trees creating a green avenue to the development, utilising native species, promoting a visual wayfinding aid and creating shade to pedestrians and cyclists.
3. Areas of planting in the stormwater reserves are to promote a natural ecosystem and stormwater treatment.
4. Buffer planting on Horotiu Rd is to utilise native species and selected for their ability to provide a buffer from Horotiu Rd and the Te Kowhai airfield.
5. Tree selection and maintenance will need to ensure compliance with Te Kowhai Airpark Obstacle Limitation Surface where it applies.



PUBLIC OPEN SPACES - PLANS

- KEY**
- PUBLIC OPEN SPACE BOUNDARY
 - MAJOR CONTOUR - 1.0m Increments
 - MINOR CONTOUR - 0.1m Increments



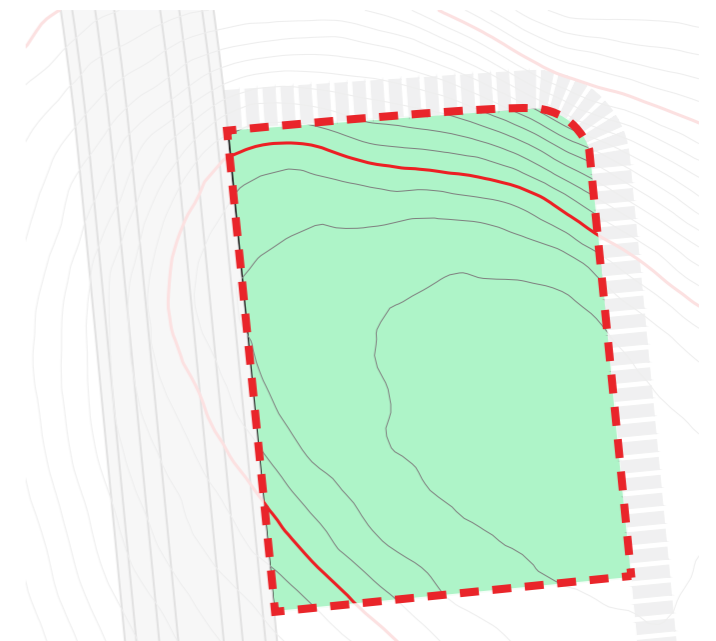
LOCATION PLAN - NTS



1.
AREA = 3050m²



2.
AREA = 3060m²



3.
AREA = 3000m²

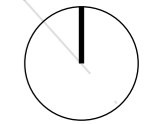
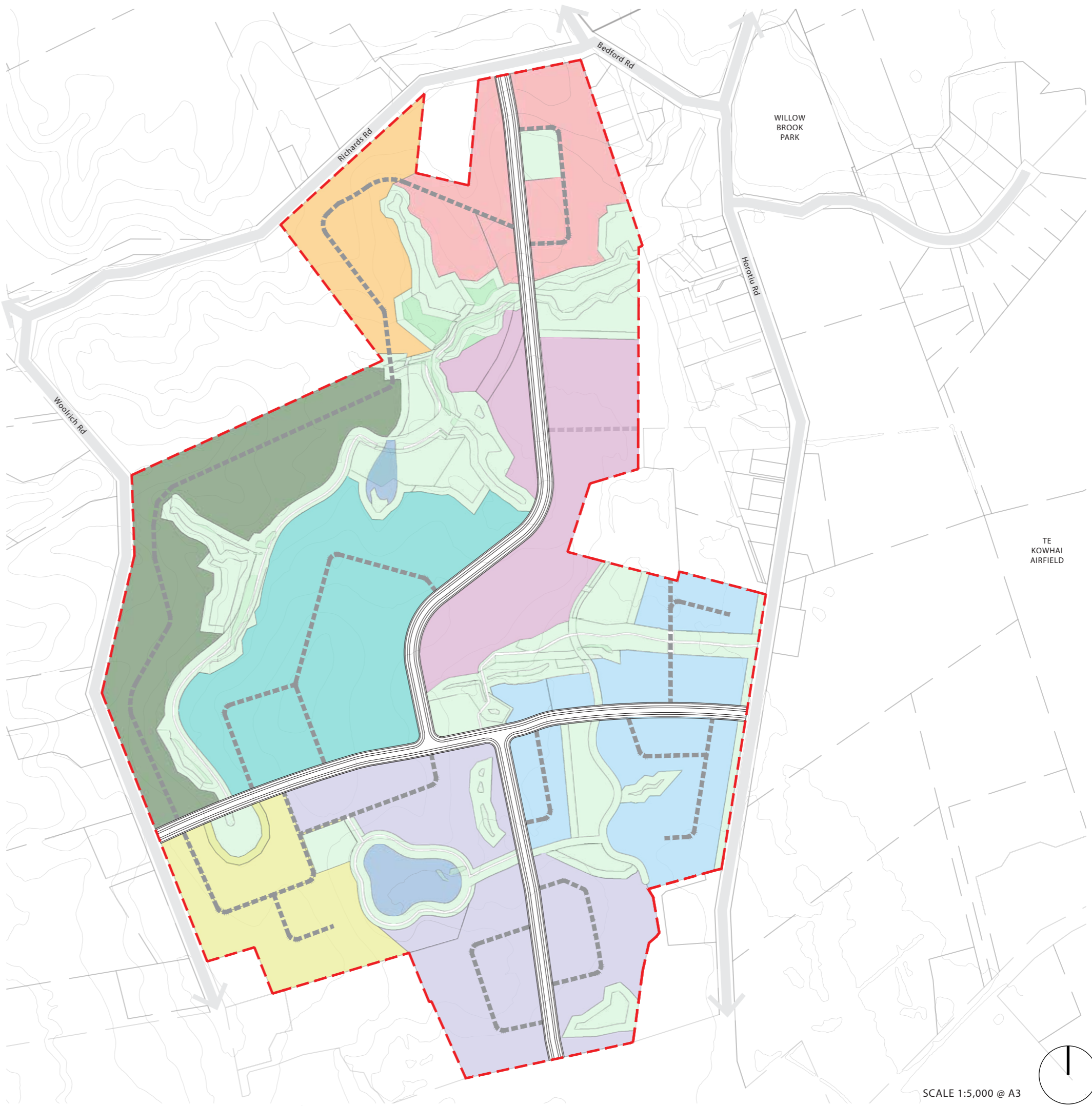
INDICATIVE STAGING PLAN

KEY

- SITE BOUNDARY
- STAGE ONE
- STAGE TWO
- STAGE THREE
- STAGE FOUR
- STAGE FIVE
- STAGE SIX
- STAGE SEVEN
- STAGE EIGHT


STAGING STRATEGY

1. Final order of stages to be confirmed as part of subdivision application process.
2. First stage is expected to be developed concurrently with service connection with WDC asset.
3. Early development expected to border Horotiu and/or Richards Road for access of access, services and land management.
4. Staging the development is to protect Te Kowhai community, without compromising the existing services that small rural towns possess. This will promote more local services & business, and to ensure they thrive longterm.



PLANTING PALETTES

Tree selection and maintenance will need to ensure compliance with Te Kowhai Airpark Obstacle Limitation Surface where it applies.

 Cultural harvest species

PRIMARY & LOCAL ROADS



Alectryon excelsus |
tītoki



Metrosideros excelsa 'Maori Princess' | pohutukawa



Sophora microphylla |
kōwhai



Arthropodium cirratum |
rengarenga



Carex testacea |
orange sedge



Carex virgata | purei



Dianella nigra | turutu



Libertia grandiflora |
mikoikoi



Machaerina sinclarii |
pepepe



Phormium cookianum |
wharariki

PUBLIC OPEN SPACE



Knightia excelsa | rewarewa



Podocarpus totara |
totara



Quercus robur |
English oak



Rhopalostylis sapida | nīkau



Vitex lucens | pūriri



Anemanthele lessoniana |
haumata



Chionochloa flavicans |
haumata



Coprosma acerosa |
tātaraheke



Corokia v. virgata 'Emerald and Jade' |
Emerald and Jade Corokia



Leptospermum scoparium |
manuka



Muehlenbeckia astonii |
mingimingi



Pseudopanax lessonii 'Cyril Watson' | houpara

HOROTIU ROAD BUFFER (10.0m High Max.)



Alectryon excelsus | titoki (6.0m high)



Melicytus ramiflorus | mahoe (8.0m High)



Pittosporum eugenioides | tarata (4.0m High)



Podocarpus totara | totara (10.0m High)



Aristotelia serrulata | makomako



Austroderia fulvida | toe toe



Coprosma robusta | karamu



Leptospermum scoparium | manuka



Machaerina sinclarii | pepepe



Phormium tenax | harakeke



Piper excelsum | kawakawa

ENTRY AVENUE (10.0m High Max.)



Alectryon excelsus | titoki



Rhopalostylis sapida | nikau



Sophora microphylla | kowhai



Carex virgata | purei



Chionochloa flavicans | haumata



Coprosma acerosa | tatarakeke



Machaerina sinclarii | pepepe



Phormium tenax | harakeke



Pseudopanax lessonii `Cyril Watson` | houpara

Appendix C: Tracked change version of the agreed changes to TRPT-R6

TRPT-R6	New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities
All zones	<p>(I) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities must comply with the following standards:</p> <ul style="list-style-type: none"> (i) The public road is located within road or unformed road as shown on the planning maps; (ii) The public road is not located within an Identified Area; (iii) The design requirements of Tables 12 or 13 based on their function within the Road Hierarchy as set out in Table 4 – Functions of roads within the Road Hierarchy, except: <ul style="list-style-type: none"> (1) Any National routes or Regional arterial roads shall be subject to Rule TRPT-R6(2); (2) The specified minimum Road/right of way reserve widths in Tables 12 or 13 do not include any additional width required for a turning head; (3) Any private access, right of way or access allotment over 70m in length must be constructed to be in accordance with the highest dimensions required for an access allotment in Tables 12 or 13; and (4) The requirements of Tables 12 or 13 shall not apply to taxiways within the TKAZ – Te Kowhai airpark zone; and (5) <u>Roads located within PREC36 – Te Kowhai West Precinct, the relevant road typology requirements as detailed on the Te Kowhai West Structure Plan take priority over the standards in Table 12 in the event of any conflict.</u> (iv) Within road or unformed road located within the Tamahere RLZ – Rural lifestyle zone, all roads must: (v) Comply with the minimum widths specified in Figure 12; and (vi) Have swale drains on both sides of the carriageway capable of collecting all road runoff and overland flow towards the road or right of way from a 20% Annual Exceedance Probability event; and (vii) In areas of poorly-drained soils, either the stormwater is to be directed to areas with higher infiltration, or infiltration systems are to be constructed. (viii) Within road or unformed road located within the RPZ – Rangitahi peninsula zone, the relevant access and road requirements of the Rangitahi Structure Plan take priority over the standards in Table 12 or 13 in the event of any conflict;

	<p>(ix) The road connection between Wayside Road and Travers Road comprising the extension of Bragato Way, Te Kauwhata:</p> <p>(x) All roads and vehicle accesses shall be constructed in accordance with Table 12 and Figures 14, 15 and 16; and Stormwater collection must be through grassed swales prior to reaching reticulated systems; and</p> <p>(xii) Any earthworks must comply with Rule AINF-R8; <u>and</u></p> <p><u>(xiii) New trees must be planted at least 1.5m from underground services, or 1m with a root protection barrier approved by the relevant network utility operator.</u></p> <p>Advice note: Where the standards of Table 12 or 13 do not specify a specific dimension and instead state this aspect is subject to a specific design; this aspect of the road is considered to be exempt when determining a permitted activity under Rule TRPT-R6(1). The design of that specific aspect of the road is therefore subject to a separate certification process by the relevant road controlling authority.</p>
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Red = Amendments made by Consent Order The Surveying Company Limited and WEL Networks Limited v Waikato District Council [2024] NZEnvC 064

Green = Amendments proposed in this consent memorandum to resolve Metcalfe's appeal in Topic 1.3

Appendix D: Tracked change version of the agreed amendments to the Interpretation, ANOC, TRPT, SUB, NOISE and TKAZ chapters, and APP1 and APP10 in the PDP decisions version

1. Make the following amendments to Part 1 – Interpretation -definitions of the PDP:

- Add a new definition of “Aircraft operations” applicable within the Te Kowhai Airpark Zone only and amend the existing definition of “Aircraft operations” to apply to all zones other than the TKAZ;
- Add new definition of “Aviation training organisation activities”;
- Add new definition of “Noise-sensitive activity”; and
- Delete definitions for “Circuit training” and “Flight training school.

Term	Definition
<u>Aircraft operations (Te Kowhai Airpark Zone)</u>	<p><u>Includes, within the Te Kowhai Airpark Zone only:</u></p> <p><u>(a) The landing and take-off of any aircraft at an aerodrome;</u></p> <p><u>(b) The taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the aerodrome to another; and</u></p> <p><u>(c) Flight training, other than aviation training organisation activities. This includes training in:</u></p> <p><u>(i) the control of aircraft in basic and advanced flight manoeuvres,</u></p> <p><u>(ii) aeronautical theory,</u></p> <p><u>(iii) airmanship,</u></p> <p><u>(iv) aircraft checks,</u></p> <p><u>(v) aircraft maintenance and maintenance procedures,</u></p> <p><u>(vi) a certified flight training device, or</u></p> <p><u>(vii) the circuit used to position the aircraft for take-off and landing.</u></p>
<u>Aircraft operations (rest of the district)</u>	<p><u>Includes, in all zones other than the Te Kowhai Airpark Zone:</u></p> <p><u>(a) The landing and take-off of any aircraft at an aerodrome;</u></p> <p><u>(b) The taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the aerodrome to another.</u></p>
<u>Aviation training organisation activities</u>	<p><u>Means the use of land and/or buildings, and aircraft operations for flight training by an aviation training organisation certified to conduct operations under Part 141 of the Civil Aviation Rules.</u></p>

Circuit training	Means training in the pattern used to position the aeroplane for landing.
Flight training school	Means land, and/or buildings used for the instruction or training in: <ul style="list-style-type: none"> (a) The control of aircraft in basic and advanced flight manoeuvres, (b) Aeronautical theory, (c) Airmanship, (d) Aircraft checks, (e) Aircraft maintenance and maintenance procedures, (f) A certified flight training device.
Noise-sensitive activity	Means any or all of the following: <ul style="list-style-type: none"> (a) buildings used for residential activities, including boarding establishments, retirement villages, papakaainga housing development, visitor accommodation, and other buildings used for residential accommodation but excluding camping grounds; (b) marae and marae complex; (c) hospitals; (d) teaching areas and sleeping rooms in an education facility; (e) places of assembly.

2. Amend rule ANOC-R3 in the ANOC chapter in Part 2 of the PDP as follows:

ANOC-R3	Building height – Te Kowhai Aerodrome (Transitional Side Surfaces)	
All zones	<p>(1) Activity status: PER</p> <p>Activity-specific standards:</p> <p>(a) Any building, structure, tree or other vegetation must not protrude through the Transitional Side Surfaces of the Airport Obstacle Limitation Surface for the Te Kowhai Aerodrome as identified on the relevant planning maps and defined in APP10 – Te Kowhai Aerodrome.</p>	<p>(2) Activity status where compliance not achieved: NC RDIS</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Effects on the safe and efficient operation of Te Kowhai aerodrome and airpark.</p>

3. Amend TRPT-R6(1)(a)(iii) in the TRPT chapter in Part 2 of the PDP as follows:

TRPT-R6	New public roads, including where the road has been identified on the planning maps as an indicative road, and associated road network activities	
All zones	<p>(1) Activity status: PER</p> <p>Activity specific standards:</p> <p>(a) New public roads, including where the road has been identified on the</p>	<p>(2) Activity status: RDIS</p> <p>Where:</p> <p>(a) ...</p>

	<p>planning maps as an indicative road, and associated road network activities must comply with the following standards:</p> <ul style="list-style-type: none"> (i) The public road is located within road or unformed road as shown on the planning maps; (ii) The public road is not located within an Identified Area; (iii) The design requirements of Tables 12 or 13 based on their function within the Road Hierarchy as set out in Table 4 – Functions of roads within the Road Hierarchy, except: <ul style="list-style-type: none"> (1) Any National routes or Regional arterial roads shall be subject to Rule TRPT-R6(2); (2) The specified minimum Road/right of way reserve widths in Tables 12 or 13 do not include any additional width required for a turning head; (3) Any private access, right of way or access allotment over 70m in length must be constructed to be in accordance with the highest dimensions required for an access allotment in Tables 12 or 13; and (4) The requirements of Tables 12 or 13 shall not apply to taxiways within the TKAZ – Te Kowhai airpark zone; and (5) <u>Roads located within the PREC36 – Te Kowhai West Precinct, the relevant road typology requirements as detailed on the Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan) take priority over the standards in Table 12 in the event of any conflict.</u> (iv) Within road or unformed road located within the Tamahere RLZ – Rural lifestyle zone, all roads must: <ul style="list-style-type: none"> ... 	
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4. Add a new policy (SUB-P23) into the SUB chapter in Part 2 of the PDP as follows:

- SUB-P23** Subdivision and development in the PREC36 – Te Kowhai West Precinct
(1) Subdivision and development within the PREC36 – Te Kowhai West Precinct ensures that:
- (a) Development is consistent with the Te Kowhai West Structure Plan (APP18 – PREC36 – Te Kowhai West Structure Plan);
 - (b) Natural features, including streams, wetlands and native vegetation, are protected, restored and enhanced;
 - (c) Public access to open space within the PREC36 – Te Kowhai West Precinct is provided for by pathways in a way that provides convenient and practical connections to the PREC36 – Te Kowhai West Precinct;
 - (d) Development is adequately serviced for the provision of wastewater, stormwater and water delivery infrastructure; and
 - (e) Subdivision must be serviced by a public reticulated wastewater and water network

5. Add a new rule (SUB-R29A) into the SUB chapter in Part 2 of the PDP as follows:

SUB-R29A	Subdivision – PREC36 – Te Kowhai West Precinct	
<u>PREC36 – Te Kowhai West Precinct</u>	<p>(1) Activity status: RDIS</p> <p>Activity specific standards:</p> <p><u>Subdivision within the PREC36 – Te Kowhai West Precinct that complies with all of the following standards:</u></p> <p><u>Urban Services</u></p> <ul style="list-style-type: none"> <u>(a) All lots within the subdivision shall be connected to public reticulated water and wastewater infrastructure under the control of Waikato District Council.</u> <u>(b) Prior to granting subdivision consent, a development agreement is signed between Waikato District Council and the applicant specifying all those items of public reticulated water and wastewater infrastructure that are required to be extended and/or upgraded by the developer.</u> <p><u>Subdivision Design</u></p> <ul style="list-style-type: none"> <u>(c) Proposed lots must have a minimum net site area of 450m² except where the proposed lot is an access allotment, utility allotment or reserve to vest.</u> 	<p>(3) Activity status where compliance not achieved with (1)(a) or (b): NC</p> <p>(4) Activity status where compliance not achieved with (1)(c) – (q): DIS</p>

	<p><u>(d) The total number of lots within the PREC36 – Te Kowhai West Precinct shall not exceed 810, excluding any access allotment, utility allotment or reserve to vest.</u></p> <p><u>Open Space</u></p> <p><u>(e) Any subdivision within the PREC36 – Te Kowhai West Precinct, where the site contains an indicative neighbourhood park shown on the Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan) shall provide and vest in Waikato District Council as part of the subdivision, a neighbourhood park that:</u></p> <p><u>(i) is no less than 3000m² and is located in general accordance with the indicative neighbourhood park shown on the Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan); and</u></p> <p><u>(ii) includes flat open spaces suitable for a range of informal recreational activities.</u></p> <p><u>Transportation</u></p> <p><u>(f) Any subdivision within the PREC36 – Te Kowhai West Precinct shall provide the indicative primary road(s) identified on the Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan) as roads to vest, provided these can be constructed and vested in stages.</u></p> <p><u>(g) Any primary roads to be vested shall have a width of no less than 20m.</u></p> <p><u>(h) Any local roads to be vested shall have a width of no less than 16m.</u></p> <p><u>Ecological Enhancement</u></p> <p><u>(i) Any subdivision within the PREC36 – Te Kowhai West Precinct shall provide for the indicative stormwater reserves, wetlands, streams and devices identified on the Te Kowhai West Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan) and offer these to Council for vestment; and</u></p> <p><u>(j) Where not vested in Council, the above-mentioned features shall be legally protected in perpetuity and managed on an on-going basis in accordance with an Ecological Enhancement and Management Plan.</u></p>	
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	<p><u>Te Kowhai Aerodrome</u></p> <p>(k) <u>Every proposed lot located within the Te Kowhai Aerodrome Outer Control Boundary and/or the Obstacle Limitation Surface which is intended to contain a noise sensitive activity, shall be subject to a consent notice which informs future owners regarding their obligation to comply with ANOC-R2 and ANOC-R6.</u></p> <p><u>Information Requirements</u></p> <p><u>Any subdivision within the PREC36 – Te Kowhai West Precinct is subject to the following information requirements:</u></p> <p>(l) <u>The proposed road layout is supported by an Integrated Transport Assessment that is commensurate to the scale and effect of the proposed development, and identifies any necessary mitigation measures that will be required to address any impacts on the transport network, including:</u></p> <p>(i) <u>potential mitigation measures needed both within the proposed development and on the adjacent transport network including any improvements, upgrades, alterations or extensions to the transport network;</u></p> <p>(ii) <u>recommendations in respect of the speed limit of Horotiu Road, Woolrich Road and Richards Road where they adjoin the site;</u></p> <p>(iii) <u>any mitigation required to achieve convenient and safe operation of access points for all users and safe and efficient pedestrian and cycle connections and crossings.</u></p> <p>(iv) <u>any recommendations and necessary mitigation to establish extensions to existing footpaths where necessary.</u></p> <p>(v) <u>any development which requires new public road infrastructure to be constructed and vested to Council shall undergo a road safety audit prepared by a suitably qualified and independent person.</u></p> <p>(m) <u>An Ecological Assessment is provided which includes:</u></p> <p>(i) <u>GIS mapping of terrestrial, wetland and freshwater values, including detailed wetland investigations based on the</u></p>	
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	<p><u>Wetland Delineation Protocols in accordance with requirements in the National Policy Statement for Freshwater Management;</u></p> <p>(ii) <u>Habitat assessments for terrestrial fauna values (bats, lizards and birds).</u></p> <p>(iii) <u>A bioacoustic survey for bats when conditions are suitable (between 1 October and 30 April) and an assessment of bat roost tree potential on site;</u></p> <p>(iv) <u>Stream assessments and the collection of eDNA samples to determine freshwater fauna present;</u></p> <p>(v) <u>Detailed assessment of ecological effects following standard protocols;</u></p> <p>(vi) <u>Quantification of specific avoidance, remediation and mitigation measures in accordance with best practice biodiversity offsetting/compensation modelling; and</u></p> <p>(vii) <u>An Ecological Management Plan to ensure that existing natural features and ecological values on the site are appropriately enhanced as a part of site development.</u></p> <p>(n) <u>Details of any excavation and fill associated with the subdivision, including:</u></p> <p>(i) <u>Erosion and sediment control measures in accordance with best practice; and</u></p> <p>(ii) <u>Confirmation that the proposed finished contour will achieve at least 10m clearance of the Te Kowhai Aerodrome Obstacle Limitation Surface, where it applies.</u></p> <p>(o) <u>Remediation action plan and/or site management plan in respect of the contaminated soils in accordance with the requirements in the National Environmental Standards for assessing and managing contaminants in soil to protect human health.</u></p> <p>(p) <u>Detailed landscape plan is provided which:</u></p> <p>(i) <u>Confirms any existing trees and vegetation that will be retained;</u></p> <p>(ii) <u>Provides detail of proposed soft and hard landscaping, inclusive of street trees, any enhancement areas associated with the</u></p>	
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	<p><u>Ecological Management Plan, and any public open space(s); and</u></p> <p>(iii) <u>Avoids new trees that at maturity have the potential to infringe the Te Kowhai Aerodrome Obstacle Limitation Surface.</u></p> <p>(q) <u>Detailed stormwater management plan is provided which:</u></p> <p>(i) <u>Includes details of communal/centralised and at source devices to manage stormwater;</u></p> <p>(ii) <u>Complies with the Regional Infrastructure Technical Standards (RITS) in respect of on lot stormwater management;</u></p> <p>(iii) <u>Complies with the Te Kowhai Stormwater Discharge Consent conditions;</u></p> <p>(iv) <u>Aligns with the Waikato stormwater management guideline (Waikato Regional Council Technical Report 2020/07), including low impact design principals, water quality objectives and integrates with open space;</u></p> <p>(v) <u>Aligns with the Waikato stormwater runoff modelling guideline (Waikato Regional Council Technical Report 2020/06);</u></p> <p>(vi) <u>Complies with conditions of the Te Kowhai Urban Area Discharge Permit (Waikato Regional Council 105656)</u></p> <p>(vii) <u>Demonstrates that existing rates of discharge can be achieved and/or flood effects are appropriately mitigated; and</u></p> <p>(viii) <u>Achieves Extended Detention and Detention of flows as follows:</u></p> <ol style="list-style-type: none"> 1. <u>To be no greater than pre-development for 2 year and 10 year flows</u> 2. <u>80% pre-development 100 year plus climate change flows, if required due to downstream flooding issues</u> 3. <u>100 year plus climate change flows, to discharge without detrimental effects downstream with respect of increased flow and volume.</u> <p><u>Advice Note: For the avoidance of doubt, Rules SUB-R11, SUB-R13-R18, SUB-R23-R26 apply.</u></p> <p>(2) Council's discretion is restricted to the following matters:</p>	
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	<p>(a) <u>The extent to which the activity specific standards are met and the impacts of any departure from the standards.</u></p> <p>(b) <u>Consistency with the PREC36 – Te Kowhai West Precinct Structure Plan (APP18 – PREC36 Te Kowhai West Structure Plan) noting that stormwater basins may be required to be expanded depending on the outcomes of the Stormwater Management Plan.</u></p> <p>(c) <u>Measures to ensure the protection, restoration or enhancement of any natural features, including (but not limited to) planting or replanting, the protection of natural wetlands and streams or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects.</u></p> <p>(d) <u>The design, size, shape, gradient and location of any allotment, urban block or public road.</u></p> <p>(e) <u>Where any subdivision involves an identified natural wetland or stream, whether the details of ecological protection and enhancement have been provided in an EMP, including planting a 10m riparian buffer to streams and wetlands, weed and pest management controls and indigenous revegetation (where appropriate), are provided and any required mechanisms for ownership and maintenance of the area. For the avoidance of doubt where not accepted for vestment by Council, these areas may form parts of private lots and be held in private ownership.</u></p> <p>(f) <u>Whether the proposal utilises low impact and/or water sensitive stormwater management devices and designs, outfalls that mitigate concentrated flows and detail of any obligations for lot owners to construct and maintain such devices.</u></p> <p>(g) <u>The extent to which stormwater quality treatment has been provided to protect the environment from contaminants generated from the activity including whether the proposal includes appropriate stormwater quality monitoring associated with the design and construction stages as well as the consent holder’s maintenance obligations.</u></p> <p>(h) <u>The extent to which adequate access is provided to each lot.</u></p>	
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	<ul style="list-style-type: none"> (i) <u>The extent to which the proposal provides connections to transport networks including walking and cycling and roading function and design, including parking.</u> (j) <u>The location of vehicle crossings, private access ways and proposed allotment boundaries so as to minimise no exit roads and cul-de-sacs.</u> (k) <u>The nature of proposed street frontage in terms of securing effective, safe access onto a legal road.</u> (l) <u>Where staged subdivision is proposed, whether all necessary infrastructure, roading, utilities, public spaces and connections to service the proposed development will be established.</u> (m) <u>Where common access lots are proposed, the extent to which appropriate mechanisms are provided to ensure that all infrastructure management and maintenance requirements are sustainable.</u> (n) <u>The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure, and how any adverse effects on existing infrastructure are managed.</u> (o) <u>The protection of land within the proposed allotments to allow access and linkages for infrastructure in future stages.</u> (p) <u>Avoidance or mitigation of natural and human-made hazards including flooding, geotechnical and land contamination.</u> (q) <u>The extent to which the subdivision avoids adverse effects on significant flora and fauna habitats, including methods of weed and pest management.</u> (r) <u>The safe and efficient movement of people and vehicles including traffic manoeuvring, pedestrians and cyclists, and the potential effects on the accessibility and safety of transport networks.</u> (s) <u>Whether the subdivision creates lots adjoining public open space (including recreation reserves and riparian/green corridors) that are designed to encourage passive surveillance of reserve areas having regard to finished contours, retaining, fencing and landscaping.</u> (t) <u>Whether parks will be accessible to pedestrians and cyclists and located to integrate with riparian margins and a primary road where possible.</u> 	
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	<p>(u) <u>Extent and effects of earthworks including measures to avoid any proposed finished surface 10m or less of the Te Kowhai Aerodrome Obstacle Limitation Surface.</u></p> <p>(v) <u>Proposed landscaping including consideration of any new trees or vegetation at maturity relative to the Te Kowhai Aerodrome Obstacle Limitation Surface.</u></p>	
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6. Amend rules SUB-R142 and SUB-R143 in the SUB chapter in Part 2 of the PDP as follows:

SUB-R142	Subdivision allotment size	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) Subdivision within PREC28:</p> <p style="padding-left: 20px;">(i) Proposed lots must be connected to a private reticulated wastewater network.</p> <p style="padding-left: 20px;">(ii) Proposed lots must be connected to a public reticulated potable water supply network that is also sufficient for firefighting purposes.</p> <p>Council’s discretion is restricted to the following matters:</p> <p>(a) The extent to which the allotment can be serviced by the Te Kowhai Airpark private reticulated system wastewater network;</p> <p>(b) The ability to connect with reticulated services outside of the Te Kowhai Airpark private reticulated wastewater and public reticulated wastewater and water supply networks, as and when these become available;</p> <p><u>(c) The availability of connection to a public reticulated water supply network and, for proposed lots with a net site area less than 2,500m², methods available to encourage the integration with or connection to that network, if</u></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p><u>available prior to any application for Engineering Plan Approval;</u></p> <p>(d) Consistency with the Te Kowhai Airpark Framework Plan in APP10 – Te Kowhai Aerodrome;</p> <p>(e) Access, parking and traffic safety considerations;</p> <p>(f) Impacts on aviation and airpark activity;</p> <p>(g) Site suitability and the extent to which the intended activity can be accommodated on site;</p> <p>(h) Avoidance or mitigation of natural hazards;</p> <p>(i) Matters referred to within the EIT – Energy, infrastructure and transport section;</p> <p>(j) Impacts on stormwater and wastewater disposal;</p> <p>(k) Provision of infrastructure, including potable water supply and water supply for firefighting purposes.</p> <p>(l) Amenity and streetscape;</p> <p>(m) Vehicle and pedestrian networks; and</p> <p>(n) Geotechnical stability for building.</p>	
<p>SUB-R143</p>	<p>Subdivision allotment size</p>	
<p>TKAZ – Te Kowhai airpark zone</p>	<p>(1) Activity status: RDIS</p> <p>Activity-specific standards:</p> <p>(a) Subdivision within PREC29 and PREC30 where:</p> <p>(i) It is in accordance with APP10 – Te Kowhai Aerodrome (the Te Kowhai Airpark Framework Plan); and</p> <p>(ii) Every allotment within PREC29, other than a utility allotment, has a net site area (excluding access legs) of at least:</p> <p>(1) 450 m² if connected to the Te Kowhai Airpark private reticulated wastewater network and connected to a public reticulated potable water supply network that must also be sufficient for firefighting purposes and not bordering the 25m</p>	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>building setback perimeter; or</p> <p>(2) 1000 m² if connected to the Te Kowhai Airpark private reticulated wastewater network, and connected to a public reticulated potable water supply network that must be sufficient for firefighting purposes and borders the 25m building setback perimeter; or</p> <p>(3) 2500 m² in the case of any allotment not connected to the Te Kowhai Airpark private reticulated wastewater network and must have a potable water supply sufficient for firefighting purposes; or</p> <p>(iii) Every allotment within the 'Airside Overlay' of PREC30 has a net site area (excluding access legs) of at least 800m² and is connected to the Te Kowhai Airpark private reticulated wastewater network and connected to a public reticulated potable water supply network that must be sufficient for firefighting purposes; or</p> <p>(iv) Every allotment within PREC30 outside of the 'Airside Overlay' has a net site area (excluding access legs) of at least 2,500m², and must have a potable water supply sufficient for firefighting purposes except:</p> <p>(1) The net site area (excluding access legs) may be reduced to no less than 1,000m² providing it is connected to a private reticulated wastewater network and connected to a public reticulated potable water supply network that must be sufficient for firefighting purposes and is not</p>	
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	<p>bordering the perimeter 25m building setback.</p> <p>Council's discretion is restricted to the following matters:</p> <p>(a) Subdivision layout;</p> <p>(b) Ability of titles to accommodate a practical building platform including geotechnical stability for building;</p> <p><u>(c) The ability to connect with public reticulated wastewater and water supply networks, as and when these become available;</u></p> <p><u>(d) The availability of connection to a public reticulated water supply network and, for proposed lots with a net site area less than 2,500m², methods available to encourage the integration with or connection to that network, if available prior to any application for Engineering Plan Approval;</u></p> <p>(e) Avoidance or mitigation of natural hazards;</p> <p>(f) Matters referred to within the EIT – Energy, infrastructure and transport section;</p> <p>(g) Impacts on stormwater and wastewater disposal;</p> <p>(h) Amenity and streetscape;</p> <p>(i) Vehicle and pedestrian networks;</p> <p>(j) Compatibility Consistency with the Te Kowhai Airpark Framework Plan APP10 – Te Kowhai Aerodrome;</p> <p>(k) Provision of infrastructure, including potable water supply and water supply for firefighting purposes; and</p> <p>(l) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of regionally significant infrastructure assets.</p>	
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7. Amend policy TKAZ-P8 in the TKAZ chapter in Part 3 of the PDP as follows:

- TKAZ-P8 Airpark standards
- (1) Manage adverse airpark effects through the application of general and airpark-specific performance standards including:
- (a) Noise;
 - (b) Hazardous substances;
 - (c) Building setbacks;
 - (d) Minimum site areas; and
 - (e) Subdivision allotment size; and
 - (f) Hours of operation for aircraft operations.
- (2) Ensure that bulk and location standards provide for the unique operational requirements of an airpark whilst at the same time achieving appropriate levels of amenity
- ~~(3) Limit the establishment and / or operation of a flight training school except where effects on amenity are appropriately managed and it is compatible with surrounding land uses.~~
- ~~(4)~~(3) Discourage the establishment of circuit training aviation training organisation activities from being undertaken unless the effects on amenity are appropriately managed and it is compatible with surrounding land uses, including through:
- (a) Minimising the cumulative noise levels and cumulative adverse noise effects experienced by noise sensitive activities within Te Kowhai and the vicinity of the TKAZ arising from the aviation training organisation activities in combination with other aircraft operations and movements relating to the Airpark.
 - (b) To the extent practicable, avoiding aviation training organisation activities outside normal weekday working hours.
 - (c) Ensuring that hours, days or periods of operation provide occupants of noise sensitive activities with effective respite from constant noise from aircraft carrying out aviation training organisation activities.
- ~~(5)~~(4) Ensure adverse effects of educational facilities, including adverse effects on land transport networks, are minimised to maintain amenity and character in the Te Kowhai Airpark Zone and are in keeping with the primary use of the precincts.

8. Amend the TKAZ Rules in the TKAZ chapter in Part 3 of the PDP as follows:

Rules

Land use – activities

In addition to the activity-specific standards listed below, permitted activities must also comply with all relevant Land-use effects standards and Land-use building standards in this chapter, as well as the standards in Part 2 / District-wide matters / General district-wide matters.

Activity	PREC27 – Te Kowhai runway and operations precinct	PREC28 – Te Kowhai commercial precinct	PREC29 – Te Kowhai medium density residential precinct	PREC30 – Te Kowhai residential precinct
...
Aircraft operations	PREC27-R20: PER	PREC28-R20: PER	PREC29-R20: PER	PREC30-R20: PER
Circuit training	PREC27-R21: DIS	PREC28-R21: DIS	PREC29-R21: DIS	PREC30-R21: DIS
Flight training school	PREC27-R22: NC	PREC28-R22: DIS	PREC29-R22: DIS	PREC30-R22: DIS
Aviation training organisation activities	<u>PREC27-R21: DIS</u>	<u>PREC28-R21: DIS</u>	<u>PREC29-R21: DIS</u>	<u>PREC30-R21: DIS</u>
...

TKAZ-S3	Hours of operation for aircraft operations
<p>(1) Activity status: PER Where: (a) In all precincts, aircraft operations must be carried out between:</p> <p style="padding-left: 40px;">(i) 0700 hours to 2200 hours in the summer period; or</p> <p style="padding-left: 40px;">(ii) 0700 hours to 1900 hours in the winter period.</p> <p><i>Note: Aircraft operations that are associated with aviation training organisation activities (conducted under Part 141 of the Civil Aviation Rules) require resource consent and may be subject to more restrictive hours of operation.</i></p>	<p>(2) Activity status where compliance not achieved: DIS</p>

TKAZ-S27	Location of rainwater tanks
<p>(1) Activity status: PER Where:</p>	<p>(2) Activity status where compliance not achieved: RDIS</p>

<p><u>(a) Any rainwater tanks providing potable water supply to a dwelling on an allotment with a net site area of less than 2,500m² are located underground or behind the front façade of the dwelling.</u></p>	<p><u>Council’s discretion is restricted to the following matters:</u></p> <p><u>(a) Effects on amenity values.</u></p>
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9. Amend NOISE Rules in the NOISE chapter in Part 2 of the PDP as follows:

TKAZ – Te Kowhai airpark zone

...

NOISE-R41	Noise – aircraft operations	
TKAZ – Te Kowhai airpark zone	<p>(1) Activity status: PER Where:</p> <p>(a) Noise from aircraft operations in all precincts, including aircraft movements on taxiways, shall not exceed 65dB Ldn outside the Air Noise Boundary and 55dB Ldn outside the Outer Control Boundary as shown on the planning maps when assessed in PREC29 and PREC30 and on receiving sites outside of the TKAZ – Te Kowhai Airpark zone. For the purpose of this rule aircraft noise shall be assessed in accordance with NZS6805:1992 "Airport Noise Management and Land Use Planning" and logarithmically averaged over a three month period. The following operations are excluded from the calculation of noise for compliance with noise limits:</p> <ul style="list-style-type: none"> (i) Aircraft engine testing and maintenance (ii) Aircraft landing or taking off in an emergency (iii) Emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency 	<p>(2) Activity status where compliance not achieved: DIS</p>

	<p>(iv) Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Management Act 2002</p> <p>(v) Aircraft using the aerodrome due to unforeseen circumstances as an essential alternative to landing at a scheduled airport elsewhere</p> <p>(vi) Aircraft undertaking firefighting duties</p> <p>(vii) Air Show (for one air show per calendar year)</p> <p>(b) Aircraft movements shall be recorded monthly and noise contours for the purpose of assessing compliance with NOISE-R41(1)(a) shall be calculated no later than 12 months from the date when the rule becomes legally operative and thereafter once every two years. When the calculated noise level is within 1 decibel of the 65dB Ldn and / or 55dB Ldn limit/s, noise contours for the purpose of assessing compliance with NOISE-R41 shall be calculated annually and verified with infield monitoring once every two years <u>in accordance with NZS6805:1992 "Airport Noise Management and Land Use Planning". The details of the contour calculation or infield monitoring shall be provided to the Council as soon as possible after that work is completed.</u></p> <p><u>(c) For the purposes of this rule, aircraft operations, aircraft movements and the calculation of noise contours shall include aviation training organisation activities, touch and gos and go arounds.</u></p>	
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10. Amend APP1 in Part 4 of the PDP as follows:

3. Te Kowhai Airpark

The Te Kowhai Airpark Noise Control Boundaries identify areas that experience high noise levels from aircraft landing and taking off from the Te Kowhai Airpark. Buildings containing Noise Sensitive Activities within the Te Kowhai Airpark Noise Control Boundaries that are required to be acoustically insulated must achieve the internal noise standards specified in sections 3.1 below.

3.1 Standards for Buildings containing Noise-Sensitive Activities inside the Te Kowhai Aerodrome Airport Noise Control Boundaries.

(1) Prior to the issue of a building consent for any building to which this rule applies, compliance with the requirements of the rule shall be demonstrated through the production of a design certificate from an appropriately-qualified and experienced acoustic specialist certifying that an internal noise level will not exceed the level shown in Table 21A.

Table 21A: Internal noise levels

<u>Area</u>	<u>Internal noise level</u>
<u>Habitable rooms</u>	<u>Ldn 40dBA</u>

(2) The internal noise level shall be achieved based on the predicted external level at the subject site shown on Figure 31 and in accordance with the adjustments to the dBA level to establish an un-weighted external source spectrum for aircraft noise outlined in Table 21B below.

Table 21B: External aircraft noise octave band adjustments for sound insulation design

<u>63 Hz</u>	<u>125 Hz</u>	<u>250 Hz</u>	<u>500 Hz</u>	<u>1 kHz</u>	<u>2 kHz</u>	<u>4 kHz</u>
<u>11</u>	<u>5</u>	<u>-3</u>	<u>-5</u>	<u>-3</u>	<u>-9</u>	<u>-13</u>

~~(1)~~(3) Mechanical ventilation

Buildings that are required to have acoustic insulation must be designed, constructed, have installed and be maintained with a mechanical ventilation system so that windows can be kept closed. The mechanical ventilation system must achieve the following requirements:

- (a) For habitable rooms for a residential activity:
 - (i) Provide mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; (ii) Be adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour;
 - (iii) Provide relief for equivalent volumes of spill air;
 - (iv) In principal living rooms, provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18 degree Celsius and 25 degree Celsius;
 - (v) Generate less than 35 dB LAeq(30s) in bedrooms and 40 dB LAeq(30s) in living rooms when measured 1m away from any grille or diffuser.
- (b) For other spaces, a specification as determined by a suitably qualified and experienced person.

- (2) A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system performance requirements in 3.1(±3).

11. Amend APP10 in Part 4 of the PDP as follows:

- Delete the following three figures:

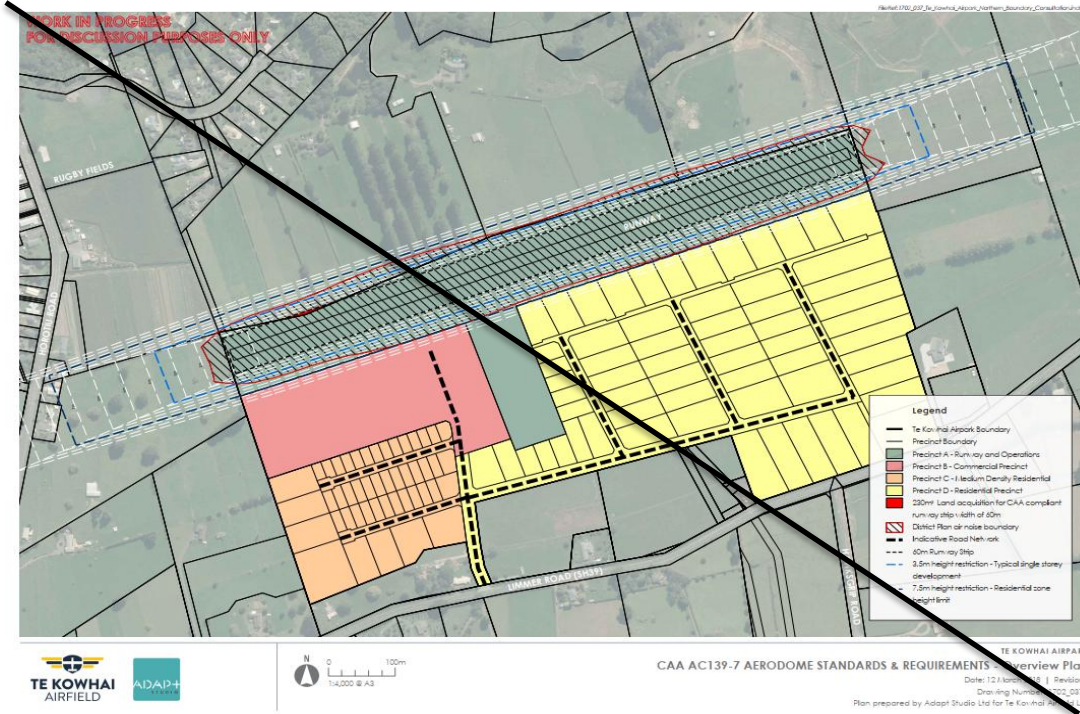


Figure 50 – Overview plan

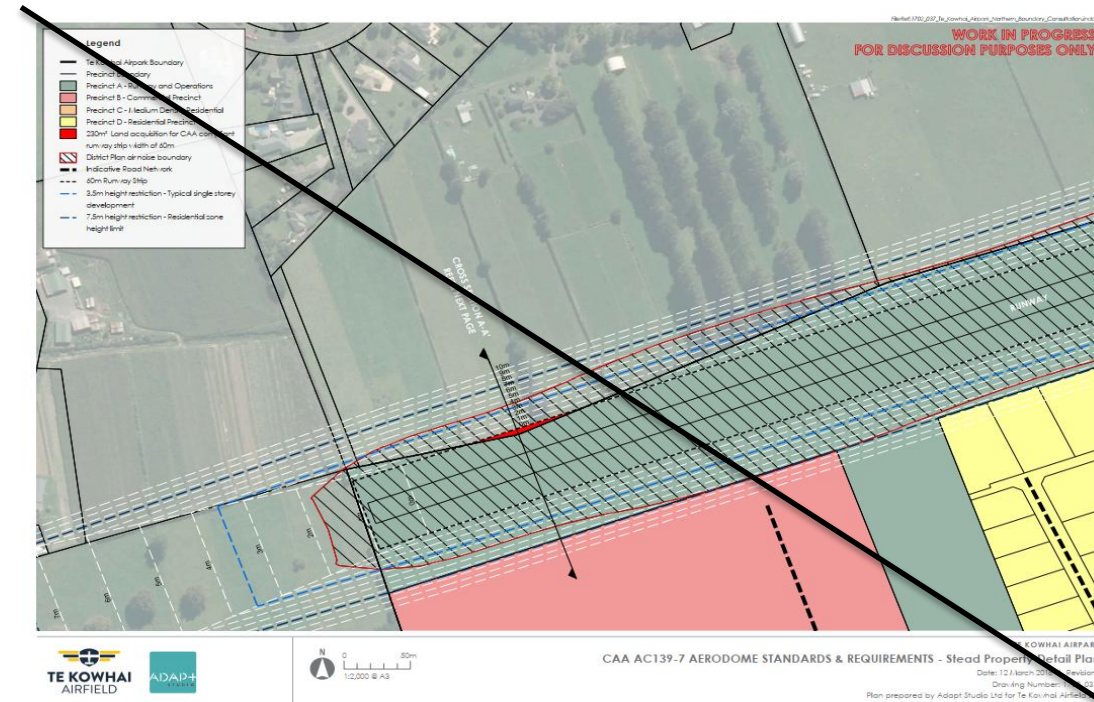


Figure 51 – Stead property detail plan

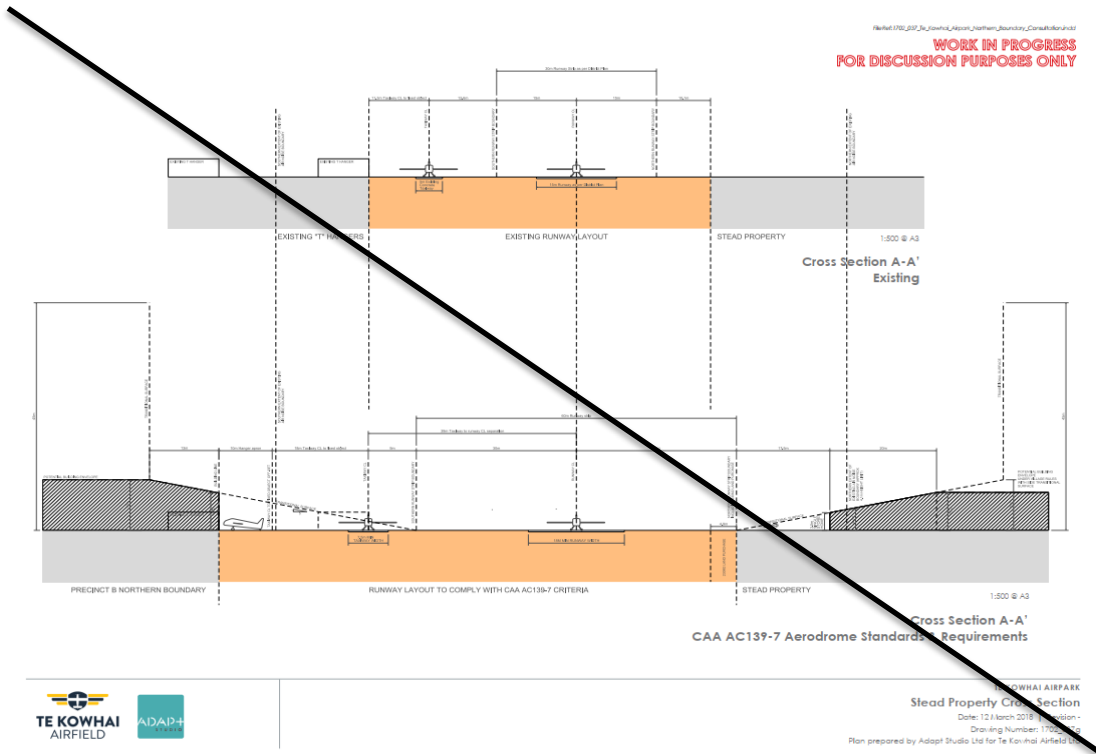


Figure 52 – Stead property cross section

- Insert new Figures 50 and 51:

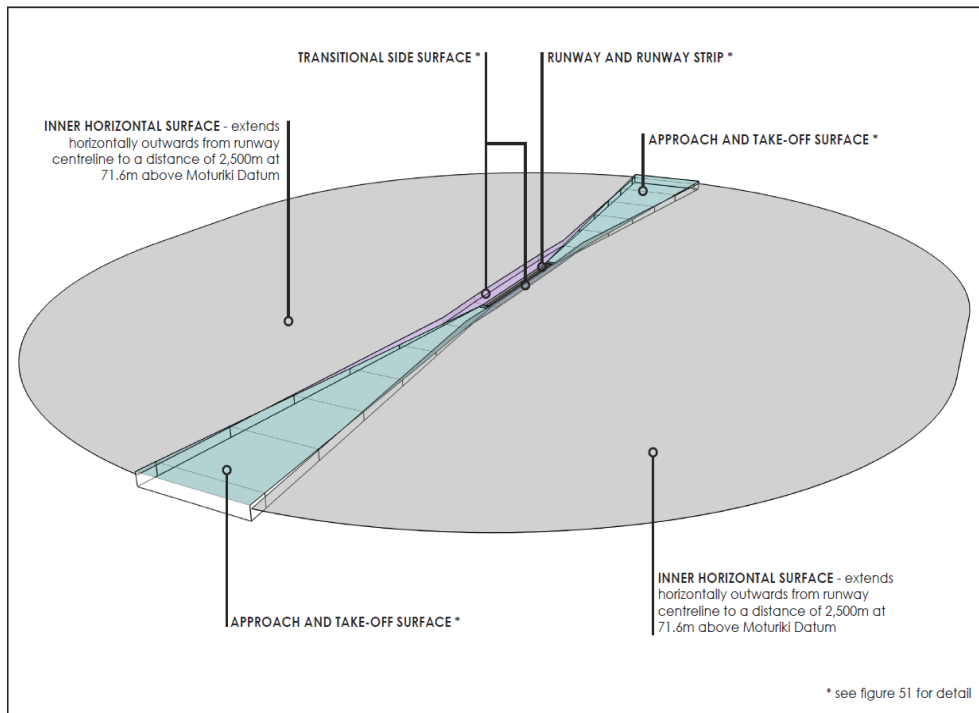


Figure 50 – Te Kowhai Airpark OLS Overview

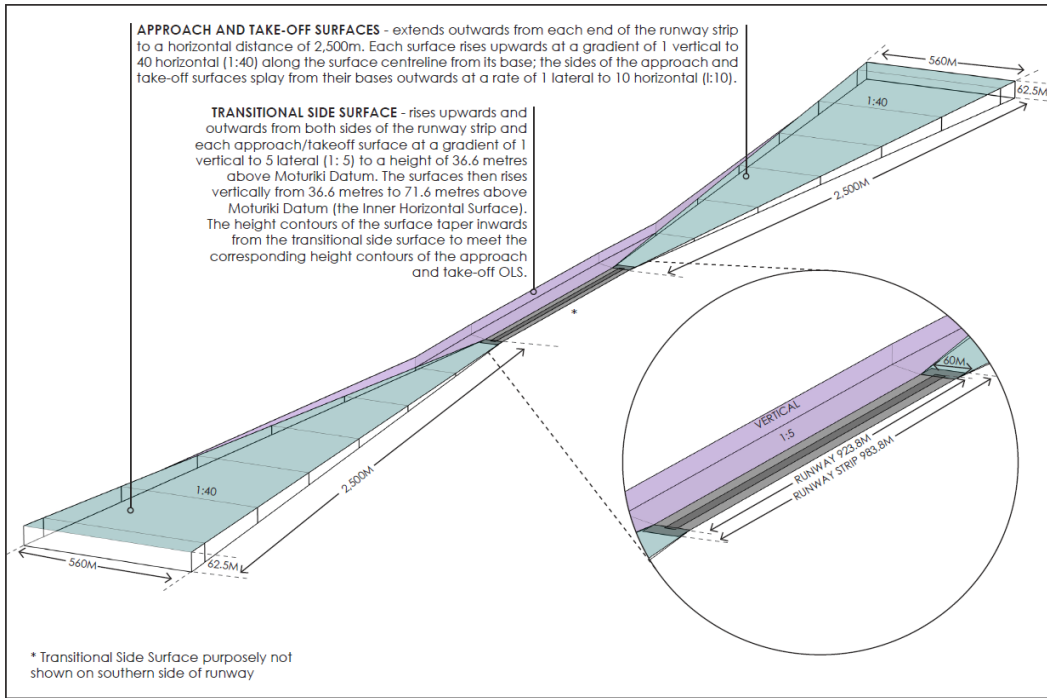


Figure 51 – Te Kowhai Airpark OLS Detail

**Appendix E: Section 32AA assessment for the parts of the Metcalfe appeal
in Topics 1.3: Zoning – Te Kowhai**

Rezoning - Te Kowhai West Zoning, Metcalfe appeal (ENV-2022-AKL-000029)

INTRODUCTION

Overview

This s32AA evaluation report addresses relevant statutory tests under the Resource Management Act 1991 (RMA) as they relate to the appeals from Greig Metcalfe (the Appellant) on the Proposed Waikato District Plan (PDP).

The appeal sought the following relief:

- (a) The Planning Maps to be amended to show Lot 2 DP 456538 and Lot 3 DP 353526 in the “Village” zone or with an appropriate alternative live urban zoning.

This s32AA report is organised to firstly consider the scale and significance of the proposal, before addressing the following relevant tests:

- (a) The extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA;¹
- (b) Whether the relevant policies and methods are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness² and taking into account:³
 - The benefits and costs of the proposed policies and methods; and
 - The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

Section 32AA(1)(a) specifies that a further evaluation is required “*only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes)*”. Section 32AA(3) defines “proposal” as meaning a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under the RMA.

Scale and Significance of the Effects

Further evaluation reports of this nature are required by the RMA to be undertaken at a level of detail that corresponds to the scale and significance of the change proposed⁴. The changes proposed are set out below:

¹ RMA, section 32(1)(a).

² Ibid, section 32(1)(b).

³ Section 32(2).

⁴ Section 32AA(1)(c).

- The proposal involves rezoning an area of approximately 68 hectares adjacent to the Te Kowhai Village known as the Te Kowhai West growth cell from the Future Urban Zone to the General Residential Zone.

The scale and significance of the proposed amendments have been assessed as **low** for the following reasons:

- The proposal addresses a relevant resource management issue relating to the Council’s relevant RMA functions;
- The proposal, in combination with applicable national, regional and district rules, will enable the efficient use and development of natural and physical resources;
- No matters of protection to life and property are directly relevant to the proposal;
- Relative to the decisions version of the PDP, the proposal amounts to a minor amendment as it seeks to rezone the site from Future Urban Zone (FUZ) to General Residential Zone (GRZ), and introduces a Structure Plan and new provisions related to the precinct to which the structure plan applies, into the PWDP. The amendments to the provisions and planning maps are specific to this Site and will not affect any other site or part of the District.
- While this proposal is highly significant for the Te Kowhai village due to the increase of the urban area, the significance at district scale is low as it affects a specific area in the District and will not have district wide impacts.
- The appellant has confirmed that the land which is proposed to be rezoned can be serviced by transport and 3-waters infrastructure from a technical standpoint.
- The proposal enables the delivery of residential development on land identified as part of a growth node in a series of strategic planning documents (Waikato Regional Policy Statement, Future Proof 2022 and Waikato 2070). Consequently, the proposal is an anticipated outcome and has a confined spatial impact;
- There is no evidence to suggest that the proposal is of particular interest to iwi, who have been consulted and had the opportunity to comment, or the community; and
- There is a high level of information available to inform decision-making and a corresponding low risk of acting.

Consequently, a high-level evaluation of the proposal is appropriate for the purposes of this report.

Evaluation of Objectives

Appropriateness in terms of the purpose of the RMA

The Council must evaluate, in accordance with s32 of the RMA, the extent to which each objective proposed is the most appropriate way to achieve the purpose of the RMA. Section 32 clarifies that “objectives” can mean the purpose of the proposal.⁵

In this case, the objectives of the proposal are to provide additional land to enable residential growth of Te Kowhai, and a framework for guiding and integrating development of the area comprehensively in a way which effectively manages adverse effects. No new objectives are required in addition to those that are already in the PDP.

Section 5

The proposal constitutes sustainable management of natural and physical resources in accordance with s5(1) of the RMA as it supplies additional land for residential subdivision and development which will enable people and communities to provide for their social, economic and cultural wellbeing.

By rezoning the parcels of land, the proposal enables development of approximately 68 hectares to meet the needs of future generations in accordance with s5(2)(a) of the RMA, while also utilising the land in a sustainable manner. The site-specific provisions will provide the opportunity to avoid, remedy or mitigate any adverse effects on the local environment in accordance with s5(2)(c). The proposal will achieve comprehensive development that is integrated with appropriate infrastructure, and therefore supports the health and safety of the community by ensuring safe drinking water, reticulated wastewater, connection to the transport network and efficient management of stormwater (amongst other infrastructure).

Section 6

The most relevant section 6 matters are discussed below:

Section 6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development

The natural character of wetlands and their margins within the site have been protected from inappropriate subdivision, use and development. These areas have been set aside for planting and enhancement in the Structure Plan and the associated site-specific district plan provisions.

⁵ RMA s32(6)

Section 6(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.

The Resource Management Act (RMA) defines rivers as including any continually or intermittently flowing body of fresh water, including streams. The precinct contains two stream systems which run through the western and northern side, and eastern side of the precinct respectively, and which are tributaries of the Otamanui Lagoon and Waipa River. Public access to the streams has been carefully considered as part of this proposal, with a 3m wide shared path to be constructed along the larger stream system which runs through the western and northern side of the precinct. The proposed amendments to the SUB chapter require the riparian margins of both streams to be offered to Council for vestment as part of the open space network.

Section 6(h) the management of significant risks from natural hazards

The site is not in an area at particular risk from natural hazards. Geotechnical and stormwater investigations have found the site to be suitable for residential development and the proposed district plan provisions require more detailed reporting at the time of resource consent.

Section 7

The most relevant section 7 matters are discussed below:

Section 7(b) the efficient use and development of natural and physical resources

The proposal will result in residential zoning which has provisions to ensure an appropriate density and housing yield is provided at this location. The site was identified for residential development in the Waikato Regional Policy Statement and Future Proof 2022 and the proposed development will meet the urban development patterns and density targets for Te Kowhai West of 12 – 15 dwellings per hectare. It therefore represents an efficient use of a finite land resource and avoids rural residential subdivision densities. The proposal therefore constitutes an efficient use of the land in this location.

Section 7(c) the maintenance and enhancement of amenity values

The proposal will result in a change in amenity, from rural character to residential. There are existing objectives in the PDP to manage adverse effects and ensure amenity values are at least maintained, albeit with a different form of amenity. The Structure Plan will provide for good amenity within the precinct, including a shared path along the stream system.

Section 7(d) intrinsic values of ecosystems

By identifying the blue green and green infrastructure as a design principle of the Structure Plan and underpinning this design principle with a vegetation strategy and planting pallet, the intrinsic value of the

ecosystems on site is recognised and safeguarded. Planting in stormwater reserves and within roads as well as providing connections between open spaces across the site are all important actions that will maintain and enhance the intrinsic value of the existing ecosystem.

Section 7(f) maintenance and enhancement of the quality of the environment

While development of the site for residential purposes could result in the potential for adverse effects on the environment, the Structure Plan and site-specific district plan provisions (policy, rules and assessment criteria) seek to ensure that, overall, the quality of the environment is enhanced. This will be achieved through:

- The creation of a blue green network of streams, wetlands and parks. The riparian margins of the streams will be landscaped with native planting, and stormwater reserves will contain areas of planting to promote a natural ecosystem and stormwater treatment;
- Provision of three neighbourhood parks which interconnect with the blue green network;
- Creation of positive streets which incorporate vegetation, supporting biodiversity, and linking to the larger network of parks and natural areas;
- Provision of a secure, accessible walking and cycling network along important corridors and through public open space, promoting active recreation and transport;
- A cohesive planting palette for roads and public open spaces.

Section 7(g) any finite characteristics of natural and physical resources

By rezoning the parcels of land, the proposal enables development of approximately 68 hectares to meet the needs of future generations in accordance with s5(2)(a) of the RMA, while also maximising the use of the land, which is a finite resource, in a sustainable manner. The proposal will also provide the necessary infrastructure to manage wastewater sustainability.

Section 7(i) the effects of climate change

In order to capture increasing stormwater due to climate change, a series of stormwater treatment devices and bio-retention areas are proposed that can be adjusted at the resource management stage if required. In addition, wetlands and streams have been retained and artificial ponds created. All of these will be linked in a green and blue network across the site that will be accessible to the local community. This strategy will also make the community more resilient to flooding in the future.

Section 8 RMA

The Council and Appellant have engaged with iwi regarding the rezoning proposal. Additional engagement with iwi is anticipated at the resource consent stage for future development of the site.

Conclusion

Having assessed the objectives of the proposed amendment against Part 2 of the RMA, it is considered that the objectives of the project are the most appropriate way to achieve the purpose of the RMA.

Evaluation of the Provisions

Section 32 assessments must determine whether the proposed provisions are the most appropriate way to achieve the objectives. This must include the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.

To enable the proposal several discrete amendments to the PDP are required, including:

- a. Changes to the planning maps to rezone approximately 68 hectares of land from Future Urban Zone to General Residential Zone and insert new precinct, PREC36;
- b. Changes to the subdivision chapter (SUB):
 - Addition of a new policy - SUB-P23
 - Addition of a new rule which is specific to the site – SUB-R29A
 - Addition of the Te Kowhai West Structure Plan – APP18
- c. Changes to transportation rule TRPT-R6 to ensure that the design requirements of the Structure Plan prevail over other district plan requirements.

The following sections of this report identify the range of options available, and the efficiency and effectiveness of the preferred option. The following broad options have been assessed:

Option 1 – Decisions version: Retain the Future Urban Zoning of the site meaning that a plan change would be required in the future to enable development to occur.

Option 2 – Provide a General Residential Zoning with a Te Kowhai West Precinct Overlay: This option would apply live zoning to enable a minimum lot size of 450 m² but with site specific controls:

- Addition of a new policy - SUB-P23
- Addition of a new rule – SUB-R29A
- Addition of the Te Kowhai West Structure Plan – APP18
- Amendment to transportation provision TRPT-R6

Option 3 – Provide a Large lot residential zone (LLRZ) with a Te Kowhai West Precinct Overlay that enables increased density to mimic Village Zoning: This option would apply live zoning with a minimum lot size of at least 2,500m² but an overlay would be required to enable increased density to mimic the former Village Zoning. This option would include an allowance to provide for un-serviced lots, and additional controls to require a minimum lot size of 3000 m² for un-serviced lots and 1000 m² for serviced lots.

The preferred option is **Option 2** because it would enable the development of the site to support residential development within an appropriate timeframe and without an additional plan change process. Option 2 enables serviced residential development and densities which are outcomes anticipated by a series of strategic planning documents (Waikato Regional Policy Statement, Future Proof 2022 and Waikato 2070). The inclusion of a Structure Plan and the site-specific district plan provisions (policy, rules and assessment criteria) will best ensure future development of the site constitutes an integrated, sustainable, comprehensively planned and efficient use of land. More specifically:

- Careful consideration has been given to the impacts of the development with relation to access, services, public spaces and natural features.
- The integrity of the Proposed District Plan is important to the Council, and a consistent approach across the zones aids the Council with carrying out its functions under s31.
- Council and stakeholders have agreed to a set of Proposed District Plan provisions and a Structure Plan (policies, rules and matters of discretion) which relate to a Te Kowhai West Precinct.

The table below provides a more detailed assessment of environmental, economic, social and cultural costs and benefits for the preferred Option 2.

	Benefits	Costs
Environmental	The proposed Structure Plan and site-specific district plan provisions (policies, rules and assessment criteria) associated with the preferred Option 2 requires the protection, restoration and enhancement of natural features, including streams, wetlands and native vegetation.	The preferred Option 2 will result in loss of the rural character and amenity. It will also enable the delivery of a higher number of dwellings in the Te Kowhai Aerodrome Outer Control Boundary and/or Obstacle Limitation Surface which, without appropriate

	<p>It also requires development to be adequately serviced for the provision of wastewater, stormwater and water delivery infrastructure.</p> <p>It further represents an efficient use of a finite land resource by developing the site to a housing yield (density) in line with higher order policy instruments like the WRPS and Future Proof 2022.</p>	<p>controls, could lead to potential reverse sensitivity issues.</p> <p>There is potential risk that without appropriate measures, preferred Option 2 could result in an increase of contaminant runoff from new impervious surfaces (such as a new roading network).</p> <p>Increased traffic movements.</p> <p>Adverse effects associated with development and construction such as dust, and sediment management and noise.</p>
<p>Economic</p>	<p>Preferred Option 2 will enable development of housing without the need for a future change process. This enables delivery of houses faster which will save costs as no plan changes will be required in the future.</p> <p>By enabling a housing yield of 12 – 15 dwellings per hectare, preferred Option 2 will yield greater economic benefit in terms of construction, employment and ultimately housing supply to the market.</p> <p>This option also has the greatest economic benefit to established businesses in the Te Kowhai township by increasing the number of potential customers.</p>	<p>The Structure Plan that is to be embedded in the PDP as part of preferred Option 2 provides clear guidance regarding the delivery of infrastructure and protection and enhancement of open spaces, biodiversity and natural spaces. All of these will result in extra costs to the developers in the future.</p> <p>The Structure Plan requires vestment of three neighbourhood parks with Council, and requires that the stormwater reserves, wetlands, streams and devices are offered to Council for vestment. Whilst providing the public with amenity, the ongoing maintenance of these areas could</p>

		<p>result in a cost to Council, and thus the public.</p> <p>Costs associated with servicing for three waters to a greenfield development area.</p>
Social	<p>The proposed Structure Plan and site-specific district plan provisions (policies, rules and assessment criteria) associated with preferred Option 2 promote outcomes which are consistent with a well-functioning urban environment. This includes shared pathways, parks, recreation and public open spaces.</p> <p>It will also enhance cohesion, character, use of services and facilities in the community including the local school, community hall and churches.</p>	<p>Preferred Option 2 will result in a greater degree of change to the existing community/social makeup, and potentially within a short timeframe.</p>
Cultural	<p>Preferred Option 2 will result in an improvement of water quality and indigenous biodiversity values through the planting of the wetlands and waterways within the site.</p> <p>Preferred Option 2 requires reticulation of wastewater, minimising the potential for wastewater discharges to impact the mauri of streams and wetlands.</p> <p>Preferred Option 2 provides the greatest opportunities for cultural features/aspirations to be incorporated into the development, including through planting which is required to be designed</p>	<p>Preferred Option 2 may result in an increase of contaminant runoff from new impervious surfaces (such as a new roading network). There is potential that without appropriate measures, discharges of these contaminants could adversely affect the mauri of streams and wetlands, and the traditional and cultural use of this resource by mana whenua.</p>

	to align with Mana Whenua guidance with species that reflect the history of the area.	
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Opportunities for economic growth:

Preferred Option 2 will enable a planned and staged residential development to occur within the subject site. There will be economic growth due to construction job opportunities – both in regard to the physical construction of the subdivision and its infrastructure, as well as the construction of future dwellings. The proposal will also provide for additional housing within the wider Te Kowhai area. In turn, the additional population for Te Kowhai will support local businesses and stimulate economic growth.

Opportunities for employment:

Preferred Option 2 will have positive effects on employment numbers during the construction period for both the subdivision development and the construction of future dwellings. With more people living in the local area, there are more opportunities for existing businesses to expand to accommodate demand and for new businesses to be established.

Certainty and sufficiency of information:

The Appellant provided technical assessments for transportation, ecology, stormwater and flooding, three waters infrastructure, geotechnical, and land contamination matters, relating to preferred Option 2. Preferred Option 2 has therefore been subject to an appropriate level of investigation as to the effects of the amended provisions. There are no material gaps in the knowledge base that give rise to any need for a risk assessment.

Effectiveness:

Preferred Option 2 is the most effective way to develop the site in an integrated and sustainable manner that will deliver much needed houses that are well connected to the existing Te Kowhai village with its amenities. Providing excellent accessibility for the future residents to local amenities and open spaces is one of the objectives of the proposal. The proposal will also enable the Council to fulfil its statutory obligations, including Section 31 of the RMA, and in particular meeting the urban development patterns and density targets for Te Kowhai West set out in Waikato Regional Policy Statement. Specifically, preferred Option 2 will enable residential subdivision development to occur at the site within the medium term and ensure that appropriate rules and matters of discretion are imposed around the future development overall.

Efficiency:

Preferred Option 2 will be the most efficient way to provide more serviced residential allotments for dwellings in accordance with strategic planning documents (Waikato Regional Policy Statement, Future Proof 2022 and Waikato 2070). The site-specific structure plan and set of precinct provisions will achieve the objective of the proposal without the need for wide-reaching changes to the PDP.

Option 2 allows the Site to be immediately developed for residential purposes, rather than necessitating a secondary plan change process in the future to live zone it. This is a more efficient approach.

Overall evaluation:

Option 2 is the most appropriate option to achieve the PDP's objectives because it provides for an appropriate level of residential development in an area that has been previously identified as being suitable for such activities. It enables an appropriate level of growth to occur in line with the requirements of the Waikato Regional Policy Statement, without the need for a future plan change, and for future development to be appropriately serviced with necessary infrastructure.

Reasons for deciding on the provisions:

The proposed amendment (Option 2) to add an additional precinct to the General residential zone chapter specifically for the subject site is considered the most efficient and effective way to give effect to the following objectives and policies in the PDP:

- New Policy SUB-P23 will require that subdivision and development within the site is generally consistent with the Structure Plan which ensures that Council and the community can have confidence with how the development will occur.
- New Policy SUB-P23 will also ensure that public access is provided both within the site and with connections to the wider Te Kowhai area.
- The proposal will increase the number of potential customers to established businesses in Te Kowhai, and provide employment opportunities to construction, in accordance with the outcomes sought by Objective SD-O1.
- The proposal will provide additional housing which will contribute to the growth targets in Objective SD-O3
- The proposal will provide a variety of housing types to meet the community's housing needs in accordance with the outcomes sought by Objective SD-O4.
- The proposal ensures new development is integrated with the provision of infrastructure in accordance with the outcomes sought by Objective SD-O5.

- The proposal will provide for the expansion of the existing Te Kowhai urban area in a way which results in a connected and integrated urban form, and which is able to be serviced by reticulated network infrastructure in accordance with Objective FUZ-O2.
- Investigations provided by the Appellant have confirmed that transport infrastructure and reticulated water, stormwater and wastewater services are able to be provided from a technical standpoint, and a structure plan has been prepared in accordance with Policy SUB-P20. Waikato District Council and the developer are working together to confirm funding for the necessary infrastructure. The proposal is therefore broadly consistent with Policy FUZ-P1.
- The proposal provides a compact urban form for connected, liveable communities in accordance with the outcomes sought by Objective UFD-O1.
- The proposal will require that reticulated infrastructure is provided for, and integrated with, subdivision, in accordance with AINF-O7.
- The proposal provides for a safe and accessible roading network, in accordance with the outcomes sought by Objective AINF-O8.
- Compliance with standards (ANOC-R2 and ANOC-R6) in respect to the Te Kowhai Aerodrome Outer Control Boundary and Obstacle Limitation Surface will ensure the operational needs of this aerodrome is not compromised by noise sensitive activities with the potential for reserve sensitivity conflict in accordance with Objective ONOC-O2, and Objective SD-O10.

CONCLUSION

Pursuant to s32 of the RMA, the objective of the proposed amendment is the most appropriate way to achieve the purpose of the Act. The proposal to apply the General residential zone to the site and insert a precinct overlay (PREC36 - Te Kowhai West Precinct) into the Proposed District Plan planning maps provides a clear framework of subdivision design standards which are specific to this site. These specific standards respond to the potential environmental, economic, social and cultural effects anticipated from the development of the land for future residential land use. In particular, the enhanced native planting around the waterways, the provision of new housing supply, and the creation of wider economic benefits will outweigh any potential adverse effects of the proposal. The proposed amendments to the Proposed District Plan are considered to be the most efficient and effective way to achieve the objectives of the proposal and the existing objectives in the Proposed District Plan.

Appendix F: Section 32AA assessment for Topic 9 - TKAZ

Section 32AA Evaluation

Te Kowhai Airpark Zone

22 January 2024

1. Introduction

Overview

- 1.1 This section 32AA evaluation report addresses relevant statutory tests under the Resource Management Act 1991 (**RMA**) as they relate to the appeals against the Te Kowhai Airpark Zone (**TKAZ**) and related provisions in the Proposed Waikato District Plan (**PDP**).
- 1.2 Two appeals were made:
- (a) Mr Greig Metcalfe appealed the provisions of the TKAZ, seeking limitations on circuit training and flight training activities at the Te Kowhai Aerodrome, limitations on the hours of operations and limitations on aircraft movements from the Aerodrome. Following mediation and subsequent negotiations, Mr Metcalfe is only pursuing amendments relating to circuit training and flight training activities (with consequential amendments to other provisions).
 - (b) NZTE Operations Limited appealed the provisions of the TKAZ, seeking a change in activity status for activities that infringe the Transitional Side Surfaces of the Obstacle Limitation Surface's (**OLS**), and amendments to provisions related to water supply for development in the TKAZ.
- (together and separately, **the proposal**).
- 1.3 The report is organised to consider the scale and significance of the proposal, before addressing in turn the relevant tests:
- (a) the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA;¹
 - (b) whether the relevant policies and methods are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness² and taking into account:³
 - (i) the benefits and costs of the proposed policies and methods; and
 - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.
- 1.4 Section 32AA(1)(a) specifies that a further evaluation is required “only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes)”. Section 32AA(3) defines “proposal” as a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under the RMA.

Scale and significance of the change

- 1.5 Further evaluation reports of this nature are required by the RMA to be undertaken at a level of detail that corresponds to the scale and significance of the change proposed.⁴ The changes proposed are to:
- (a) replace the provisions for circuit training and flight training activities at the Te Kowhai Aerodrome with a more tailored regime that restricts large-scale flight training activities with a more focused policy framework;
 - (b) change the activity status for activities that infringe the Transitional Side Surfaces of the OLS from restricted discretionary to non-complying; and

¹ Resource Management Act 1991, s 32(1)(a) [RMA].

² Section 32(1)(b).

³ Section 32(2).

⁴ Section 32AA(1)(c).

- (c) enable development to occur in the TKAZ without a public reticulated water system, subject to consideration as part of any resource consent as to whether a connection to a reticulated system is available.
- 1.6 The scale and significance of the proposed amendments have been assessed in Attachment 1. The scale and significance of the proposed amendments is considered **low** for the following reasons:
- (a) The proposal addresses relevant resource management issues relating to the Council's relevant RMA functions;
 - (b) The proposal, in combination with applicable national, regional and district rules, will enable the efficient use and development of natural and physical resources;
 - (c) While the changes to the Transitional Side Surfaces and OLS relate to the safety of people and property, the amendments in that regard make minor improvements to the provisions and do not adversely impact the protection of life and property;
 - (d) Relative to the decisions version of the PDP, the proposal represents minor changes to provide more tailored provisions that better reflect their particular context, correct a misunderstanding in the decision and recognise that there are appropriate alternatives to reticulated water supply;
 - (e) While the changes are important for the parties involved, they do not affect the rights or interests of the wider public and will not have district-wide impacts;
 - (f) There is no evidence to suggest that the proposal is of particular interest to iwi or the community;
 - (g) The proposal protects the efficient operation and anticipated growth of the Te Kowhai Aerodrome, in a way that is consistent with strategic planning documents; and
 - (h) There is a high level of information available to inform decision-making and a corresponding low risk of acting.
- 1.7 Accordingly, a high-level evaluation of the proposal has been identified as appropriate for this report.

2. Evaluation of objectives

- 2.1 Council must evaluate, in accordance with section 32 of the RMA, the extent to which each objective proposed is the most appropriate way to achieve the purpose of the RMA. In this case, there are no proposed changes to objectives, but section 32 clarifies that "objectives" can mean the purpose of the proposal.
- 2.2 The proposal has three core purposes:
- (a) To ensure appropriate management of the external adverse effects of the Te Kowhai Aerodrome;
 - (b) To enable safe operation of the Te Kowhai Aerodrome; and
 - (c) To enable development in the Te Kowhai Airpark Zone, with appropriate servicing.
- 2.3 These purposes are assessed against Part 2 below.

Section 5

- 2.4 The proposal constitutes sustainable management of natural and physical resources in accordance with section 5 of the RMA:
- (a) It ensures that the physical resource of the Te Kowhai Aerodrome is enabled to continue to operate and grow, with appropriate management of adverse effects. The Te Kowhai Aerodrome is a long-established aerodrome and represents an important physical resource, given the relatively small number of aerodromes and the difficulty

of establishing a new aerodrome. At the same time, the Te Kowhai village is growing with additional urban growth expected over the medium to long term. Ensuring appropriate integration of those activities will ensure both resources are utilised into the future.

- (b) It ensures that the Te Kowhai Aerodrome operates safely. Aircraft operations are subject to a range of safety requirements, both to protect aircraft operators as well the surrounding community. Ensuring safe operation means that the aerodrome can be used to provide for social, economic and cultural well-being while protecting the health and safety of all persons.
- (c) It ensures that development can occur within the TKAZ with appropriate servicing, which provides for social and economic well-being while avoiding, remedying and mitigating adverse effects of development on the environment.

Section 6

2.5 There are no section 6 matters of relevance to the proposal.

Section 7

2.6 The most relevant section 7 matters are addressed below:

Section 7(b) the efficient use and development of natural and physical resources

- 2.7 The proposal will ensure efficient use and development of both the Te Kowhai Aerodrome and nearby land, by ensuring that aerodrome activities and sensitive activities establishing near the aerodrome can co-exist. Constraining the Aerodrome or development of surrounding land would be an inefficient use of physical resources.
- 2.8 In relation to infrastructure servicing, providing for appropriate servicing enables efficient use and development of land within the TKAZ.

Section 7(c) the maintenance and enhancement of amenity values

- 2.9 Potential impacts on the amenity values of surrounding activities are a key driver for appropriate management of the Aerodrome's activities (while recognising that the Aerodrome is an established activity that sensitive activities are seeking to be located near). By appropriately managing activities with the greatest potential to affect amenity values, those values will be maintained and enhanced.

Section 7(f) the maintenance and enhancement of the quality of the environment

- 2.10 The proposal seeks to appropriately manage effects of the Aerodrome, avoid health and safety effects and enable appropriate servicing. All of these objectives contribute towards the maintenance and enhancement of a quality environment.

Section 7(g) any finite characteristics of natural and physical resources

- 2.11 The Te Kowhai Aerodrome is an established physical resource that cannot be relocated. Recognising the finite nature of appropriate sites for aerodrome activities serving the wider Waikato District, the proposal to ensure appropriate management of effects and appropriate management of health and safety achieves this directive.

Section 8

- 2.12 Section 8 has limited relevance to the proposal, given its focus on managing effects associated with a long-established site. Impacts of development on cultural values will be assessed at the resource consent stage and it is anticipated that additional engagement with iwi will occur then.

Conclusion

- 2.13 Having assessed the objectives of the proposed amendment against Part 2 of the RMA, it is considered that the objectives of the project are the most appropriate way to achieve the purpose of the RMA.

3. Evaluation of the provisions

- 3.1 Section 32 assessments must determine whether the proposed provisions are the most appropriate way to achieve the objectives. This must include the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.
- 3.2 In terms of the objectives that the provisions are assessed against, pursuant to section 32(3), the objectives are both the objectives of the proposal (addressed above) as well as the existing objectives of the PDP provided in Attachment 2 to this assessment.
- 3.3 The proposal involves several amendments to the PDP, including:
- (a) In relation to the management of effects at the Aerodrome:
 - (i) Deleting definitions of “circuit training” and “flight training school”, including a new definition for “aviation training organisation activities” and a new definition of “aircraft operations” specific to the TKAZ.
 - (ii) Amending Policy TKAZ-P8 to provide clear guidance on any resource consent application for “aviation training organisation activities”.
 - (iii) Amending the TKAZ activity table to delete reference to “circuit training” and “flight training school” and provide for “aviation training organisation activities” as a discretionary activity.
 - (iv) Amending Rule TKAZ-S3 to provide that more restrictive hours of operation may apply to “aviation training organisation activities”.
 - (v) Amending Rule NOISE-R41 to require that noise contour calculation and monitoring information is provided to the Council, and to clarify the activities included within noise contours.
 - (b) In relation to health and safety effects:
 - (i) Amending the activity status of Rule ANOC-R3(2) from restricted discretionary to non-complying and deleting the associated matter of discretion. This rule establishes building height within the Transitional Side Surfaces.
 - (c) In relation to development in the TKAZ:
 - (i) Amending Rules SUB-R142 and SUB-R143 to remove the requirement for a connection to public reticulated water supply.
 - (ii) Amending the matters of discretion for Rules SUB-R142 and SUB-R143 to require consideration of the ability to connect with reticulated water and wastewater networks, and encourage integration with such networks if they are available.
 - (iii) Adding a new Rule TKAZ-S7 to ensure that if rainwater tanks are provided, they are located underground or behind dwellings to manage the amenity effects of rainwater tanks.
- 3.4 Other minor amendments and corrections are also proposed, including to:
- (a) Include the definition of “noise-sensitive activity” that was included in the decision, but was omitted by the Council when the PDP was converted into national planning standards format.
 - (b) Include standards in Appendix 1 – Acoustic Insulation that were inadvertently deleted when the PDP was converted into national planning standards format.

- (c) Replace figures showing the OLS and Transitional Side Surface with corrected, updated figures.
- 3.5 This report considers the provisions alongside other reasonably practicable options that have been identified. The following broad options have been assessed:
- (a) In relation to the management of effects at the Aerodrome:
- (i) **Option 1 – Decisions Version:** retain the definitions, policy and rules relating to circuit training and flight training schools, with no changes to noise provisions.
- (ii) **Option 2 – Tailored regime for the Te Kowhai Aerodrome:** amend definitions, policy and rules to provide a tailored regime targeted at large-scale aviation training, along with clarifications to noise provisions.
- (b) In relation to health and safety effects:
- (i) **Option 1 – Decisions Version:** retain discretionary activity status for buildings, structures or vegetation that infringes the Transitional Side Surfaces.
- (ii) **Option 2 – Non-complying activity status for infringements into the Transitional Side Surfaces.**
- (c) In relation to development in the TKAZ:
- (i) **Option 1 – Decisions Version:** retain the requirement for public reticulated water servicing.
- (ii) **Option 2 – Amendments regarding infrastructure servicing:** amend rules and matters of discretion to enable other servicing solutions, subject to consideration of integration with available services.

Management of effects at the Aerodrome

Option 1 – Decisions Version	
Costs	Benefits
<p>Environmental</p> <p>The relatively coarse provisions managing circuit training and flight training schools address require resource consent for those activities, but Policy TKAZ-P8 provides limited guidance on how the effects of those activities should be managed. The provisions may result in applications being approved that do not appropriately manage environmental impacts.</p>	<p>Environmental</p> <p>The provisions manage circuit training and flight school activities, which have the potential to cause environmental effects (for example, adverse amenity effects from aircraft noise).</p>
<p>Economic</p> <p>Creates uncertainty regarding existing activities, such as circuit training as part of normal operations and flight training for maintaining licensing and ratings. The cost and uncertainty associated with consenting long-standing existing activities would be economically inefficient.</p>	<p>Economic</p> <p>No economic benefits identified.</p>
<p>Social</p> <p>Potential for unintended constraints on the Te Kowhai Airpark, impacting the physical resource provided by the regional Aerodrome. This fails to achieve TKAZ-O1, which seeks to provide for the</p>	<p>Social</p> <p>No social benefits identified.</p>

<p>future needs of the aviation community. Also potential for adverse amenity effects on surrounding activities, due to limited guidance on how amenity effects from large scale training activities should be managed. This does not support achieving TKAZ-O2, which seeks to protect amenity values.</p>	
<p>Cultural No cultural benefits or costs identified.</p>	<p>Cultural No cultural benefits or costs identified.</p>
<p>Opportunities for economic growth Has the potential to constrain economic growth, by creating uncertainty or imposing consenting cost on the anticipated growth of established activities.</p>	
<p>Opportunities for employment No impacts on employment.</p>	
<p>Certainty and sufficiency of information There is sufficient information to understand the impact of the provisions and there are no material gaps that would give rise to any need for risk assessment.</p>	
<p>Effectiveness and efficiency</p>	
<p>Effectiveness The status quo has limited effectiveness at achieving the purpose of the proposal and the existing objectives of the PDP. While it manages potential effects of the Aerodrome on surrounding activities, it does so in a way that is likely to constrain unintended activities and provides limited guidance on what activities are appropriate or inappropriate. The status quo will not effectively achieve PDP objectives, including:</p> <ul style="list-style-type: none"> • TKAZ-O1, which seeks that Te Kowhai Airpark is used and developed as a strategically significant, safe and economically sustainable airpark that meets the current and future needs of the aviation community. • TKAZ-O2, which seeks that the adverse effects of airpark activities be managed to ensure acceptable amenity outcomes. 	<p>Efficiency The status quo is an inefficient way to achieve the purpose of the proposal and the existing objectives of the PDP. The provisions capture unintended activities and provide limited guidance to plan users. In terms of the NOISE provisions, the status quo is inefficient in that monitoring is required, but the information is not required to be provided to the Council to enable it to confirm compliance.</p>
<p>Option 2 – Tailored regime for the Te Kowhai Aerodrome</p>	
<p>Costs</p>	<p>Benefits</p>
<p>Environmental No environmental costs identified.</p>	<p>Environmental The provisions provide a tailored regime that addresses the activity that is most likely to cause nuisance or amenity effects to activities locating near the Aerodrome. The new definition and</p>

	<p>provisions for “aviation training organisation activities” avoids capturing unintended activities.</p> <p>The revised drafting of Policy TKAZ-P8 provides specific guidance on the nature of effects to be managed, and how the activity should be managed (if consent is sought).</p> <p>Management of:</p> <ul style="list-style-type: none"> - Noise - Duration and frequency - Cumulative effects
<p>Economic</p> <p>No economic costs identified.</p>	<p>Economic</p> <p>The provisions provide greater certainty for the Aerodrome and surrounding activities, which is likely to better encourage investment than the status quo.</p>
<p>Social</p> <p>No social costs identified.</p>	<p>Social</p> <p>The provisions will enable the ongoing use and development of the Aerodrome for appropriate activities. This will enable the Aerodrome to continue to provide an important social function for recreational aviation.</p>
<p>Cultural</p> <p>No cultural benefits or costs identified.</p>	<p>Cultural</p> <p>No cultural benefits or costs identified.</p>
<p>Opportunities for economic growth</p> <p>Discouraging aviation training organisation activities is likely to support economic growth, by enabling the activities contemplated by the PDP both at the Aerodrome and on surrounding land. The Aerodrome operator will have certainty about the activities that can continue and grow organically, while surrounding landowners will have certainty about the nature and scale of effects generated by the Aerodrome (and that certainty will support investment in urban development).</p>	
<p>Opportunities for employment</p> <p>There may be indirect employment benefits, including associated with construction of residential uses on nearby land.</p>	
<p>Certainty and sufficiency of information</p> <p>There is sufficient information to understand the impact of the provisions and there are no material gaps that would give rise to any need for risk assessment.</p>	
<p>Effectiveness and efficiency</p>	
<p>Effectiveness</p> <p>The provisions are effective at achieving the purpose of the proposal and the existing objectives of the PDP. The provisions are tailored to the activity of concern and avoid constraining unintended activities. If an aviation training organisation activity seeks to establish, clear guidance is provided on how it should be managed.</p>	<p>Efficiency</p> <p>Option 2 is an efficient way to achieve the purpose of the proposal and the objectives of the PDP. It avoids needlessly restricting other activities and provides clear guidance to plan users.</p> <p>In terms of the NOISE provisions, Option 2 provides an efficient framework for monitoring information to be provided to Council, as well as</p>

<p>The provisions will give effect to the PDP objectives in an effective way, including:</p> <ul style="list-style-type: none"> TKAZ-O1, by enabling ongoing use of the Aerodrome to provide for current and future needs of the aviation community. TKAZ-O2, by managing activities to achieve acceptable amenity outcomes. 	<p>clarity about the activities included within the noise contour calculations.</p>
<p>Overall evaluation</p>	
<p>Option 2 is the most appropriate way to achieve the purpose of the proposal and the objectives of the PDP. It has greater environmental, economic and social benefits, fewer costs and is considered to be more effective and more efficient. Option 2 is tailored to the issue of particular concern for activities locating near the Aerodrome and will be effective at managing large-scale aircraft training activities, without unintentionally constraining the efficient use and development of the existing Aerodrome activities.</p>	

Health and Safety

<p>Option 1 – Decisions Version</p>	
<p>Costs</p>	<p>Benefits</p>
<p>Environmental</p> <p>Discretion limited to effects on the safe and efficient operation of the Aerodrome. No discretion to manage protrusions of vegetation into the transitional side surfaces and inner horizontal surface. Limited protection of potential health and safety effects and therefore is conferred to the future operations of the Aerodrome.</p>	<p>Environmental</p> <p>Discretion is restricted in national environmental standards or other regulations.</p>
<p>Economic</p> <p>This option affords less protection for flight paths and hinders the potential use of Instrumental Flight Rules for the aviation community. This may disincentivise flights and risk reputational damage by failing to anticipation the future operational needs of the aviation community.</p>	<p>Economic</p> <p>The restricted activity status imposes comparatively flexible restrictions on the form of development near the boundary of adjoining properties.</p>
<p>Social</p> <p>Less protection against protrusions / hazards close to runway and aircraft flight paths, which have safety and operational effects for users of the Aerodrome.</p>	<p>Social</p> <p>Discretion is reserved under the PDP to impose conditions to constrain effects on the safe and efficient operation of the Aerodrome.</p>
<p>Cultural</p> <p>No known cultural costs identified.</p>	<p>Cultural</p> <p>No cultural benefits identified.</p>
<p>Opportunities for economic growth</p> <p>No effects on economic growth.</p>	
<p>Opportunities for employment</p> <p>No effects on employment.</p>	

Certainty and sufficiency of information

The information available is sufficient to provide an informed assessment of the planning alternatives and costs and benefits.

Effectiveness and efficiency

Effectiveness

The option will have limited effectiveness at achieving the objective of the proposal to enable the safe operation of the Te Kowhai Aerodrome. It requires resource consent to be obtained to infringe the Transitional Side Surface, but limits the relevant considerations and does not clearly signal that protrusions to the Transitional Side Surface are unsafe and are discouraged.

The option will have limited effectiveness at achieving the following PDP objectives:

- TKAZ-O1 seeks that Te Kowhai Airpark is used and developed as a strategically significant, safe and economically sustainable airpark that meets the current and future needs of the aviation community. The decisions version offers less protection against hazards close to runway and aircraft flight paths, which have safety and operational effects for users of the Aerodrome.
- TKAZ-O2 seeks that the adverse effects of airpark activities are managed to ensure acceptable amenity outcomes. The decisions version restricts discretion over aspects of the proposal that could result in reverse sensitivity effects.
- ANOC-O1 seeks to enable the ongoing operation and development of airports and aerodromes. There are restricted powers to protect flight paths to enable the ongoing operation of the Aerodrome.

Efficiency

Option 1 will have limited efficiency at achieving the proposal objectives because it is likely to result in greater safety and operational costs, and a higher risk of reverse sensitivity effects, that outweigh any plausible economic benefit.

The option is an inefficient way to achieve the objectives of the PDP, as it requires only a low-level consent for protrusions into the Transitional Side Surface.

Option 2 – Non-complying activity status for infringements into the Transitional Side Surfaces

Costs

Environmental

No environmental costs identified.

Economic

Restricts the form of development near the boundary of adjoining properties.

Likely to be higher consenting costs given the more onerous activity status.

Benefits

Environmental

The gateway test under s 104D imposes stricter environmental standards and policy and plan compliance.

Economic

Protects flight paths, supports the use of Instrumental Flight Rules and thereby safeguards future operational needs of the aviation community.

	The reduced risk of reverse sensitivity effects improves the value of adjoining properties.
Social No social costs identified.	Social Greater protection against protrusions / hazards close to runway and aircraft flight paths, leading to improved safety and operation for aerodrome users. In addition, greater protection for persons in habitable structures. Reduced risk of reverse sensitivity effects.
Cultural No cultural costs identified.	Cultural No cultural benefits identified.
Opportunities for economic growth No effects on economic growth.	
Opportunities for employment No effects on employment.	
Certainty and sufficiency of information The information available is sufficient to provide an informed assessment of the planning alternatives and costs and benefits.	
Effectiveness and efficiency	
Effectiveness The option will effectively achieve the following PDP objectives: <ul style="list-style-type: none"> TKAZ-O1 seeks that Te Kowhai Airpark is used and developed as a strategically significant, safe and economically sustainable airpark that meets the current and future needs of the aviation community. The amendments better meet the needs of the aviation community to have clear flight paths and be able to use Instrumental Flight Rules at the Aerodrome. TKAZ-O2 seeks that the adverse effects of airpark activities are managed to ensure acceptable amenity outcomes. ANOC-O1 seeks to enable the ongoing operation and development of airports and aerodromes. The amendments will better protect flight paths to enable the ongoing operation of the Aerodrome. The more onerous activity status effectively signals the increased risk to people and property by intrusion into the Transitional Side Surfaces.	Efficiency Option 2 will be efficient at achieving the proposal objectives because a non-complying activity status imposes more stringent requirements to ensure social and economic needs are met, without imposing unjustifiable costs.

Overall evaluation

Option 2 is the most appropriate option to achieve the PDP's objectives. It is anticipated to have a high net benefit, in contrast to Option 1, which is anticipated to result in greater safety and operational costs, and a higher risk of reverse sensitivity effects, than outweigh any plausible economic benefit. While Option 1 would allow conditions to constrain effects on the safe and efficient operation of the Aerodrome, the protection afforded to manage reverse sensitivity effects is less comprehensive, with discretion being restricted. Pursuant to Option 2, a non-complying activity status most appropriately recognises that any protrusions into the Transitional Side Surfaces are inappropriate due to potential health and safety effects and adverse effects on the future operations of the Aerodrome.

Development in the TKAZ

Option 1 – Decisions Version

Option 1 – Decisions Version	
Costs	Benefits
Environmental No environmental costs identified.	Environmental No environmental benefits identified.
Economic Likely to make all subdivisions within the zone a discretionary activity, if a reticulated water network is unavailable at the time of the consent application. This, in turn, may delay or stymie development. May delay the timing of development as it is dependent on a reticulated network being funded and operational.	Economic Encourages the TKAZ to be connected to reticulated water supply, which creates economies of scale for the future water supply extension project.
Social No social costs identified.	Social Protects the health and safety of the community by ensuring that there is an appropriate water supply.
Cultural No cultural costs identified.	Cultural No cultural benefits identified.
Opportunities for economic growth No effects on economic growth.	
Opportunities for employment No effects on employment.	
Certainty and sufficiency of information The information available is sufficient to provide an informed assessment of the planning alternatives and costs and benefits.	
Effectiveness and efficiency	
Effectiveness The option will have limited effectiveness in achieving the following PDP objectives:	Efficiency Option 1 is likely to achieve the proposal objectives, however, the efficiency of attainment is

<ul style="list-style-type: none"> TKAZ-O1 seeks that the Te Kowhai Airpark be used and developed as a strategically significant, safe and economically sustainable airpark. The development of the airpark could be undermined if a reticulated water network is unavailable at the time of the consent application. TKAZ-O2 seeks that the adverse effects of airpark activities be managed to ensure acceptable amenity outcomes. The decisions version would result in acceptable amenity outcomes. SD-O5 seeks that new development is integrated with the provision of infrastructure. Attainment of this objective is undermined if a reticulated water network is unavailable at the time of the consent application. UFD-O1 requires a compact urban form for connected, liveable communities. Attainment of this objective is undermined if a reticulated water network is unavailable at the time of the consent application. 	<p>dependent on a reticulated water network being available at the time of any consent application.</p>
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Option 2 – Amendments regarding infrastructure servicing

Costs	Benefits
<p>Environmental</p> <p>Option 2 enables decentralised water supply infrastructure. If not properly managed, that could lead to inefficient infrastructure provision.</p>	<p>Environmental</p> <p>Providing for alternative water supply solutions enables the development to occur with appropriate infrastructure servicing, without causing delays while reticulated infrastructure is designed, funded and constructed. The provisions requiring consideration of integration with existing or planned reticulated networks will ensure that alternative water supply infrastructure is efficient and will be integrated with reticulated infrastructure, if that is available.</p> <p>The addition of the new rain tank standard (TKAZ-S27) in association with the amendments to the subdivision rules will maintain amenity values, should all development need to be serviced by rainwater collection.</p>
<p>Economic</p> <p>Reduced economy of scale for reticulated water supply extension to Te Kowhai, although it does not compromise the financial viability of the project.</p>	<p>Economic</p> <p>Facilitates the subdivision and development of the TKAZ in the face of uncertainty about the timing of a future water supply extension, while still promoting connection to the reticulated water network, if it is available at the time of connection.</p>

<p>Social</p> <p>No social costs identified.</p>	<p>Social</p> <p>Protects the health and safety of the community by ensuring that there is an appropriate water supply.</p>
<p>Cultural</p> <p>No cultural costs identified.</p>	<p>Cultural</p> <p>No cultural benefits identified.</p>
<p>Opportunities for economic growth</p> <p>May promote earlier development of the TKAZ and associated investment.</p>	
<p>Opportunities for employment</p> <p>Positive effects on employment during the construction period.</p>	
<p>Certainty and sufficiency of information</p> <p>The information available is sufficient to provide an informed assessment of the planning alternatives and costs and benefits.</p>	
<p>Effectiveness and efficiency</p>	
<p>Effectiveness</p> <p>The option will effectively achieve the following PDP objectives:</p> <ul style="list-style-type: none"> • TKAZ-O1 seeks that the Te Kowhai Airpark is used and developed as a strategically significant, safe and economically sustainable airpark. The amendments achieve this objective as they better facilitate the development of the Airpark. • TKAZ-O2 seeks that the adverse effects of airpark activities are managed to ensure acceptable amenity outcomes. The amendments achieve this objective as they include a requirement for rain tanks to be located behind dwellings or underground, should they be required. • The proposal ensures new development is integrated with the provision of infrastructure in accordance with the outcomes sought by Objective SD-O5. • The proposal provides a compact urban form for connected, liveable communities in accordance with the outcomes sought by Objective UFD-O1. • AINF-O7 requires integration to be provided for an integrated with subdivision, use and development. The amendments will ensure development can be serviced for water supply, even if a reticulated water supply is not available at the time of development of the airpark. 	<p>Efficiency</p> <p>Option 2 will be an efficient way to provide more serviced residential allotments for dwellings.</p>

Overall evaluation

Option 2 is the most appropriate option to achieve the PDP's objectives. It best enables appropriate servicing of TKAZ and does not risk external adverse effects on the Aerodrome nor endanger the safe operation of the Aerodrome. While Option 1 is feasible, its implementation is weighed down by effectiveness and efficiency concerns if a reticulated water network is unavailable at the time of the consent application, which would press pause on opportunities for economic and employment growth.

Reasons for deciding on the provisions

- 3.6 In light of the foregoing, it is considered that the proposed changes to the provisions are the most appropriate ways to achieve the objective of the proposal and the objectives within the PDP.
- 3.7 The proposed changes are considered to be the most efficient and effective means of achieving the objectives of the PDP as together they will:
- (a) Assist in achieving the relevant PDP Strategic Objectives, including SD-O5;
 - (b) Enable the Council to fulfil its statutory obligations, including under section 31 of the RMA;
 - (c) Achieve the relevant part 2 matters;
 - (d) Achieve the objectives of the proposal with focused changes to the PDP; and
 - (e) Enable the Council to effectively administer the PDP and to monitor the outcomes of the provisions in a clear and consistent way.

4. Conclusion

- 4.1 Pursuant to section 32 of the RMA, the objectives of the proposal to change the provisions relating to the Te Kowhai Aerodrome have been assessed against Part 2 of the RMA and are considered to be the most appropriate way to achieve the purpose of the RMA.
- 4.2 The reasonably practicable options to achieve the objectives of the proposal and the existing objectives of the PDP. The proposed provisions are considered to represent the most appropriate means of achieving the proposed objectives and the objectives of the PDP.

Attachment 1 – Scale and Significance Assessment

The matrix below has been used to inform the assessment of the proposal's scale and significance.

Criteria	Scale/Significance			Comment
	Lo w	Medium	High	
Addresses a resource management issue	X			<ul style="list-style-type: none"> The proposal relates to Council's functions under s31(1)(a), s31(1)(d) and s31(2) of the RMA. Implements higher order direction from regional planning instruments. Enables efficient use and development of natural and physical resources under s7 of the RMA.
Addresses a matter that relates to human health or the protection of life and property	X			<ul style="list-style-type: none"> The changes to the Transitional Side Surfaces and OLS relate to the safety of people and property, however, they make minor improvements to the PDP provisions that improve the protection of life and property. The amended provisions, in combination with the existing district rules relating to the management of the Aerodrome, as well as Civil Aviation Rules, afford appropriate protection of human health and the protection of life and property.
Degree of shift from the status quo	X			<ul style="list-style-type: none"> The amended provisions represent minor changes to the PDP that provide more tailored provisions and address errors in the decision. While the changes are important for the parties involved, they are not a significant shift from the status quo.
Who and how many will be affected/ geographical scale of effect/s	X			<ul style="list-style-type: none"> The geographical scale of the proposal is confined and site-specific. The corresponding scale of effect will be relatively minor, and limited to the site and local vicinity.
Degree of impact on or interest from iwi/ Māori	X			<ul style="list-style-type: none"> Iwi were consulted by the Council in the formative stages of the PDP. Iwi did not make submissions or further submissions on the relevant provisions. No iwi authority has joined as a s274 party to the appeal. Future resource consent processes provide an opportunity for further engagement.

Degree of likely community interest	X			<ul style="list-style-type: none"> The Te Kowhai Aerodrome is a long-established activity. The amended provisions support its ongoing operation and anticipated growth. While submissions were made by some directly interested neighbours, only Mr Metcalfe and Mr and Mrs Stead joined the appeal as s274 parties. Mr and Mrs Stead's concerns were resolved by agreement and have withdrawn their interest. Mr Metcalfe's concerns have been resolved by consent. The amended provisions do not impact the wider community and do not have district-wide implications.
Likelihood of resulting in major financial impact on households / community due to compliance or administrative costs	X			<ul style="list-style-type: none"> The proposal is not anticipated to result in any increased compliance costs beyond those incurred by the landowner.
Implications for servicing and transport networks	X			<ul style="list-style-type: none"> While the amended provisions enable an alternative to reticulated water servicing, they include a requirement to consider integration with existing or planned reticulated networks. Accordingly, the amended provisions will ensure that there are no adverse implications for servicing. There are no implications for transport networks.
Type of effect/s	X			<ul style="list-style-type: none"> The proposal appropriately manages potential effects relating to reverse sensitivity, safe and efficient operation of the Te Kowhai Aerodrome and potential noise and amenity effects on the surrounding environment.
Likelihood of significantly reducing development opportunities or land use options	X			<ul style="list-style-type: none"> The proposal will enable development opportunities, both at the Te Kowhai Airpark and on surrounding land.
Degree of risk and uncertainty	X			<ul style="list-style-type: none"> There is a high level of information to inform decision-making on the proposal, and a correspondingly low risk associated with the proposed provisions.
OVERALL ASSESSMENT	X			For the above reasons, the proposal is assessed as having a low overall scale and significance.

Attachment 2: Relevant objectives of the PDP

TKAZ-O1 - Te Kowhai Airpark.

To use and develop Te Kowhai Airpark as a strategically significant, safe and economically sustainable airpark that meets the current and future needs of the aviation community.

TKAZ-O2 - Amenity outcomes.

The adverse effects of airpark activities are managed to ensure acceptable amenity outcomes.

TKAZ-O3 - Aerodrome reverse sensitivity.

The operational needs of Te Kowhai Airpark are not compromised by noise-sensitive activities with the potential for reverse sensitivity conflict.

SD-O5 - Integration of infrastructure and land use.

New development is integrated with the provision of infrastructure.

AINF-O7 - Integration of infrastructure with subdivision, land use and development.

Infrastructure is provided for, and integrated with, subdivision, use and development.

ANOC-O1 - Operation and development

To enable the ongoing operation and development of airports and aerodromes.