

## 45 Airport Environment Rules

### 45.1 Introduction

This chapter contains rules governing land uses in the Airport Environment which will only apply to activities not complying with the Aerodrome designations. The boundaries of this Environment are shown on the Planning Maps. It applies only to the land comprising Whangarei Airport at Onerahi. Road Transport rules and Resource Area rules also apply in this Environment. The Resource Area rules apply only to the areas indicated on the Planning Maps. The land comprising the Environment is subject to a designation for Aerodrome purposes and the designation authorises a range of activities such as aircraft movements, independently of the rules in this Plan. An Airspace designation also restricts the intrusion of structures into airport approach/takeoff paths. Any conditions or restrictions on the Aerodrome or Airspace designations will override the rules in this Plan.

Activities provided for in the Airport Environment are those which are ancillary to, or directly associated with Airport services. Following a study into possible alternative sites for locating the Whangarei Airport and the completion of an Airport Master Plan, the location of the Airport at Onerahi has been confirmed beyond the life of this Plan. However, if the airport was to relocate, Council will initiate a review of the Airport Environment rules to enable the land to be integrated into the surrounding Onerahi Living Environment.

Whangarei Airport is situated at Onerahi, on an elevated site overlooking Whangarei Harbour. It is approximately 6 kilometres, by road, southeast of the CBD of Whangarei and covers an area of approximately 60 hectares. The Airport is a regional airport serving a population of some 70,000 persons and it comprises a range of facilities to support its regional air transport function. These features include a main runway and cross-wind runway and taxiways, apron area, passenger terminal, maintenance and support buildings and facilities and navigational aids.

### 45.2 Prohibited Activities

The following activity is a prohibited activity, for which no resource consent shall be granted:

- Use, storage or disposal of radioactive material with an activity exceeding 1000 terabequerels

### 45.3 Airport - Activity Rule Table

#### 45.3.1 Activities Generally

<p>Any activity is a <b>permitted</b> activity if:</p> <p>a) It is ancillary to, or directly associated with airport activities, and requires convenient, direct or reasonable access to aircraft and facilities for the purpose of goods or passenger services or</p>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>discretionary</b> activity if:</p> <p>a) It does not involve intensive livestock farming, fish or meat processing; and</p> <p>b) It is ancillary to, or associated with,</p>
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<p>transport.</p>	<p>airport activities, and requires convenient access to airport infrastructure and facilities for the purpose of goods or passenger services or transport; and</p> <p>c) It is not an activity that involves food irradiation; and</p> <p>d) It is not an activity that is classified as an offensive trade in the Health Act 1956.</p> <p>Any activity that does not comply with a standard for a discretionary activity is a <b>non-complying</b> activity.</p>
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#### 45.3.2 Hazardous Substances

<p>a) The use, storage or on-site movement of hazardous substances is a permitted activity if it complies with the conditions for <b>permitted</b> activities in Appendix 8; and</p> <p>b) The movement of hazardous substances between sites is a <b>permitted</b> activity if conducted by means of an underground pipeline.</p>	<p>a) The use, storage or on-site movement of hazardous substances is a <b>discretionary</b> activity if it does not comply with a condition for permitted activities in Appendix 8; and</p> <p>b) The movement of hazardous substances between sites is a <b>discretionary</b> activity if conducted by means of an aboveground pipeline.</p>
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#### 45.3.3 Provision of Parking Spaces

<p>Any activity is <b>permitted</b> if:</p> <p>a) Parking spaces are provided in accordance with Chapter 47; and</p> <p>b) No formed parking space is constructed or provided within 4.5m of a road boundary.</p>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <p>i. Those matters listed in Chapter 47 Road Transport Rules;</p> <p>ii. Those matters listed in Rule 45.4.5 (Landscaping).</p>
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#### 45.3.4 Signs

<p>a) The construction or placement of a sign which is not visible from a public place or neighbouring property(s) is a <b>permitted</b> activity.</p> <p>a) The construction or placement of a sign visible from a public place or neighbouring property(s) is a <b>permitted</b> activity if:</p> <p>i. The sign is required under health and safety legislation; or</p> <p>ii. The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or</p> <p>iii. The sign relates to goods and</p>	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <p>i. The visual amenity of the locality;</p> <p>ii. Traffic safety.</p>
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<p>services available on site, or is a property name sign; and</p> <p>iv. The sign does not obscure any official signs or traffic signals; and</p> <p>v. The sign is static, and not flashing; and</p> <p>vi. If illuminated, the illuminance (horizontal or vertical) onto any other site measured at the boundary does not exceed 10 lux at any receiving property boundary or 15 lux at any road reserve boundary; and</p> <p>vii. No more than two signs are displayed per site; and</p> <p>viii. A free standing sign is no higher than 3.5m; and</p> <p>ix. The sign is no larger than 2.5m<sup>2</sup> on sites with frontage less than 25.0m; and .</p> <p>x. On sites with frontage greater than 25.0m, the sign area shall be 0.1m<sup>2</sup> per metre of frontage to a maximum of 6.0m<sup>2</sup>; and</p> <p>xi. Where the road limit has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m.</p> <p><b>Notes:</b></p> <p>1. Signs within the legal road boundary, or on road verges and road reserves are regulated by Council Bylaws.</p> <p>2. Temporary signs, and signs on vehicles are regulated by Council Bylaws.</p> <p>3. Signs located in public places are regulated by Council Bylaws.</p>	
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**45.3.5 Artificial Lighting**

<p>Artificial lighting is a <b>permitted</b> activity if either:</p> <p>a) The lighting is required under health and safety legislation; or</p> <p>b) The light is a street light, navigation light, or traffic signal; or-</p> <p>c) The following standards are complied with</p> <p style="margin-left: 20px;">i. The added illuminance onto any other site measured at the boundary does not exceed 10 lux at any receiving property boundary, or 15 lux at any</p>	<p>Any activity that does not comply with a standard for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is limited to:</b></p> <p style="margin-left: 20px;">i. Orientation, strength, intensity, colour, frequency of flashing of the light;</p> <p style="margin-left: 20px;">ii. Effects on traffic safety;</p> <p style="margin-left: 20px;">iii. Positive effects on pedestrian safety;</p> <p style="margin-left: 20px;">iv. Effect on amenity values.</p>
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<p>road reserve boundary; and</p> <p>ii. The artificial light is shielded in such a manner that light emitted by the fixture is projected below a horizontal plane running through the lowest point on the fixture; and</p> <p>iii. The lower edge of the shield, as required by ii) above, is to be at or below the centreline of the light source; and</p> <p>d) The light is static, and is not flashing; (except in the case of lighting on vehicles associated with mineral extraction and related activities, or flashing beacons in accordance with the Land Transport Road Use Rule 2004 (Plan change 42 Planners recommendation).</p> <p>e) The artificial lighting complies with AS/NZS 1158/1996.</p> <p><b>Notes:</b></p> <p>1. If the object or device that contains Artificial Lighting is a sign, then Rule 44.3.4 Signs is solely applicable.</p> <p>2. See Appendix 15 for illustration of c) (ii) and (iii) above.</p>	
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**45.3.6 Noise** *(Deleted – refer to Noise and Vibration Chapter)*

**45.3.7 Noise (Aircraft Engine Testing)** *(Deleted – refer to Noise and Vibration Chapter)*

**45.3.8 Construction Noise** *(Deleted – refer to Noise and Vibration Chapter)*

**45.3.9 Vibration** *(Deleted – refer to Noise and Vibration Chapter)*

**45.3.10 Electromagnetic Radiation**

<p>Any activity is a <b>permitted</b> activity if:</p> <p>a) Exposures comply with NZS 2772.1:1999, Radio Frequency Fields Part 1: Maximum Exposure Levels 3 kHz – 300 GHz;</p>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>discretionary</b> activity.</p>
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**45.3.11 Outdoor Storage**

<p>Any activity is a <b>permitted</b> activity if:</p> <p>a) Outdoor areas of storage or stockpiles of materials or equipment comply with building height, setbacks and daylight angle rules; and</p>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <p>i. Dust effects;</p> <p>ii. Smell effects;</p>
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<ul style="list-style-type: none"> <li>b) Outdoor areas of storage or stockpiles of materials or equipment are contained or maintained to prevent the dispersal of dust or airborne contaminants beyond the site; and</li> <li>c) Outdoor areas of storage or stockpiles of materials or equipment are screened from view at a Living or Open Space Environment boundary; and</li> <li>d) Materials are stored in a way that does not provide a food source for vermin; and</li> <li>e) The best practicable option is adopted to prevent or minimize contaminants from stockpiles entering watercourses or water bodies.</li> </ul>	<ul style="list-style-type: none"> <li>iii. Visual effects;</li> <li>iv. Amenity effects;</li> <li>v. Effects on amenity values;</li> <li>vi. Effects on health and safety.</li> </ul>
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Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the outdoor storage requirements for that activity will be determined in accordance with the rules in Chapter 64.

#### 45.3.12 Aerials and Aerial Support Structures

<p>Aerials and/or aerial support structures are a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) No aerial and/or aerial support structure exceeds a height of 14.25m, except for a dish aerial, the height of which is not to exceed 10.25m; and</li> <li>b) All aerials and/or aerial support structures comply with the relevant building setback and daylight angle requirements for the Environment in which they are located; and</li> <li>c) Above a height of 10.25m the components that make up an aerials and/or aerial support structure are to be no greater than 80.0mm in diameter, or, have a rectangular section with sides no greater than 80.0mm except for a anemometer or similar weather measuring device (excluding a weather balloon), where such a device has a cross arm dimension not exceeding 1.1m.</li> </ul> <p><b>Note:</b> Height of any structures or vegetation in the airport environment must comply with the restrictions set out in the Airspace designation, to provide for the safe and efficient operation of aircraft on takeoff /landing or approach and circling Whangarei Airport.</p>	<p>Aerials and/or aerial support structures that do not comply with a condition for a permitted activity are a <b>discretionary</b> activity.</p>
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### 45.3.13 Network Utility Operations

<p>The following activities related to Network utility operations excluding electricity infrastructure are a <b>permitted</b> activity:</p> <ul style="list-style-type: none"> <li>a) The establishment of junction boxes, substations and other equipment cabinets required as part of a utility network that have a height no greater than 2.5m and a ground coverage not exceeding 4.5m<sup>2</sup>; and</li> <li>b) The establishment of network utility operations for the purposes of wireless communication, or the measurement, collection and distribution of meteorological information, that comply with the rules for Aerials and Aerial Support Structures; and</li> <li>c) Minor extensions to an existing overhead line network (including additional service connections and/or 1 additional support structure); and</li> <li>d) The establishment of, or extension to, underground Network utility operations, including gas lines with a maximum operating pressure not exceeding 2000 kilopascals; and</li> <li>e) Network utility operations in association with activities permitted in accordance with Rule 45.3.1.</li> </ul>	<p>Network utility operations that do not comply with a condition for a permitted activity are a <b>discretionary</b> activity.</p>
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### 45.3.14 Electricity Transmission Lines *(Deleted 13/01/2014 - refer to Network Utilities Chapter)*

## 45.4 Airport Environment- Building Rule Table

### 45.4.1 Building Height

<p>Construction or alteration of a building is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) The height of the building does not exceed 10.25 m; and</li> <li>b) The height of any building on a site adjoining a Living or Open Space Environment does not exceed 8.0m.</li> </ul> <p><b>Note:</b> Height of any structures or vegetation in the airport environment must comply with the restrictions set out in the Airspace designation, to provide for the safe and efficient operation of aircraft on takeoff / landing or approach and circling</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The scale and bulk of the building in relation to the site;</li> <li>ii. The built characteristic of the neighbourhood;</li> <li>iii. The extent to which the effects of the height can be mitigated by setbacks, planting, design or the topography of the site;</li> <li>iv. Effects on landscape values;</li> </ul>
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Whangarei Airport.	<ul style="list-style-type: none"> <li>v. Effects on availability of daylight;</li> <li>vi. Effects on amenity values.</li> </ul>
<p>Provided always and notwithstanding the height requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building height requirements for that activity will be determined in accordance with the rules in Chapter 64</p>	

#### 45.4.2 Building Coverage

<p>Construction or alteration of a building is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) Building coverage does not exceed 50%.</li> </ul>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The scale and bulk of the building in relation to the site, and the existing built density of the locality;</li> <li>ii. Effect on the open space, appearance and access to daylight of sites on nearby Open Space and Living Environments;</li> <li>iii. Control of stormwater.</li> </ul>
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#### 45.4.3 Building Setbacks

<p>Construction or alteration of a building is a <b>permitted</b> activity if the building is set back at least:</p> <ul style="list-style-type: none"> <li>a) 4.5m from road boundaries, or any building line restriction shown on the Planning Maps; and</li> <li>b) 3.0m from other boundaries.</li> </ul> <p><b>Note:</b> the provisions of Rules 58.2.5 and 59.2.3 apply to building setbacks.</p> <p>Provided always and notwithstanding the setback requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building setback requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The outlook and privacy of adjoining and adjacent properties;</li> <li>ii. Shading of adjoining properties;</li> <li>iii. Effects on amenity values.</li> </ul>
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#### 45.4.4 Building Daylight Angles

<p>Construction or alteration of a building is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) Any building on a site adjacent to any Living or Open Space Environment does not penetrate the building daylight angles defined in Appendix 11, measured from the Environment boundary.</li> </ul>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The available daylight to adjoining properties;</li> <li>ii. The privacy of the adjoining properties;</li> <li>iii. Effects on shading;</li> <li>iv. Effects on amenity values.</li> </ul>
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#### 45.4.5 Landscaping

<p>Construction of a building is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) A vegetation screen, or other physical barrier which limits visibility, is maintained at a minimum height of 2.0m along Living Environment boundaries.</li> <li>b) Where buildings are setback 4.5m from a road, all land within 2.5m from the road is to be planted in trees, or shrubs and grass.</li> <li>c) The planting is completed within 6 months of occupation of the building and is maintained continuously thereafter.</li> </ul>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The amenity of adjoining residential properties.</li> </ul>
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#### 45.4.6 Coastal Minimum Floor Level

<p>Construction or alteration of a building or structure is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) There is a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.</li> </ul>	<p>The construction or alteration of a building or structure that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Construction or alteration of a building or structure in relation to its location;</li> <li>ii. The avoidance, remediation or mitigation of coastal hazards;</li> <li>iii. Floor level in relation to One Tree Point Datum Mean Sea Level 1964.</li> </ul>
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### 45.5 Principal Reasons for Rules / Explanations

#### Prohibited Activities

The level of radioactivity stated as a prohibited activity allows for use of household smoke detectors and use of radioactive materials in medical laboratories and hospitals, but does not allow large installations such as nuclear power stations, or food irradiation plants.

#### Activities Generally

This rule names various activities for which a resource consent is required. The listed activities are all associated with effects that are unacceptable in this Environment without careful management. The requirement for activities to be ancillary to, or associated with airport activities, is to limit the overall level of commercial and light industrial activities at the airport, bearing in mind that the surrounding area is essentially residential. This rule is expected to ensure that only activities that need to be at the airport will move there, and that other activities will locate elsewhere. Activities associated with aircraft operations are authorised separately, in terms of the aerodrome designation on the land.

#### Hazardous Substances

See Appendix 8.

#### Provision of Parking Spaces



See Chapter 47.

### **Signs**

Signs may adversely affect the visual amenity and traffic safety in this Environment. They are therefore controlled, with limited provision for signs associated with activities occurring on site, limited dimensions and a maximum number of signs set.

### **Artificial Lighting**

Lighting can interfere with the enjoyment of a property and the sleep of occupants. Direct spill light and glare are consequences of outdoor lighting used to illuminate property. The effect of the rule is to state lighting levels that are compatible with the existing lighting character of the Airport Environment. Street lights, navigation lights and traffic signals are exempt from this rule, to preserve traffic and personal safety.

### **Electromagnetic Radiation**

Certain utilities and other activities emit electromagnetic radiation, which are a health concern to some people living near them. It is the antennae used for sending the signal that produces the Electromagnetic Radiation (EMR), which is within the 3 kHz to 300 GHz range of non-ionising radiation. This Plan is taking a cautious approach to the location of such activities within the Airport Environment. An acceptable public level of exposure has been adopted from the New Zealand Standard, which has been thoroughly researched and based upon scientific evidence. Setting a minimum distance enables provision for access, maintenance and public safety.

### **Outdoor Storage**

The storage of materials outside can have an adverse effect on visual amenity, as well as contributing to air emissions. The rule aims to lessen the effects of this and thus reduce the effect on the amenity of this Environment.

### **Aerials and Aerial Support Structures**

The size and location of aerials and aerial support structures is controlled due to the visual intrusion or dominance that aerials and aerial support structures can have. Chapter HH of the Plan also seeks to control the visual impact that aerials and aerial support structures have on Built Heritage. Aerials and aerial support structures associated with aircraft operations are authorised separately, in terms of the aerodrome designation on the land. Height of any structure in the Airport Environment is subject to the Airspace designation, to provide for the safe and efficient operation of aircraft on approach/takeoff and circling the Whangarei Airport.

### **Network Utility Operations**

Newly constructed utilities are required to be underground to preserve the amenity of the Airport Environment. Small junction boxes, substations and other equipment cabinets required as part of a utility network, that have a height no greater than 1.5m and a ground coverage not exceeding 3.0m<sup>2</sup>, are exempted from this rule, as the impacts they make on the environment are generally acceptable.

### **Building Height**

Height is limited to a scale generally considered acceptable, given the generally open nature of this Environment. The rule also ensures that Open Space and Living Environments which border this Environment have reasonable amenities and access to daylight. Higher buildings require more assessment as to their suitability, and a resource consent application is required. Height of any structure in the Airport Environment is subject to the Airspace designation, to provide for the safe and efficient operation of aircraft on approach/takeoff and circling the Whangarei Airport.

**Building Setbacks**

Building setbacks play an important role in the overall amenity of a neighbourhood. The required front yard setback is to maintain the existing streetscape, and to maintain a degree of spaciousness in an area. Side yard and rear yard setbacks are required to provide adjacent properties with some protection from the bulk of buildings in close proximity, and also to assist in the provision of open space between sites.

**Building Daylight Angles**

The daylight angles are set to provide a reasonable amount of daylight to a site from building activities on adjacent sites.

**Landscaping**

This rule is to ensure activities maintain a high standard of amenity, and to mitigate the adverse visual effects of expanses of runway, tarmac, yards and parking areas.

**Coastal Minimum Floor Level**

Coastal flooding is a hazard that needs to be addressed and this hazard is not restricted to those areas covered by the coastal hazard areas. By ensuring that the floor levels of structures and buildings is at least 2.5m above One Tree Point Datum Mean Sea Level 1964, this risk will be significantly reduced. The 2.5m will take into account a rise in sea level of 0.5m, plus the instances of a spring tide and the surges associated with coastal storms.

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
5 November 2007	FP	45.3.4	Insertion of hyperlink to Plan Change 41 Signs.		PW
14 July 2008	FP	45.3.4	Plan Change 41 Signs after council decision	ES 9 July 2008	PW
14 July 2008	FP	45.3.5	Plan Change 42 Artificial Lighting after council decision	ES 9 July 2008	PW
14 June 2010	FP	45.3.1	Plan Change 97 Consequential changes from PC45 Intensive Livestock Farming	ES 9 June 2010 Operative Date 22 June 2010	PW
14 Sept. 2010	FP	Reference to Chapter 2.3.3	Plan Change 106 consequential changes, this provision no longer exist.	Record 10/96471	PW
11 December 2013	MD	45.3.13 45.3.14 45.5	Plan Change 123A consequential changes 'Electricity Infrastructure'	Operative Date 13 January 2014 TRIM 14/4071	PW
11 May 2016	TB	45.3.6 45.3.7 45.3.8 45.3.9	Deletion of Rules as a result of Plan Change 110 becoming operative.	Operative Date 24 May 2016 TRIM 16/52692	MM
14 September 2016	JM	45.3.12 45.5	Plan Change 124 becoming operative.	Operative date 28 September 2016 TRIM 16/106480	MM

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