

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS PANEL

UNDER

the Resource Management Act 1991

IN THE MATTER

of the review of parts of the Queenstown Lakes District Council's District Plan under the First Schedule of the Act

AND

IN THE MATTER

of submissions and further submissions by
REMARKABLES PARK LIMITED

LEGAL SUBMISSIONS ON BEHALF OF REMARKABLES PARK LIMITED

DESIGNATIONS – QUEENSTOWN AIRPORT

20 OCTOBER 2016

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MAY IT PLEASE THE PANEL:

1. INTRODUCTION

- 1.1 These submissions are made on behalf of Remarkables Park Limited (**RPL**). They address the proposed Queenstown Airport designations. The Queenstown Airport Corporation (**QAC**) is seeking to modify Designation 2 by increasing height, extending the range of activities that can be undertaken, reducing setbacks and deleting the prohibited activity rule. It is also seeking to modify the description of the "Inner Edge" of the runway under Designation 4. Those are the modifications of interest to RPL.
- 1.2 RPL and QPL do not oppose the proposed modifications to Designation 2 in relation to the land that is to the south and west of the existing terminal building and adjacent to Lucas Place (with the exception of the deletion of the prohibited activity rule). This land is currently zoned Airport Mixed Use (**AMU**) Zone under the Operative District Plan (**ODP**) as shown on planning map 31 (**attached** and marked "**A**"). There has always been an expectation that commercial development might occur in this location. While the AMU imposes a height limit of 9m as a zone standard, RPL and QPL do not oppose the increase in height, set back reduction or the extension of the range of activities that can be undertaken in this location under Designation 2.
- 1.3 RPL and QPL do oppose the proposed modifications in relation to the remaining land that is subject to Designation 2. It also opposes the modification to the description of the "Inner Edge" of the runway under Designation 4.
- 1.4 The proposed modifications must be evaluated under section 171 of the Resource Management Act 1991 (**RMA**), which is subject to Part 2 (section 171(1)). It is RPL's case that there is no proper evidence or assessment to support the modifications sought. For example, the QAC has not developed hypothetical development scenarios against which to assess potential adverse environmental effects.
- 1.5 The key issues that arise can be summarised as follows:
 - (a) The modifications enable a significant increase in the range of activities that can be undertaken at the airport with almost no limitations or conditions. In particular, the failure to identify specific areas for activity types and meaningful conditions undermines any comparison to Auckland International Airport;

- (b) The evaluation undertaken by the QAC does not comply with the requirements section 171 because:
- (i) There is no proper assessment of effects because the assessment that has been undertaken is driven entirely by a flawed comparison with adjoining zone heights and setbacks;
 - (ii) Mr Kyle has not considered the ODP and integration with adjoining zones, despite that very issue being at the forefront of the Lot 6 NOR proceedings; and
 - (iii) Further to (ii) above, when considering a notice of requirement enabling similar bulk and density of buildings the Environment Court found that the proposal would have significant effects on RPL and could not meet Part 2 of the RMA without development of a suite of conditions addressing bulk, density and landscaping.

These errors are significant and cannot be remedied by “off the cuff” oral evidence. The modifications must be rejected.

1.6 RPL does not deny that a modern day airport can incorporate a range of commercial or industrial activities. It takes no issue with the reasoning and findings in the **McElroy**¹ decisions. RPL’s concerns relate to the paucity of information and analysis supporting the significant range of commercial and industrial activities now proposed within Designation 2.

1.7 In fact, the QAC’s heavy reliance on the **McElroy** decisions only serves to reinforce that the words “connected with and ancillary to the use of the Airport” will do very little to limit the scale of retail, commercial or industrial activities that QAC will claim are connected with and ancillary to the use of the Airport².

2. DESIGNATION 2

2.1 The proposed modifications include:

- (a) The introduction of retail, food and beverage, commercial and industrial activities anywhere within Designation 2 as a **permitted activity**;

¹ **McElroy v Auckland International Airport Limited** [2008] 3 NZLR 262 and **McElroy v Auckland International Airport** [2009] NZCA 621

² See paragraph 98 of the Submissions of Counsel for the QAC dated 17 October 2016.

- (b) Increasing height from 9m to 15m as a **permitted activity**; and
- (c) Reducing the minimum setback from 10m to 5m where airport land adjoins a public road or residential activity and to 3m where land is not zoned for residential activity. It is noted at this point that much of the adjoining land to the south (RPZ) and north (FF(B)) is not zoned for residential activity, and therefore a 3m setback will apply on RPL's boundary as a **permitted activity**;

2.2 The proposed modifications enable a significant increase in the scale, density and range of activities that might be undertaken as permitted activities under Designation 2.

2.3 The limitation that such activities are "connected with and ancillary to the use of the Airport" does little to limit the spread of these activities because of the significant scale of the airport operation and the quoted dicta from the **McElroy** decisions, upon which counsel for the QAC places much reliance. The definition of "Commercial activity" is very broad under the proposed district plan:

"Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services, and includes shops, postal services, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas. Excludes recreational, community and service activities, home occupations, visitor accommodation, registered holiday homes and registered homestays."

"Industrial activity" is defined as:

Means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods

2.4 Based on those definitions, the proposed modifications would enable the following development opportunities not currently permitted under Designation 2:

- (a) A 15m high retail and office development 3m from and along RPL's boundary as a **permitted activity**; and
- (b) A service station, panel beater, truck depot, and/or scrap yard with associated sheds and buildings (up to 15m) 3m from and along RPL's boundary as a **permitted activity**.

Those are just two example of the myriad development scenarios that could emerge. In that context, it is difficult to see how Mr Kyle can say that the modifications are minor.³ They completely change the development profile of Designation 2.

2.5 Mr Kyle's assessment of effects simply confirms his general agreement with the assessment in the Notice of Requirement (**NoR**) and its modifications. The NoR document is limited to statements about what the QAC would like to do with its land⁴, the suggestion the proposed modifications are consistent with adjoining zones and reliance on the utline plan process to address adverse effects (none of which are identified). In fact, there is a disarming circularity in the QAC's proposition; it is first claimed there are no adverse effects and it is then claimed that an outline plan can address adverse effects. All this suggests is the QAC doesn't know whether there will be adverse effects (nor the scale of them) which is entirely understandable when it appears it has no idea what development it proposes to do. Exacerbating the dearth of information is Mr Kyle's failure to:

- (a) Acknowledge that the planning regime applying to similar development scenarios on adjoining land is not a permitted activity regime; and
- (b) Consider the objectives, policies and rules for those zones.

Height and Set-Back

2.6 Counsel for the QAC asserts that the summary of heights and setbacks attached to my synopsis was misleading. I disagree. The summary of heights and setbacks addressed permitted activities because that is the "apples with apples" comparison with what the QAC proposes. The modifications proposed by the QAC create significant additional development opportunities as a permitted activity.

2.7 In the Frankton Flats B Zone (**FFB**) Activity Areas E1 and D (which adjoin the Designation 2 land) have height limits of 12m⁵ and 10m respectively (12.20.6.2 xvii) as a zone standard. Should any proposal not comply with those limits, it is a **non-complying activity** (12.20.3.5) and falls to be assessed against all relevant standards and assessment matters, including (for example):

³ Kyle 4.5.1.

⁴ 4.1 to 4.5 (including an incorrect reference to a Master Plan)

⁵ Within 65m of the State Highway height is further limited to 9.5m

“Whether additional permeable surfacing and landscaping can be provided to manage any potential adverse stormwater effects arising from the increased coverage, and for mitigation (by additional design controls or landscaping) of the effects of the dominance of buildings when viewed from the State Highway, the EAR or Road 2.

The location and design of the building proposed to be within the required setback area, and any associated landscaping, **should be sufficient to remedy or mitigate any adverse effects of the proximity of the building to the boundary and neighbouring land uses including Activity Area C2.**”

[Emphasis added.]

The FFB specifically addresses impacts on neighbours and views from public places. It also addresses what are commonly referred to as “edge effects” which arise at the boundaries of different zones or the interface with public places. It is also noted that commercial and retail activities are non-complying in Activity Areas E1 and D. Further, there is no presumption against obtaining written approval of affected persons or notification when an activity is non-complying (as compared to the exclusion of public participation under the outline plan process).

2.8 Further, all buildings in Activity Areas E1 and D of the FFB are controlled activities. Rule 12.20.7.2 sets out matters for control (noting that Activity Areas E1 and D provide for industrial activities):

“ii All buildings In Activity Areas E1 and D

(a) The building should be designed to avoid large blank walls in elevations fronting or visible from any street and avoid large areas of single colours with a high reflectivity value (over 36%).

(b) The location, access, and layout of off-street car-parking, loading and manoeuvring areas should be safe and efficient.

(c) Where use of the site by large vehicles (including truck and trailer units) is likely, or a large number of vehicles using the same access point, the site layout should allow sufficient area for these to exit on to the road in a forwards direction.

(d) Landscaping within the front yard setback area should provide an appropriate quality of frontage to the buildings and activities within the site, including for the purpose of screening of outdoor storage areas, rubbish and recycling facilities where necessary, and will be maintained to achieve this purpose.

(e) The treatment of any fencing by landscape planting is to soften its visual impact when viewed from the street.

(f) The layout of activities, buildings, landscaping and lighting should provide a safe environment for workers and visitors.

(g) Whether the building and activities will be adequately serviced, and whether:

i. permeable surfacing and landscaping is designed to accommodate soakage of stormwater; and

ii. overland flow paths and stormwater detention devices are adequately accommodated within the site.”

2.9 Activity Area 8 of the RPZ adjoins the Designation 2 boundary. The purpose of AA8 is identified at page 12-67 of the ODP as follows:

“Activity Buffer Area 8 Strategy

A northern perimeter area comprises Area 8 and has been created to function as a buffer zone enabling activities compatible with both the airport and other Remarkables Park Zone Activity Areas, and providing good separation between them.”

2.10 A permitted activity within Activity Area 8 must comply with all site and zone standards (12.11.3.1). The site standard for height in Activity Area 8 is 9m (12.11.5.1 iii). The 18m height limit is a zone standard, compliance with which results in restricted discretionary activity status (12.11.3.3ii) with various relevant assessment matters identified at 12.11.3.3ii (a) to (c).

2.11 Importantly, it is clear that the adjoining zones anticipated the potential for adverse environmental effects arising from the bulk and scale of buildings. There is no assumption that effects would be minor. Therefore, Mr Kyle's assertion that effects are minor because the proposed heights are similar to adjoining zones is fundamentally flawed because it ignores:

- (a) The relevant activity status triggered by heights in adjoining zones; and
- (b) The assessment regime applying to activities (even in relation to permitted heights).

2.12 By comparison, the proposed modifications to Designation 2 would enable 15m height as a permitted activity subject only to the very general outline plan requirements at section 176A of the RMA that an outline plan must show:

- “(a) the height, shape, and bulk of the public work, project, or work; and
- (b) the location on the site of the public work, project, or work; and
- (c) the likely finished contour of the site; and
- (d) the vehicular access, circulation, and the provision for parking; and
- (e) the landscaping proposed; and
- (f) any other matters to avoid, remedy, or mitigate any adverse effects on the environment.”

2.13 In my submission, it is fanciful to suggest that the application of section 176A might result in an examination of the effects of building height akin to that applying to neighbouring land under a zoning regime. In fact, in reality the “die is cast” in relation to the “height, shape, and bulk of the public work, project, or work” by the inclusion of the height and setback rules in the designation. An outline Plan is principally an informational document used to establish compliance with the conditions of the designation.

2.14 Further, it is also difficult to see how the Council could raise adverse effects on the environment in the absence of any mention of adverse effects within the designation (for example, amenity effects) and the views already expressed by QAC’s experts that any effects are minor (although it is noted that the NoR only states that the modifications are minor – it does not actually express a direct opinion on the adverse effects). Furthermore, the Council can only make recommendations to the QAC which the QAC can ignore. There are no rights of public participation. Once again, the process is completely different to that applying to the height limits of neighbouring landowners.

Lot 6 NOR

2.15 As mentioned in my Synopsis, when the Environment Court⁶ was confronted with the very issue of large buildings adjoining the RPZ it reached a very different view to Mr Kyle. In that case, the QAC was seeking to designate land for a general aviation precinct which would include hangar buildings that could exceed 9m height limit. Large areas of carparking were also proposed (a development envelope not dissimilar to the scenarios at 2.4 above). RPL raised the following issues in relation to landscaping and amenity (as recorded in the decision):

“[187] Unmitigated, the concerns arising from within the RPZ are:

- (a) a possible built development that involves lineal arrangement of large, industrial scale buildings extending approximately 1 kilometre along RPZ boundary;
- (b) the obstruction of views to the surrounding mountains;
- (c) the disruption of the current sequence of an undeveloped foreground to more distant mountainous views;
- (d) the reduced opportunity for future development within the RPZ, through open space, to connect visually with the surrounding mountainous landscape; and

⁶

(e) adverse visual effects associated with extensive car-parking.”

- 2.16 I do not accept Counsel for QAC’s contention that this decision is not helpful. In my submission, it is relevant and instructive. It provides insight into the issues that can arise with the development of large buildings on RPL’s boundary (or any adjoining zone boundary for that matter). While it is acknowledged that the Lot 6 decision concerned a specific proposal, it is difficult to comprehend the inference that the QAC has less of an obligation to address effects when little or no detail of what is proposed is given (noting that we have been directed to two conflicting Master Plans for guidance as to how development might proceed).
- 2.17 Given the importance of this matter, I reproduce the Court’s analysis and reasoning in relation to landscape and visual amenity (noting that the Court turned its mind to the outline plan process):

"Landscape and visual amenity

Introduction

[181] The relevant visual and amenity effects of the NOR are those experienced from within the RPZ and from public places including the Airport. In this regard we heard from three landscape architects; Mr D Miskell (QAC), Mr B McKenzie (RPL) and Dr M Read (QLDC). The issues arising from the proposed development are best captured by QLDC’s landscape architect, Dr M Read, as follows:

Currently the most striking aspect of Lot 6, traversed by Mr McKenzie in his evidence, is the expansive views which can be gained to the outstanding natural landscapes which ring the Wakatipu Basin. This serves, in my opinion, to underline that the landscape importance of the Frankton Flats as a platform from which these views can be appreciated rather than for any qualities which it may so far have retained itself. It is the case, however, that the current expansive views from Lot 6 will become less expansive and with greater evidence of urban development in the fore and mid-grounds regardless of the consequences of this notice of requirement.

[182] We understood Dr Read to refer to development enabled by *PC19* on the northern side of the aerodrome.

[183] **Mr Miskell prepared an assessment of landscape effects attached to the NOR. In it he concluded that the potential adverse landscape effects resulting from the development would be “less than minor”. While he did not consider the viewing population within the RPZ site to be particularly sensitive to landscape change, he recommended a buffer of grasses, shrub and tree planting at the southern boundary of the NOR. As it transpires the NOR did not include any conditions addressing the built form, bulk and location of buildings within the proposed general aviation/helicopter precinct.**

[184] **In his evidence-in-chief Mr Miskell reviewed this earlier opinion. Upon reflection he now found the views to the north within Activity Area 8 to be an**

important consideration and recommended that landscape design controls be established; in particular conditions requiring:

- (a) A 1.2 m high hedge planting on both sides of the proposed access road;
- (b) An avenue planting at 20 m spacing of trees capable of growing up to 10 m as part of the access road development on the southern boundary of the designation; and
- (c) Native beech planting within car-parking areas.

[185] Mr Miskell also recommended that a landscape buffer be maintained between any infrastructure and buildings on the designated land and the balance of Lot 6. And finally, that there should be “thoughtful” siting and design of all buildings and infrastructure to create a high standard of visual amenity from public viewpoints. While QAC’s planner proposes a landscape condition in his evidence-in-chief, this does not fully pick up on all the recommendations made by Mr Miskell.

[186] The need for the precinct to appropriately address the environment in which it is to be located only really gained traction with QAC after the QLDC (non-regulatory) joined the proceedings in June 2012. That is so notwithstanding the recommendations made by RPL’s landscape architect in his evidence and in the report prepared by the EPA.

Views from within Remarkables Park zone

[187] Unmitigated, the concerns arising from within the RPZ are:

- (a) A possible built development that involves lineal arrangement of large, industrial scale buildings extending approximately one km along RPZ boundary;
- (b) The obstruction of views to the surrounding mountains;
- (c) The disruption of the current sequence of an undeveloped foreground to more distant mountainous views;
- (d) The reduced opportunity for future development within the RPZ, through open space, to connect visually with the surrounding mountainous landscape; and
- (e) Adverse visual effects associated with extensive car-parking.

[188] Mr Miskell estimated the viewing distance from the boundary of the NOR to RPZ’s Activity Areas 6 and 7 to be between 200 to 250 m. At this distance the southern general aviation/helicopter precinct would not intrude on the views of the skyline from either Activity Area. Views to the northern mountains from within RPZ become obscured at distances 125-150 m or less from the precinct. If there are gaps between buildings the degree of this effect will be less again.

[189] The extent to which the NOR car-parks and buildings are visible from these activity areas will depend on future development north of the EAR, including Activity Area 8. In that regard, the Structure Plan produced by RPL landscape architect, Mr B McKenzie, shows intensive residential development immediately north of the EAR within the RPZ.

[190] **That said, RPL is less concerned with maintaining a view to a skyline than it is with maintaining visual connection with the surrounding mountainous landscape. Mr McKenzie's response to the proposed landscape design controls was that they would have limited effect in addressing the visual effects of the proposal, because of its built form.**

Views from within Queenstown Airport

[191] The views from Queenstown Airport to the surrounding mountains are expansive, and views south along the Coneburn Valley are rightly described by Dr Read as exceptional. Dr Read's evidence was that the southern precinct would partly obscure the base of the Remarkables Range (but not its "ice scoured face"), as it would also the Crown Terrace Escarpment. The development would narrow the field of vision and reduce the naturalness of the view.

[192] Mr Miskell evaluated the effect on views and visual amenity as a consequence of this development. In his opinion The Remarkable mountains would "dwarf" the precinct development in the foreground. At a distance of 300 m [we take that to be from areas which are accessible by the public] it is unlikely that the buildings within the southern precinct would significantly reduce the positive visual impact of the surrounding mountains. Further, in his opinion the views towards Coneburn Valley from within the Airport would be disrupted by the proposed precinct, as they would also be by development within the RPZ, albeit development within RPZ may have a lesser effect. He concludes the presence of aircraft related activities and structures within close proximity to the Airport is not an unexpected addition to the landscape and conditions can be imposed to ensure that any adverse landscape effects are successfully addressed.

Discussion and findings

[193] All three witnesses agreed that from a landscape perspective a location north of the main runway would be a better option for the proposed precinct; a northern location would have greater absorptive capacity as it would appear in the foreground of PC19's proposed industrial and yard based activities. However, the adjacent Events Centre and sports fields would give rise to similar amenity issues as could occur if the development was adjacent to RPZ's Activity Area 8.

[194] **We agree with Dr Read and Mr McKenzie that the lack of control in the designation conditions over the form, bulk, location and exterior appearance of buildings could, unmitigated, create a significant adverse effect on the visual amenity of those parts of the RPZ located adjacent to the aerodrome.** This is particularly so given that Designation 2's building height restriction of 9.0 m does not apply to hangars. We agree also with Dr Read that a lineal pattern of development along the one km boundary with the balance of RPZ would be a new and notable pattern within the landscape and without mitigation this would be neither pleasant nor attractive.

[195] **While development within the RPZ, including Activity Area 8, may obstruct views towards the north and, in the nature of any development, the remnant natural character of RPZ's undeveloped land will be diminished; this does not detract from the relevance or significance of the views and the derived visual amenity for this zone. We find this to be the case even without assuming that any particular pattern of development will emerge in Activity Area 8 (such as a golf course and other recreational facilities as discussed by several witnesses).**

[196] However, we are satisfied that if development of the precinct, its land and buildings, addresses the surrounding environment including the Airport and the adjacent RPZ Activity Areas, these effects can be satisfactorily managed and would serve to visually integrate the precinct within the surrounding urban area in a manner which achieves the outcomes of the relevant objectives and policies of the District Plan.

Outline plan of works

[197] Pursuant to s 176A QAC is directed to file an outline plan of works in accordance with that section.

[198] We do not impose an additional requirement that QAC consult with QLDC or other interested parties prior to lodgment. It is plainly in QAC's interests to do this and consultation accords with sound resource management practice. A condition requiring consultation is unnecessary, given the directions requiring QAC to directly address the landscape and visual amenity objectives for its buildings and infrastructure design, an integrated design and management plan and the assessment matters relevant to an outline plan of works.

Conditions on landscape and visual amenity

[199] **The conditions proposed by the QAC and QLDC (regulatory) planners were not supported, and we find that is with good reason. The conditions essentially provide tools by which to address the visual and amenity effects of the development but with no objectives articulating the intended outcomes.** So that these outcomes are brought into account we have made directions that QAC is to propose the landscape and visual amenity objectives for building and infrastructure design and location.

[200] QAC is also to prepare for the Court's approval:

(1) The proposed conditions for inclusion in Designation 2 which give effect to the Court's decision which will require:

(a) The preparation of an integrated design and management plan which states:

(i) The landscape and visual amenity objectives for building and infrastructure design and location and outcomes in relation to:

A landscape planting, staging and maintenance plan addressing:

Roading, car-parking and buildings; and

The extent to which the landscape planting complements existing landscaping within the aerodrome designation and adjoining RPZ activity areas;

Management of stormwater (including if relevant earthworks, retention ponds and landscaping);

The management of signage, including the use of building colour as a corporate logo; and

Standards for an acceptable range of building materials, colour, tones and reflectivity.

[201] For avoidance of doubt the content of the various plans (for example the planting plan) are not required, and we doubt this would be possible without knowing the proposed layout of the precinct.

- (2) QAC is to propose conditions which require QLDC at the outline plan of works stage to consider the extent to which:
- (a) The outline plan of works gives effect to the integrated design and management plan and achieves the stated landscape and visual amenity objectives for building and infrastructure design and location;
 - (b) Buildings appear recessive within the surrounding environment;
 - (c) Buildings complement existing or consented development within the Airport and adjacent RPZ activity areas
 - (d) Buildings provide visual permeability
 - (e) Views of surrounding mountainous landscape are maintained;
 - (f) Clustering of buildings may reduce a lineal arrangement of the precinct; and
 - (g) The use of landscape mounding as a tool to attenuate the bulk and form of the precinct buildings.

Overall conclusion on landscape and visual amenity

[202] QAC has prioritised its operational requirements without giving adequate consideration to how the development of the southern precinct addresses the surrounding landscape and urban context.

[203] There is considerable potential for large scale utilitarian buildings to be developed within the designation, particularly in the absence of maximum building height controls in relation to hangars. The effect of this would be to reduce the views and visual amenity enjoyed by both persons arriving and departing from this airport and from within the RPZ. The deficiencies in the management of landscape and visual amenity do not reflect the importance attributed to Queenstown by the Minister for the Environment; that it is a world renowned tourist destination and a place of national significance.

[204] The fact that the precinct's buildings will have a functional purpose does not obviate the need to address the development in its context, although plainly the functionality of the buildings is a relevant consideration. **Our concerns are such that we are unable to conclude that the NOR's confirmation as proposed by QAC achieves the purpose of the Act."**

[Emphasis added.]

2.18 From those passages, it can be seen that:

- (a) The adjoining zones were relevant (both the RPZ and the proposed Plan Change 19). I note at this point that Mr Kyle has not considered the ODP other than to refer to (incorrectly in my view) various building heights;

- (b) The QAC's landscape expert had initially asserted that the potential adverse landscape effects resulting from the development would be "less than minor" and therefore the NoR did not include any conditions addressing the built form, bulk and location of buildings;
- (c) The QAC's landscape expert reviewed that opinion and proffered conditions that were found to be inadequate;
- (d) Views to the mountains and the derived visual amenity for the RPZ were found to relevant and significant;
- (e) The QAC did not offer a suite of conditions as counsel asserts.⁷ QAC was directed to by the Environment Court to prepare the conditions for the Court's approval;
- (f) The conditions initially proposed by the QAC (and the Council) were opposed for good reasons. In particular, the Court considered that the proposed conditions did not articulate the intended outcomes;
- (g) QAC prioritised its operational requirements without giving adequate consideration to how the development addresses the surrounding landscape and urban context; and
- (h) Without further information, analysis and conditions, the Court was unable to conclude that the NoR's confirmation as proposed by QAC achieves the purpose of the Act.

2.19 In its "Final Decision", (Decision No. [2013] NZEnvC95) the Environment Court addressed the remaining matters in dispute in relation to conditions. The final conditions are at Annexure A of the decision (**attached** and marked "B") and include maintaining views to Outstanding Natural Landscapes, landscaping and building design. There is a requirement to submit an "Integrated Design Management Plan" prepared by a suitably qualified expert at the outline plan stage. I note that the QAC proffered a development scenario in that case but made it quite clear that the actual development, should it proceed, could differ.

2.20 In my submission, each and every shortcoming identified by the Environment Court can be said to arise in relation to the proposed modifications to Designation 2. However, the flaws in the analysis and evidence are more significant because:

⁷ Paragraph 110.

- (a) Mr Kyle has not assessed the proposed modifications against the ODP as expressly required under section 171(1)(a)(iv). Under the section "Planning Instruments" (paragraphs 4.51 to 4.64 of his evidence) he does not mention the ODP. This is significant because the RPL and the Frankton Flats A and B zones are excluded from the current district plan review and, therefore, will remain in their current operative form for the foreseeable future; and
- (b) Given the findings of the Court in the Lot 6 proceedings, Mr Kyle's assertions that effects will be minor is seriously undermined and, consequently, his failure to assess alternatives comes into sharp focus. Alternatives that have not even been contemplated include specific height regimes and activities for specific areas within the Designation 2 land. The QAC will argue that they don't yet have that level of detail. However, that cannot obviate the need for an effects assessment and, in reality, is an admission that a proper effects assessment has not been undertaken.

Auckland Airport

- 2.21 In that regard, the zone and designation provisions for Auckland Airport provide some insight into the type of assessment and conditions that might be included in a designation for a "modern airport".
- 2.22 Under the Proposed Auckland Unitary Plan (IHP Recommended Version)⁸, the designations for Auckland Airport (designations 1100, 1101 and 1102 are **attached** and marked "D") provide for the aeronautical functions of the airport and other directly related activities. Commercial, retail and recreational activities that were formerly provided for under the designation⁹ are now provided for under an "Auckland Airport Precinct"¹⁰ with an accompanying suite of objectives, policies and rules.
- 2.23 A "Precinct" is a site specific bespoke zoning applied to various parts of Auckland based on, for example, historical use or topography. The Auckland Airport Precinct is **attached** and marked "E". There is a comprehensive set of standards and assessment matters addressing the location of activities (in particular Precinct plan 1) and the scale of activities (see for example the limits on retail activities at I402.6.1). The Auckland Wide and Overlay standards also apply (I402.6). A significantly more

⁸ The decisions on the Auckland Airport designations have not been notified. However, we note that the relevant provisions have mostly been agreed between Auckland Airport, Auckland Council and most other submitters as explained in the evidence of Gregory John Osborne on behalf of Auckland Airport (excerpt **attached** and marked "C").

⁹ Auckland Council District Plan Operative Manukau Section 2002

¹⁰ Proposed Auckland Unitary Plan (Decisions Version)

sophisticated approach has been applied to Auckland Airport than is proposed by the QAC. It should also be noted that Auckland Airport is not surrounded by urban (high density) zoning. The environment at Queenstown within the Frankton Flats is particularly sensitive.

- 2.24 Further to my comments at 2.4 above, the scale and location of activities that could be undertaken as of right (permitted) if the modifications are approved should have been carefully considered by the QAC. It may be possible for a significant retail centre to be established on the basis of further convenience for staff or travellers, or simply because it will deliver a commercial return to the QAC.¹¹ We have no information about the traffic impacts of, say, a 10,000m² retail and office development adjoining the RPZ or Frankton Flats A and B zones (noting traffic and access was a significant issue for the Lot 6 NoR). We have no information about economic impacts on existing centres, bearing in mind that PC50 recently zoned further commercial land adjoining the existing Queenstown CBD to stave off the perceived or real threat of commercial expansion at Frankton.
- 2.25 In effect, the QAC has done nothing more than stating a desire to undertake a wider range of activities because that is what some other airport is doing. In my submission, the dicta in the **McElroy** decisions adds very little other than to provide an indication of the potential scale of commercial activities that might be justifiable under the umbrella phrase "modern airport".
- 2.26 However, in order to even begin to assess adverse environmental effects, we would need to have some information about the scale, mix and location of the proposed activities.

3. OTHER MATTERS RAISED IN RPL'S SYNOPSIS AND SUBMISSIONS FOR QAC

- 3.1 It is accepted that the 2008 Master Plan was appended to the original Lot 6 NoR (para 128). For some reason, it has disappeared from counsel's Dropbox file. Notwithstanding, the two Master Plans relied upon are inconsistent. It is understood that the QAC no longer support the 2008 Master Plan. The 2011 Master Plan was included in the evidence for the QAC for the first Lot 6 hearing (extracts **attached**

¹¹ Bearing in mind the QAC's Statement of Intent's references to income diversification, its reliance on the **McElroy** decisions and Counsel's submission:

"The Court accepted AIAL's witness' evidence that airports around the world now consistently including a wide range of facilities, **some not obviously connected directly to the arrival and departure of aircraft, their passengers, crew and freight and those involved in that activity, but with all such activity being focused on providing revenue to the airport operator to offset the losses inevitably derived from aircraft operations strictly so-called**"

and marked "C" to counsel's Synopsis). It shows the general aviation precinct on the southern side of the runway. There is considerable uncertainty surrounding the proposed use of the designated land and, therefore, the Master Plans offer little in the way of insight into the extent and/or location of proposed development. In fact, counsel for the QAC submits that the relevance of the Master Plans is limited to growth projections contained therein; and

- 3.3 Counsel for QAC asserts that the Lot 6 proceedings are irrelevant and unhelpful because the proceedings are unsettled and the Lot 6 case presented different facts¹². However, earlier in her submissions she confidently predicted:

"The Court is expected to confirm the 16 ha designation once QAC completes an aeronautical study (currently underway) in relation to, and obtains CAA approval for, the works enabled by the Lot 6 NOR. "

- 3.4 More concerning is her statement that (at 110):

"In the present case, QAC is seeking, via its designation, to enable the opportunity to establish a range of activities commonly found at airports, so to achieve its objectives for this designation. It has no concept development plans in place."

That statement vividly highlights the QAC's approach, which is to say what it wants to do, why it wants to do it, call it a public work and pay no consideration to potential adverse environmental effects. This theme emerges at paragraphs 89 to 99 where counsel for the QAC cites and quotes from the **McElroy** decisions. As she acknowledges, those decisions concerned the Public Works Act 1981. The requirements of the RMA were not addressed. There is no consideration of adverse environmental effects.

- 3.5 I do not accept that the table attached to my synopsis was incomplete or misleading (para 105). The QAC seeks 15m height as a permitted activity. My table addressed permitted heights. It should not be forgotten that all buildings in the RPZ and Frankton Flats A and B zones are controlled. Further, resource consent applications for restricted discretionary activities can be declined.
- 3.6 I do not consider that comparison with the surrounding zones is not necessary (para 106). At paragraph 2.1(c)(viii) I stated that the comparison was largely irrelevant. The reason for this is it is not an "apples with apples" comparison for the reasons I have set out above. The designation as proposed provides for various permitted

¹² Paras 109 and 110.

activities with almost no standards or conditions. The surrounding zones have quite different regimes that are not nearly as permissive as the regime proposed by the QAC for its land. This is also the case in relation to the relevance of the Frankton Flats A and B zones (para 115). In any case, under section 171(1)(a)(iv) regard must be had to the operative plan.

- 3.7 There is some validity to the arguments for the QAC in relation to prohibited activity status from a statutory interpretation perspective. Having said that, not all readers of the district plan are lawyers and if a prohibited activity rule provides clarity and certainty to readers of the district plan it should be retained (in the amended form proposed at 2.4 of my Synopsis).
- 3.8 Confirmation of the uplifting of Designation 2 from Lot 1 DP 472825 is acknowledged (at para 123).
- 3.9 If 27, 29 and 31 Lucas Place are owned by the QAC, RPL takes no issue with the same being designated.
- 3.10 RPL retains its concerns about the description of the inner edge. QAC have not established which document is wrong – the description or the Figures. If the description is right, then Figures 1 and 2 should be amended, which would contract the OLS and reduce or remove height restrictions on adjoining land. There is no evidence establishing that the origin of the OLS needs to be 150m from the centreline of the runway.
- 3.11 Furthermore, the 2011 Master Plan Update seems to contradict counsel's suggestion that the inner edge starting point for the OLS and the strip width are unrelated. At page 23, it is stated that:

“The runway strip and its associated Obstacle Limitation Surfaces (OLS) serve to protect the manoeuvring areas required by aircraft whilst operating on or over the aerodromes runway(s). The two are linked in that the ...OLS surfaces...originate from the edge of the runway strip”

- 3.12 The findings of the Environment Court to which I referred in my Synopsis were not disturbed by the High Court.

4. CONCLUSION

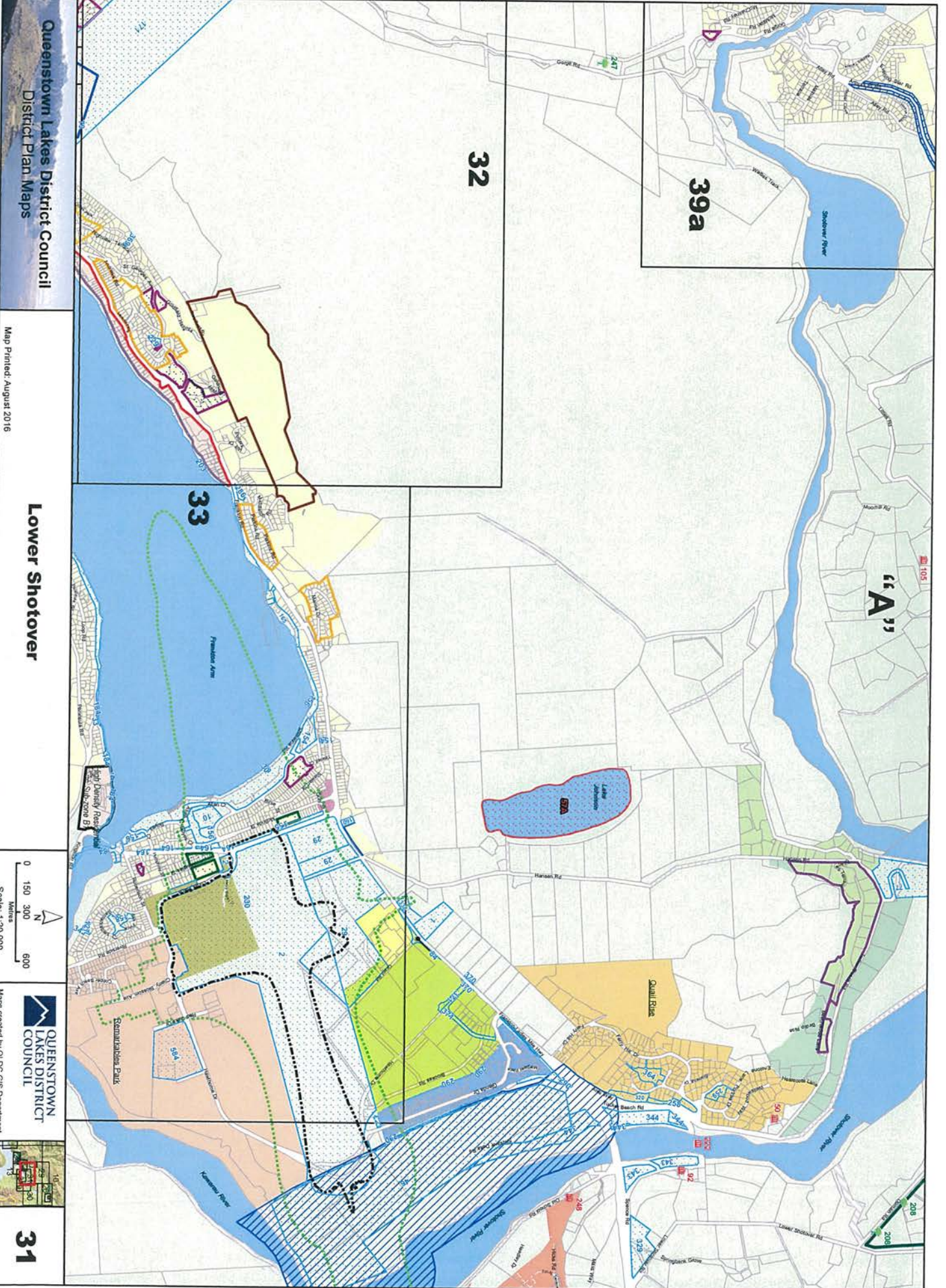
- 4.1 On the basis of the above, the modifications must be rejected. There is almost a total absence of any proper assessment of effects. The QAC's approach is akin to the Council seeking to put a wastewater treatment plant next to a sensitive urban

zone and justifying it with statements such as "it's a public work", "we want a wastewater treatment plant" or "other Council's have a wastewater treatment plant". Those statement may all be true and valid, but they do not address environmental effects.

DATED the 20th day of October 2016

J D Young

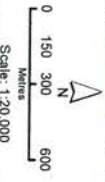
Counsel for Remarkables Park Limited



Queenstown Lakes District Council
District Plan Maps

Map Printed August 2016

Lower Shotover



“B”



**Annexure A
Conditions of the extension to designation 2**

A. Purpose of the Designation

[1] Insert into Designation 2 clause 1(f) the following statement of activities permitted within the Aerodrome Designation:

Within the General Aviation Precinct located on Part Lot 6 DP 304345:

- general aviation operations, including private aircraft traffic, rotary wing and helicopter operations, and
- hangars, including those for Code C aircraft; and
- associated activities, offices, aircraft servicing, fuel supply and storage, maintenance, buildings, signage and infrastructure, navigational aids and lighting, vehicle access, car parking, and landscaping.

B. Approved conditions for Traffic/Access Arrangements to Lot 6

- [1] In the event that the Eastern Access Road (EAR) is formed and operational from Hawthorne Drive through to Glenda Drive, and access from the EAR to the eastern end of the General Aviation Precinct (the GAP) is constructed and operational then the eastern access shall become the primary access to the GAP. The eastern access shall have a controlled intersection with the EAR approved by the road controlling authority and allow all movements from all approaches. Any access arrangement at the western (Hawthorne Drive) access shall revert to left-in access only.
- [2] In the event that a connection to the GAP is constructed and operational from a northern extension of Red Oaks Drive, then the western access from Hawthorne Drive shall be closed and full access and egress to the precinct shall be made from the Red Oaks Drive connection, irrespective of whether an eastern access to the precinct is constructed and operational.
- [3] If development within the GAP occurs prior to the construction and operation of an eastern access, and no extension from the current termination of Hawthorne Drive

toward the western access has occurred, then access to the GAP shall occur through an extension of Hawthorne Drive by the QAC to the western access point, in a manner generally consistent with Figure 1.

- [4] If development within the GAP occurs prior to the construction and operation of an eastern access, and Hawthorne Drive has been extended beyond its current termination past the western access but not as far as Red Oaks Drive, then full ingress and egress will be allowed at the western access.
- [5] If development within the GAP occurs prior to the construction and operation of an eastern access and Hawthorne Drive is extended to or beyond Red Oaks Drive (which is to be either a roundabout or signal controlled at the discretion of the road control authority) then the western access at the connection with Hawthorne Drive shall operate on a left in and left out basis with pre-signals controlling traffic travelling east on Hawthorne Drive to enable egress from the western access in a manner generally consistent with Figure 2.

Advice Note: all intersections and roading improvements shall be designed and constructed to Council standards and be subject to Council approval as road controlling authority.

C. Approved Landscape and Design Conditions

- [1] Not less than three (3) months prior to an outline plan for the GAP being submitted to the territorial authority pursuant to section 176A of the Act, the requiring authority shall prepare and submit to the territorial authority for certification an "Integrated Design Management Plan". The purpose of the Integrated Design Management Plan shall be to provide a structure plan showing the general configuration of roading, parking and areas of landscaping, open space and key view corridors and to determine the approach to be adopted to for the design and development of buildings and infrastructure (including signage). No outline plan shall be submitted by the requiring authority until such time as the territorial authority has certified that the Integrated Design Management Plan achieves the following objectives:



Outstanding Natural Landscapes:

(a) Identify and maintain ~~key~~ views to the surrounding mountains ~~including and Outstanding Natural Landscapes identified in the District Plan, and~~ including those referred to in the Remarkables Park Zone. This may be achieved by:

- (i) providing sufficient separation between buildings and infrastructure to ensure that identified views to the mountains from neighbouring land to the south and north of the GAP are maintained;
- (ii) Interspersing ~~carparking and/or open space~~ with buildings and infrastructure with carparking and/or open space;
- (iii) Clustering of buildings.

Landscaping:

(b) Provide landscaping within the GAP that achieves a high level of onsite and offsite amenity and ensures that any adverse effects on neighbouring land arising from development of the GAP are appropriately mitigated. This may be achieved by:

- (i) landscaping of buildings, infrastructure and carparking areas that softens, integrates and where possible screens built form when viewed from neighbouring land and from the airport passenger terminal;
- (ii) where necessary, planting along the boundary of the GAP to provide for the screening of buildings and infrastructure within the site and/or visual integration within the surrounding landscape;
- (iii) a planting palette with sufficient range to enable the creation of character areas, but with elements that remain consistent throughout the GAP so as to create a consistent theme;
- (iv) a hard landscaping element palette including paving, retaining structures, drainage grates, kerb profiles, bollards, fencing, light standards and any other public GAP infrastructure. More than one paving type may be included to enable the creation of character areas but all other hard elements should be consistent so as to create a consistent theme;



(v) a consistent carpark design, including soft and hard landscaping in all locations but allowing for some variation to enable the development of character areas.

Buildings and Signage:

(c) Design and locate buildings so they are recessive and integrated within the surrounding landscape (including the immediately adjoining Remarkables Park Zone), whilst recognising and providing for the buildings' function and use. This may be achieved by:

- (i) avoiding linear arrangements of buildings where practicable;
- (ii) varied rooflines that avoid uniformity, particularly when viewed from the south and elevated viewpoints;
- (iii) limiting roof colours to mid-browns, mid-greens and mid-greys with a reflectivity of less than 36%, with no signage permitted on the roofs of buildings;
- (iv) limiting the external colour of the material used for walls of reflectivity of all external colours and materials used on buildings to a natural range of browns, greens and greys with a reflectivity of less than 36%, with the exception that the trims, highlights and signage totalling up to 10% of the façade area may exceed this level and be of contrasting colours in order to add visual interest;
- (v) ensuring variation in the bulk, form and scale of buildings;
- (vi) providing interesting detailing and articulation of building facades, particularly when viewed from the south;
- (vii) the identification of signage platforms on buildings.

Infrastructure:

- (d) Mitigate any adverse visual and amenity effects of infrastructure for visitors to the airport and users of neighbouring land. This may be achieved by:
- (i) locating aviation related infrastructure on the airside part of the GAP land where practicable and where possible not significantly impractical, ensuring such infrastructure is integrated into the development by appropriate landscaping measures;



(ii) providing details of methods for managing stormwater and earthworks for the purpose of avoiding, remedying or mitigating any relevant adverse effect.

[2] The Integrated Design Management Plan shall allow for staged implementation of development within the GAP. If staged development is provided for then an overall plan showing the various likely stages and the method for ensuring a consistency of design and landscaping approach across the development of the entire GAP shall be included in the Integrated Design Management Plan. If the development is to be staged then the development of a precinct accessway the road corridor shall be part of Stage 1.

[3] The requiring authority shall ensure that all outline plans submitted pursuant to section 176A of the Resource Management Act 1991 shall demonstrate that the works subject to it are to be developed in a manner that achieves the objectives of the Integrated Design Management Plan. Outline plans shall contain a detailed landscape design plan including planting and maintenance plans to achieve objectives (a) and (b) of the Integrated Design Management Plan on an on-going basis. Each outline plan shall also contain details of buildings, signage, parking, and other built infrastructure to demonstrate how objectives (c) and (d) of the Integrated Design Management Plan are to be achieved. Each outline plan shall be accompanied by a report from a suitably qualified and experienced landscape architect addressing how the outline plan achieves the objectives of the Integrated Design Management Plan.

[4] The requiring authority may seek the approval of the territorial authority to make any necessary amendment to the Integrated Design Management Plan, without an application under the Resource Management Act 1991 to make such a change, provided that such amendments do not result in changing the purpose, or derogating from the purpose and the objectives of the Integrated Design Management Plan set out in condition [1]. ~~without an explicit application to make such a change.~~

[5] If a review of the Integrated Design Management Plan is undertaken by the requiring authority then that review shall be undertaken in consultation with the consent authority.



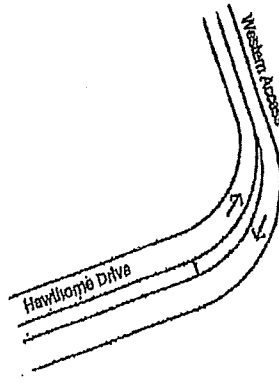


Figure 1

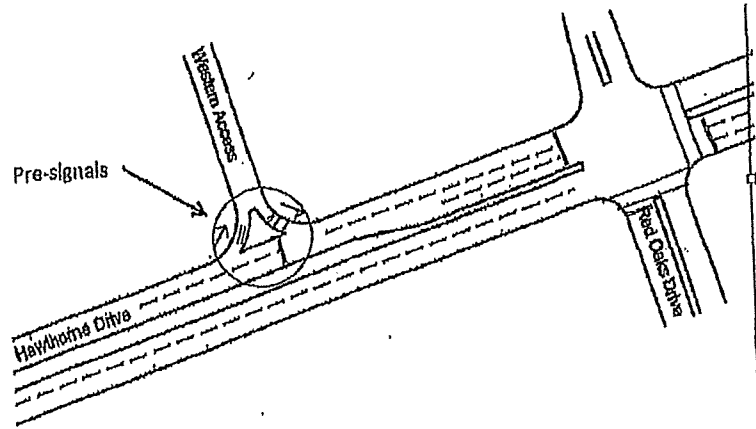


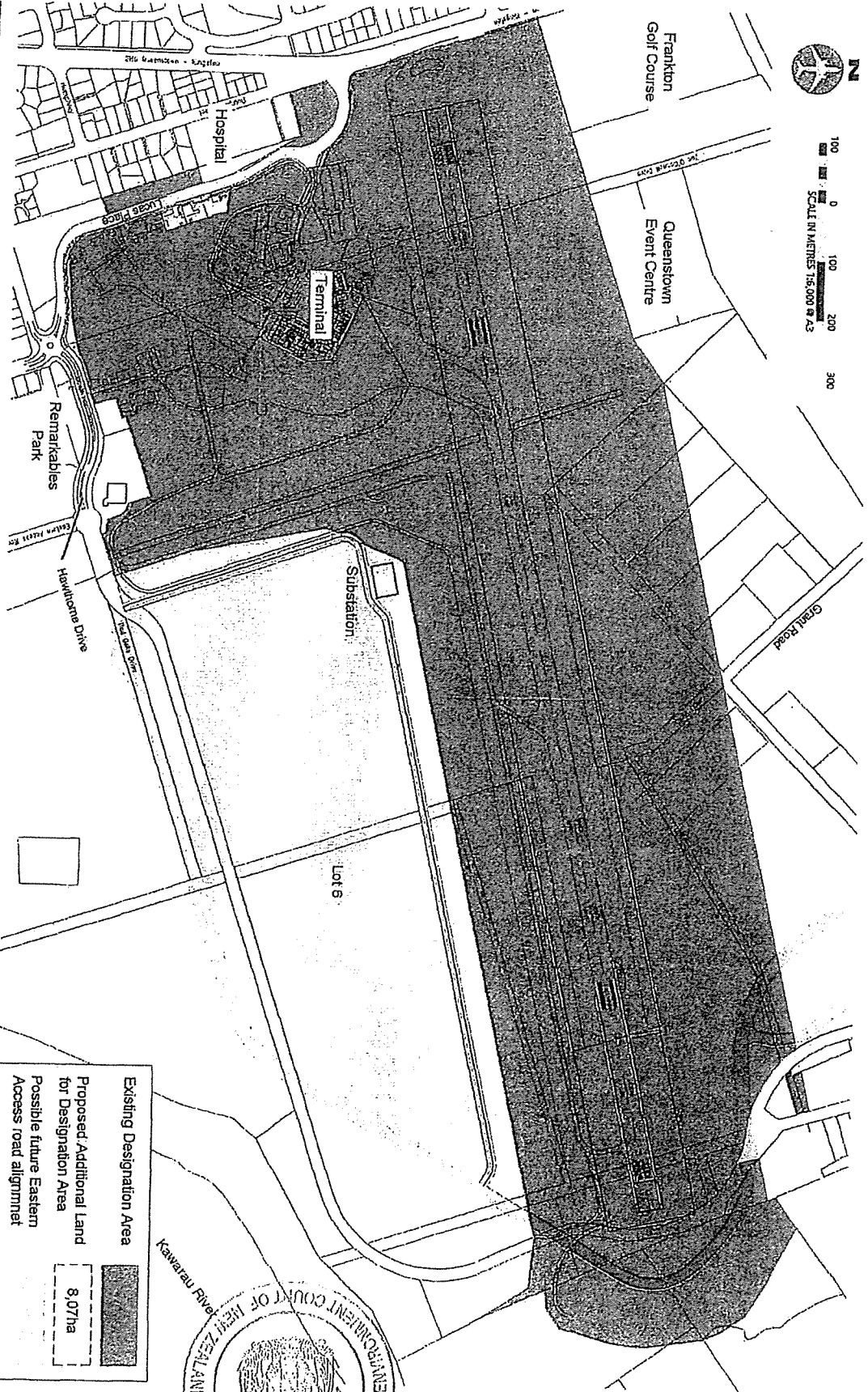
Figure 2

Traffic Management Conditions





100 0 100 200 300
 SCALE IN METRES 1:6,000 @ A3



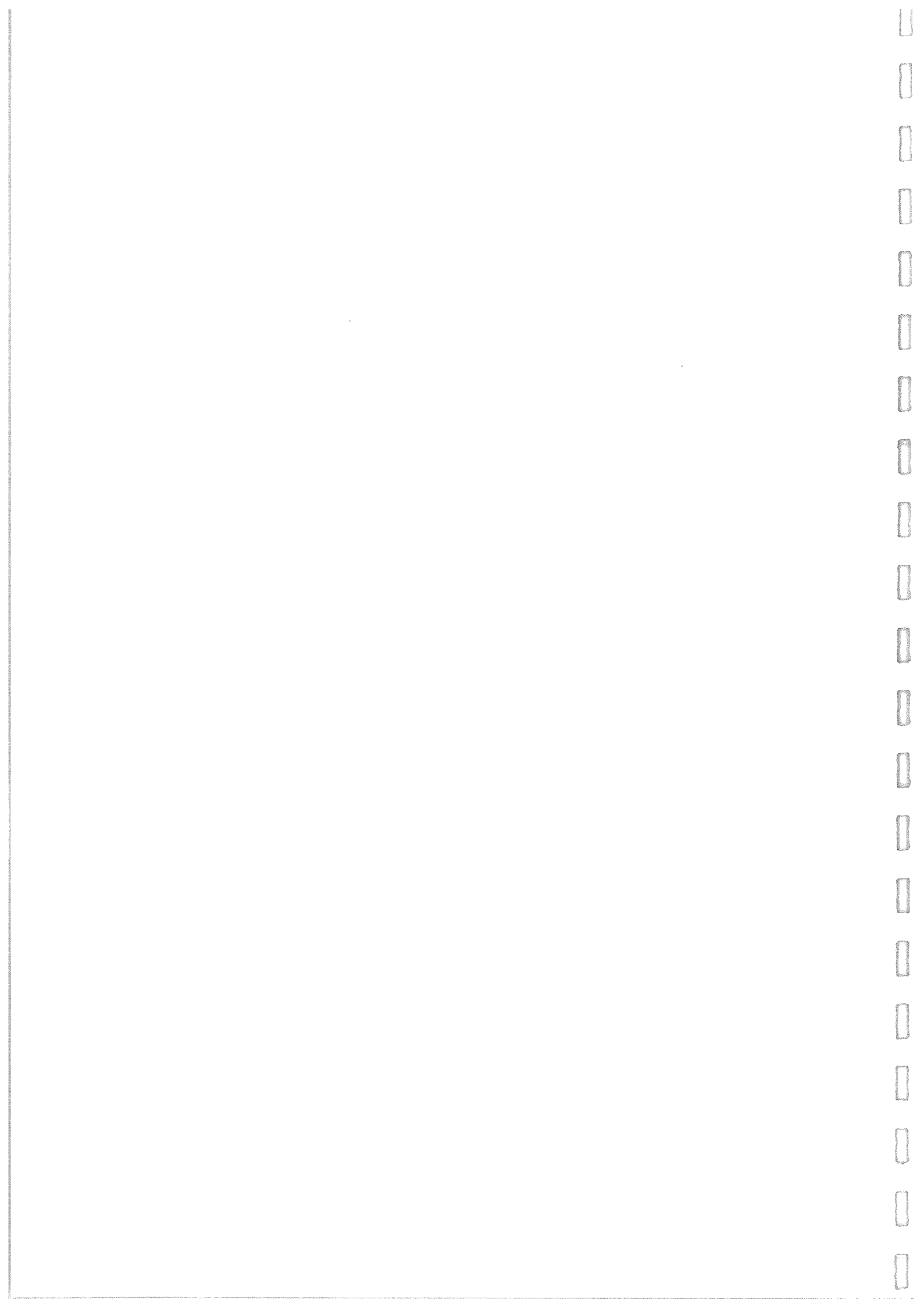
AIRNZ QUEENSTOWN AIRPORT

Aviation Precinct Concept Detail (Optimised)
 Code C Taxiway Separation 93m

Existing Designation Area
 Proposed Additional Land for Designation Area
 Possible future Eastern Access road alignment

8.07ha





IN THE MATTER

of the Resource Management Act 1991 and the
Local Government (Auckland Transitional
Provisions) Act 2010

AND

IN THE MATTER

of the Proposed Auckland Unitary Plan

**STATEMENT OF EVIDENCE OF GREGORY JOHN OSBORNE FOR
AUCKLAND INTERNATIONAL AIRPORT IN RELATION TO TOPIC 045
AIRPORT**

(PLANNING)

26 MARCH 2014

RUSSELL McVEAGH

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Auckland

EXECUTIVE SUMMARY

- A. The relevant planning framework in the Proposed Auckland Unitary Plan ("**Unitary Plan**") governing Auckland International Airport Limited ("**AIAL**") is comprised of the underlying Airport zone, Auckland Airport Precinct, the Aircraft Noise Overlay, and AIAL's designations. The relevant provisions have mostly been agreed with Auckland Council and most other submitters prior to and during mediation, and I support the provisions as attached to my evidence.
- B. The consistent key themes of the Unitary Plan Regional Policy Statement ("**RPS**") objectives and policies in the context of Auckland Airport are:
- (a) The need to recognise and enable the economic and social wellbeing benefits of Auckland Airport and its related business functions that connect New Zealand (as an exporting nation and a tourist destination) with the world and Auckland (as the Gateway to New Zealand) with the rest of New Zealand;
 - (b) The need to make provision for the future growth of the Airport as well as its existing capacity by protecting existing and planned future infrastructure from reverse sensitivity effects; and
 - (c) The need to manage land use surrounding the airport and the aircraft operations of the airport to avoid, remedy or mitigate adverse effects of aircraft noise on the amenity of people and communities.

In my view, the versions of the objectives, policies and rules of the Auckland Airport Precinct and the Aircraft Noise Overlay which are appended to my evidence give effect to these proposed RPS objectives and policies.

“D”

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

**Report to Auckland Council
Hearing topic 045**

**Auckland International Airport
Designations 1100, 1101, 1102
Attachment 1 recommended text**

July 2016

Report to Auckland Council – Auckland International Airport Limited Designations 1100, 1101 and 1102

Attachment 1 Recommended text of designations

PART 7 - DESIGNATIONS»Schedules and Designations

Auckland International Airport Ltd

Designation Schedule - Auckland International Airport Ltd

Number	Purpose	Location
1100	Activities for the operation of Auckland International Airport ...	George Bolt Memorial Drive, Mangere
1101	Activities for the operation of Auckland International Airport ...	200 and 260 Ihumatao Road, Mangere
1102	Auckland International Airport, specification for obstacle limitation surfaces, runway end protection areas and restrictions non-aeronautical ground lights	Vicinity of Auckland International Airport

1100 Auckland International Airport

Designation Number	1100
Requiring Authority	Auckland International Airport Limited
Location	George Bolt Memorial Drive, Mangere
Rollover Designation	Yes
Legacy Reference	Designation 231, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

The land to which this designation applies ("the designated area") may be used for activities for the operation of Auckland International Airport ("the Airport") subject to the conditions set out below, including but not limited to:

- aircraft operations,
- runways,
- taxiways and other aircraft movement areas,
- aprons,
- terminals,
- rescue facilities,
- navigation and safety aids,
- maintenance and servicing facilities including the testing of aircraft engines (in situ or otherwise),
- catering facilities,
- freight facilities,
- quarantine and incineration facilities,
- fuelling facilities including Joint User Hydrant Installations,
- stormwater facilities,
- roads,
- monitoring activities,
- site investigation activities,
- vehicle parking and storage,
- rental vehicle activities,
- vehicle valet activities,
- public transport facilities,

- landscaping,
- flags,
- signs,
- the relocation of heritage buildings from elsewhere within this Designation and the subsequent restoration and use of those buildings for purposes compatible with their heritage values;
- offices associated with any of the foregoing activities; and
- all related construction and earthwork activities.

Conditions

1. For the purposes of this designation, unless the context otherwise requires:

“Activity Sensitive to Aircraft Noise” or **“ASAN”** means any dwelling, boarding houses, tertiary education facilities, marae complex, papakāinga, retirement village, supported residential care, educational facilities, care centres, hospitals and healthcare facilities with an overnight stay facility.

“Aircraft Operations” means:

- the landing and take-off of any aircraft at the Airport;
- 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 Airport to another;
- aircraft flying along any Flight Path (refer definition below).

“Aircraft Noise Notification Area” or **“ANNA”** is an area that is outside the HANA and MANA and that will have future noise levels between 55 dB L_{dn} and 60 dB L_{dn} ; and is shown in green on Figure 3 (Aircraft Noise Areas) of this designation.

“Aircraft Noise Community Consultative Group” or **“ANCCG”** is that group referred to in Condition 9(a).

“Airport” means Auckland International Airport

“Air Shows” for the purpose of Condition 8 means a sequence of unscheduled Aircraft Operations of a maximum of three days duration, occurring at a frequency not exceeding one per year, which is organised to provide a spectacle for members of the public.

“Annual Aircraft Noise Contour” or **“AANC”** means an L_{dn} contour published by AIAL annually as a prediction of noise from Aircraft Operations for the following 12 months (excluding noise excepted from the limit in Conditions 5 and 6, by virtue of Condition 8 of this designation). The prediction is based on monitoring undertaken in accordance with Condition 5(d).

“Auckland International Airport Limited” or **“AIAL”** is the requiring authority under this designation.

“Council” means the Auckland Council or any committee, sub-committee, or person to whom the relevant powers, duties and discretions of the Council have been delegated lawfully.

“Designated area” is the area shown as designated area on Figure 1 of this designation.

“Existing Building” means any building:

- that existed at 10 December 2001 and was being used for an ASAN at that time; or
- for which a resource consent for an ASAN was granted by 10 December 2001; or
- which was shown on an outline plan that was lodged with the Council under section 176A of the Resource Management Act 1991 (“RMA”) and was beyond challenge as at 10 December 2001.

“Flight Path” means the actual path of an aircraft in flight, following take-off from or prior to landing at the Airport, for so long as that aircraft is within the area of the Control Zone shown in Figure 2 of this designation.

“Future Aircraft Noise Contour” or **“FANC”** means each of the long term predicted noise contours shown on Figure 4 (Future Aircraft Noise Contours) of this designation.

“High Aircraft Noise Area” or **“HANA”** is the area outside the designated area that will have future noise levels greater than 65 dB L_{dn} and is shown in purple on Figure 3 (Aircraft Noise Areas) of this designation.

“**INM**” means United States of America Federal Aviation Authority Integrated Noise Model.

“**L_{dn} Contour**” means a line connecting points of equal day/night sound level (dB L_{dn}).

“**Moderate Aircraft Noise Area**” or “**MANA**” comprises two areas (one being around the HANA) that will have future noise levels between 60 dB L_{dn} and 65 dB L_{dn}. The two areas are shown in orange on Figure 3 (Aircraft Noise Areas) of this designation.

“**Noise Management Plan**” or “**NMP**” means the noise management plan described in Condition 9.

“**Noise Minimisation Procedures**” includes:

- procedures and measures adopted to ensure compliance with noise limits for:
 - Aircraft Operations in Condition 5; and
 - Engine Testing on Aircraft in Condition 13;
- Civil Aviation Authority (“CAA”) noise rules applicable to the Airport from time to time;
- voluntary or self imposed procedures or measures for the reduction of aircraft noise.

“**Non-Jet Aircraft**” means any aircraft that is not a turbo-jet or a turbo-fan powered aircraft. For the avoidance of doubt turbo-prop aircraft are non-jet aircraft.

“**Operational Length**” is the length of Runway available and suitable for the ground run of an aircraft taking off, in accordance with the Civil Aviation Advisory Circular 139-6 Revision 4 dated 4 July 2011 called the “Take-Off Run Available” or “TORA”.

“**Principal Living Room**” means the room which the owner identifies as the principal living room.

“**Runway**” means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft.

“**Working Days**” are those days defined by the RMA.

Runway System

2. The following limitations in this Condition apply to all runways:

- a. Subject to clause (c) of this Condition, the number of runways shall not exceed two.
- b. In addition to the existing runway (“Existing Runway”), a second runway (“Northern Runway”) may be developed within the area marked “Northern Runway” shown on Figure 1 of this designation.
- c. Nothing in this Condition shall preclude the use of the taxiway of the Existing Runway for the take-off and landing of aircraft (i.e. as a runway) in substitution for the Existing Runway:
 - where the Existing Runway is under repair; or
 - in an emergency.

Note:

Use of the taxiway as a runway will be subject to approval under the Civil Aviation Act 1990.

3.

a. The provisions in this Condition apply to the Northern Runway:

- the Operational Length of the runway shall not exceed 2150 metres;
- the runway shall be entirely located to the west of the alignment of George Bolt Memorial Drive (taking that alignment as it existed at 1 June 2000);

b. The provisions of section 176A of the RMA shall apply to the construction, reconstruction, extension or replacement of the Northern Runway.

4. Non-Jet Aircraft using the Northern Runway between the hours of 11.00pm and 6.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 6.00am, shall not depart to or arrive from the east except in cases of:

- a. aircraft landing or taking off in an emergency;
- b. emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
- c. the operation of unscheduled flights required to meet the needs of a national or civil defence

emergency declared under the Civil Defence Act 2002:

- d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway:
- e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway.

Explanatory Note for Condition 4 – Northern Runway:

Night-Time Restriction

- i. Throughout the life of this unitary plan it is AIAL's clear intention to maximise the use of the Existing Runway at night and as a result, during the lifetime of this district plan, Non-Jet Aircraft using the Northern Runway between the hours of 11.00pm and 6.00am, and jet aircraft using the Northern Runway between the hours of 10.00pm and 6.00am, are not permitted to depart to or arrive from the east except within the limited exceptions provided for in this Condition.
- ii. For the avoidance of doubt, the need or otherwise for a similar night time restriction on use of the Northern Runway in any subsequent district or unitary plan will be assessed at the relevant time, and the presence of this Condition on this designation is not intended as an indication that such a condition will or will not be appropriate in any future designation for the Airport.

Noise from Aircraft Operations

- 5. Subject to Conditions 6 and 7 below, noise from Aircraft Operations shall not exceed a noise limit of:
 - a. A Day/Night Level of 65 dB L_{dn} anywhere outside the HANA. For the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average; and
 - b. A Day/Night Level of 60 dB L_{dn} anywhere outside the HANA and the MANA. For the purpose of this control, aircraft noise shall be calculated as a 12 month rolling logarithmic average using the INM and records of actual Aircraft Operations.
 - c. Clauses (a) and (b) of this Condition do not apply within the designated area or within the Coastal Marine Area.
 - d. In addition, AIAL shall:
 - i. monitor noise from Aircraft Operations at a minimum of three locations associated with the Existing Runway which are as near as practicable to the boundary of the HANA to obtain an accurate reading so as to demonstrate compliance with (a) above;
 - ii. monitor noise from Aircraft Operations at a minimum of two locations associated with the Northern Runway so as to demonstrate compliance with (b) above. The required monitoring may be undertaken at points in the MANA and then by calculating the corresponding noise level at the MANA boundary;
 - iii. use the INM and noise monitoring data to calculate whether noise from Aircraft Operations complies with (b) above;
 - iv. calculate noise levels at every other location necessary to ensure compliance with this Condition and with Condition 10;

and shall provide a detailed written report to the Council every 12 months describing and interpreting the results of the monitoring and describing and explaining the calculations and findings.

Interim Noise Control on Northern Runway

- 6.
 - a. For the first five years following the commencement of aircraft operations on the Northern Runway, noise from Aircraft operations associated with the Northern Runway shall not exceed 55 dB L_{dn} at the intersection of the Northern Runway centreline and State Highway 20. For the purpose of this control, compliance may be assessed by measuring aircraft noise at an alternative location (closer to the Airport) and calculating the corresponding noise level at the intersection of the Northern Runway centreline and State Highway 20. In addition, for the purpose of this control, aircraft noise shall be measured in accordance with NZS 6805:1992 and calculated as a 12 month rolling logarithmic average. The measurements and calculations for any such assessment shall be produced by AIAL if requested by the ANCCG and, if required by the ANCCG, shall be subject to independent review and verification.
 - b. Clause (a) of this Condition shall not apply from the date of receipt by the Council of a certificate from a suitably qualified independent person proposed by AIAL and approved by the Council, certifying that, either of the following circumstances apply:
 - i. There is a need to establish new operations, or relocate existing operations, because there are

insufficient apron areas or taxiway capacity alongside the Existing Runway, or a new or existing operation requires facilities or services not available at the Existing Runway but which are or can be provided at the Northern Runway.

ii. Rehabilitation works on the Existing Runway require use of the Northern Runway to a level which would exceed the 55 dB L_{dn} at SH 20 control location to maintain current and projected demand.

c. The suitably qualified independent person referred to in Condition 6(a) above shall include, when supplying any certificate to the Council, a report which contains:

- A summary of the information provided to the suitably qualified independent person by AIAL; and
- The suitably qualified independent person's reasons for supplying the certificate.

d. The costs of the suitably qualified independent person shall be met by AIAL.

7. Exceedance by up to 1 dB L_{dn} of the noise limits in Conditions 5 and 6 is permitted, provided AIAL demonstrates at the request of, and to the satisfaction of, the Council that any such exceedance is due to atypical weather patterns (including wind speed and direction) during the measurement period, such as produced by the El Nino/La Nina climatic oscillation.

8. Aircraft operations described in clauses (a) to (g) of this Condition, below, are excluded from the calculation of the rolling logarithmic average in Conditions 5, 6 and 7 above:

- a. Aircraft landing or taking off in an emergency;
- b. Emergency flights required to rescue persons from life-threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency;
- c. The operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 2002;
- d. Aircraft Operations resulting from an emergency which necessitates the closure of the Existing Runway;
- e. Aircraft Operations resulting from the temporary closure of the Existing Runway for essential maintenance which necessitates the unrestricted use of the Northern Runway;
- f. Aircraft using the Airport as a planned alternative to landing at a scheduled airport elsewhere;
- g. Air shows.

Noise Management Plan

Consultative Group

9.

- a. AIAL shall maintain at its cost, the existing Aircraft Noise Community Consultative Group ("ANCCG") within the Terms of Reference which are contained in Attachment A (Aircraft Noise Community Consultative Group Terms of Reference) of this designation, or such other terms or amended terms of reference that are approved by the Council pursuant to Part 8 of the RMA.

Noise Management Plan

b. Without in any way limiting its obligations to fully comply with the conditions attaching to this designation, AIAL has completed and will maintain and where necessary update a Noise Management Plan ("NMP") which describes in detail how AIAL proposes to manage the Airport in order to comply with those conditions. The NMP describes, in detail, the following matters:

- i. procedures for the ongoing maintenance and operation of the ANCCG;
- ii. the mechanisms for giving effect to a Noise Monitoring Programme to assess compliance with Conditions 5, 6 and 13. In particular, the following issues shall be addressed:
 - Location of any noise monitors;
 - Monitoring, recording and calculation of engine testing noise levels under Condition 13;
 - Management of the programme by a suitably qualified person; and
 - Presentation of information.
- iii. The relationship between the Trust which is to be established under Condition 11 and the ANCCG, including reporting procedures.
- iv. The ongoing investigations, methods, processes and resources that AIAL has put in place to provide for:
 - The reduction of noise levels from all aspects of Aircraft Operations and engine testing; and
 - Alternative methods of noise management to achieve the reduction of these noise levels.

- v. The Noise Minimisation Procedures.
- vi. The procedures for modifying and enhancing the Noise Minimisation Procedures to take into account:
 - Any findings made pursuant to any investigation undertaken in accord with (iv) above;
 - The need to ensure compliance with all of the requirements of this designation.
- vii. The procedures for reporting to the ANCCG any Aircraft Operations and engine testing activities which:
 - Contravene a condition of this designation;
 - Are at variance with AIAL's intentions recorded in the Explanatory Note to Condition 4 relating to the use of the Northern Runway.
- viii. The procedure for the annual preparation and publication of the 60 dB L_{dn} AANC and the 65 dB L_{dn} AANC by AIAL, as required by Condition 10B;
- ix. The procedure for the recording, responding and reporting of complaints received in respect of noise from Aircraft Operations, engine testing activities and any other activities generating noise at the Airport; and
- x. The dispute resolution procedures, to resolve disputes between AIAL and ANCCG about the contents and implementation of the NMP.

Specific Matters in NMP Subject to Council Approval

- c. The dispute resolution procedures referred to in Condition 9(b)(x) shall be to the Council's satisfaction and any subsequent alteration to these procedures shall be subject to the Council's written approval.

Changes to NMP

- d. If AIAL makes any changes to the procedures or other matters recorded in the NMP, it shall forthwith forward an amended copy of the NMP to the Council and the ANCCG.

Reporting of Exceptions

9A. AIAL shall maintain a register (electronic and hard copy) which is available for public inspection of all exceptions to the Noise Minimisation Procedures. The register shall list:

- The date and time of the exception;
- An explanation for the exception;
- Any actions undertaken to prevent a recurrence of the exception.

For the avoidance of doubt an exception includes:

- A breach of noise limits in Conditions 5, 6 and 13;
- A breach of the CAA noise rules applicable to the Airport which has been the subject of an investigation by AIAL into a related complaint;
- Any lapse in AIAL's voluntary or self-imposed procedures for the reduction of aircraft noise.

Noise Mitigation Programme

10. The development or use of any runway is subject to compliance with clauses (a) to (r) of this Condition (called in this designation, the "Noise Mitigation Programme"):

- a. For the purpose of determining compliance with clauses (b) to (r) of this condition, AIAL has supplied to the Council:
 - i. A list identifying all sites wholly or partly within the HANA and the MANA ("affected sites");
 - ii. A list of the legal descriptions and street addresses of all the affected sites; and
 - iii. Details of any Existing Building located on the affected sites.

Proviso:

Where a site lies within a mixture of HANA and MANA, or is partly located within one of those noise areas, then for the purposes of clauses (b) to (r) of this Condition:

- If any Existing Building is located wholly or partly within the HANA, that Existing Building shall be deemed to be in the HANA;
- If any Existing Building is located wholly outside the HANA, but wholly or partly within the MANA, that Existing Building shall be deemed to be in the MANA.

Further proviso:

For the avoidance of doubt, nothing in clauses (b) to (r) of this Condition shall be treated as requiring AIAL to fund acoustic treatment and ventilation measures in Existing Buildings that are located wholly outside the HANA and the MANA.

Existing Buildings Located within the HANA Being Subject to 65 dB L_{dn}

b. Before any part of an affected site falls within the 65 dB L_{dn} , AANC, AIAL shall, in respect of any Existing Building in the HANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install, at AIAL's sole cost (and if the offer is accepted, install), acoustic treatment and related ventilation measures to achieve, in the manner provided for in clauses (p) and (q) of this Condition, an internal acoustic environment in the existing habitable rooms of the building(s) (with all external doors of the building and all windows of the habitable rooms closed), of 45 dB L_{dn} , together with related ventilation requirements. These measures shall include but not be limited to:

- A mechanical ventilation system or mechanical ventilation systems capable of:
 - Providing at least 15 air changes of outdoor air per hour in the principal living room of each building and 5 air changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non habitable rooms that need to be ajar to provide air relief paths;
 - Enabling the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;
 - Limiting internal air pressure to not more than 30 pascals above the ambient air pressure;
 - Being individually switched on and off by the building occupants, in the case of each system; and
 - Creating no more than 40 dBL_{Aeq} in the principal living room, no more than 30 dBL_{Aeq} in the other habitable rooms, and no more than 40 dBL_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- Thermal grade (minimum R1.8) ceiling insulation to all habitable rooms where equivalent ceiling insulation is not already in place; and
- A mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.

The above mentioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act 2004 ("Building Act") or otherwise to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (r) of this Condition.

Proviso:

If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in clauses (b) and (c) of this Condition, subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures in clauses (b) and (c) of this Condition, and the provisions of clauses (b), (c), and (n) to (r) applying with the necessary modifications.

c. At the same time, AIAL shall offer to install, (and if the offer is accepted, install), enhancements in addition to the above acoustic treatment and related ventilation measures to achieve, in the manner provided for in clauses (p) and (q) of this Condition, an internal acoustic environment in the existing habitable rooms of the building(s) (with all external doors of the building and all windows of the habitable rooms closed), of 40 dB L_{dn} , together with related ventilation requirements. This offer shall be made on the following basis:

- i. AIAL shall contribute 75% of the cost;
- ii. The owner agreeing to contribute the balance of the cost; and
- iii. The enhancements are to be installed at the same time as the acoustic treatment and related ventilation measures referred to in clause (b) of this Condition, above.

d. Where an owner or previous owner has earlier accepted the offer set out in clause (e) of this Condition below, AIAL need only offer to install works or enhancements not already installed pursuant to clause (e) of this Condition.

Existing Buildings Located Within the HANA or the MANA Being Subject to 60 dB L_{dn}

e. Before any part of an affected site falls within the 60 dB L_{dn} , AANC, AIAL shall, in respect of any Existing Building in the HANA or MANA on that site (other than any building used as educational facilities or as a registered pre-school) make an offer to the owner(s) to install (and if the offer is accepted, install):

- i. A mechanical ventilation system or mechanical ventilation systems capable of:
 - Providing at least 15 air changes of outdoor air per hour in the principal living room of each building and 5 air

changes of outdoor air per hour in the other habitable rooms of each building, in each case with all external doors and windows of the building closed with the exception of such windows in non-habitable rooms that need to be ajar to provide air relief paths;

- Enabling the rate of airflow to be controlled across the range, from the maximum airflow capacity down to 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms;
 - Limiting internal air pressure to not more than 30 pascals above the ambient air pressure;
 - Being individually switched on and off by the building occupants, in the case of each system; and
 - Creating no more than 40 dB L_{Aeq} in the principal living room, no more than 30 dB L_{Aeq} in the other habitable rooms, and no more than 40 dB L_{Aeq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- ii. Thermal grade (minimum R1.8) ceiling insulation to all habitable rooms where equivalent ceiling insulation is not already in place; and
- iii. A mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.

The abovementioned offer shall be made on the following basis:

- i. Any structural or other changes required under the Building Act or otherwise, to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part was constructed;
- ii. The owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (r) of this Condition;
- iii. AIAL shall contribute 75% of the cost of the above works; and
- iv. The owner agrees to contribute the balance of the cost.
- v. Clauses (iii) and (iv) shall not apply to Pukaki Marae. AIAL shall contribute 100% of the cost of the above works for Pukaki Marae.

Proviso:

If requested by the owner, AIAL may, at its discretion, install or contribute to the cost of the installation of alternative ventilation measures to those described in this clause, subject to the owner being granted any necessary building or resource consents, the Council waiving AIAL's obligations in respect of the required ventilation measures in this clause, and the provisions of this clause and clauses (n) to (r) applying with the necessary modifications.

Existing Registered Pre-schools Located Within the HANA Being Subject to 65 dB L_{dn}

- f. Before any part of an affected site falls within the 65 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA on that site used as a registered pre-school, make an offer to the owner(s) to install at AIAL's sole cost (and if the offer is accepted, install), in all learning areas:
- i. Acoustic treatment measures to achieve, in the manner provided for in clauses (p) and (q) of this Condition, an internal acoustic environment in each learning area (with all external doors and windows of the learning area closed) of 40dB L_{dn} ; and

- Mechanical ventilation system or mechanical ventilation systems for each learning area:

Designed to achieve indoor air temperatures not less than 16 degrees celsius in winter at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991–2000);

- Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
- Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
- Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
- Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
- Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; and
 - ii. the owner accepting an obligation to enter into a covenant in the terms set out in clause (r) of this Condition.
- g. Where an owner or previous owner has earlier accepted the offer set out in clause (h) of this Condition below, AIAL need only offer the works not already installed pursuant to clause (h) of this Condition.

Existing Registered Pre-schools Located Within the HANA or the MANA being Subject to 60 dB L_{dn}

- h. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall in respect of any Existing Building in the HANA or the MANA on that site used as a registered pre-school, make an offer to the owner(s) to install (and if the offer is accepted, install) at AIAL's sole cost:
 - i. A mechanical ventilation system or mechanical ventilation systems for each learning area:
 - Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991–2000);
 - Capable of providing (when all external doors and windows of the learning area are closed) outdoor air ventilation at the rate of 15 litres of air per second per square metre for the first 50 square metres and 7.5 litres of air per second per square metre of remaining area;
 - Capable of enabling the rate of air flow to be controlled across the range, from the maximum air flow capacity down to 8 litres of air per second per person for the maximum number of people able to be accommodated in the learning area at one time;
 - Otherwise complying with the New Zealand Standard NZS 4303:1990 *Ventilation for Acceptable Indoor Air Quality*;
 - Each ventilation system shall be capable of being individually switched on and off by the building occupants; and
 - Capable of creating no more than 35 dB L_{Aeq} in each learning area, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
 - Thermal grade (minimum R1.8) ceiling insulation in all learning areas where equivalent ceiling insulation is not already in place.

Proviso:

If the owner wishes to install a ventilation system at greater cost, (e.g. an air conditioning system), then AIAL shall contribute the equivalent cost of the ventilation system(s) prescribed in clause (h) of this Condition.

The abovementioned offer shall be made on the following basis:

- i. any structural or other changes required under the Building Act or otherwise required to enable the installation of the acoustic treatment and ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed; and
- ii. the owner(s) accepting an obligation to enter into a covenant in the terms set out in clause (r) of this Condition.
- iii.

Existing Educational Facilities Within the HANA or the MANA Being Subject to 60 dB L_{dn}

- i. Before any part of an affected site falls within the 60 dB L_{dn} AANC, AIAL shall, in respect of any Existing Building in the HANA or MANA on that site used as an educational facility or facilities, make an offer to the owner(s) to install (and if the offer is accepted, install) acoustic treatment and related ventilation measures to achieve, in the manner provided for in clauses (p) and (q) of this Condition, an internal acoustic environment in all existing classrooms, libraries and halls (with all external doors and windows of the classrooms, libraries and halls closed) of 40 dB L_{dn}, together with related ventilation requirements. These measures shall include but not be limited to:
 - i. In the case of classrooms and libraries, air conditioning and/or a mechanical ventilation system or mechanical ventilation systems for each classroom and library, that are:
 - Designed to achieve indoor air temperatures not less than 16 degrees Celsius in winter and not greater than 27 degrees Celsius in summer at 5% ambient design conditions as published by the National

Institute of Water & Atmospheric Research ("NIWA") (NIWA, Design Temperatures for Air Conditioning (degrees Celsius), Data Period 1991–2000);

- Capable of providing outdoor air ventilation at the rate of 8 litres of air per second per person for the maximum number of people able to be accommodated in any such room at one time ("the required airflow");
- Capable of enabling, (in the case of classrooms or libraries in which only mechanical ventilation systems are used to satisfy the above temperature and outdoor air requirements), the outdoor airflow to be controlled across the range, from the maximum airflow capacity down to the required airflow when all external doors and windows of the classroom or library are closed;
- Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air; and
- Capable of creating no more than 35 dB L_{Aeq} in each classroom, no more than 40 dB L_{Aeq} in each library, and no more than 40 dB L_{Aeq} in any hallway or corridor.
- Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
 - ii. in the case of halls, a mechanical ventilation system or mechanical ventilation systems for each hall capable of:
- Providing at least 12 litres of outdoor air per second per square metre with all external doors and windows of the hall closed;
- Enabling the outdoor airflow to be controlled across the range, from the maximum airflow down to the rate of 8 litres of outdoor air per second per person for the maximum number of occupants able to be accommodated in the hall at one time;
- Otherwise complying with the New Zealand Standard NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality; and
- Creating no more than 35 dB L_{Aeq} in each hall, and no more than 40 dB L_{Aeq} in any hallway or corridor. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser.
- Thermal grade (minimum R1.8) ceiling insulation shall be provided in the case of school halls where equivalent ceiling insulation is not already in place.

The abovementioned offer shall be made on the basis that any structural or other changes required under the Building Act or otherwise to enable the installation of the acoustic treatment and related ventilation measures shall be at AIAL's cost, except that nothing in this clause shall require AIAL to fund any measures required to bring a building up to the standard required in any building bylaws or any provisions of any statute that applied when the building or relevant part thereof was constructed.

j. AIAL's obligations under clause (i) of this Condition for acoustic treatment and related ventilation measures shall be "capped" at the maximum costs set out in Attachment B of this designation. For the avoidance of doubt, the costs in Attachment B are expressed as the maximum costs for which AIAL shall be responsible, and, in addition, AIAL shall not be required to expend the maximum costs where the acoustic treatment and related ventilation measures can be installed by AIAL more cost effectively to achieve the internal acoustic environment and related ventilation standards specified in this Condition (Condition 10). Any new windows installed as part of the acoustic treatment and related ventilation measures shall be made able to be opened or shall be fixed at the discretion of the owner(s) of the educational facilities at the time the work is undertaken.

For existing educational facilities, the maximum figures referred to in Attachment B are exclusive of GST and are in year 2012 dollars and they will therefore be adjusted to compensate for inflation and increased annually from the date of the inclusion of this designation in the Unitary Plan by the percentage increase in the Consumer Price Index (All Groups) or any substitute national measure of inflation adopted in lieu of the Consumer Price Index (All Groups).

New Buildings at Existing Educational Facilities Within the MANA

k. Where, in the case of educational facilities established within the MANA before 10 December 2001:

- i. A new classroom, library, or hall is to be established; or
- ii. An addition or alteration is to be made to any existing classroom, library or hall, and the new classroom, library or hall, or the addition or alteration, is not by definition, an Existing Building, then AIAL upon receiving advice of the proposed works, shall make an offer to the owner(s) of the relevant educational facilities to provide funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to achieve an internal acoustic environment (with all external doors and windows of

the classrooms, libraries or halls closed) of 40 dB L_{dn} for all such new facilities along with ventilation to a standard consistent with clause (i) of this Condition, above, provided that this offer shall be conditional on:

- The owner agreeing to contribute 25% of the costs of the acoustic treatment and ventilation measures;
- Construction of the new or additional facilities otherwise complying with the relevant requirements of the Building Act and any relevant legislation,

and further provided that AIAL's obligations under clause (k) of this Condition shall only extend, in the case of additional classrooms, libraries or halls, to those which the Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifies are required as a result of roll growth caused by underlying increases in population in the catchment in the immediate vicinity of the educational facility.

- l. The offer referred to in clause (k) of this Condition may be made on the basis that if the new or additional facilities are removed from the affected site before the 60 dB L_{dn} AANC reaches the affected site, any cost incurred by AIAL in respect of that building shall be returned to AIAL.

New Public Schools or Pre-schools Within the MANA

m. AIAL shall offer the owner(s) of any new public (i.e. non-private or integrated) school or preschool to be established on affected sites located within the MANA, funding (and if the offer is accepted, provide funding) for acoustic treatment and related ventilation measures to meet the requirements in, and to a standard consistent with, clause (k) of this Condition, above, provided that this offer shall be conditional on:

- The owner agreeing to contribute 50% of the costs of the acoustic treatment and ventilation measures;
- The Regional Network Manager — Auckland of the Ministry of Education or successor of that office certifying, following consultation on the issue of location with AIAL, that the proposed new school or preschool could not reasonably be located outside the MANA., such consultation having been undertaken as soon as reasonably practicable before selecting a potential new school or pre-school site.

Building Act 2004

- n. All work undertaken pursuant to the terms of this Condition (Condition 10) shall be in accordance with the Building Act and any other relevant legislation.
- o. Nothing in this Condition (Condition 10) shall require AIAL to fund any measures required to bring a building up to the standard of the building regulations that applied when the building was constructed or the relevant part thereof was last modified.

Certified Standard Packages and Individual Packages

p. Where this Condition (Condition 10) requires AIAL to offer to provide acoustic treatment and ventilation measures, AIAL:

i. Has developed standard acoustic and ventilation treatment packages for as many types of building for each FANC, shown on Figure 4 (Future Aircraft Noise Contours) of this designation, as is practicable ("standard packages"). These standard packages may be updated or further developed at any time. Each standard package shall be:

- Sufficient to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the type of building within the FANC for which the package has been developed;
- Certified to that effect by a suitably qualified independent person (or persons) nominated by AIAL and approved by the Council ("an approved person") ("certified standard package"); and
- Developed in consultation with the Building Research Association of New Zealand.

For the avoidance of doubt the standard packages are intended to mitigate against aircraft noise, not against other sources which may have different characteristics and hence require different attenuation in respect to the treatment measures on offer;

ii. Shall offer to install (and if the offer is accepted, install) the relevant certified standard package, which has been certified by an approved person as being suitable to fulfil the requirements of this Condition (Condition 10) for the building and FANC within which the building is located; and in all other cases, shall offer a package certified by an approved person as suitable, at the time of the offer, to achieve the internal acoustic environment and ventilation requirements specified in this Condition (Condition 10) for the FANC within which the building is located ("certified individual package") and if that offer is accepted, shall install the certified individual package.

q. Where AIAL installs any acoustic treatment and or ventilation or air conditioning measures, AIAL:

- i. Shall provide the Council with a certificate from a suitably qualified independent person (or persons) nominated by AIAL and approved by the Council, that the installation of any relevant certified standard package, or relevant certified individual package, has been properly undertaken in accordance with sound practice; and

- ii. Shall not be in breach of this condition where the internal noise standards and related ventilation requirements are not met in each instance provided the relevant certificate required in sub-clause (q)(i) of this Condition, above, has been provided to the Council.

Covenants

- r. AIAL shall not be obliged to undertake any work pursuant to clauses (b) to (h) of this Condition (Condition 10) unless the owner of the particular affected site agrees to enter into a covenant with AIAL (which shall be registered on the site's title) in the terms set out in Attachment C of this designation with such necessary changes, approved by the Council. The cost of preparation and registration of the covenant on the site's title shall be met by AIAL. AIAL shall meet the reasonable legal costs incurred by the owner for the perusal and approval of the covenant.

Monitoring of Noise Mitigation Programme

10A. AIAL is to monitor the implementation of the Noise Mitigation Programme as set out in Condition 10 and provide a written report setting out its findings in detail to the Council on an ongoing basis at six monthly intervals each year.

Preparation and Publication of the AANC's

10B. AIAL shall:

- a. Prepare annually the 60 dB L_{dn} AANC and 65 dB L_{dn} AANC.
- b. Publish a public notice in:
 - i. One or more daily newspapers circulating in the areas contained in the HANA, MANA and ANNA; or
 - ii. One or more other newspapers that have at least an equivalent circulation, advising the public that:
 - The AANCs have been prepared for the following twelve months;
 - Explaining what the AANCs are and who is potentially affected; and
 - That the AANCs are available for public inspection at such Council offices as determined by a designated Council officer approved by the Chief Executive of the Council.

Temporary Noise Mitigation Programme

10C

(a) This condition shall only apply:

- (i) until this designation is altered to reflect the extent of AIAL's aircraft noise contours in the Unitary Plan D24 Aircraft Noise Overlay, after which it will no longer apply; and
- (ii) to landowners within the areas shown on the Auckland International Airport Transitional Mitigation Plans set out in Attachment D; and
- (iii) to landowners who are required to comply with the acoustic insulation and ventilation standards set out in D24.6.3 of the D24 Aircraft Noise Overlay when establishing a new ASAN or undertaking additions or alterations to an existing ASAN within those areas, and who have acquired building consent.

(b) If the requirements set out in subsection (a) are met, AIAL shall meet the relevant part of the cost of installing acoustic treatment in buildings where this is required by D24.6.3 of the Unitary Plan on the same basis as set out in condition 10 as if the building in question was an "existing building", or the addition or alteration was part of an "existing building", on an "affected site", with all other modifications required to condition 10 to allow it to be applied in this context.

Provisos:

- Condition 10C is only required during the transitional period between the Unitary Plan being made operative and this designation being altered to reflect the extent of AIAL's aircraft noise contours in the Unitary Plan Aircraft Noise Overlay. At this time, this Condition will be deleted from this designation.
- When Condition 10C applies to additions or alterations, the costs are to be met or partially met only in relation to the additions or alteration itself not the whole building.

Aircraft Noise Mitigation Fund

11. AIAL shall (at its cost and to the Council's satisfaction) maintain a Trust with two Trustees appointed by AIAL, two Trustees appointed from the community by the Council, and one Trustee appointed by the ANCCG.
12. AIAL shall contribute \$ 325,000 (in 2012 New Zealand dollar terms) per annum plus GST if any (adjusted thereafter to compensate for inflation and increased annually from December 2012 by the percentage increase in the Consumer Price Index (All Groups) as provided for in Condition 12A, below),

to a Noise Mitigation Fund, to be administered by the Trustees for the benefit of the local community affected by aircraft noise and located or residing within the HANA, MANA and ANNA, for the purpose of:

- a. The mitigation of adverse effects associated with noise from Aircraft Operations which are not provided for under Condition 10 ("other adverse effects"); or
- b. Ensuring positive effects on the external environment to offset those other adverse effects; or
- c. In cases of significant financial hardship, assisting an owner or owners to meet their share of the costs of acoustic treatment measures or enhancements as set out in Conditions 10(c)(ii) and 10(e)(iv).

12A. On each anniversary of the Trust, AIAL will make a payment to the Trust of an amount sufficient to compensate for inflation over the immediately preceding annual period calculated in accordance with the following formula:

$\$325,000 \times A\%$, where A is the percentage increase in the Consumer Price Index (All Groups) (or any substitute national measure of inflation) for that 12 month period.

Explanatory Note, Aircraft Noise Mitigation Fund:

While there are various physical measures proposed by way of acoustic insulation and ventilation of buildings containing Activities Sensitive to Aircraft Noise, the Aircraft Noise Mitigation Fund is designed to ensure that adverse effects of aircraft noise on the external environment which cannot be mitigated by physical means can at least be partially offset by providing positive effects in the form of enhanced cultural, recreational and other opportunities and facilities to affected residents. Those opportunities and facilities may be provided outside the affected area but should be readily available to affected residents.

Engine Testing on Aircraft

13.

- a. Any use of the designated area for the testing of engines which are in situ on an aircraft ("in situ aircraft engines") shall not exceed the following noise limits within the Identified Area shown on Figure 5 attached to this designation:

7 day rolling average	55 dB L _{dn}
10pm to 7am	75 dB L _{max}

For the purpose of this control, testing of in situ aircraft engines shall be measured in accordance with NZS 6801:2008 Acoustics- Measurement of Environmental Sound.

- b. AIAL shall monitor and record all testing of in situ aircraft engines and provide a summary report of the tests undertaken and the calculated noise levels whenever requested in writing by the ANCCG.
- c. The testing of in situ aircraft engines is excluded from the calculation of the 7 day rolling average in clause (a) above where such testing is associated with work necessary to satisfy an airworthiness directive or other like safety requirement issued by the Minister of Transport, the Director of Civil Aviation or the Civil Aviation Authority, which requires within 7 days of the directive or requirement being issued, the ground running of the engines on:
 - i. All aircraft with a specific engine type; or
 - ii. aircraft of a specific make or model.

Prior to any testing excluded by this clause commencing, AIAL shall give written notice to the ANCCG and the Council explaining:

- The nature of and the reason for the testing;
- Its expected duration and noise effects; and
- Details of the directive or requirement received.

Other Noise

13A. Any use of the land for any purpose other than:

- a. Aircraft Operations (Conditions 5 and 6);
- b. testing of in situ aircraft engines (Condition 13); and
- c. the use of audible bird scaring devices for the discouragement of birds;

shall not exceed the following noise limits within the Identified Area shown on Figure 5 attached to this designation:

Average Maximum Levels	Maximum
------------------------	---------

dB LAeq			dB LAmax
Monday to Saturday 7am–6pm (0700–1800)	Monday to Saturday 6pm–10pm (1800–2200) AND Sunday and Public Holidays, 7am–10pm(0700–2200)	At all other times	10pm–7am (2200–0700)
55	50	45	70

For the purpose of this control, Other Noise shall be measured in accordance with NZS 6801:2008 Acoustics- Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

Coastal Protection Yard

14. A coastal protection yard having a minimum depth of 20 metres shall be maintained where any part of the designated area abuts the Mean High Water Spring Tide Mark. No structure shall be erected in the coastal protection yard except essential Airport operational facilities (for example, security fences, navigational aids, rescue facilities and stormwater facilities) which require a location in the area of the coastal protection yard. Prior to any land modification works within the coastal protection yard, the requiring authority shall submit an outline plan to the Council for approval.
15. Subject to any waiver of this Condition, or any part of this Condition, prior to any land modification or development on any land within 200 metres of the northern boundary of the designated area east of Pukaki Creek ("northern boundary"), the requiring authority shall submit an outline plan to the Council for approval which, without limiting the requirements of Section 176A of the RMA, shall show:
- Provision for the landscaping in native vegetation of a five metre wide strip along the northern boundary and a limitation on building height in relation to the northern boundary so that no part of any building shall project beyond a building envelope contained by a 55 degree recession plane from points 2.5 metres above the northern boundary (i.e. maximum height = 2.5 metres plus 1.428 x distance from boundary).
 - Details of any land modification within:
 - 200 metres of the northern boundary which involves more than 500m³ of earthworks; or
 - 30 metres of the northern boundary which involves more than 200m³.
 - The timetable for completion of the abovementioned landscaping, earthworks and remedial work.
 - The height, shape and bulk of any proposed structures.
 -
16. For the purpose of conditions 14 and 15(b) details shall be given of the following:

Alteration to Natural Landscape

- Whether any earthcut or fill will remove existing vegetation, alter the existing topography of the site, or affect existing natural features including landforms, and the impacts on the area's amenity values.

Alteration to cultural heritage sites or cultural landscape

- Whether any earthcut, fill, structures or buildings will adversely affect values associated with scheduled cultural heritage sites or cultural landscapes.

Site Stability and Erosion

- Whether the effects from natural hazards will be avoided, remedied or mitigated, and the extent to which earthworks affect the stability and erosion potential of the site and surrounding site.

Topography in Relation to Adjacent Land

- Whether the site contours and final contours coordinate with the final levels of adjoining land.

Flooding

- Whether the earthworks and final levels will adversely affect overland flowpaths or increase the potential for flooding within the site or surrounding area.

Utility Services

- Whether the earthworks and final levels will adversely affect existing utility services.

Public Access to the Coastal Marine Area and Fossil Forest

17. AIAL shall provide road access for the public to the coastal marine area, through the designated area, to a point near the fossil forest (located in the coastal banks of Lot 2 DP 62092 and Allotment 164

Manurewa Parish) and shall provide pedestrian access from the end of that road down to Mean High Water Springs, so as to provide public access to the coastal marine area and the fossil forest.

Public Consultation

17A.

- a. Construction of the Northern Runway to its maximum length, shall not take place until AIAL has completed a process of public notification and consultation. The process of public notification and consultation shall include the following:
 - i. Written notice to the ANCCG (or its successor from time to time); and
 - ii. A public notice published in a daily newspaper circulating in the Auckland Council area, and in each of the local newspapers circulating in those parts of the Auckland Council area subject to the ANNA, MANA and HANA. Such notice to be published in each case twice at an interval of approximately a fortnight.
- b. Each of the abovementioned notices shall include a brief description of the proposal and shall advise:
 - i. Where full details of the proposal can be inspected and copies of those details obtained;
 - ii. Of the opportunity to forward comments to AIAL about the proposal;
 - iii. The date by which comments about the proposal should be sent to AIAL, which date shall not be less than 20 working days from the date of the last of the public notices;
 - iv. Details of any additional consultation proposed by AIAL.
- c. The information available for inspection under this Condition shall include the following:
 - i. Diagram(s) and description of the proposal including all associated work;
 - ii. A description of the proposed operating scenario for the Northern Runway;
 - iii. The reasons for the proposed operating scenario;
 - iv. The reasons for the proposal including an explanation of the need for the Northern Runway to have the proposed Operational Length;
 - v. Reference to any relevant reports; and
 - vi. Any other information AIAL wishes to make available for the purpose of explaining the proposal or in respect of which it would like to invite comments.
- d. AIAL shall consider any comments made to it pursuant to the notification and consultation process described above before deciding whether or not to proceed with the proposal. If AIAL decides to proceed, it shall provide as soon as possible to the Council copies of all comments received, together with written advice of:
 - i. Details of the notification and consultation undertaken;
 - ii. A summary of comments received;
 - iii. A statement describing the actions planned, if any, in respect to the comments received; and
 - iv. Statement explaining the reasons for the actions to be taken or the decision not to take any action.
- e. AIAL shall regularly consult the ANCCG and seek its input and comment on community consultation that the latter may recommend to inform the public from time to time on any matter relating to the Northern Runway

Outline Plan

18. Where AIAL seeks to rely on the provisions of the designation for any works within its land, an outline plan of any work to be constructed on the designated area must be submitted to the Council pursuant to section 176A of the RMA unless the works have been otherwise approved under the RMA or the details of the work are incorporated in the designation or Council waives the requirement for an outline plan. For any proposed work to be constructed for taxiing of aircraft on the designated area north of the area shown as Northern Runway on Figure 1 of this designation, the outline plan shall include, in addition to the matters required under section 176A of the RMA, an analysis and prediction of the noise associated with the Aircraft Operations component of the proposal so as to demonstrate compliance with Condition 5.

Heritage Resources

17. Each of the following heritage resources shall be relocated by the requiring authority in a manner and to a site that will ensure the continued protection of the resource before any construction or work is commenced on the designated area that would damage or destroy the resource:
- a. the Norfolk Island Pine identified as notable tree 1783 on the planning maps provided however that this tree need not be relocated and may be removed, if AIAL provides the Council with a report from a qualified arborist, approved by the Council, who certifies that it is not reasonably practical to relocate the tree;

- b. Abbeville Farm House and Barn, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414);
- c. Westney Road Methodist Church, Part Lot 2, DP 12194 (refer Schedule of Significant Heritage Places, Item 1414); and
- d. Rennie Jones Homestead, Pt Allot 163, Manurewa Parish (refer Schedule of Significant Heritage Places, Item 1424).

Lapsing Date

20. As this designation has been given effect to, the designation cannot lapse pursuant to section 184(1) of the RMA.

Attachments

Attachment A: Aircraft Noise Community Consultative Group Terms of Reference

DESIGNATION AIAL 1100 — ATTACHMENT A

AIRCRAFT NOISE COMMUNITY CONSULTATIVE GROUP (“Group”)

TERMS OF REFERENCE

Purpose

To consider, and where appropriate make recommendations to Auckland International Airport Limited (“AIAL”), on aircraft noise issues and concerns that arise from the operation and activities at Auckland International Airport (“Airport”).

Activities

1. To identify community concerns regarding aircraft noise.
2. To co-operatively formulate and propose rules and procedures to minimise the impact of aircraft noise on the community and to consider how AIAL should respond to community concerns regarding aircraft noise.
3. To assist and advise AIAL and Council in the dissemination of relevant information to the community.
4. To regularly review the current procedure for handling noise complaints, modify that procedure where necessary and make it publicly available as soon as practicable.
5. To assist AIAL in the review of and, where necessary, to recommend modifications to, the Noise Management Plan which (in summary) addresses:
 - (i) procedures for handling noise complaints;
 - (ii) noise abatement procedures; and
 - (iii) timely provision of aircraft noise and flight path monitoring information.

AIAL is to consider any recommended modifications in good faith and provide the Group with a written response to the recommendations, including the reasons for rejecting any recommendations, should such a response be requested by the Group.

6. To monitor noise levels and compliance with the noise abatement procedures and Noise Management Plan.
7. To access appropriate technical expertise and guidance as required, including to, where appropriate, independently peer review noise monitoring and other technical data provided to the Group by AIAL.

Chairperson

Meetings will be chaired by an independent chairperson appointed by Council and AIAL jointly. The chairperson may invite other persons on an ad hoc basis to address the Group on particular agenda items. Where a matter is to be considered by the Group which would be likely to directly affect residents of a local board that is not otherwise represented on the Group, then the chairperson should notify the chair of that local board and invite them to the relevant meeting.

Membership

Local Board Representatives	(x 12)	<ul style="list-style-type: none"> • Mangere-Otahuhu • Otara-Papatoetoe • Manurewa • Howick • Franklin • Maungakiekie-Tamaki • Albert-Eden • Puketepapa • Whau • Orakei • Waitakere Ranges • Papakura
Auckland Council Representative	(x1)	
Industry Representative (freight forwarder or manufacturer etc)	(x1)	
Airways Corporation Representative	(x1)	
Board of Airline Representatives of New Zealand	(x2)	
AIAL Representatives	(x2)	
Mana Whenua Representatives-	(x2)	

General

1. The Group will meet at least every three months.
2. Meetings of the Group will be held at the Airport anytime between 2:00 pm and 9:00 pm.
3. AIAL will provide secretarial and support services at AIAL's cost and expense.
4. The selection of the community representatives will be on the basis of one community representative on behalf of each of the Local Boards namely, Mangere-Otahuhu, Otara-Papatoetoe, Manurewa, Howick, Franklin, Maungakiekie - Tamaki, Albert-Eden, Puketepapa, Whau, Orakei, Waitakere Ranges and Papakura.
5. The term of office for Local Board appointed representatives will be the same as the local body electoral term, that is three years. Council will be responsible for any payments to be made to the Local Board appointed representatives.
6. AIAL will be responsible for any payments that are to be made to mana whenua in return for services to the Group.
7. AIAL and Council will share equally the reasonable costs of the independent chairperson.

8. AIAL will provide data and technical information on aircraft movements and a noise complaint summary. The Group will monitor AIAL's process for responding to noise complaints and queries. Noise complaints will not be dealt with on an individual basis.

The Group has an objective to reach consensus, however, dissenting views will be recorded.

Meeting procedure

1. **Chairperson:** AIAL and Council will be jointly responsible for appointing and removing the chairperson. The terms of appointment will set out the conditions of appointment and removal, and will include that the term of appointment for the chairperson is limited to 5 years, unless the Group otherwise agrees. The chairperson will chair the meeting. If the chairperson is not present within 15 minutes of the time appointed for the meeting then the Group will appoint another person to chair the meeting.
2. **Notice of meeting:** AIAL will arrange for:
 - public notice of the meeting to be published on the internet, including the contact details of all members of the Group; and
 - a reminder of meeting, together with any other relevant information to be sent to all members of the Group at least 5 working days before the meeting. The notice of meeting will set out the time and place of the meeting, and the nature of the business to be discussed. Members of the Group may advise AIAL of items to be included in the notice of meeting.
3. **Method of holding meeting:** Meetings will be held by a number of members, who constitute a quorum, being assembled together at the place, date and time appointed for the meeting.
4. **Quorum:** No business may be transacted at a meeting of the Group if a quorum is not present. A quorum is present if there are at least 6 people including three Local Board representative, one Board of Airline Representatives of New Zealand representative, the Airways Corporation representative and one AIAL representative. If a quorum is not present within 15 minutes of the time appointed for the meeting then the meeting is to be adjourned to the same day in the following week at the same time and place or to such other date, time and place as the Group may appoint.
5. **Members may act by representative:** A member of the Group may appoint a representative to attend one or more meetings of the Group.
6. **Minutes:** The Group will ensure that minutes are kept of all proceedings and that the minutes are made available as soon as possible after the meeting on the internet. Minutes of the previous meeting will be sent to members with the notice of meeting for the next meeting.

Attachment B: Maximum Costs of Acoustic Treatment and Related Ventilation Measures

* For details of each classroom type for the specified schools refer to Marshall Day Acoustics report "Sound Insulation and Ventilation – Schools", dated 1 May 2001.

TYPE OF SPACE*	NUMBER OF CLASSROOMS, LIBRARIES AND HALLS	MAXIMUM COSTS OF ACOUSTIC TREATMENT AND RELATED VENTILATION MEASURES PER CLASSROOM, LIBRARY OR HALL	MAXIMUM COST FOR CLASSROOMS (= TOTAL PER CLASSROOM X NUMBER OF CLASSROOMS) AND FOR EACH LIBRARY AND HALL
Redoubt North School			
E1	20	\$68,000	\$1,360,000
Library	1	\$68,000	\$68,000

Hall	1	\$23,000	\$23,000
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All Preschools and Schools	
Type of space	Maximum cost per Classroom, Library or Hall
Classroom	\$188,000
Library	\$149,000
Hall	\$78,000

Attachment C: Example of Deed of Covenant

Easement instrument to grant easement or profit à prendre, or create land covenant
 (Sections 80A and 80F Land Transfer Act 1952)

2008/5229EF
 APPROVED
 Registrar-General of Land

Grantor

Grantee

AUCKLAND INTERNATIONAL AIRPORT LIMITED

Grant of Easement or Profit à prendre or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedules, if required

Purpose (Nature and extent) of easement, profit or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Covenant to maintain Aircraft Noise Mitigation Work			

RIF 1201 - AUCKLAND DISTRICT LAW SOCIETY INC

ANNEXURE SCHEDULE A

INTRODUCTION

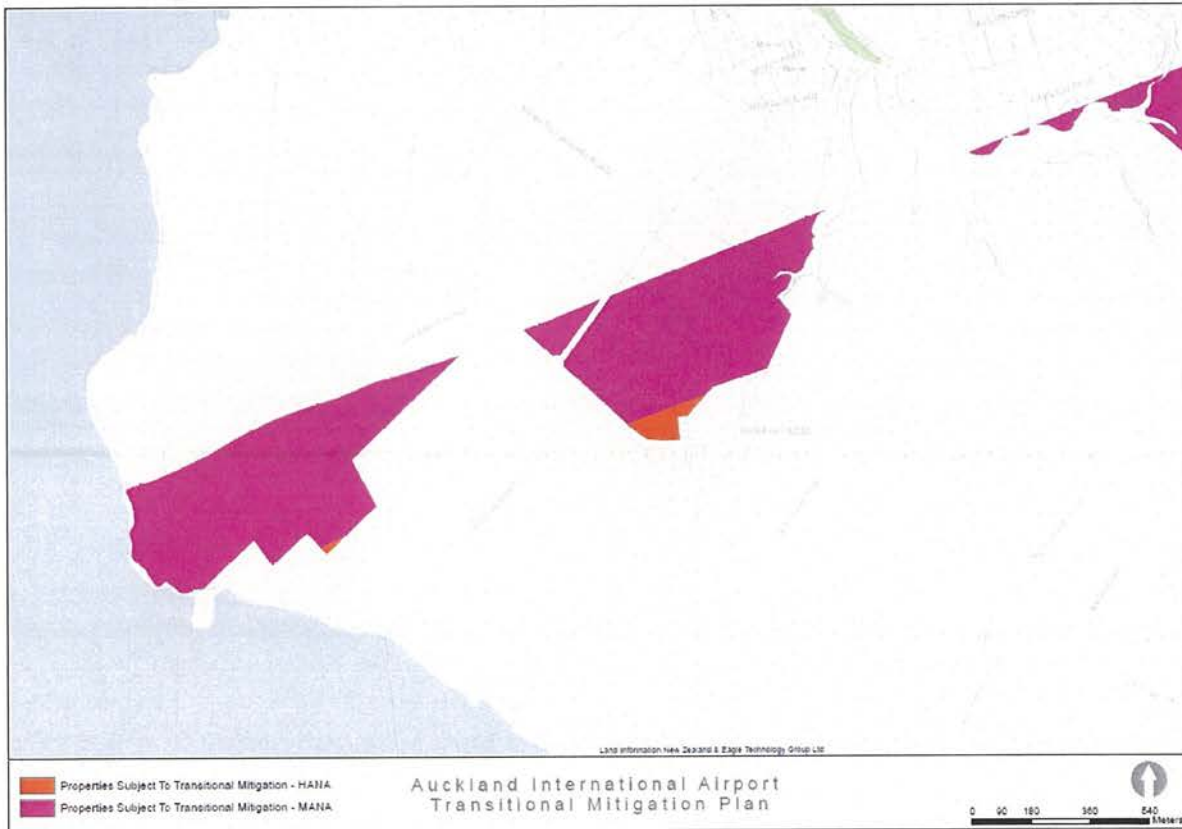
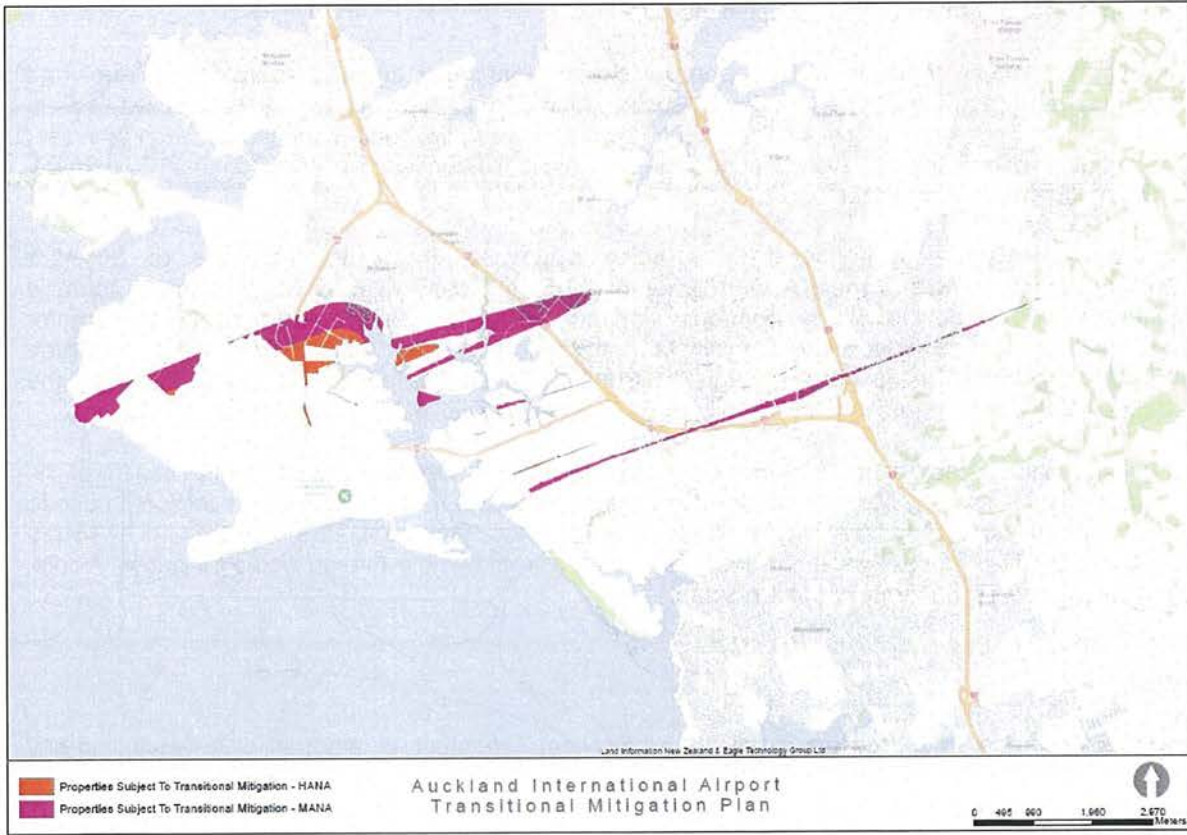
A. The Grantor is registered as proprietor of the Servient Tenement (“**Servient Tenement**”).

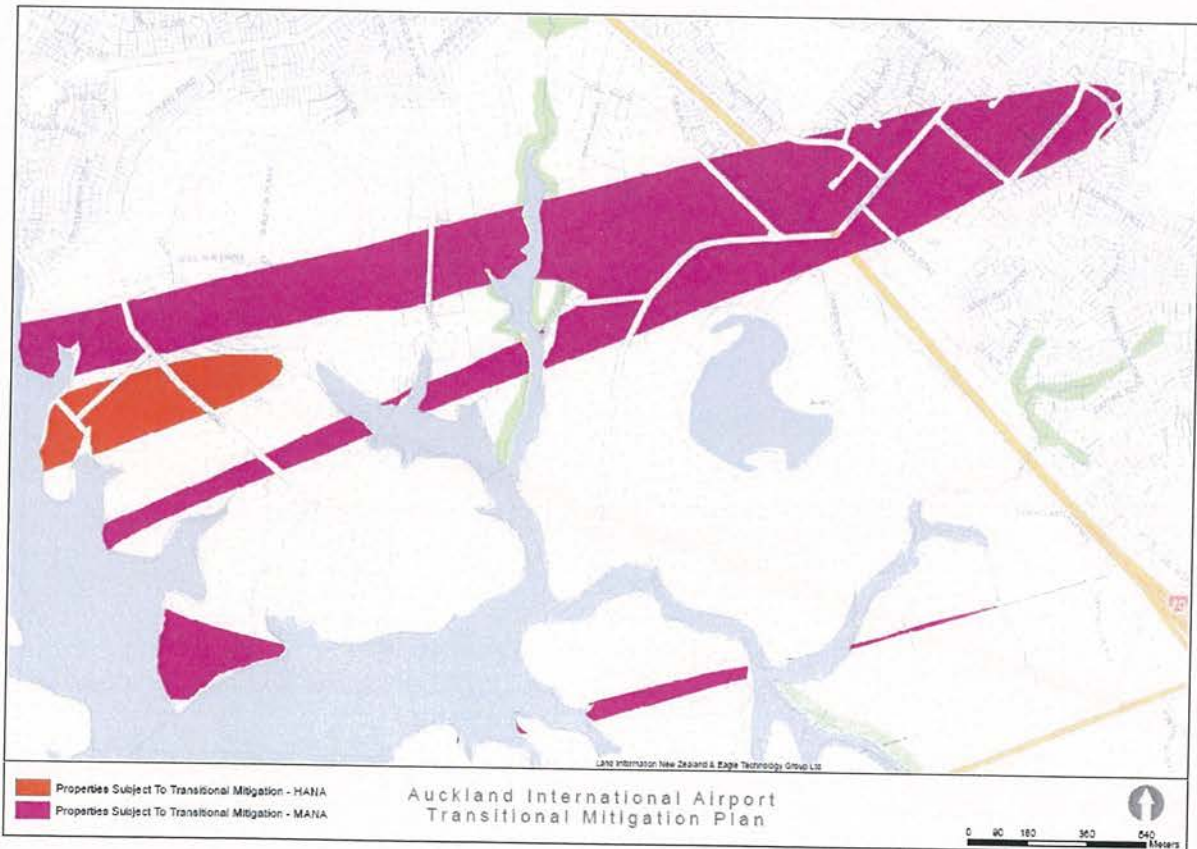
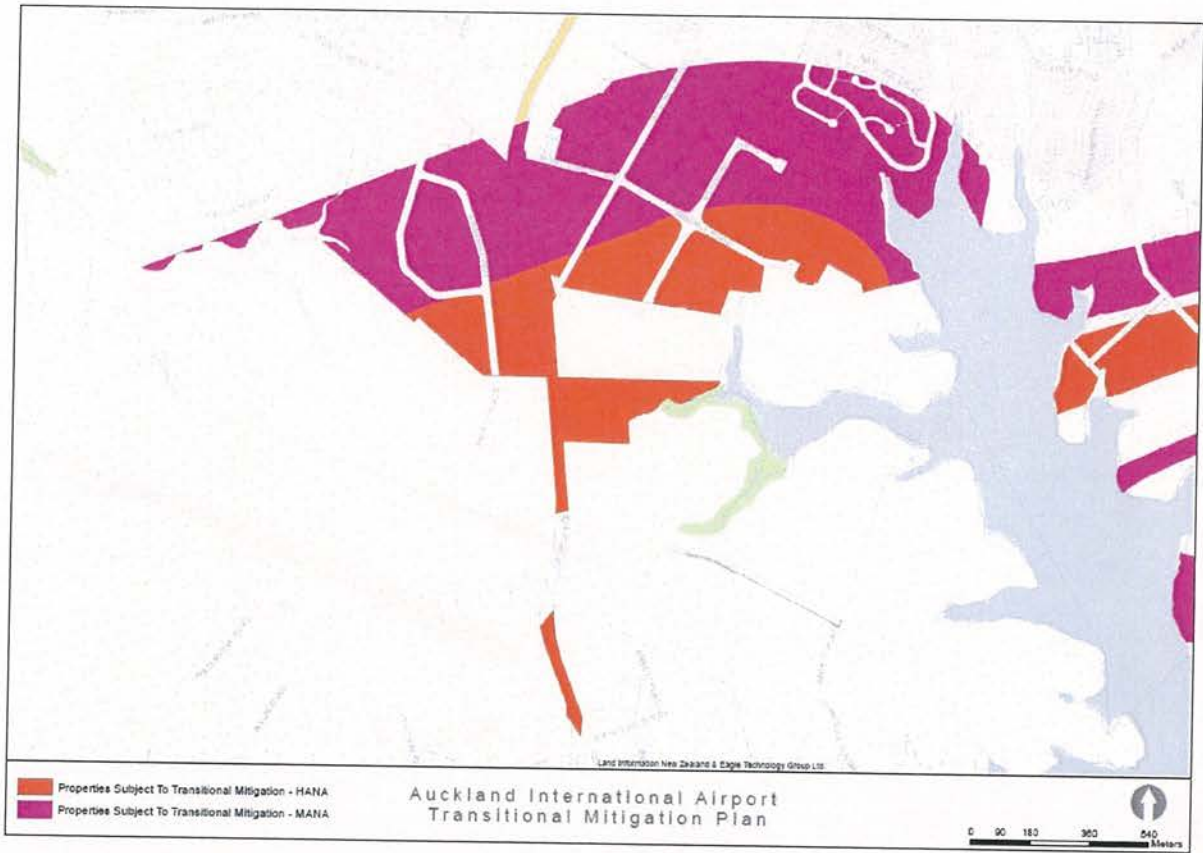
- B. The Grantee is registered as proprietor of the Dominant Tenement ("**Dominant Tenement**") and owns or is entitled to use the structures erected thereon.
- C. The Grantee either itself or by its lessees, licensees and other invitees operates the Auckland International Airport together with other associated industrial, commercial and retail activities from the Dominant Tenement, which results and is likely to result in environmental effects, such as noise, which has and is likely to have consequences beyond the boundaries of the Dominant Tenement, including upon the Servient Tenement.
- D. The Servient Tenement is identified as being subject to [**high (in the case of Servient Tenement located within the HANA)**] / [**moderate (in the case of Servient Tenement located within the MANA)**] levels of noise from operations at Auckland International Airport, and the Grantor has accepted the Grantee's offer to install physical works and equipment ("**Aircraft Noise Mitigation Works**") in the building(s) on the Servient Tenement, for the purpose of mitigating the effects of such noise, more particularly described in Schedule Two of this Annexure Schedule.
- E. In consideration of the Grantee's offer the Grantor has agreed with the Grantee (for the benefit of the Grantee and its lessees, licensees and other invitees) to accept for itself and its successors in title to the Servient Tenement and any part or interest in the Servient Tenement, for the period until 31 March 2044, an obligation not to lessen the effectiveness of, or remove, the Aircraft Noise Mitigation Works, in accordance with the terms of this Covenant.

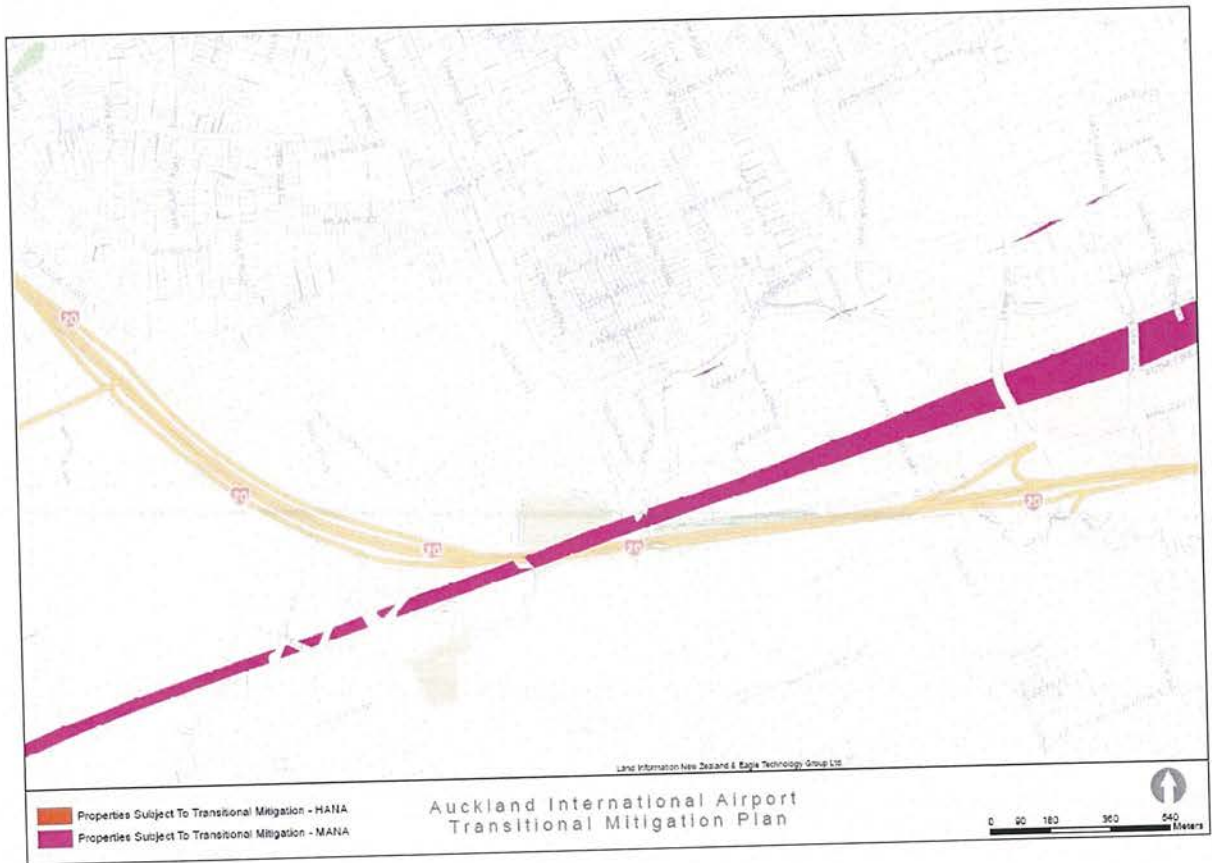
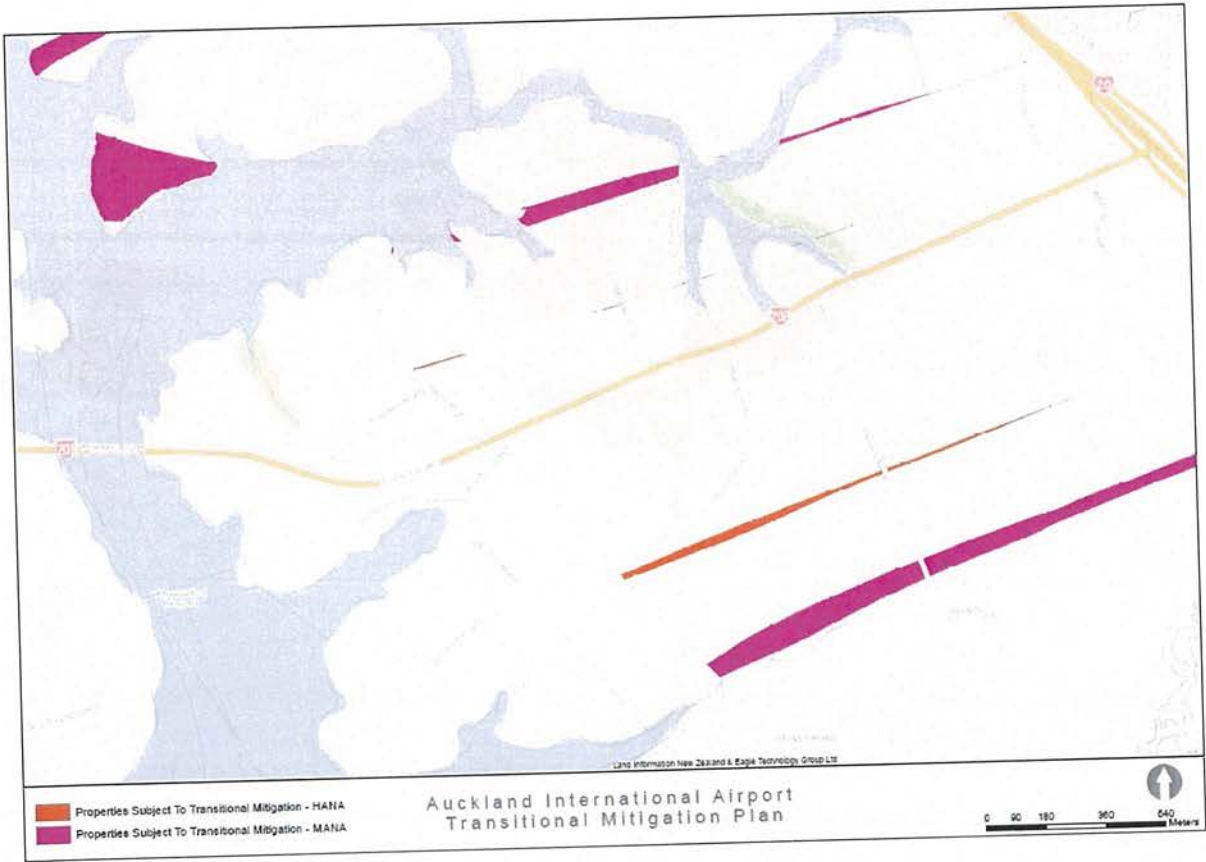
COVENANTS

The Grantor for itself and its successors in title to the Servient Tenement, or any part of it, (excluding any tenants occupying the Servient Tenement pursuant to a lease or tenancy vested in the Housing New Zealand Corporation or any statutory or regulatory successor to the Housing New Zealand Corporation), hereby covenants, acknowledges and agrees with the Grantee as a covenant for the benefit of the Grantee itself and its lessees, licensees and invitees on the Dominant Tenement from time to time, that the Grantor will observe and perform all the stipulations and restrictions contained in Schedule One of this Annexure Schedule to the end and intent that each of the stipulations and restrictions shall, in the manner and to the extent prescribed, ensure for the benefit of, and be appurtenant to, the whole of the Dominant Tenement until 31 March 2044.

Attachment D: Auckland International Airport Transitional Mitigation Plans







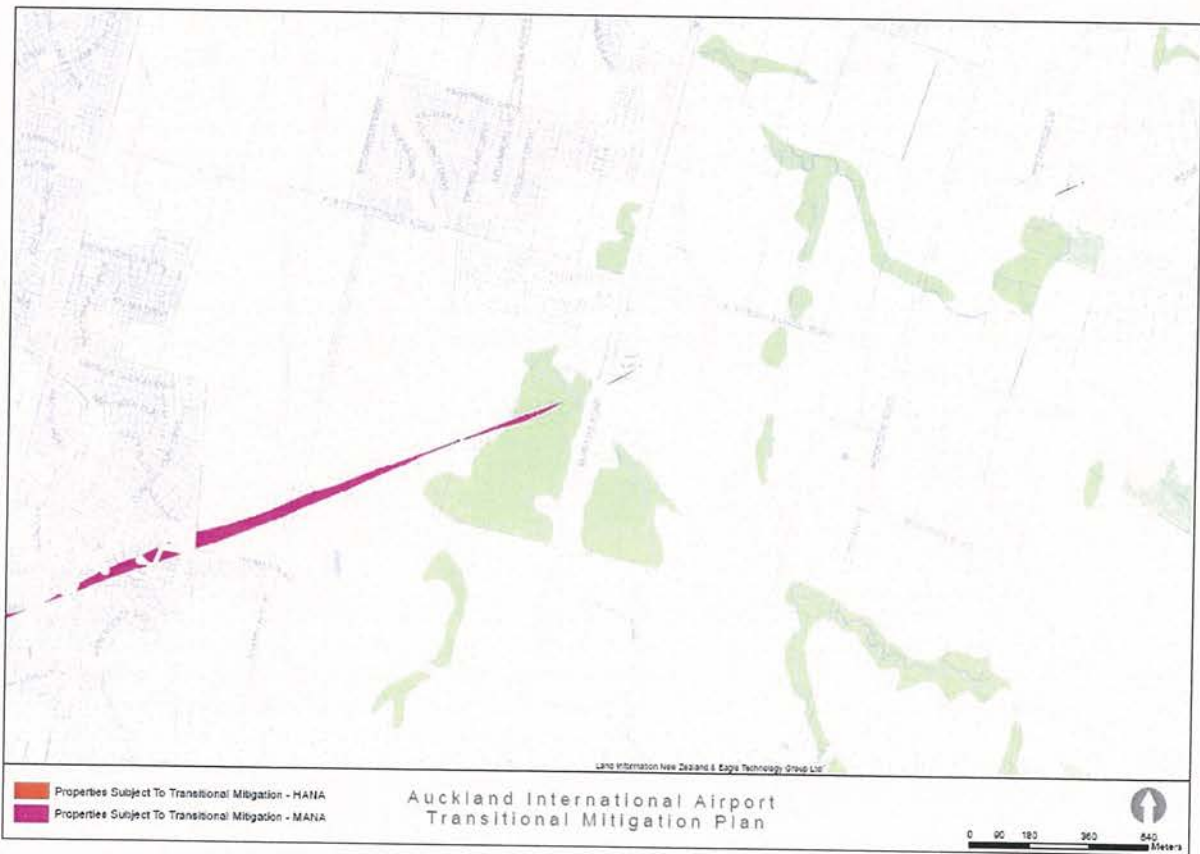
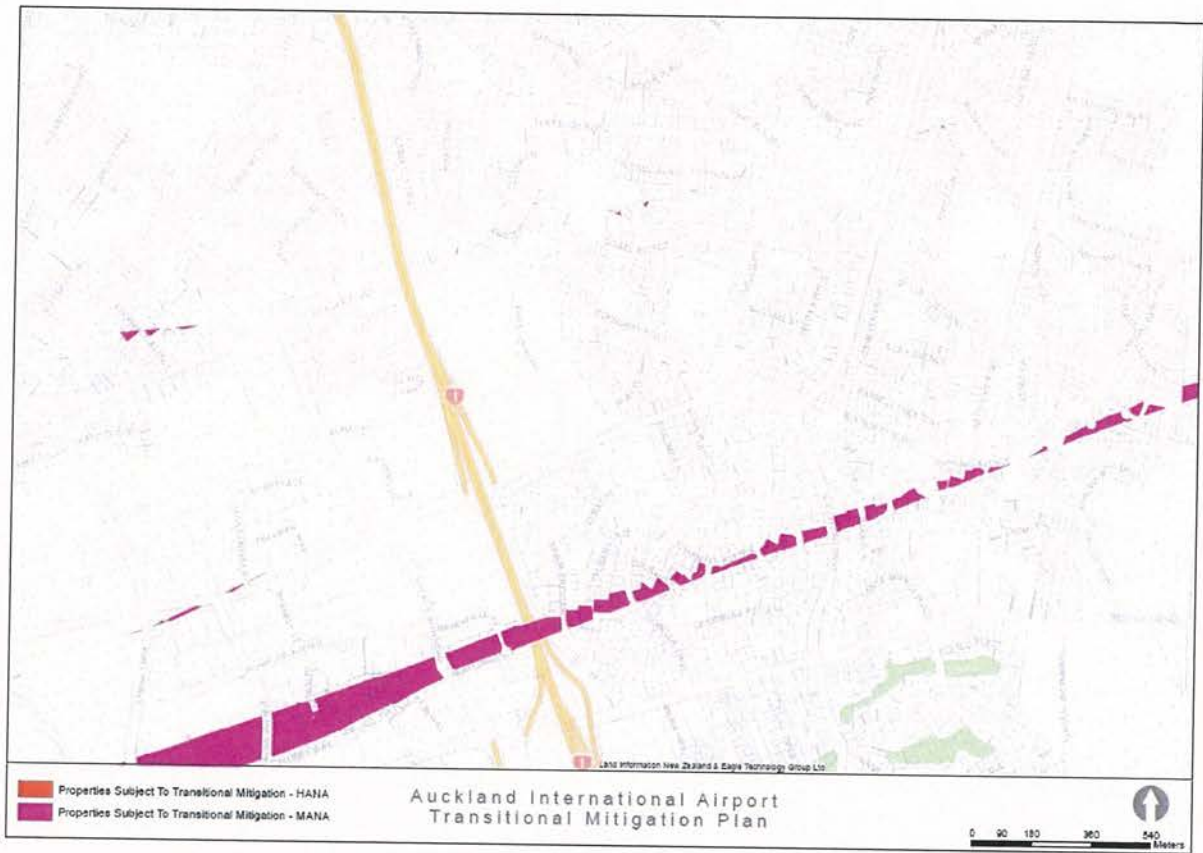


Figure 1 - Designated Area

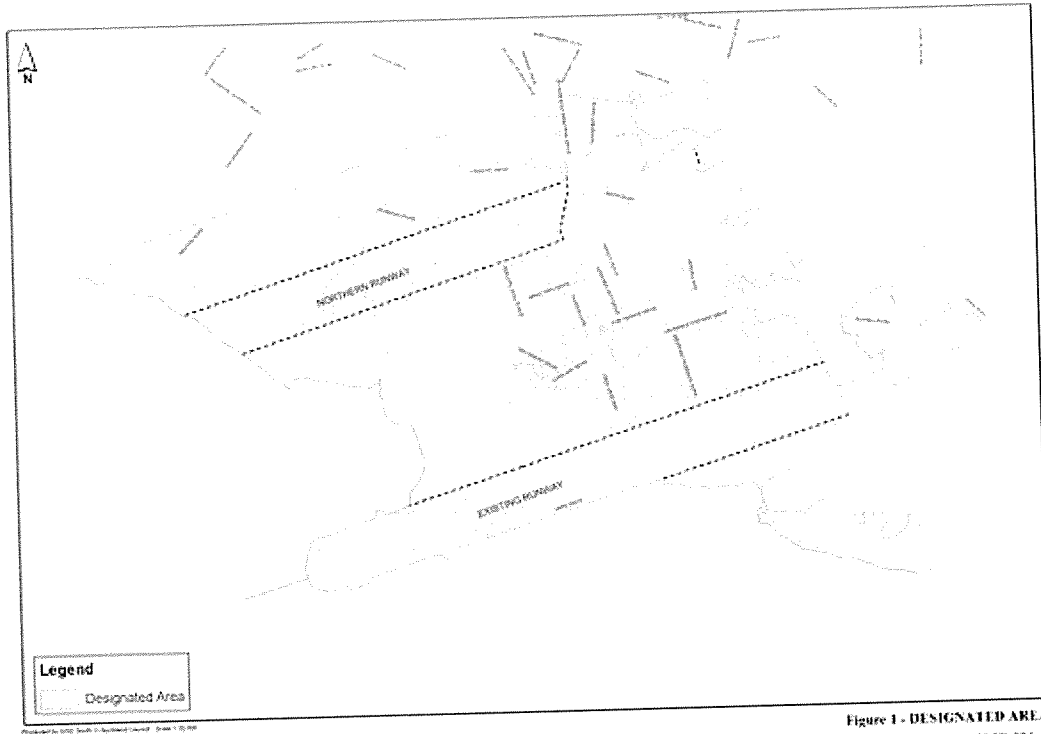


Figure 1- DESIGNATED AREA
APPENDIX I

Figure 2 - Control Zone

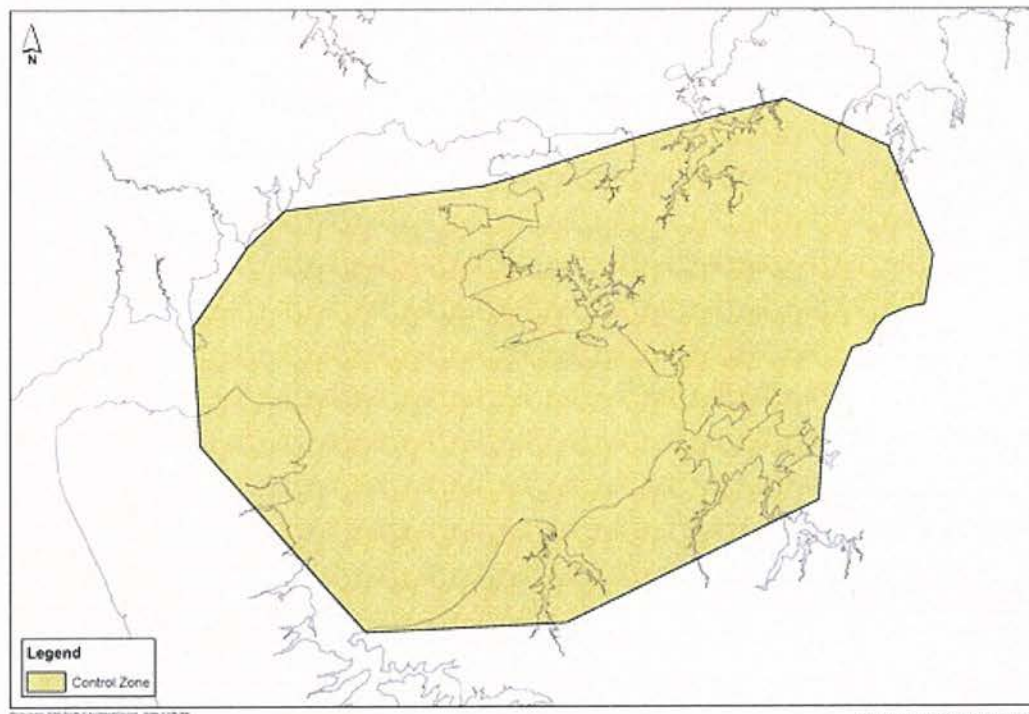


Figure 2 - CONTROL ZONE
APPENDIX I

Figure 3 - Aircraft Noise Areas

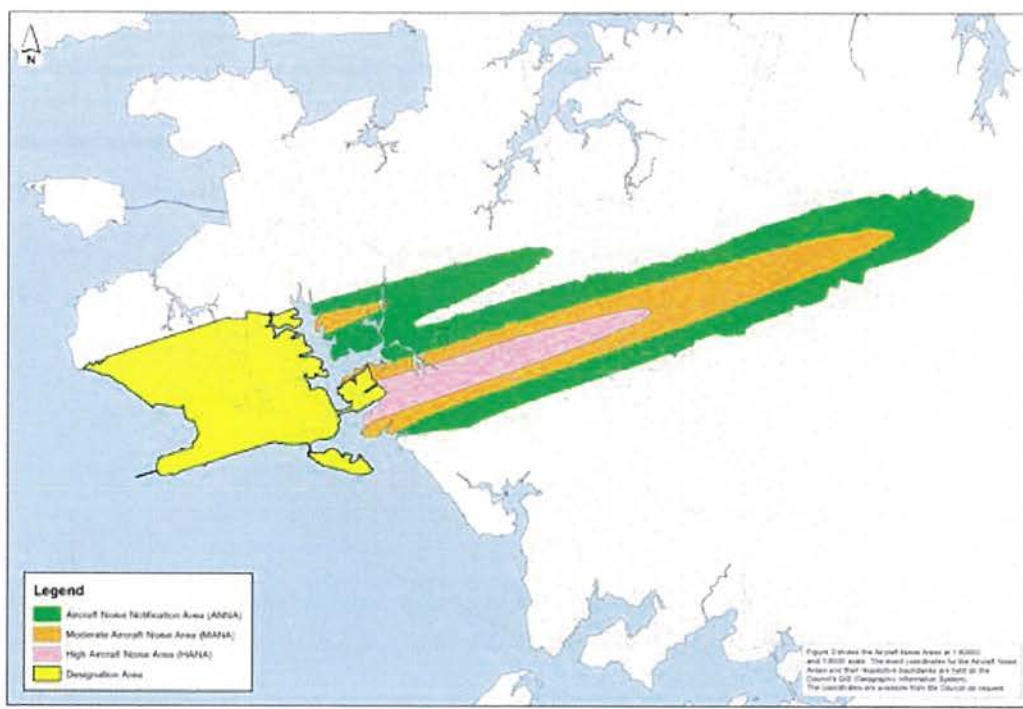
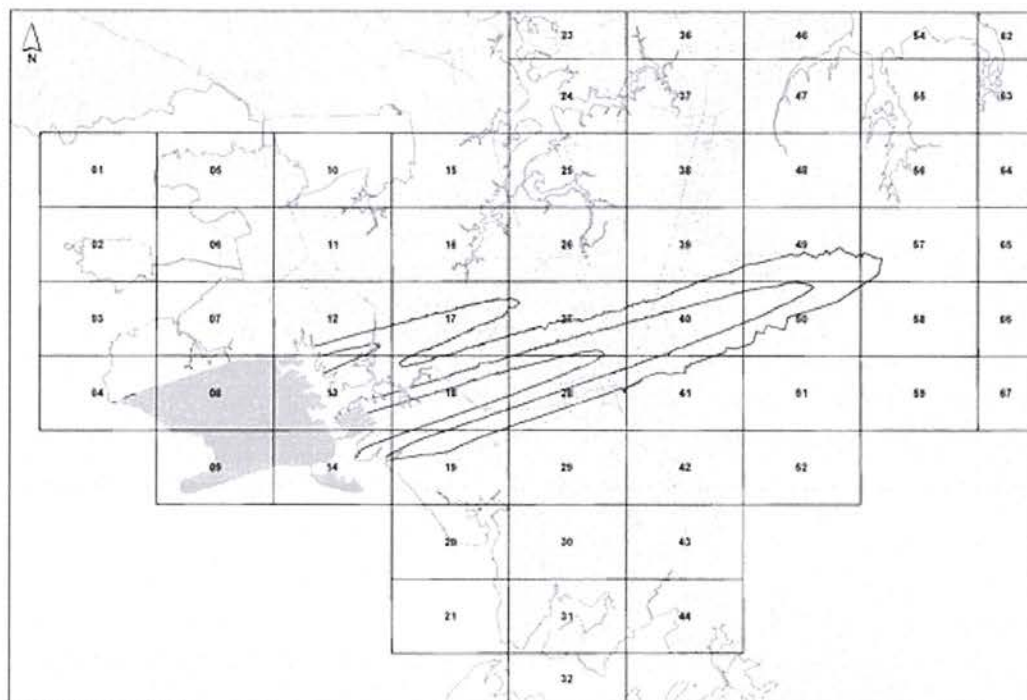


Figure 3 - AIRCRAFT NOISE AREAS
APPENDIX 1



APPENDIX 1

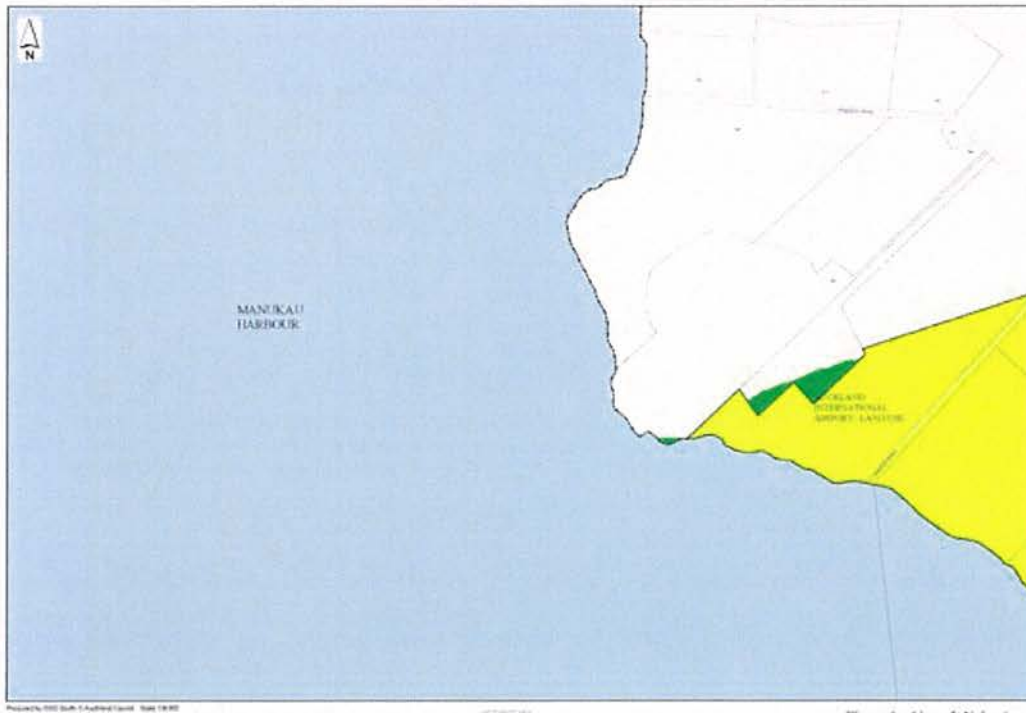


Figure 3 - Aircraft Noise Areas
APPENDIX I

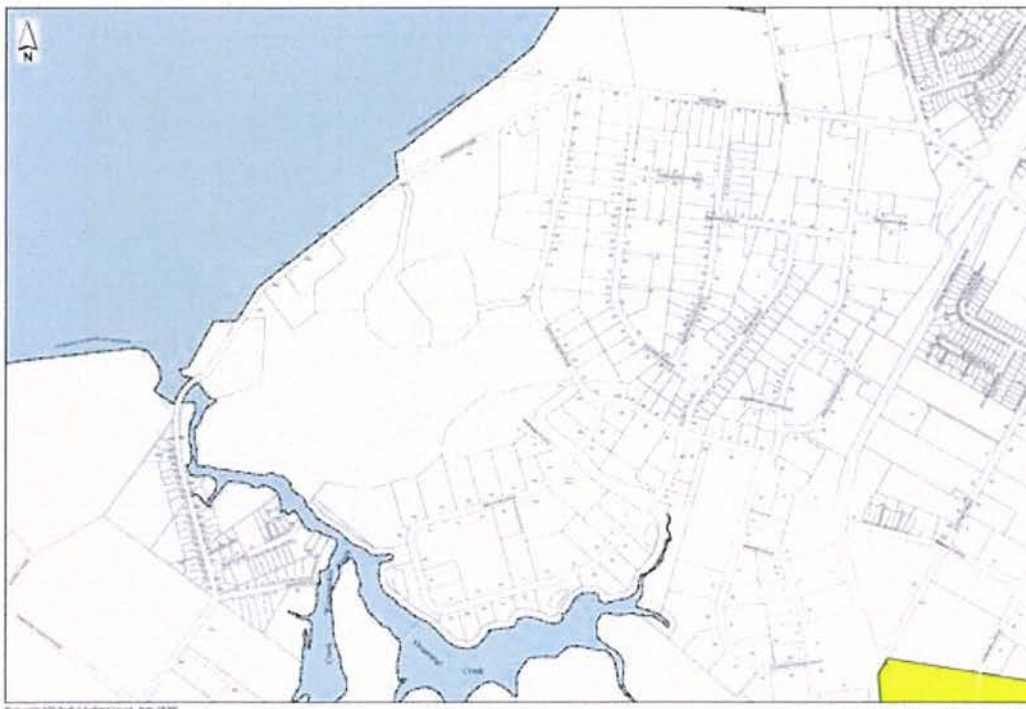


Figure 3 - Aircraft Noise Areas
APPENDIX I

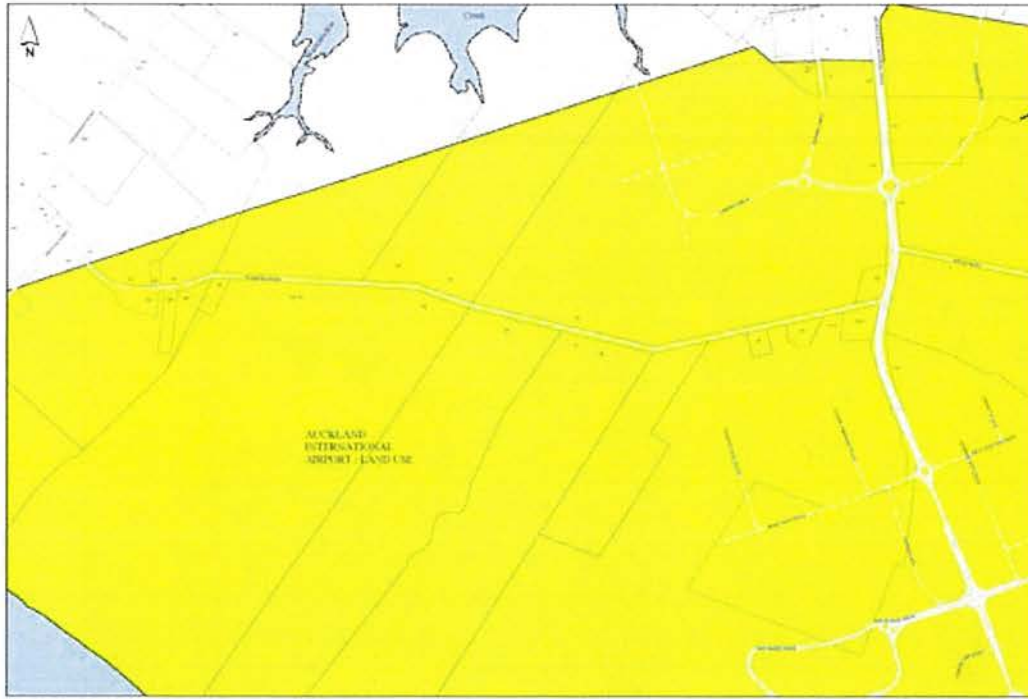


Figure 3 - Aircraft Noise Areas
APPENDIX 1



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APPENDIX I



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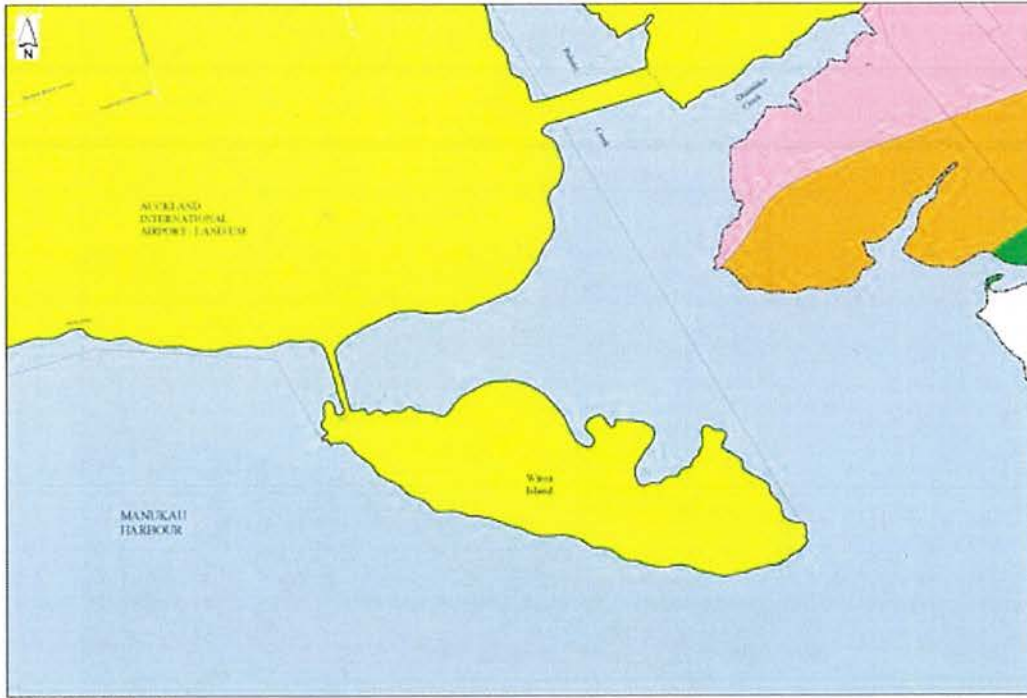


Figure 3 - Aircraft Noise Areas
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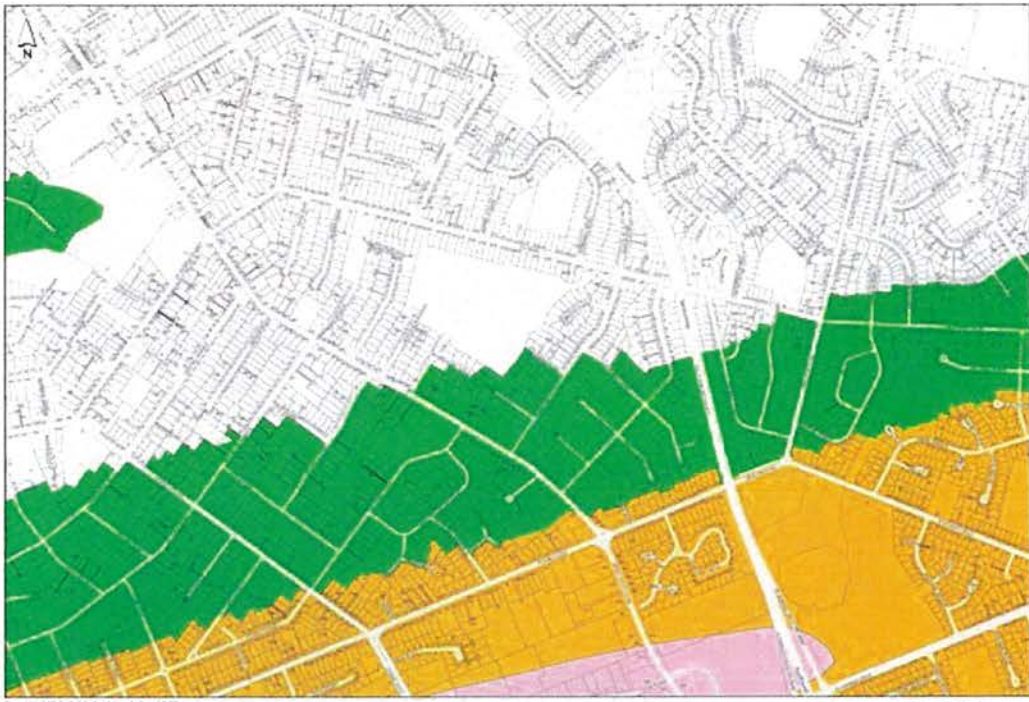


Figure 3 - Aircraft Noise Areas
APPENDIX 1



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APPENDIX 1



Figure 3 - Aircraft Noise Areas
APPENDIX I



Figure 3 - Aircraft Noise Areas
APPENDIX I



Figure 3 - Aircraft Noise Areas
APPENDIX I

Figure 4 - Future Aircraft Noise Contours

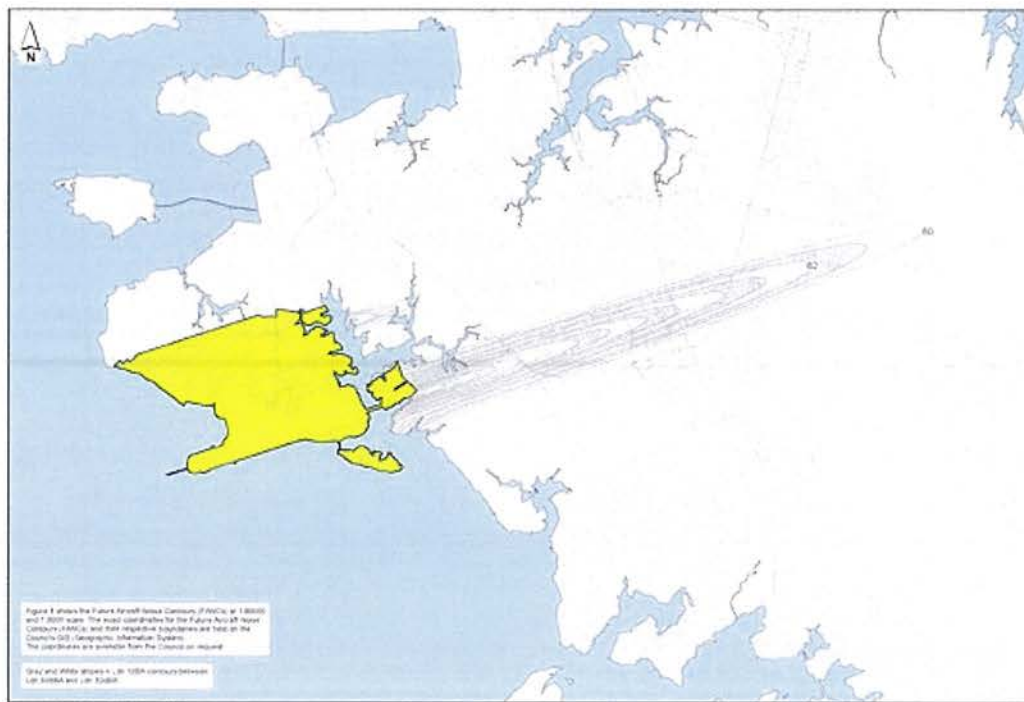
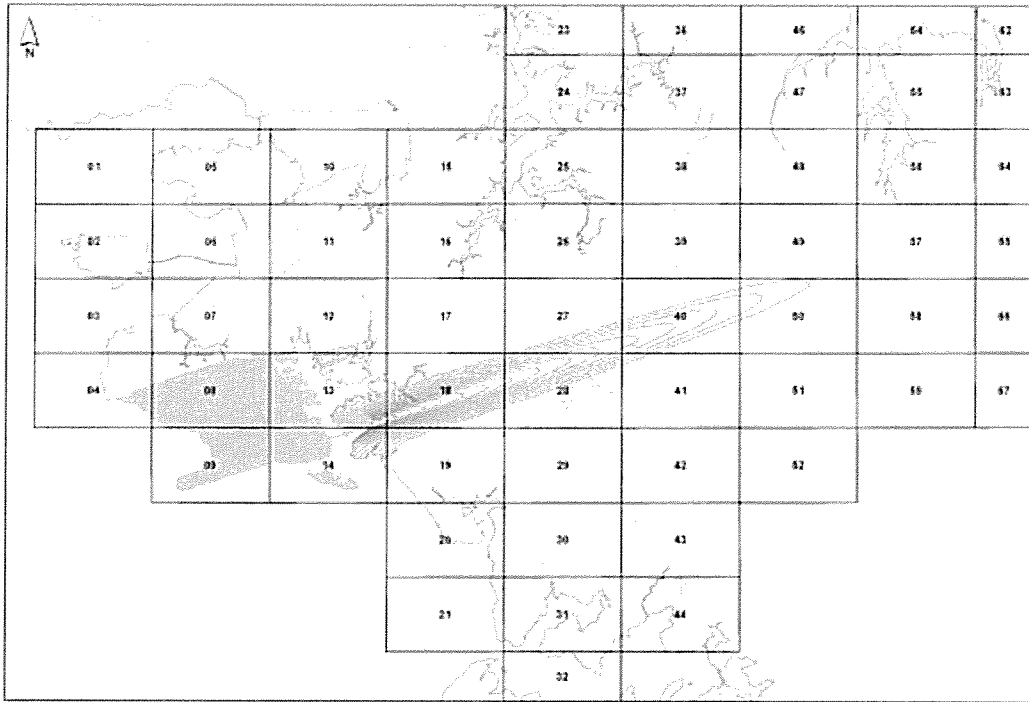


Figure 4 - FUTURE AIRCRAFT NOISE CONTOURS (FANCs)
APPENDIX I



GRID FOR APPENDIX I FIGURE 4 MAPS AT 1:2000
APPENDIX I

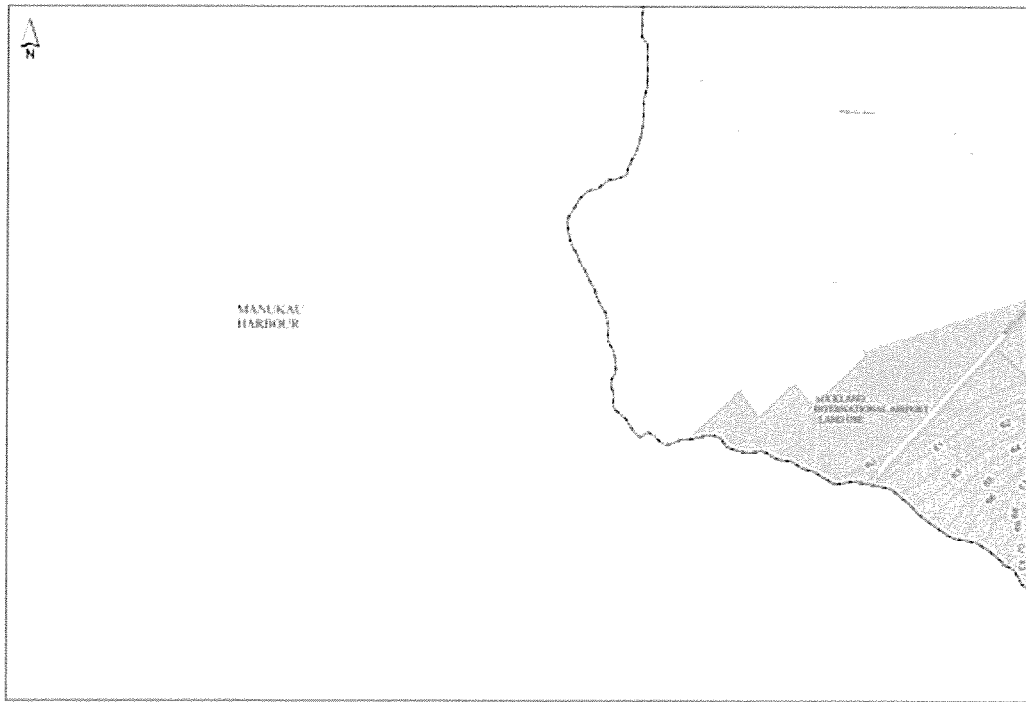


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I



Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I

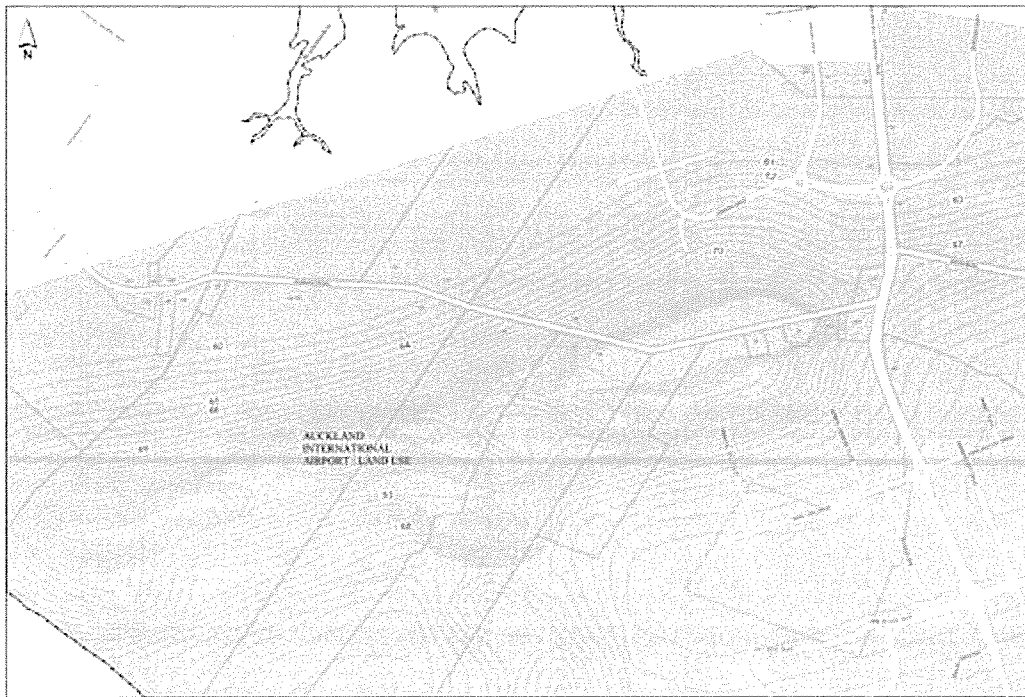


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I

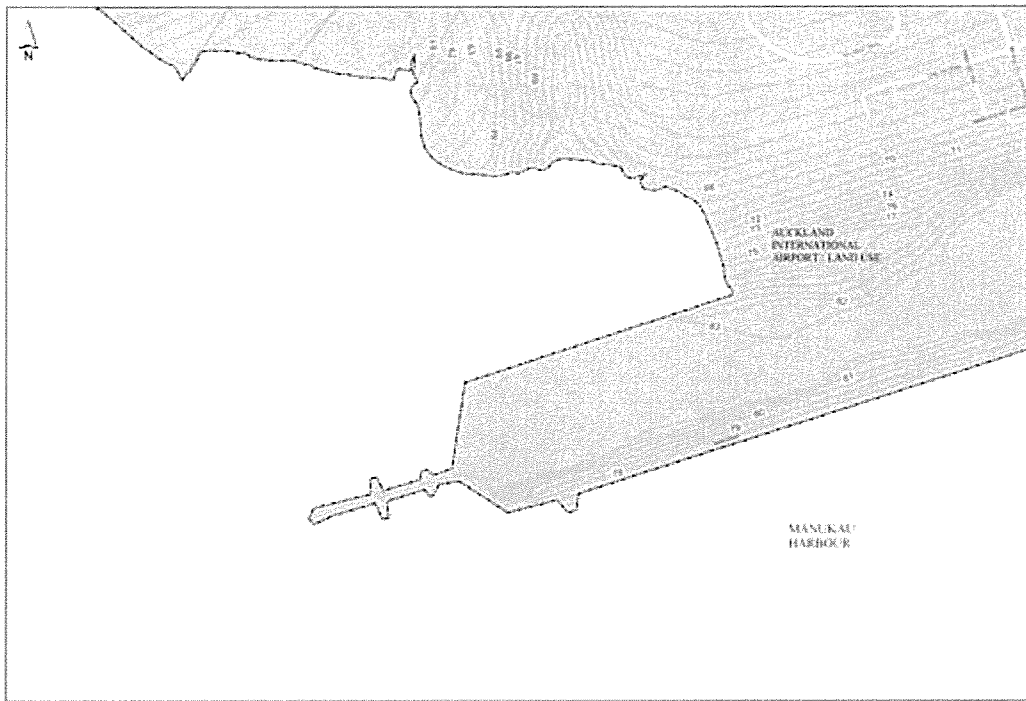


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I



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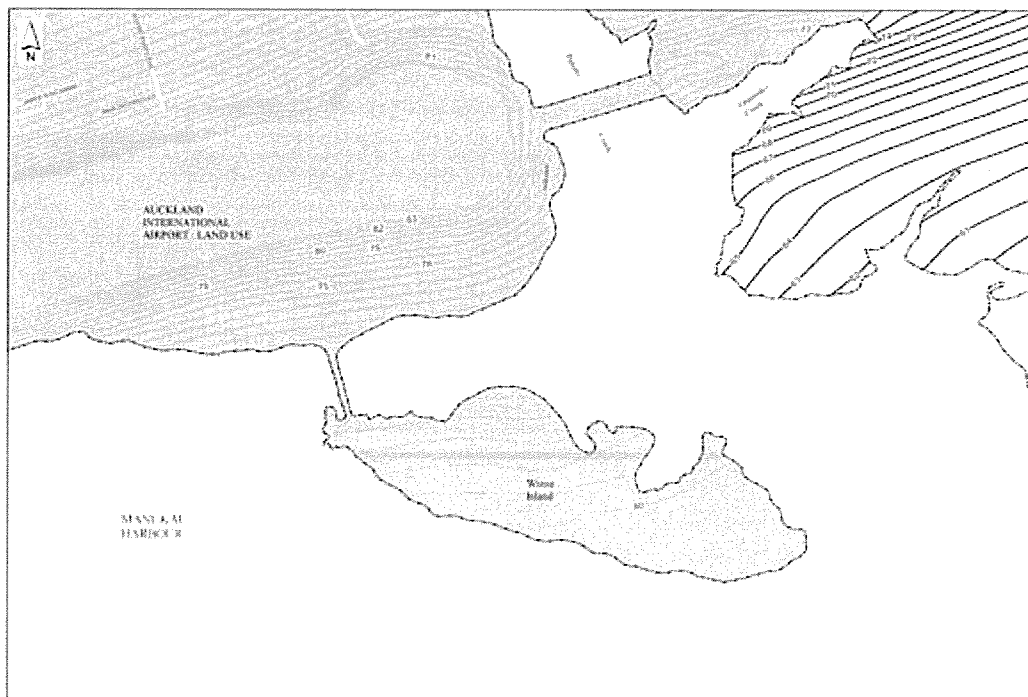


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I

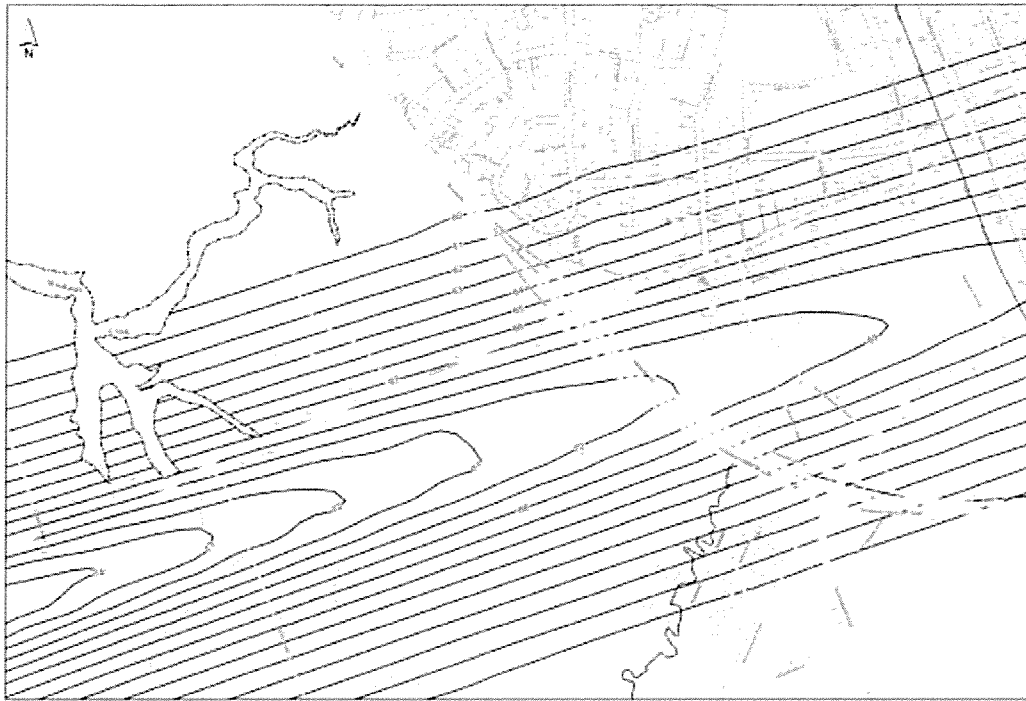


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I



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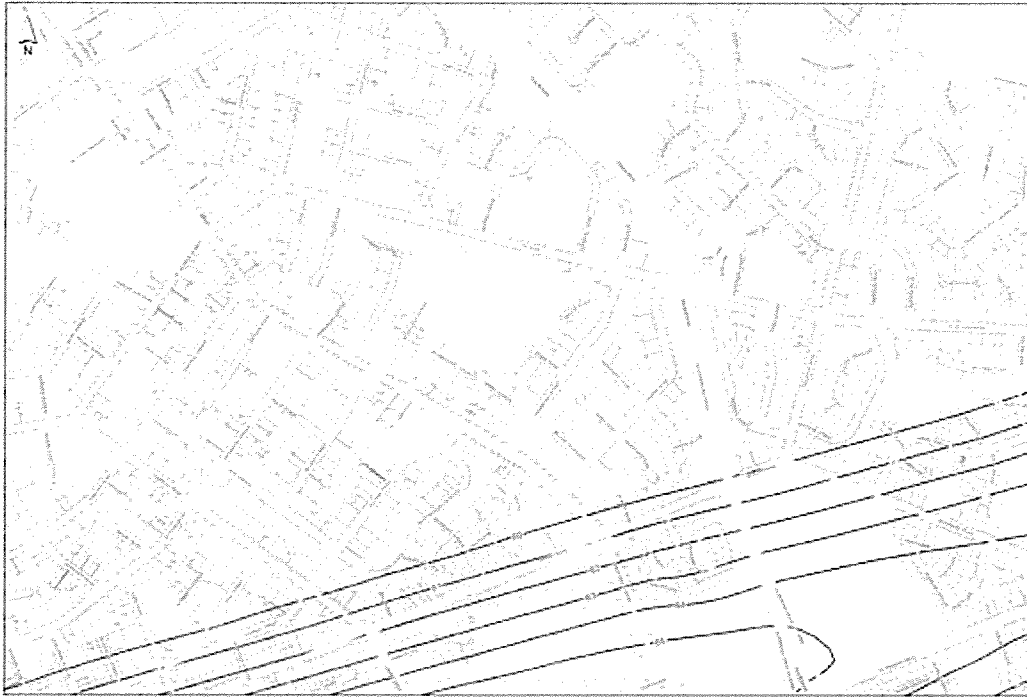


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX 1



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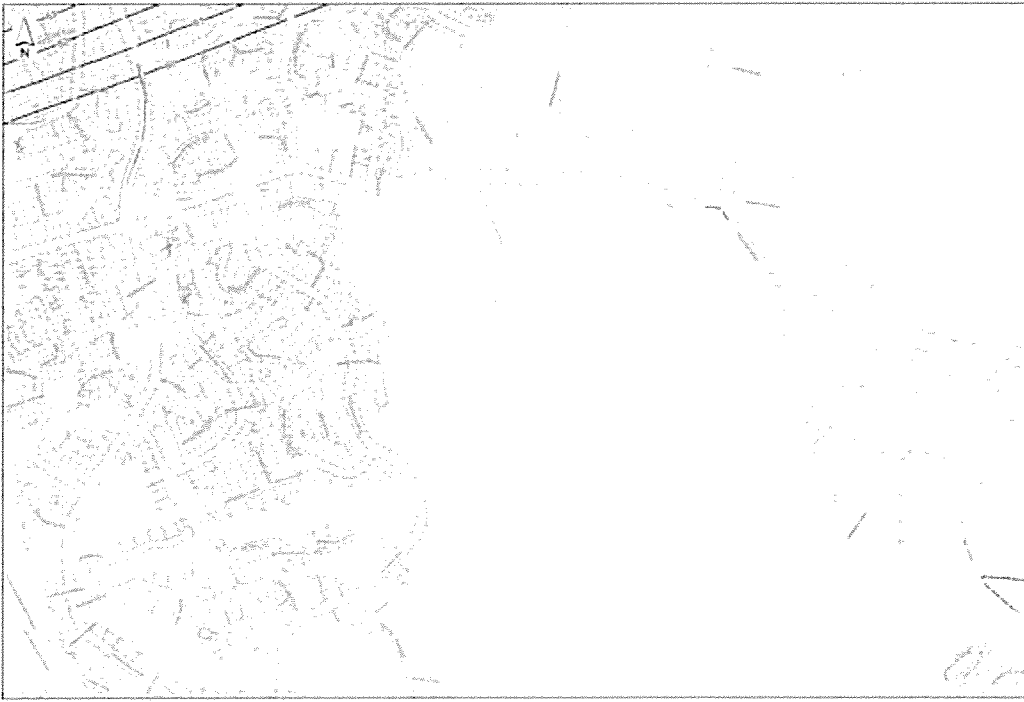


Figure 4 - Future Aircraft Noise Contours (FANCs)
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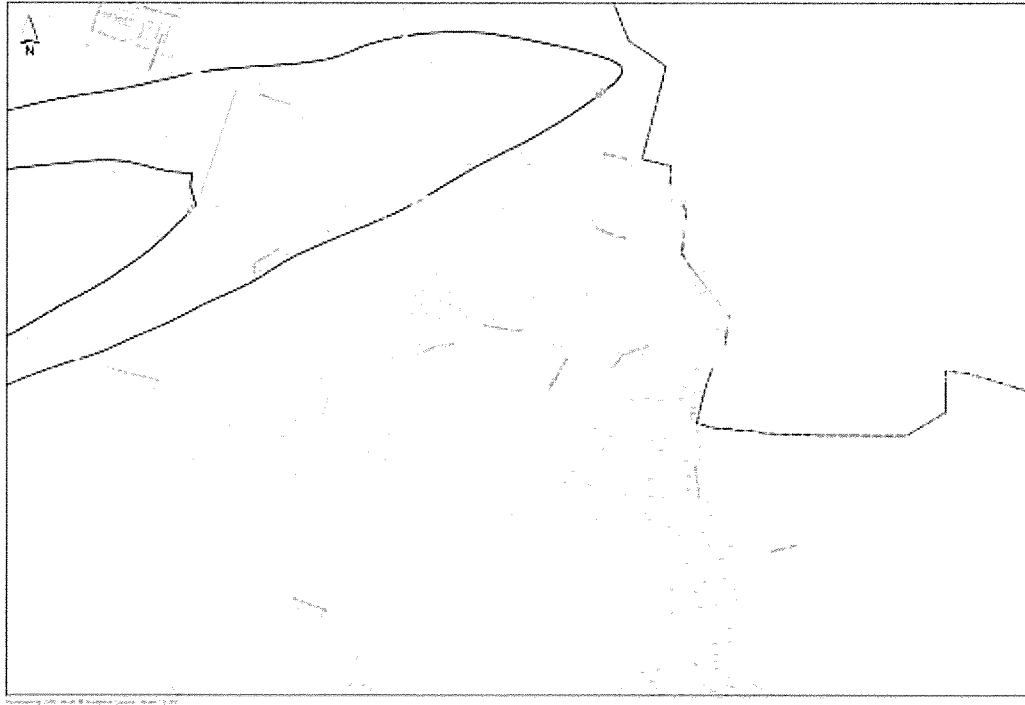
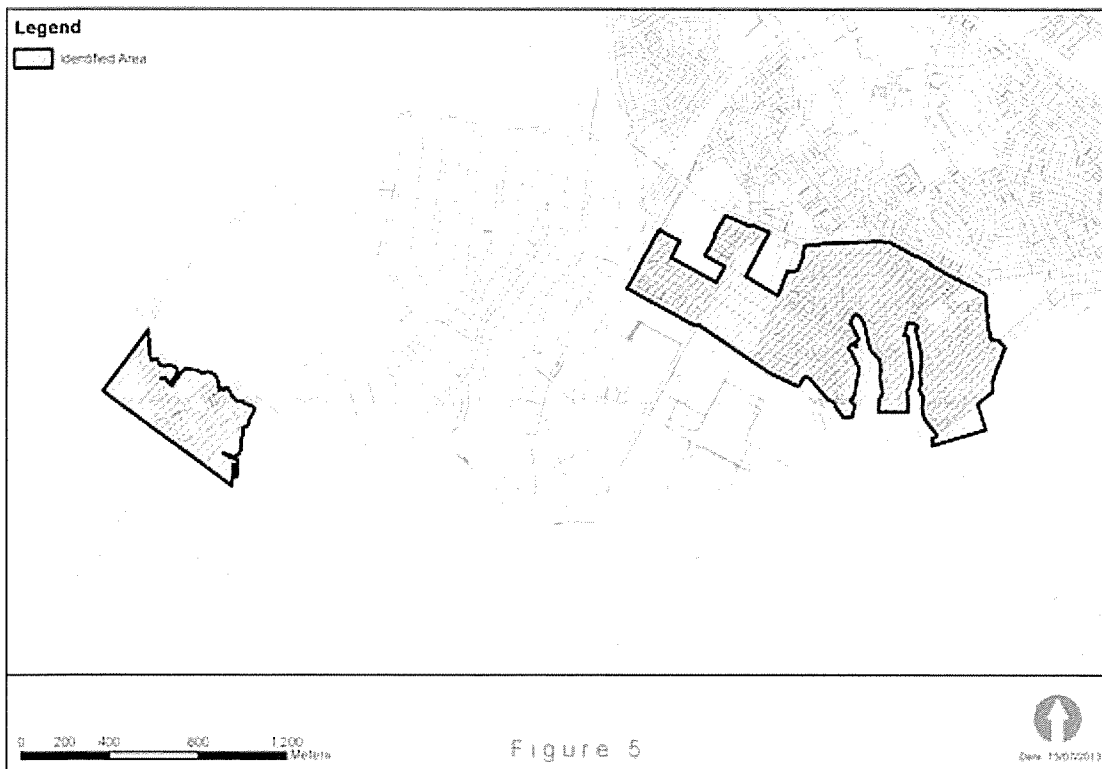


Figure 4 - Future Aircraft Noise Contours (FANCs)
APPENDIX I

Figure 5 - Identified Area



1101 Auckland International Airport - Renton Road Area

Designation Number	1101
Requiring Authority	Auckland International Airport Ltd
Location	200 and 260 Ihumatao Road, Mangere
Rollover Designation	Yes
Legacy Reference	Designation 231A, Auckland Council District Plan (Manukau Section) 2002
Lapse Date	Pursuant to section 184(1)(c) of the RMA this designation shall only lapse when this unitary plan ceases to be operative

Purpose

Activities within the designation are limited to:

- i. Runways, taxiways and other aircraft movement areas and aprons;
- ii. Aircraft Operations;
- iii. The repair, maintenance and servicing of aircraft;
- iv. Air freight operations which require airside frontage;
- v. Landscaped open space buffer areas (refer Figure 1A.1);
- vi. Activities that are ancillary to the above activities; and
- vii. Buildings and other Structures required for the above activities.

Conditions

1. The following conditions from Designation AIAL 1100 shall apply to Designation AIAL 1101:

- a. Condition 1 (Definitions)
 - b. Condition 9 (Noise Management Plan)
 - c. Condition 9A (Reporting of Exceptions)
 - e. Condition 13(b) (Engine Testing on Aircraft)
 - f. Condition 13(c) (Engine Testing on Aircraft)
 - g. Condition 17 (Public Access to the Coastal Marine Area and Fossil Forest);
- and pursuant to section 184(1)(c) of the RMA this designation shall only lapse when this unitary plan ceases to be operative. Note: in relation to this condition, references to the "designated area" in the conditions to Designation AIAL 1100 shall be read as references to the land to which Designation AIAL 1101 applies.

In addition, the following conditions also apply to this designation:

2. Auckland International Airport ("the Airport") activities within Designation AIAL 1101 shall be limited to:

- a. Runways, taxiways and other aircraft movement areas and aprons;
- b. Aircraft Operations;
- c. The repair, maintenance and servicing of aircraft;
- d. Air freight operations which require airside frontage;
- e. Landscaped open space buffer areas (refer Figure AIAL 1A.1);
- f. Activities that are ancillary to the above activities; and
- g. Buildings and other Structures required for the above activities.

3. An outline plan of any work in the designated area must be submitted to the Council pursuant to section 176A of the RMA, unless, in the case of minor works, the Council waives the requirement for an outline plan.

4. The outline plan shall include, in addition to the matters required under section 176A of the RMA:

- a. A report or reports covering the following matters, as relevant to the scale and location of the works proposed:

Site Layout

- i. Whether the site layout is compatible with the site development (existing or potential) of adjoining sites and the streetscape;
- ii. Whether the building aligns with Oruarangi Road or realigned Renton Road (if relevant), to create a clear spatial system along the roads;
- iii. Whether buildings align with other buildings on the site or (existing or potential) on adjoining sites;

Design and External Appearance of Buildings and Structures

- i. Whether site levels and building form, colour and texture are used to reduce the apparent height and bulk of large buildings where viewed from Ihumatao Road, Oruarangi Road and realigned Renton Road;
- ii. Whether building platforms are designed in such a way that one building is not more dominant than neighbouring buildings;
- iii. Whether rooftop mechanical equipment is integrated into roof forms or otherwise concealed from adjacent roads and reserves;
- iv. Whether there will be a consistency of building materials and colours between buildings (including buildings on adjoining sites);
- v. Whether service areas and loading docks, car parks, loading docks are designed to face away from the front yard;
- vi. Whether any security fencing is integrated with planting and buildings so as to avoid any adverse visual effect on Ihumatao Road and realigned Renton Road;
- vii. Whether low glare, high cut-off exterior lighting is used, and integrated with the architectural and landscape design;
- viii. Whether signage is integrated with the architectural and landscape design.

Landscape Treatment

- i. Whether existing planting along the Ihumatao Road frontage is to be retained and/or enhanced and, in the area shown as "supplementary landscape planting" on Figure AIAL 1A.1, whether the landscape planting proposed will complement and be consistent with the planting approved under any Framework Plan for Policy Area F of the Auckland Airport Precinct.
- ii. Whether a continuity of planting along the realigned Renton Road frontage is to be achieved to enhance the streetscape;
- iii. Whether the proposed landscape design enables the site as a whole to relate positively to development on adjoining sites and the road, and neighbouring areas of open space;
- iv. Whether the landscape treatment is in scale with the proposed development, providing for the visual softening of large buildings and the screening of parking, loading and storage areas;
- v. Whether the form (including density, species, depth and height) of planting that is proposed to be undertaken within the site provides coherent design with existing trees and shelterbelts on and immediately adjacent to the site;
- vi. Whether the proposed plantings are to be placed so that they do not obstruct views of landscape or landmark features.

Land Modification

In relation to any land modification exceeding 200m³, details of the following:

- i. Alteration to Natural Landscape - Whether any earthcut or fill will remove existing vegetation, alter the existing topography of the site, or affect existing natural features including landforms, and the impacts on the area's amenity values and cultural values, including wahi tapu.
 - ii. Site Stability and Erosion - Whether the effects from natural hazards will be avoided, remedied or mitigated, and the extent to which earthworks affect the stability and erosion potential of the site and surrounding site.
 - iii. Topography in Relation to Adjacent Land - Whether the site contours and final contours co-ordinate with the final levels of adjoining land.
 - iv. Flooding - Whether the earthworks and final levels will adversely affect overland flowpaths or increase the potential for flooding within the site or surrounding area.
 - v. Utility Services - Whether the earthworks and final levels will adversely affect existing utility services.
- b. Evidence of consultation with an appropriately delegated representative/s of the Makaurau Marae and Te Kawarau Iwi Tribal Authority Incorporated, including confirmation whether the delegated representative/s has sighted the final version of the outline plan of works that is to be submitted to Council.

- c. An analysis and prediction of the noise associated with the proposed works, so as to demonstrate compliance with Conditions 7-9 of this designation.
- d. Details of traffic management proposals for the period of construction of the proposed works, and for the operation of the proposed activities once established.
- e. The timetable for completion of works.

5. The land shown as "Landscape Buffer Area" in Figure AIAL 1A.1 shall be planted and developed in accordance with a Landscape Buffer Development and Landscape Treatment Plan 3 years prior to any building being erected in the Designation AIAL 1101 area or within 5 years of this designation being incorporated in the Unitary Plan, whichever is the earlier date. The Landscape Buffer Development and Landscape Treatment Plan shall include provision for the following:

- a. Maintaining Ellett House and its surrounds to an appropriate sustainable standards suitable for a productive use, and in accordance with recognised conservation principles.
- b. Retaining the existing stone wall as a landscape and cultural heritage feature and ensuring that any planting will avoid archaeological site R11/2471 adjacent to the stone wall and the stone wall itself.
- c. The establishment of appropriate native vegetation (eco-sourced where practical), "story board" signage and/or a tohu (monument) or plaque(s) to acknowledge archaeological sites, and Maori past presence, use and traditional relationship to the site.
- d. Any security fencing is to be located on the airport side of the landscape buffer, i.e. to the east of the realigned Renton Road. No security fencing is to be located on or beside realigned Renton Road itself or on the western boundary of the designation.
- e. Other than the signage required under c. or security signage, including in relation to .d above, no signage shall be visible from realigned Renton Road or Ihumatao Road.

6. In relation to Ihumatao and the realigned Renton Road boundaries of this designation, no part of any building within the designated area shall project beyond a building envelope contained by a 55 degree recession plane from points 2.5 metres above the edges of those roads (i.e. the maximum height = 2.5 metres plus 1.428 x distance from the edge of the road). For the purposes of this condition the edge of Ihumatao Road is defined by the south-western boundary of Ihumatao Road while the edge of realigned Renton Road boundary of the designation is defined by the south-eastern edge of the carriageway of the realigned Renton Road.

7. Noise from Aircraft Operations within the area of the Designation shall not exceed a Day/Night level (L_{dn}) of 55dB within the notional boundary of any dwelling within the Identified Area shown on Figure 5 attached to Designation AIAL 1100 (where the notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling). For the purpose of this control aircraft noise shall be measured in accordance with NZS6805:1992 and calculated as a 12 month rolling logarithmic average.

8. The noise from the testing of engines, which are in situ on an aircraft, within the designated area, combined, where relevant, with the noise from the testing of engines, which are in situ, on aircraft within the area of Designation 231, shall not exceed the following noise limits within the notional boundary of any dwelling within the Identified Area shown on Figure 5 attached to Designation AIAL 1100 (where the notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling):

7 day rolling average	55dB L_{dn}
10pm to 7am	75dBLAmax

For the purpose of this control, the noise arising from testing of in situ aircraft engines shall be measured in accordance with NZS6801:2008 Acoustics: Measurement of Environmental Sound.

- 9. The noise from any use of the designated area for any purposes other than:
 - a. Aircraft Operations;
 - b. Testing of in situ aircraft engines; and
 - c. The use of audible bird scaring devices for the discouragement of birds;

combined with, if relevant, the noise from any use of the area of Designation AIAL 1100 for the same purposes, shall not exceed the following noise limits within the notional boundary of any dwelling within

the Identified Area shown on Figure 5 attached to designation AIAL 1100 (where the notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling).

Average Maximum Levels			Maximum
dB LAeq A			dB LAmax
Monday to Saturday (0700-1800)	Monday to Saturday 6pm – 10pm (1800 – 2200) AND Sundays and Public Holidays, 7am – 10pm (0700 – 2200)	At all other times	10pm – 7am (2200 – 0700)
55	50	45	70

For the purpose of this control, other noise shall be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Environmental Noise.

10. Changes to the Noise Management Plan (NMP) required by the Conditions attaching to Designation AIAL 1100 to address the area covered by this designation are to be presented to the ANCCG within 6 months of this designation being confirmed. AIAL shall invite comments from the ANCCG before finalising the changes to the NMP.
11. The existing portion of Renton Road shown on the attached diagram to be closed as part of the new designation be replaced by a new road over which public access is provided to the buried fossil forest located in the coastal banks of lot 2 DP 62092 and allotment 164 Manurewa parish. This condition complements condition 17 in Designation AIAL 1100.
12. In the event of archaeological features being uncovered during any works undertaken within the designation (e.g. shell midden, hangi, oven stones, pit depressions, defensive ditches, artefact material, koiwi tangata (human skeletal remains)), work shall cease within a 10 metre radius of the discovery and the Auckland Council, the New Zealand Historic Places Trust and the appropriate iwi authorities shall be contacted within 72 hours, so that appropriate action can be taken. Work should not recommence until the applicant has consulted with the iwi authorities and obtained New Zealand Historic Places Trust approval for the work to continue. Note: at the request of mana whenua, AIAL must make an area available for the reburial of any koiwi found within the designated area.

Attachments

Figure AIAL 1A.1 - Designation Area 1A

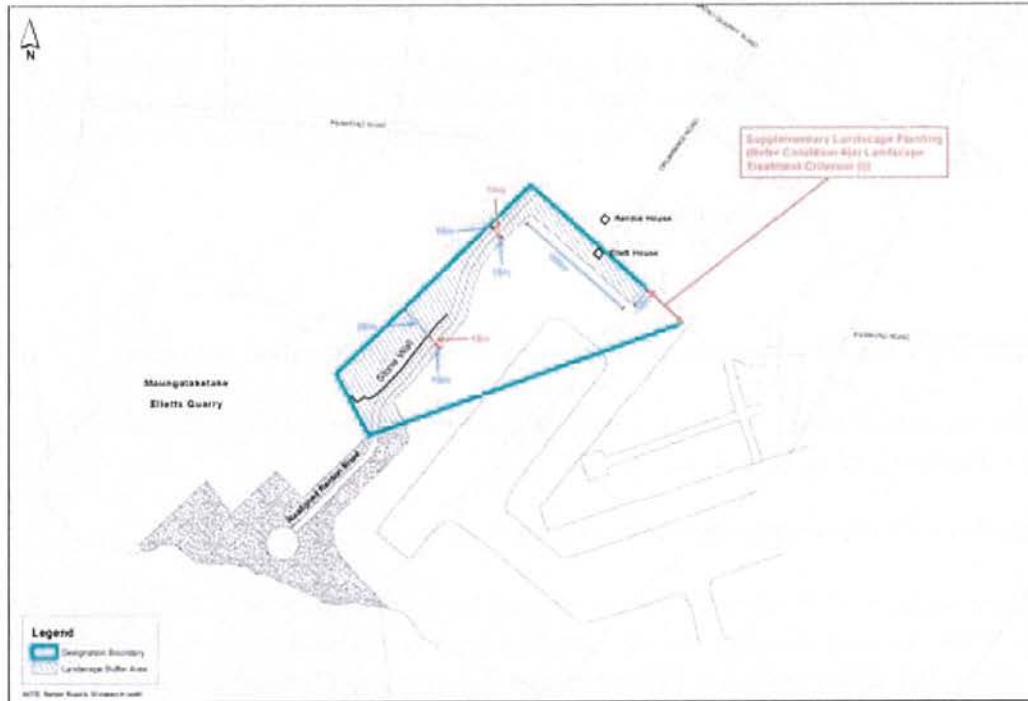


Figure AIAL 1A.1 - DESIGNATION AIAL 1A

1102 Obstacle Limitation, Runway Protection and Ground Light Restriction

Designation Number	1102
Requiring Authority	Auckland International Airport Ltd
Location	Vicinity of Auckland International Airport
Rollover Designation	Yes
Legacy Reference	Designation 232, Auckland Council District Plan (Manukau Section) 2002; Designation H05-04, Auckland Council District Plan (Isthmus Section) 1999; Designation 141 Auckland Council District Plan (Franklin Section) 2000
Lapse Date	Given effect to (i.e. no lapse date)

Purpose

Part 1: Auckland International Airport, Specification for Obstacle Limitation Surfaces

1. Figure 1 to this designation together with this specification comprises the Auckland International Airport Specification for Obstacle Limitation Surfaces.

The Civil Aviation Act 1990 requires that hazards to aviation safety be controlled.

Obstacle Limitation Surfaces of an aerodrome are defined surfaces in the airspace above and adjacent to the aerodrome. These Obstacle Limitation Surfaces are necessary to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome.

No obstacle shall penetrate the Obstacle Limitation Surfaces. An obstacle is defined as any object which is connected directly or indirectly to the ground or water and includes trees. The designation restrictions do not apply to objects located beneath the obstacle limitation services identified on Figure 1. In addition, no chimney shall discharge effluent through the Approach Slopes shown on Figure 2 to this designation at a velocity in excess of 4.3 metres per second.

2. Runway Centreline

2a. Existing Runway

Point A: This is a position located at the eastern end of the centreline of the existing runway. The position of Point A is shown on the Department of Survey and Land Information plan number SO 44954. In metric terms, the co-ordinate value of Point A is:

685,729.76m N

303,667.43m E

Co-ordinate values and bearings are in terms of the Geodetic Datum 1949 and origin of co-ordinates is Mt Eden, 700,000mN 300,000mE.

The western end of the existing runway centreline is 3635 metres west on a bearing of 2510 00'01" from Point A on Figure 1 to this designation.

2b. Proposed Second Runway

The eastern end centreline of the proposed second runway is defined as Point C on Figure 1 to this designation with geodetic co-ordinates of:

687,048.03m N

301,506.40m E

The western end centreline proposed second runway is defined as Point D on Figure 1 to this designation with geodetic co-ordinates of:

686,348.07m N

299,473.53m E

3. Runway Strips

The runway strips are areas at ground level 300 metres wide symmetrical about the runway centreline. The ends of the runway strips are 60 metres beyond the eastern and western ends of the defined runway centrelines.

4. Approach Slopes - General

The surfaces known as Approach Slope Surfaces meet requirements for both approach and takeoff. The Approach Slopes (inner edge) start at the points as specified in clauses 4a and 4b below and are symmetrical about the extension of the runway centreline. The Approach Slopes rise at a gradient of 1.2% and terminate at a point 152 metres above mean sea level (AMSL). The sides of the approach slope diverge from the runway centreline at a rate of 15%.

4a. Approach Slopes - Existing Runway

Eastern Approach Slope

Starting point - end of the eastern clearway, i.e. 213.36 metres east of Point A.

Width of inner edge - 346 metres.

Starting Level - 9.66 metres above mean sea level.

Western Approach Slope

Starting point - western end of the runway strip.

Width of inner edge - 342 metres.

Starting level - 6.83 metres above mean sea level.

4b. Approach Slopes - Proposed Second Runway

Eastern Approach Slope

Starting point - end of the eastern clearway, i.e. 400,00 metres east of Point C.

Width of inner edge - 402 metres.

Starting Level - 17.00 metres above mean sea level.

Western Approach Slope

Starting point - end of the western clearway, i.e. 235.5 metres west of point D.

Width of inner edge - 353 metres.

Starting level - 17.00 metres above mean sea level.

5. Inner Horizontal Surface

The Inner Horizontal Surface is a flat planar surface at an altitude of 52 metres above mean sea level. The outer limits are located 4000 metres from and parallel to the outer sides and ends of the runway strips as depicted on Figure 1 to this designation. The corners of the rectangle are formed by a radius of 1500 metres.

6. Transitional Surfaces

The Transitional Side Surface slopes upwards and outwards from the sides of the runway strips at a gradient of 1:7 extending until they meet the Inner Horizontal Surface and Approach Slopes.

7. Conical Surface

The Conical Surface slopes upward and outwards from the periphery of the Inner Horizontal Surface at a gradient of 1:40 until reaching an elevation of 152 metres above mean sea level.

8. Procedure Turning Area Surfaces

There are two Procedure Turning Areas located to the east and west and bounded by the Conical Surfaces. The surfaces for the Procedure Turning Areas are at 152 metres above mean sea level or 21 metres above terrain whichever is the higher. The northern limit of both Procedure Turning Areas is 4000 metres north of the northern side of the proposed second runway strip. The southern limit of both Procedure Turning Areas is 4000 metres south of the southern side of the existing runway strip. The western limit of the western Procedure Turning Area is 14,000 metres west of the Inner Horizontal Turning Surface. The eastern

Procedure Turning Area extends 16,000 metres east of the Inner Horizontal Surface.

9. Controlling Surface

At any point where any two surfaces overlap and are at differing elevations, the lower of the two surfaces shall apply.

Part 2: Restrictions Relating to Runway End Protection Areas

The Runway End Protection Areas (REPAs) shown on Figure 3 to this designation, are areas off the ends of both the existing and proposed second runways which are required to be free of obstructions or activities which could interfere with aeronautical navigational aids. The areas of the REPAs as required for operational purposes are also areas in which, statistically, there are greater chances of aircraft related accidents. It is considered desirable that the public's exposure to such risks be reduced by limiting the range of activities permitted in the REPAs. The following requirements for REPAs are intended to achieve both objectives which, to a large extent, are compatible.

The requirements for REPAs detailed in this section are based on the Federal Aviation Administration (FAA) Office of Airport Standards (Washington, DC, USA) Advisory Circular 150/5300-13 Airport Design and the Civil Aviation Authority (CAA) of New Zealand Advisory Circular AC 139-06A Aerodrome Design - Aeroplanes Above 5700kg MCTOW.

The REPAs comprise fan-shaped areas plus a rectangular area which extends beyond the fan along the extended runway centre-line. The fan-shaped areas commence at the ends of the runway strips (defined in the Specification for Obstacle Limitation Surfaces) and extend equidistant about the extended runway centre-line to a point 750 metres from the end of the runway strips. The width of the fan at this point is 525 metres. The rectangular areas then extend beyond the fans and equidistant about the extended runway centre-lines, for a further 540 metres. The width of the rectangular areas is 120 metres.

All buildings, except those required for aviation purposes, are prohibited within the REPAs. For the purpose of this section, the word "building" shall have the meaning assigned to it in the Building Act 2004, except that the exclusions listed under Section 9(a), (ab), (ac), (b), (c), (f), (g), (h) (i) & (j) of that Act shall not apply and those objects shall be considered to be buildings. Any buildings erected in the REPA for the proposed second runway shall be removed unless the building has the written approval of Auckland International Airport Limited under section 176(b) of the Resource Management Act 1991.

In addition to buildings, all activities within the REPAs which generate or have the potential to generate any of the following effects are prohibited:

- a. Mass assembly of people;
- b. Release of any substance which would impair visibility or otherwise interfere with the operation of aircraft including the creation of smoke, dust and steam;
- c. Concentration of dangerous substances;
- d. Production of direct light beams or reflective glare which could interfere with the vision of a pilot;
- e. Production of radio or electrical interference which could affect aircraft communications or navigational equipment; and
- f. Attraction of birds.

Part 3: Requirements for Non-Aeronautical Ground Lights Adjacent to Extended Runway Centre Lines

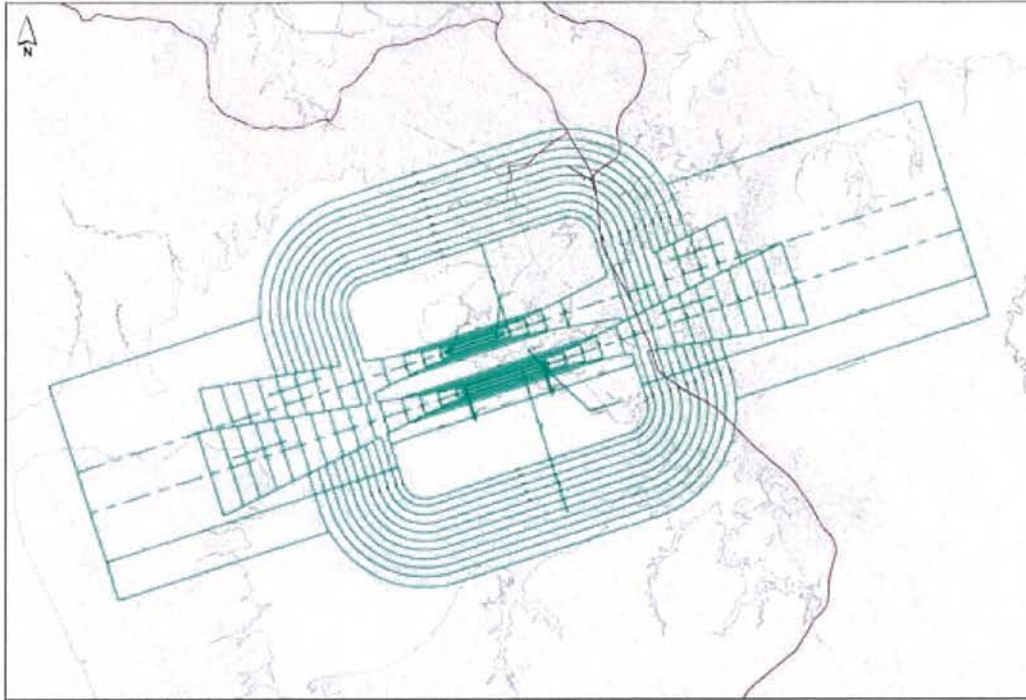
CAA Advisory Circular AC 139-6 requires that any non-aeronautical ground light which, by reason of its intensity, configuration or colour, might cause confusion or prevent the clear interpretation of aeronautical ground lights, should be extinguished, screened or otherwise modified so as to eliminate such a possibility. For Auckland International Airport, this requirement currently applies to the Existing Runway only. In advance of the Northern Runway becoming operational a similar requirement will need to be introduced for that runway. The current requirement applies over a rectangular area, 1500 metres wide, extending equidistant either side of the extended runway centre-line for a distance of 4440 metres from the end of the runway strip (as defined in the Specification for Obstacle Limitation Surfaces). This area is shown in Figure 4 to this designation.

For ease of administration, Auckland International Airport Ltd requires that any light in the above area be

prohibited from shining above the horizontal.

Attachments

Figure 1 - Specification for Obstacle Limitation Surfaces



NOTE: All heights are measured in feet above Mean Sea Level.
Horizontal: GCS North Carolina State Plane - State Plane 1710.00

Figure 1 - SPECIFICATION FOR OBSTACLE LIMITATION SURFACES

APPENDIX I

Figure 2 - Specification for Discharge to Air Rates Through Obstacle Limitation Surfaces

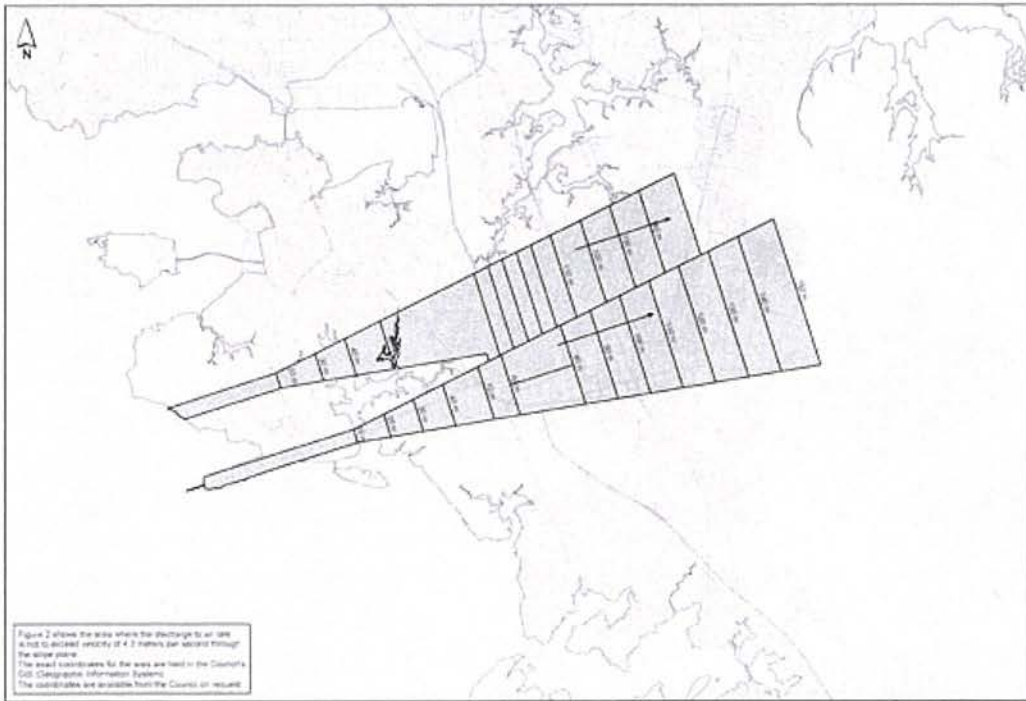


Figure 2 shows the area where the discharge to air rate is not to exceed a priority of 4.2 meters per second through the above plane.
The wind coordinates for the area are based on the County's GIS Geographic Information System.
The coordinates are available from the County on request.

NOTE: All heights are measured in feet above Mean Sea Level.
Horizontal: GCS North Carolina State Plane - State Plane 1710.00

Figure 2 - SPECIFICATION FOR DISCHARGE TO AIR RATES THROUGH OBSTACLE LIMITATION SURFACES

APPENDIX I

Figure 3 - Runway End Protection Areas

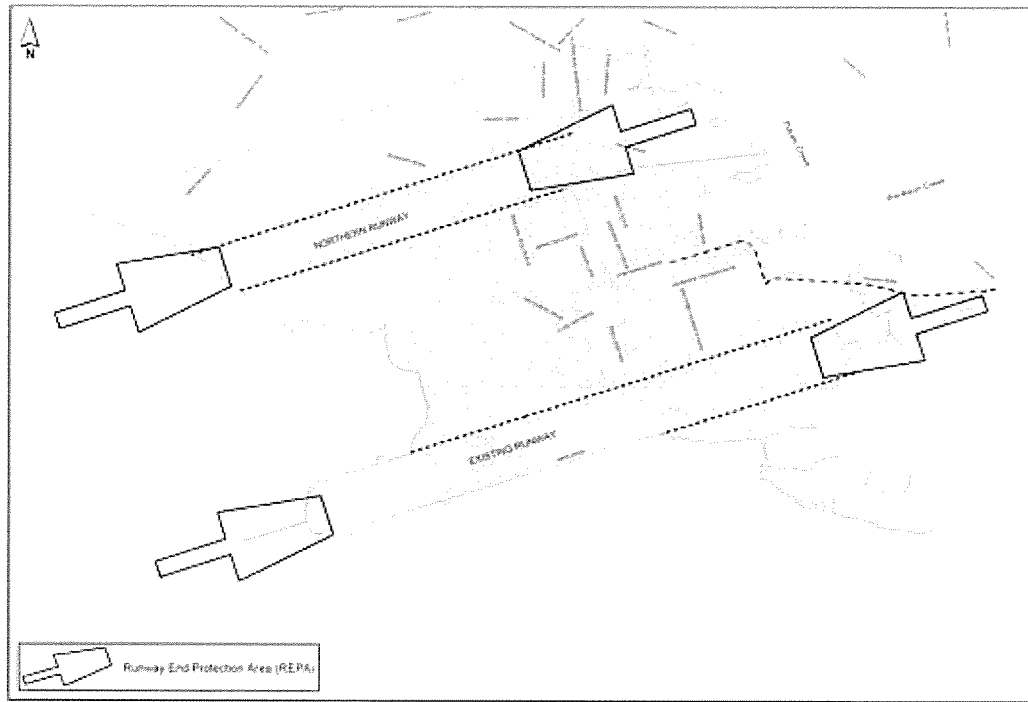


Figure 3 - RUNWAY END PROTECTION AREAS
APPENDIX 2

Figure 4 - Requirements for Non-Aeronautical Ground Lights

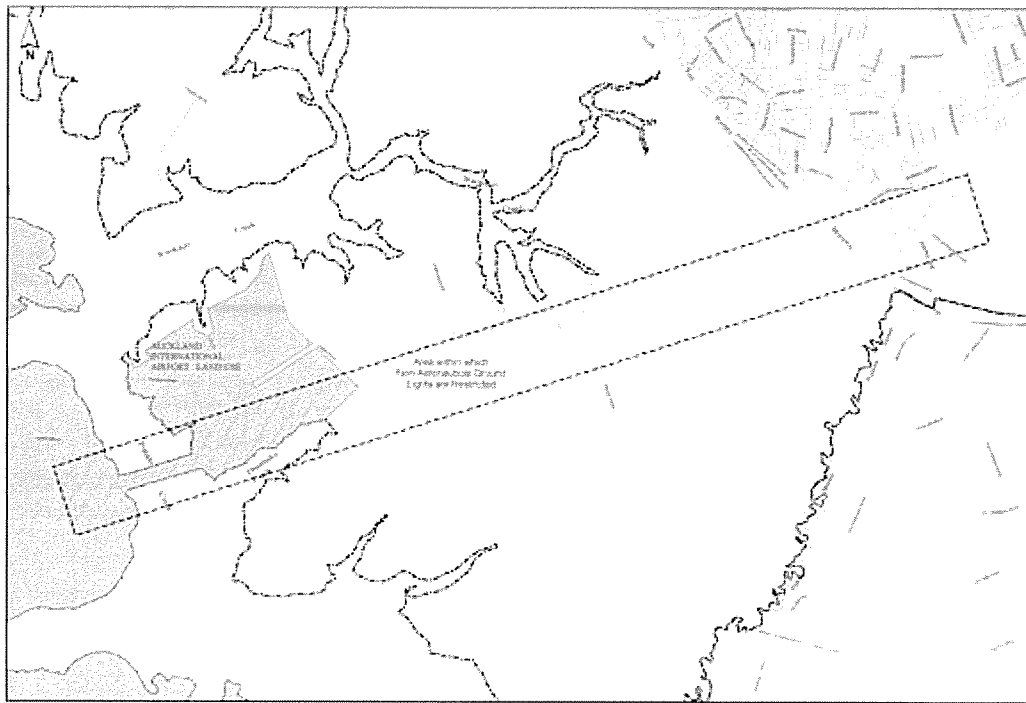


Figure 4 - REQUIREMENTS FOR NON-AERONAUTICAL GROUND LIGHTS
APPENDIX 3

I402. Auckland Airport Precinct

I402.1. Precinct Description

The precinct applies to the Auckland International Airport and its surrounds. Its purpose is to enable the efficient operation and development of the airport and the associated land and activities in recognition of its role in connecting Auckland to other parts of New Zealand and the world. The Auckland Airport Precinct is comprised of three sub-precincts: Core Sub-precinct, Gateway Sub-precinct and Coastal Sub-precinct.

The Core Sub-precinct encompasses the land surrounding the existing runway and proposed northern runway. The Core Sub-precinct is the hub of airport operations. It provides for the day to day requirements of the airport plus support activities. Current development includes a single runway, taxiways, aircraft manoeuvring, flight and passenger terminals, and facilities for aircraft maintenance. Support facilities include administration, businesses and recreation. It is anticipated that a second runway to the north of the existing runway, together with associated infrastructure and facilities, will be developed. The Core Sub-precinct provides a regulatory regime to efficiently operate and to expand to accommodate increasing passenger and freight volumes.

The Gateway Sub-precinct includes the land to the north of the proposed northern runway which is suitable for commercial and industrial development associated with the airport.

The Coastal Sub-precinct comprises the airport's operational area within the coastal marine area. The Coastal Sub-precinct provides for the continued use of the coastal marine area for activities necessary for the ongoing operation and development of the airport, while recognising the values of the coastal environment. Existing impacts on the coastal marine area include noise associated with aircraft movements, aircraft in the airspace above the coastal marine area and restrictions on use of the harbour around the airport. The coastal marine area also receives stormwater discharges from the airport and accommodates structures, such as ramps, bridges, lighting and navigation devices.

The airport area and the adjacent coastal environment has significant value to Mana Whenua in the area in terms of historical, spiritual and cultural associations. Most of the water area to the south of the southern runway is valued for its habitat, particularly as a feeding ground for international migratory wading birds. The Ihumatao fossil forest lies to the north west of the existing southern runway. It is identified as an Outstanding Natural Feature and is considered to be nationally important.

Auckland Airport holds designations over part of the land that enable current operations and provide for further development, including the new northern runway. Aircraft operations and testing of aircraft engines are managed through the designation conditions

The underlying zoning of land within this precinct is Special Purpose – Airports and Airfields Zone and Coastal – General Coastal Marine zone. The Special Purpose – Airports and Airfields Zone is a shell zone with no provisions.

I402.2. Objectives [rcp/dp]

- (1) The efficient operation and continued development of the Auckland Airport to meet future demand is enabled recognising its national and international significance
- (2) The efficient use and development of the business land and operational facilities are enabled.
- (3) The operation of the Airport is protected from reverse sensitivity effects
- (4) Publicly accessible areas of the airport and areas visible from main transport routes and the Māngere Gateway heritage route are designed to a high-quality and meet amenity standards relating to streetscape, site design and appearance.
- (5) The ecological, geological, recreational, cultural, spiritual and landscape values of the Manukau Harbour coastal environment in the vicinity of the airport are protected while providing for the operational requirements of the Auckland Airport within the Auckland Airport Coastal Sub-precinct.
- (6) The ecological, geological, recreational, cultural, spiritual and landscape values are considered when subdivision and development occurs in the Gateway sub-precinct.
- (7) Manage natural hazards and the adverse effects of activities on natural resources while providing for the operational and functional requirements of Auckland Airport.

The Auckland-wide and overlay objectives apply in this precinct in addition to those specified above.

I402.3. Policies [rcp/dp]

- (1) Provide for activities related to the operation and development of the airport and business land.
- (2) Provide for activities associated with the needs of airport passengers, visitors and employees and businesses.
- (3) Encourage developments to achieve a high standard of amenity in the layout of buildings, car parking, access and landscape elements in publicly accessible areas.
- (4) Require adverse effects on the ecological, geological, cultural, landscape and historic heritage values of the coastal environment in the vicinity of the airport to be avoided, remedied or mitigated while recognising the operational requirements of the Auckland Airport Coastal Sub-precinct.
- (5) Require development of sites adjoining the Gateway heritage route to be designed in a way that users of those roads will perceive an environment where natural design elements are integrated with the built environment.

- (6) Require the development and vesting of open space along the Oruarangi Creek and encourage the development of open space amenity areas within the remaining land in Auckland Airport ownership.
- (7) Encourage subdivision and development within Gateway Sub-precinct area A-F to achieve a high standard of urban design and amenity and demonstrate integration with any neighbouring Gateway Sub-precinct area within the Auckland Airport Precinct.
- (8) Manage land use activities in the Gateway Sub-precinct to:
 - (a) require that the predominant land use activities are those associated with the airport operation, warehousing and distribution, transport, storage, manufacturing, construction and wholesale trade; and
 - (b) confine retail activities to those required to provide the convenience and shopping needs of employees in and visitors to the Auckland Airport, adjacent business zones, and aviation activities.
- (9) Avoid uses and developments within the Coastal Sub-precinct which would adversely affect airport operations or pose any risk to safety.
- (10) Provide for activities and structures associated with bird management that encourage birds away from the runway and flight paths of aircraft.
- (11) Use, development and occupation associated with the operational needs of the airport will generally be considered appropriate within the Coastal Sub-precinct.
- (12) Require subdivision and development within the Gateway Sub-precinct to recognise and provide for the relationship of Mana Whenua with their ancestral lands, water, sites, waahi tapu and other taonga.
- (13) Provide for the integrated management of natural resources and natural hazards while recognising the operational and functional requirements of Auckland Airport and ensuring that adverse effects are avoided, remedied or mitigated.

The Auckland-wide and overlay policies apply in this precinct in addition to those specified above.

I402.4. Activity table

The following tables specify the activity status activities in the Auckland Airport Precinct:

- Table I402.4.1 Activity Table – Core Sub-precinct and Gateway Sub-precinct for land use, development and subdivision activities pursuant to section 9(3) and section 11 of the Resource Management Act 1991).
- Table I402.4.2 Activity Table – Coastal Sub-precinct for use and activities/works (including associated discharges) / structures and any associated occupation

I402 Auckland Airport Precinct

pursuant to section 12(1), 12(2) and 12(3) and section 15 of the Resource Management Act 1991).

- Table I402.4.3 Activity Table – Replacement Auckland-wide provisions for land use and development pursuant to section 9(3); diversion and discharge pursuant to sections 14 and 15; disturbance, deposition in, piping and reclamation of streams pursuant to section 13;

The Auckland-wide and overlay provisions apply in this precinct unless otherwise specified below.

Table I402.4.1 Activity Table – Core Sub-precinct and Gateway Sub-precinct

Activity		Activity status	
		Core Sub-Precinct	Gateway Sub-Precinct
Use			
Infrastructure			
(A1)	Any activity associated with the airport operation (not including aircraft operations, runways and the testing of in situ aircraft engines) including taxiways and other aircraft movement areas, aprons, terminals, rescue facilities, navigation and safety aids, maintenance and servicing facilities, catering facilities, freight facilities, quarantine and incineration facilities, fuelling facilities, storm water facilities, roads, monitoring activities, site investigation activities, landscaping, flags and signs	P	P
(A2)	Stormwater facilities to be vested in council	C	C
(A3)	Stormwater facilities not to be vested in council	P	P
(A4)	Any activity associated with the needs of Airport passengers, visitors and employees, and Airport businesses, and not otherwise listed in this table	P	D
(A5)	Bus depots and public transport facilities	P	P
(A6)	Parking	P	P
(A7)	Park-and-ride	P	P
Accommodation			
(A8)	Camping grounds	P	P
(A9)	Workers' accommodation	P	P
(A10)	Visitor accommodation complying with Standard I402.6.5 Visitor accommodation	P	P
(A11)	Visitor accommodation not complying with Standard I402.6.5 Visitor accommodation	NA	D
Commerce			
(A12)	Offices complying with Standard I402.6.6 Offices	P	P
(A13)	Offices not complying with Standard I402.6.6 Offices	NA	D

I402 Auckland Airport Precinct

(A14)	Retail complying with Standard I402.6.1 Retail	P	P
(A15)	Retail that does not comply with Standard I402.6.1 Retail	NC	NC
(A16)	Large format retail	P	NC
(A17)	Food and beverage complying with Standard I402.6.8 Food and beverage	P	P
(A18)	Food and beverage not complying with Standard I402.6.8 Food and beverage	NA	D
(A19)	Dairies complying with Standard I402.6.7 Dairies	P	P
(A20)	Dairies not complying with Standard I402.6.7 Dairies	NA	D
(A21)	Motor vehicle sales	P	P
(A22)	Trade suppliers	P	P
(A23)	Service stations	P	P
(A24)	Markets	P	NC
(A25)	Entertainment facilities	P	D
(A26)	Commercial services	P	P
Community			
(A27)	Public amenities	P	P
(A28)	Informal recreation	P	P
(A29)	Organised sport and recreation	P	P
(A30)	Healthcare facilities	P	P
(A31)	Community facilities	P	P
(A32)	Education facilities	P	P
(A33)	Aviation training facilities	P	P
(A34)	Care centres	P	P
(A35)	Artworks	P	P
(A36)	Emergency services	P	P
Industry			
(A37)	Industrial activities	P	P
(A38)	Waste management facilities	D	NC
Rural			
(A39)	Farming	P	P
(A40)	Animal breeding or boarding	P	P
Development and subdivision			
(A41)	Demolition of buildings or structures	P	P
(A42)	Relocation of the Rennie/Jones Homestead	P	P
(A43)	Any building, structures and works including new or modified parking areas or subdivision in Gateway Sub-precinct area A – F in accordance with I402 10.1 Auckland Airport: Precinct plan 1 and complying with	NA	C

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	the subdivision Standard I402.6.19 Subdivision		
(A44)	Any building, structures and works or subdivision in Gateway Sub-precinct area A – F that is not in accordance with either one of or both of: I402 10.1 Auckland Airport: Precinct plan 1, or the subdivision Standard I402.6.19 Subdivision	NA	RD
(A45)	Buildings, structures and works outside Gateway Sub-precinct area A – F	P	NA
(A46)	Additions and alterations to buildings within Gateway Sub-precinct area A - F	NA	P
(A47)	Subdivision outside Gateway Sub-precinct area A – F complying with the subdivision Standard I402.6.19 Subdivision	P	NA
(A48)	Subdivision outside Gateway Sub-precinct area A – F that does not comply with the subdivision Standard I402.6.19 Subdivision	RD	NA

Table I402.4.2 Activity Table Coastal Sub-precinct [rcp]

Activity		Activity status	
		Outside SEA-M 1 or ONF overlays	Within SEA-M 1 or ONF overlays
(A49)	Aircraft operations and activities associated with the operation of the airport	P	P
(A50)	Activities associated with research into flora and fauna of the coastal marine area	P	P
(A51)	Bird management activities and structures	P	P
(A52)	Navigational aids and airport light structures	P	P
(A53)	Maintenance, repair or reconstruction of existing lawful coastal marine area structures or buildings	P	P
(A54)	Demolition or removal of any buildings or coastal marine area structures	P	P
(A55)	Coastal marine area structures associated with airport activity which are not otherwise listed as a permitted activity	C	RD
(A56)	Any activity, including any activity directly associated with the carrying out of a permitted activity, which does not comply with a standard	RD	RD
(A57)	Reclamation and drainage works associated with runway and runway end safety area construction and operation	D	NC
(A58)	Any activity, work or structure not provided for that will or is likely to adversely affect the safe operation of aircraft, including but not limited to: <ul style="list-style-type: none"> activity in conflict with the obstacle limitation 	Pr	Pr

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	surfaces as detailed in designation 1102 <ul style="list-style-type: none"> • activity in conflict with the runway end protection areas identified in designation 1102 • artificial light (other than for airport purposes) 		
(A59)	Anchoring of vessels (excluding emergency vessels)	Pr	Pr

Table I402.4.3 Activity table – Replacement Auckland Wide Rules (All sub-precincts)

Activity	Activity status	
Diversion and Discharge of Stormwater (these provisions replace the Auckland-wide rules at E8 Stormwater – Discharge and diversion) [rcp/rp/dp]		
(A60)	New impervious areas not serviced by the consented stormwater network and meeting the permitted activity standards in I402.6.9 [dp]	P
(A61)	New impervious areas not serviced by the consented stormwater network that do not meet permitted activity standards in I402.6.9 [dp]	RD
(A62)	Stormwater network discharge [rcp/rp]	D
Reclamation and piping of intermittent streams (these provisions replace Auckland wide rules at E3 Lakes, rivers, streams and wetlands) [rp]		
(A63)	Reclamation and piping of intermittent and ephemeral streams, upstream of a stream reach which has been consented for reclamation or piping, including the associated structures, bed disturbance or depositing any substance, diversion of water and incidental temporary damming of water	P
Earthworks (these provisions replace Auckland wide rules at E11 Land disturbance – Regional and E12 Land disturbance – District)		
(A64)	Earthworks undertaken by a network utility operator for operation, use, maintenance, repair and minor infrastructure upgrading [dp/rp]	Refer to E11 and E12
(A65)	General earthworks [dp]	P
(A66)	Comprehensive earthworks consent comprising one or more sub-precincts [rp]	C
(A67)	General earthworks [rp] not otherwise listed	Refer to E11 and E12
Natural hazards and flooding (these provisions replace the Auckland-wide rules at Chapter E33 Natural hazards and flooding) [dp]		
(A68)	Activities which are permitted in E36 Natural hazards and flooding	P
(A69)	Activities which are permitted in E36 Natural hazards and flooding but does not comply with standards in E36 Natural hazards and flooding, or standards in this precinct	C
(A70)	Buildings, structures and works associated with the airport	P

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	operation including taxiways and other aircraft movement areas, aprons, terminals, rescue facilities, navigation and safety aids, maintenance and servicing facilities, catering facilities, freight facilities, quarantine and incineration facilities, fuelling facilities, storm water facilities, roads, and monitoring activities in any hazard area	
(A71)	Buildings, structures and works in areas which may be subject to land instability	P
(A72)	Modification of an overland flowpath (piping diversion, build over, reduction in capacity, diversion of entry and exit points)	P
(A73)	Buildings, structures and works (except those containing visitor accommodation) within a 1 %AEP floodplain, flood sensitive area, or overland flow path that are unable to comply with the permitted activity standards	C
(A74)	Buildings, structures and works that are unable to comply with the permitted activity standards for land which may be subject to: <ul style="list-style-type: none"> • coastal erosion • land instability • the 1% AEP coastal storm inundation (CSI) plus 1m of sea level rise (CSI1) 	C
(A75)	Buildings containing visitor accommodation located within the 1% AEP flood plain	RD
(A76)	New hard coastal protection structures above mean high water springs	C
(A77)	Activities that do not meet I402.6.11.2 controlled activities	D

I402.5. Notification

- (1) An application for resource consent for a controlled activity listed in Activity Table I402.4.1, Activity Table I402.4.2 and Activity Table I402.4.3 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Activity Table I402.4.1, Activity Table I402.4.2 and Activity Table I402.4.3 and which is not listed in I402.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When determining who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

I402.6. Standards

The Auckland-wide and overlay standards apply in this precinct unless specified below. The standards apply to permitted activities, controlled activities and restricted discretionary activities.

I402.6.1. Retail

- (1) Retail (where the goods being sold have not been manufactured on site) in Gateway Sub-precinct area C and D must be less than 200m² gross floor area per tenancy and with a total combined gross floor area of less than 3000m²
- (2) Retail (where the goods being sold have been manufactured within the tenancy) must not exceed the lesser of 25 per cent of the gross floor area set aside for manufacturing or 250m².

I402.6.2. Māngere Gateway heritage route and walkway

- (3) The portion of the Māngere Gateway heritage route (as shown in I402.6.2 Auckland Airport: Precinct plan 1), except for Gateway Sub-precinct area A – C, is to be constructed at each stage of any development within the relevant Gateway Sub-precinct areas. In addition, a full walkway linkage must be provided from Gateway Sub-precinct area D to the boundary of Gateway Sub-precinct area F as part of the first stage.
- (4) Development that does not comply with I402.6.2(1) above is a non-complying activity.

I402.6.3. Open space

- (1) The area shown in the I402.6.2 Auckland Airport: Precinct plan 1 as open space adjoining the Oruarangi Creek in Gateway Sub-precinct area C-F is to be vested by Auckland Airport in Council.

I402.6.4. Noise

- (1) Any use of land for any purpose other than:
 - (a) runway
 - (b) aircraft operations
 - (c) testing of in situ aircraft engines
 - (d) the use of audible bird scaring devices for the discouragement of birds;must not exceed the following noise limits set out in Table I402.6.4.1 Noise within a residential zone or within the notional boundary of any dwelling outside the Special Purpose - Airports and Airfields Zone in the Special Purpose Māori Purpose Zone, Rural - Rural Production Zone, or Rural - Countryside Living Zone.

Table I402.6.4.1 Noise

Average maximum level			Maximum
dB L _{Aeq}			dB L _{Amax}
Monday to Saturday 7am–6pm	Monday to Saturday 6am–10pm and Sunday and public holidays 7am–10pm	At all other times	10pm–7am
55	50	45	70

- (2) Activities that do not comply with Standard I402.6.4(1) above are discretionary activities.

I402.6.5. Visitor accommodation

- (1) Visitor accommodation must be located within the Core Sub-precinct or Gateway Sub-precinct area A-D.

I402.6.6. Offices

- (1) Offices within Gateway Sub-precinct area A, E, and F must:
- be accessory to a permitted activity, and located within the same building as that permitted activity, and
 - occupy no more than 75 per cent of the total gross floor area of the buildings on the site.

I402.6.7. Dairies

- (1) Dairies must be located within the Core Sub-precinct or Gateway Sub-precinct area A-D.

I402.6.8. Food and beverage

- (1) Food and beverage must be located within the Core Sub-precinct or Gateway Sub-precinct area A-D.

I402.6.9. New impervious area not serviced by the consented stormwater network

- The new impervious area is less than 1,000 m².
- The discharge must not cause or increase scouring or erosion at the point of discharge.
- The discharge must not result in, or increase, flooding of other properties external to the Auckland Airport zone in events up to the 10 per cent AEP or the inundation of buildings in events up to the 1 per cent AEP.
- The discharge must not cause nuisance or damage to other properties.
- The drainage network must be managed and maintained to minimise erosion, sediment generation and sediment discharge.

I402.6.10. General earthworks [dp]

General earthworks [dp] that do not comply with the following standards are subject to the rules provided in Activity Tables E12.4.1, E12.4.2 and E12.4.3 of E12 Land disturbance – District.

- (1) The earthworks shall not occur within the following areas unless explicitly authorised by an existing resource consent:
 - (a) a Site or Place of Significance to Mana Whenua.
 - (b) a Significant Ecological Area;
 - (c) a Historic Heritage place or extent of place;
 - (d) an Outstanding Natural Feature; or
 - (e) the dripline of a notable tree.
- (2) Best practice erosion and sediment control measures must be implemented for the duration of the earthworks. Note: This is generally deemed to be compliance with Auckland Council Technical Publication 90 Erosion and Sediment Control Guideline for Land Disturbing Activities in the Auckland Region or similar design.
- (3) Any stormwater from outside the exposed area shall be kept separate and diverted from the earthworks area.
- (4) The area shall be stabilised by re-vegetation or other suitable means as soon as practicable but no later than 3 months after completion of the works.
- (5) Works must not result in any instability of land or structures at or beyond the boundary of the site where the earthworks occurs.
- (6) There shall be no untreated point source discharge of sediment contaminated stormwater to surface water from the activity.

I402.6.11. Flooding and natural hazards

I402.6.11.1. Permitted activities

- (1) Buildings, structures and associated works in areas which may be subject to land instability must not:
 - (a) result in or increase a natural hazard or the potential effect of the natural hazard on properties external to the precinct;
 - (b) have any adverse effects on public safety that will endanger human life.
- (2) Modification of an overland flowpath (piping diversion, build over, reduction in capacity, diversion of entry and exit points):
 - (a) the path and capacity of the overland flow path where it exits the precinct to an adjoining site must not be altered by the works.

I402.6.11.2. Controlled Activities

- (1) For buildings, structures and works (except those containing visitor accommodation) within a 1 %AEP floodplain, flood sensitive area, overland flow path or on land which may be subject to coastal erosion, land instability or the 1% AEP coastal storm inundation (CSI) plus 1m of sea level rise (CSI1) that are unable to comply with the permitted activity standards must provide a report from a suitably qualified and experienced professional to the Council which
- (a) identifies the risk, taking into account where relevant:
 - (i) the vulnerability of the activity, and
 - (ii) potential for risks to adjacent land and activities outside the zone;
 - (b) identifies and proposes flood management methods appropriate for the particular activity to address the risk identified.

I402.6.12. Building height

- (1) In the Core Sub-precinct: maximum height must comply with the Obstacle Limitation Surface (Designation 1102), otherwise no height restriction applies.
- (2) In the Gateway Sub-precinct: maximum height: 20m and must comply with the Obstacle Limitation Surface (Designation 1102).

I402.6.13. Height in relation to boundary

- (1) Buildings must not exceed a height of 2.5m measured vertically above ground level at front boundaries adjoining a public open space zone. Thereafter, buildings must be setback 1m for every additional 1.43m in height (55 degrees recession plane).

I402.6.14. Yards

- (1) Buildings must be set back from the relevant boundary by the minimum depth listed in Table I402.6.14.1 Yards below.

Table I402.6.14.1 Yards

Yard	Permitted	Restricted discretionary
Front	Nil in Core Sub-precinct and 5m in Gateway Sub-precinct	<5m in Gateway Sub-precinct
Rear	Nil unless adjoining public open spaces when a 10m setback must be provided	<10m setback from a public open space zone – restricted discretionary
Side	Nil unless adjoining public open spaces when a 10m setback must be provided	<10m setback from a public open space zone – restricted discretionary

Coastal protection yard	20m	< 20m – restricted discretionary
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I402.6.15. Landscape design

- (1) All required yard setbacks and carpark perimeters excluding car parking and manouvering area and vehicle and pedestrian access must be landscaped with grassed areas and the planting of suitable trees, hedging and groundcover to result in a consistent, high-quality standard of urban landscape throughout the precinct.

I402.6.16. Storage areas

- (1) External storage areas which are visible from open spaces zones and public roads must be maintained in a tidy condition.
- (2) Exposure of storage areas and by-products, refuse or refuse containers of any kind to public view must be minimised by the use of buildings, planting or a screen wall or fence.

I402.6.17. Auckland Airport Coastal Sub-precinct (below mean high water springs)

- (1) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works.
- (2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works within the Significant Ecological Area - Marine 1 and Outstanding Natural Features and within seven days of the completion of the works in other parts of the coastal marine area.
- (3) Written advice must be given to the council harbourmaster and the National Topo/Hydro Authority at Land Information New Zealand at least five working days prior to work starting on any structures within the coastal marine area.
- (4) Maintenance, repair or reconstruction of existing lawful coastal marine area structures or buildings must:
 - (a) maintain the structure or building in a good and safe working condition;
 - (b) not use materials which alter the form or external appearance of the structure in more than a minor way;
 - (c) not change the area occupied by the structure.
- (5) Demolition or removal of any buildings or coastal marine area structures:
 - (a) Any part of a structure or building that is not removed must not protrude above the foreshore or seabed so that it creates a hazard to safe navigation or public access.

- (6) The removal or demolition of any lawfully established structure or building is authorised, or undertaken, by the consent holder or owner of the structure.

I402.6.18. Parking

- (1) The Auckland wide parking standards shall not apply in the precinct. Within the Gateway Sub-precinct and within 500m of the northern boundary of the Core Sub-precinct, where it does not adjoin the Gateway Sub-precinct, the number of parking spaces provided must meet the following standards:
 - (a) for all warehousing, industrial, and office activities one parking space per employee and one space per visitor expected to be present at any one time; and
 - (b) for all other activities, be adequate to serve the demand associated with a site/tenancy or, in instances where consolidated parking has been provided, a combination of sites/tenancies.

I402.6.19. Subdivision

- (1) Minimum frontage:
 - (a) Front sites: 23m
 - (b) Rear sites: 9m
- (2) Minimum site area: 2000m².

I402.7. Assessment – controlled activities

I402.7.1. Matters of control

The council will reserve its control to the following matters when assessing a controlled activity resource consent application.

- (1) Coastal marine area structures associated with airport activities which are not otherwise listed as a permitted activity:
 - (a) construction or works methods, timing and hours of operation;
 - (b) function, location, extent, design and materials;
 - (c) adverse effects arising from disturbance of the foreshore and seabed;
 - (d) adverse effects arising from deposition of material in the coastal marine area;
 - (e) adverse effects on cultural values, indigenous flora and indigenous vegetation;
 - (f) any discharge of contaminants;
 - (g) the duration of the consent; and
 - (h) monitoring of the consent.

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- (2) Buildings, structures or works including, new or modified parking areas, or subdivision within Gateway Sub-precinct area A – F in accordance within I402.10.1 Auckland Airport: Precinct plan 1 and complying with Standard I402.6.19 Subdivision:
 - (a) site layout;
 - (b) design and external appearance of buildings and landscape design; and
 - (c) parking.
- (3) Stormwater facilities to be vested in council:
 - (a) visual effects;
 - (b) size and location;
 - (c) access for maintenance; and
 - (d) landscaping.
- (4) Comprehensive earthworks consent (Regional Plan only) comprising one or more precincts:
 - (a) an annual earthworks management plan;
 - (b) erosion and sediment control measures;
 - (c) staging, timing and duration of works;
 - (d) effects on stormwater and flooding;
 - (e) effects on land stability and erosion;
 - (f) whether the works are permitted by the Unitary Plan or the Airport's designation;
 - (g) effects on the identified values of the relevant Overlay;
 - (h) effects on Mana Whenua values;
 - (i) effects in the watercourse, wetland, or coastal marine area; and
 - (j) Monitoring.
- (5) Buildings, structures and works (except those containing visitor accommodation) within a 1 %AEP floodplain, flood sensitive area, or overland flow path or on land which may be subject to coastal erosion, land instability or the 1% AEP coastal storm inundation (CSI) plus 1m of sea level rise (CSI1) that are unable to comply with the permitted activity standards:
 - (a) the management methods proposed, taking into account the extent and nature of the hazard, including the design of the building, structure or works;

- (b) timing and duration of works; and
 - (c) monitoring of the consent.
- (6) Hard coastal protection structures above mean high water springs:
- (a) construction of works, methods, timing and hours of operation;
 - (b) location, extent, design and materials;
 - (c) adverse effects arising from disturbance of the associated area;
 - (d) adverse effects arising from the deposition of material;
 - (e) the removal of indigenous vegetation;
 - (f) any discharge of contaminants;
 - (g) the duration of consent; and
 - (h) monitoring of the consent.

I402.7.2. Assessment criteria

The council will consider the relevant assessment criteria below for controlled activities.

- (1) Coastal marine area structures associated with airport activities which are not otherwise listed as a permitted activity (outside Significant Ecological Area - Marine 1 and Outstanding Natural Features)
- (a) the extent to which coastal marine area structures are limited to those:
 - (iii) that have a functional or operational need to be located in the coastal marine area, or that are for infrastructure that cannot reasonably or practicably be located outside the coastal marine area; or
 - (iv) where the proposed purpose or use cannot reasonably or practicably be accommodated on existing structures or facilities.
 - (b) the extent to which measures avoid, remedy or mitigate adverse effects on coastal processes, ecological values, cultural values, water quality and natural character;
 - (c) the extent to which construction or works methods avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;
 - (d) whether construction or works are to be done at a time that will avoid or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the coastal marine area;
 - (e) whether construction or works hours of operation are limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas;

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- (f) the extent to which the structure is located and designed to avoid, remedy or mitigate adverse effects on the environment;
 - (g) the extent to which the form, intensity and scale of works, structures and buildings are sensitive to the marine environment and surrounding adjoining spaces;
 - (h) whether works and structures ensure efficient use of the coastal marine area is made by using the minimum area necessary for their purpose; and
 - (i) the extent to which materials used are compatible with the surrounding coastal environment, and where practicable are consistent with the natural materials at the site. This should take into account the physical characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.
- (2) Any buildings, structures or works including, new or modified parking areas or subdivision within Gateway Sub-precinct area A - F in accordance with I402.10.1 Auckland Airport: Precinct plan 1, and / or not complying with Stand I402.6.19 Subdivision:
- (a) Site layout:
 - (i) the site layout should reinforce or enhance the street pattern;
 - (ii) (the site layout should be compatible with the site development of adjoining sites and the streetscape;
 - (iii) the building should align with the street and where streets are curved, the building should align with that curve, or alternatively should be stepped in plan in relation to the curve;
 - (iv) buildings on corner sites should be designed to respond to the site's prominence in the roading network and the adjoining road intersection; and
 - (v) car parking areas should be designed and located to ensure an attractive site layout, particularly when viewed from the road or public open spaces.
 - (b) Design and external appearance of buildings and landscape design:
 - (i) the scale, form, design, height, and colour of the proposed building or structures (including fencing) should be sympathetic to existing built development and the wider natural, cultural and built heritage and landscape values of the area;
 - (ii) building and landscape design should be used to frame and define edges to roads, parks and stormwater reserves, and to emphasise key intersections;
 - (iii) service areas, loading docks and car parks should be separated from and not facing the front yard;

- (iv) passive surveillance of reserves and public open spaces from the adjacent buildings should be provided for those windows, balconies, indoor and outdoor activities that overlook these areas;
 - (v) site levels, building scale, development intensity, building form, colour and texture should be used to reduce the apparent height and size of large buildings when viewed from the Mangere Gateway heritage route, open spaces, or Special Purpose - Maori Purpose Zone;
 - (vi) the main pedestrian entry to buildings should be clearly recognisable from the street;
 - (vii) in the case of any building that will contain an activity that will attract tourists, the building should be designed with features such as artwork that reflects the heritage of the Airport Gateway Sub-precinct, and features including generous areas of glazing, verandahs over entrance areas, and a high quality of landscape planting around those parts of the building accessible to visitors should be provided;
 - (viii) front activities (i.e. the more active office, showroom or similar activities) should be located fronting adjacent streets and reserves; and conversely 'back' activities (i.e. warehouse, distribution, industrial, storage) should be in less visible locations;
 - (ix) materials and colours of buildings (including buildings on adjoining sites) should be consistent;
 - (x) any security fencing should be integrated with planting and buildings so as to avoid any adverse visual effect on adjacent roads, parks and stormwater management areas;
 - (xi) low glare, high cut-off exterior lighting should be used, and integrated with the building and landscape designs;
 - (xii) signage should be integrated with the building and landscape design;
 - (xiii) planting along road frontages should achieve continuity to enhance the streetscape and character of the locality;
 - (xiv) the landscape treatment should be of a similar scale as the proposed development, to provide adequate visual softening of large buildings and to screen car parking, loading and storage areas; and
 - (xv) the proposed landscaping should be integrated with the type, quality, character and standard of landscape design developed for the relevant Gateway Sub-precinct area .
- (c) Parking
- (i) whether the car parking numbers provided comply with standard I402.6.18 Parking.
 - (ii) parking areas shall be appropriately designed and provided either on site or within nominated shared or consolidated parking areas.

(iii) where numbers of staff and potential demand justifies it, appropriate provision shall be to be made for cyclists, including cycle storage.

- (3) Stormwater facilities to be vested in council:
- (a) adverse visual effects (including cumulative adverse effects) on the existing character of an area, should be avoided, remedied or mitigated;
 - (b) the size and location of the proposed stormwater detention or retention ponds should internalise or mitigate the adverse effects;
 - (c) stormwater detention or retention ponds, located in open spaces, should minimise any potential interference with public use and enjoyment of the public open spaces;
 - (d) safe and direct access should be provided to enable maintenance;
 - (e) landscaping should screen infrastructure to mitigate visual impact on the surrounding natural and built environments; and
 - (f) potential health and safety hazards should be adequately fenced.
- (4) Comprehensive earthworks consent (regional plan only) comprising one or more precincts:
- (a) provision of an earthworks management plan which details the following:
 - (i) site specific erosion and sediment control plans;
 - (ii) areas of expected earthworking operations for the following 12 months, including location and area of works; details of construction methods to be employed, including timing and duration as well as site boundaries;
 - (iii) areas where works have been completed during the preceding 12 months; and
 - (iv) details of chemical flocculation systems to be installed for each earthworks site greater than 1 hectare.
 - (b) the suitability of proposed erosion and sediment control measures to manage erosion and discharge of contaminants and minimise water quality effects;
 - (c) the appropriateness of proposed staging of works and progressive stabilisation, or the need for such where that is not proposed;
 - (d) The proposed timing and duration of works;
 - (e) How effects on flow paths that convey stormwater during rainfall events will be appropriately minimised;

- (f) Where relevant, the extent to which the earthworks avoids or exacerbates natural hazards including flooding at the site or at any location upstream or downstream of the works;
 - (g) The extent to which the earthworks will affect the stability and erosion potential of the site and surrounding area;
 - (h) The extent to which the earthworks, its design, location and execution are necessary to accommodate development otherwise permitted by the Unitary Plan and/or the airports designation;
 - (i) Measures to avoid, remedy or mitigate adverse effects on any relevant overlay;
 - (j) Measure to avoid, remedy or mitigate adverse effects on mana whenua values;
 - (k) Measures to avoid, remedy or mitigate adverse effects on a watercourse, wetland, or coastal marine area; and
 - (l) Information and monitoring requirements.
- (5) Buildings, structures and works (except those containing visitor accommodation) within a 1% AEP floodplain, flood sensitive area, or overland flow path that are unable to comply with the permitted activity standards:
- (a) whether the methods used to identify the flood hazard and associated risk are appropriate in the context of Auckland Airport.
 - (b) whether the design and management methods are appropriate in the context of Auckland Airport to address the flood hazard, including consideration of:
 - (i) the characteristics of the hazard, such as depth, extent and velocity of water;
 - (ii) public safety (endangerment of life);
 - (iii) the nature of the activity proposed; and
 - (iv) maintenance, monitoring and reporting requirements.
- (6) Buildings, structures and works that are unable to comply with the permitted activity standards for land which may be subject to coastal erosion, land instability or the 1% AEP coastal storm inundation (CSI) plus 1m of sea level rise (CSI1)
- (a) whether the methods used to identify the coastal hazard or land instability and associated risk are appropriate in the context of Auckland Airport.
 - (b) whether the design and management methods are appropriate in the context of Auckland Airport to address the coastal hazard or land instability risk, including consideration of:

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- (i) the characteristics of the hazard, such as its extent and nature;
- (ii) the nature of the activity proposed; and
- (iii) maintenance, monitoring and reporting requirements.

I402.8. Assessment – restricted discretionary activities

I402.8.1. Matters of discretion

The council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application.

- (1) any buildings, structures, works or subdivision within Gateway Sub-precinct area A – F which is not in accordance with I402.10.1 Auckland Airport: Precinct plan 1
 - (a) site layout;
 - (b) design and external appearance of buildings and landscape design;
 - (c) design consistency within and between Gateway Sub-precinct areas;
 - (d) coherent design for the Māngere Gateway heritage route, George Bolt Memorial Drive and surrounds;
 - (e) land use and transport integration;
 - (f) Gateway Sub-precinct areas C – F – relationship to open space;
 - (g) adverse effects on heritage resources;
 - (h) Gateway Sub-precinct areas C and D – comprehensive development of the commercial centre; and
 - (i) landscape treatment.
- (2) Any subdivision outside Gateway Sub-precinct area A-F not complying with Rule I402.6.19
 - (a) form and layout of the subdivision;
 - (b) safety and efficiency of the adjacent street network; and
 - (c) adverse effects on cultural values.
- (3) Coastal marine area structures associated with airport activities which are not otherwise listed as a permitted activity (within Significant Ecological Area - Marine 1 and Outstanding Natural Features)
 - (a) construction or works methods, timing and hours of operation;
 - (b) location, extent, design and materials;
 - (c) adverse effects on the identified values of the Significant Ecological Area or Outstanding Natural Feature;

- (d) adverse effects arising from disturbance of the foreshore and seabed;
 - (e) adverse effects arising from deposition of material in the coastal marine area;
 - (f) removal of indigenous vegetation;
 - (g) any discharge of contaminants;
 - (h) duration of the consent; and
 - (i) monitoring of the consent.
- (4) Standard infringements in the Gateway Sub-precinct or Core Sub-Precinct:
- (a) building scale and site layout;
 - (b) landscape design; and
 - (c) parking in the Gateway Sub-precinct and parking within 500m of the northern boundary of the Core Sub-precinct where it does not adjoin the Gateway Sub-precinct and any measures to avoid, remedy or mitigate the adverse effects of overspill parking in these areas.
- (5) Standard infringements in the Coastal Sub-precinct:
- (a) construction or works methods, timing and hours of operation;
 - (b) location, extent, design and materials;
 - (c) adverse effects of the infringement on the coastal marine area or the identified values of the Significant Ecological Area or Outstanding Natural Feature (if applicable);
 - (d) adverse effects of the infringement arising from the disturbance of the foreshore and seabed;
 - (e) adverse effects of the infringement on safe navigation or public access;
 - (f) positive effects which arise from the infringement;
 - (g) duration of the consent; and
 - (h) monitoring of the consent.
- (6) New impervious areas not serviced by the stormwater network that do not meet permitted activity standards
- (a) The adverse effects of non-compliance with standard I402.6.9 New impervious area not serviced by the consented stormwater network
 - (b) and prevention or minimisation of those effects

- (7) Buildings containing visitor accommodation located within the 1% AEP flood plain
 - (c) Management of people and property during a 1% AEP flood event.
 - (d) Design and provision of safe access to and from the building.
 - (e) The location of sleeping or living areas.
 - (f) Monitoring.

I402.8.2. Assessment criteria

The council will consider the relevant assessment criteria below for restricted discretionary activities.

- (1) any building, structure, works or subdivision within Gateway Sub-precinct area A – F not in accordance with I402.10.1 Auckland Airport: Precinct plan 1:
 - (a) site layout:
 - (i) the site layout should reinforce or enhance the street pattern;
 - (ii) the site layout should be compatible with the site development of adjoining sites and the streetscape;
 - (iii) the building should align with the street, to create a clear spatial system along the street. Where streets are curved, the building should align with that curve, or alternatively should be stepped in plan in relation to the curve;
 - (iv) buildings on corner sites should be designed to respond to the site's prominence in the roading network and the adjoining road intersection; and
 - (v) car parking areas should be designed and located to ensure an attractive site layout, particularly when viewed from the road or public open spaces.
 - (b) design and external appearance of buildings and landscape design:
 - (i) the scale, form, design, height, and colour of the proposed building or structures (including fencing) should be sympathetic to existing built development and the wider natural, cultural and built heritage and landscape values of the area;
 - (ii) building and landscape design should be used to frame and define edges to roads, parks and stormwater reserves, and to emphasise key intersections;
 - (iii) service areas, loading docks and car parks should be separated from and not facing the front yard;

- (iv) passive surveillance of reserves and public open spaces from the adjacent buildings should be provided for windows, balconies, indoor and outdoor activities overlooking these areas;
 - (v) site levels, building scale, development intensity, building form, colour and texture should be used to reduce the apparent height and size of large buildings when viewed from the Māngere Gateway heritage route or open spaces;
 - (vi) the main pedestrian entry to buildings should be clearly recognisable from the street;
 - (vii) in the case of any building that will contain an activity that will attract tourists, the building should be designed with features such as artwork that reflects the heritage of the Gateway Sub-precinct, and features including generous areas of glazing, verandahs over entrance areas, and a high quality of landscape planting around those parts of the building accessible to visitors should be provided;
 - (viii) in the case of any building visible from the Special Purpose - Māori Purpose Zone or an open space zone (existing or proposed), the building design and external appearance should include measures such as building setback and landscape planting that respond sensitively to cultural and landscape values;
 - (ix) front activities (i.e. the more active office, showroom or similar activities) should be located fronting adjacent streets and reserves; and conversely 'back' activities (i.e. warehouse, distribution, industrial, storage) should be in less visible locations;
 - (x) materials and colours of buildings (including buildings on adjoining sites) should be consistent; and
 - (xi) any security fencing should be integrated with planting and buildings so as to avoid any adverse visual effect on adjacent roads, parks and stormwater management areas;
 - (xii) low glare, high cut-off exterior lighting should be used, and integrated with the building and landscape designs;
 - (xiii) signage should be integrated with the building and landscape design;
 - (xiv) planting along road frontages should achieve continuity to enhance the streetscape and character of the locality;
 - (xv) the landscape treatment should be of a similar scale as the proposed development, to provide adequate visual softening of large buildings and to screen car parking, loading and storage areas;
 - (xvi) the proposed landscaping should be integrated with the type, quality, character and standard of landscape design developed for the relevant Gateway Sub-precinct area.
- (c) design consistency within and between Gateway Sub-precinct areas:

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- (i) the buildings structures or works should be designed having regard to the context of adjoining Gateway Sub-precinct areas and other surrounding land, natural features and buildings, structures and works.
- (d) coherent design for the Mangere Gateway heritage route, George Bolt Memorial Drive, and surrounds:
 - (i) the building, structures and works should promote a coherent design for the Mangere Gateway heritage route, George Bolt Memorial Drive, and adjoining land, including:
 - a. ensuring a coherent spatial structure formed by the relationship of buildings to the street and to one another;
 - b. minimising the number of vehicle entrances onto the street;
 - c. aligning buildings to the street;
 - d. locating buildings, structures and works, and access points to sites, so that heavy vehicle traffic (except buses) is discouraged on the Gateway heritage route;
 - e. locating the office component of a development at the front (street) part of the development;
 - f. using consistent materials on buildings;
 - g. using consistent planting, paving, lighting and fencing;
 - h. ensuring existing trees and shelter belts are retained where they may contribute to maintaining amenity values;
 - i. providing trees along road berms and within front yards which should be capable of reaching a similar scale as nearby buildings;
 - j. avoiding security fencing being closer to the front boundary of the site than the buildings on the site; and
 - k. enhancing the natural character of open space.
 - (ii) Pou, art, sculpture or other public amenity features should be of an appropriate design to represent the Māori and European history of the area and be located on land adjoining the Mangere Gateway heritage route, in order to promote a distinctiveness or sense of place appropriate for the wider heritage area. Note pou, art, sculpture and other public amenity features should generally be located only in space areas or on sites that will attract tourists.
- (e) land use and transport integration:
 - (i) A full integrated transport assessment should be submitted with the application, and include consideration of:
 - a. all modes of transport that would support the land uses proposed;

- b. in Gateway Sub-precinct areas B, C and D, the possible location of and linkages to rapid transport networks;
 - c. a location policy that ensures specified development takes place in locations within the Gateway Sub-precinct area that, where relevant, supports sustainable transport mode share;
 - d. planning and development tools to facilitate sustainable transport;
 - e. travel plans, as appropriate to encourage uptake of sustainable transport options by employers and visitors;
 - f. car parking standards with justification for the number of spaces proposed, so land is used efficiently and effectively;
 - g. provision, where appropriate, to be made for cyclists, including cycle storage; and
 - h. any relevant funding matters.
- (ii) Sufficient roads should be provided to create a connected roading pattern that avoids the need for rear sites;
 - (iii) Roads should be designed to a consistent, high-quality standard;
 - (iv) Sufficient cycleway and walkway linkages and facilities should be provided, and should be designed to contribute to the employment, visitor and recreational user attractiveness of the heritage area;
 - (v) The street and site layout should avoid adverse effects on the safety and efficiency of the adjacent road network; and
 - (vi) The street layout and street design should encourage heavy traffic movements (except buses) away from the Māori Purpose Zone and away from the Gateway heritage route, except where there is no available alternative route for heavy traffic.
- (f) Gateway Sub-precinct areas C-F - relationship to open spaces:
- (i) development proposals for the public open space areas identified in the precincts should generally reflect an informal or passive design that reflects the historic rural character, cultural and heritage values of the area including as viewed from the Mangere Gateway Heritage Route; and
 - (ii) strong open space and visual connections to and around Waitomokia and Oruarangi Creeks should be created, and include provision for pedestrian and cycle linkages and locations for cultural, landscape and historical interpretive features.
- (g) adverse effects on heritage resources
- (i) the development proposal should identify and incorporate any cultural heritage resources, in a way that integrates with and enhances those resources.

- (h) Gateway Sub-precinct areas C and D: comprehensive development of the commercial centre
 - (i) a comprehensive design, including building location, landscape and building design guidelines (including materials and colouring) for the commercial centre within Gateway Sub-precinct areas C and D, should be carried out.
 - (i) landscape treatment
 - (i) consistent landscape design should be established and maintained along the Gateway Heritage Route and George Bolt Memorial Drive.
 - (ii) existing trees and shelterbelts that enhance the amenity of buildings, structures and works should be retained.
 - (iii) the form of new planting should enhance the amenity of buildings, structures and works.
- (2) Any subdivision outside Gateway Sub-precinct areas A - F not complying with Rule I402.6.19:
 - (a) The form and layout of the subdivision, should avoid, remedy or mitigate significant adverse effects on the safety and efficiency of the adjacent street network.
 - (b) The extent to which the form and layout of the subdivision will avoid, remedy or mitigate adverse effects on cultural values.
- (3) Standard infringements
 - (a) The proposed height of the structure should not have an adverse effect on airport safety or visual amenity values.
 - (b) The proposed structure should not have an adverse effect on the visual or landscape amenity values of adjoining sites.
 - (c) When assessing the matter of coastal protection yards, the proposed structure should not have an adverse effect on the coastal environment, including visual or landscape amenity, water quality, vegetation or habitats.
 - (d) When assessing landscape design, the proposal should achieve a high standard of visual amenity values in those parts of the Auckland Airport zone where visitors and passengers are likely to be present, such as the entry and exit points to the airport.
 - (e) When assessing storage areas, the proposal should include methods of ensuring any parts of an activity visible from public places will be maintained in a tidy condition. The location of by-products or refuse should be screened from public view in order to maintain a reasonable level of visual amenity.

- (f) When assessing parking where the supply of parking is insufficient to meet the parking development standard in the Gateway Sub-precinct and within 500m of the northern boundary of the Core Sub-precinct where it does not adjoin the Gateway Sub-precinct the proposal should include any measures, conditions or arrangements to ensure there is no more than minor adverse effects from parking overspill on adjacent activities and the safe and efficient operation of the adjoining and nearby transport network.
- (4) coastal marine area structures associated with airport activities which are not otherwise listed as a permitted activity (within Significant Ecological Area - Marine 1 and Outstanding Natural Features):
- (a) coastal marine area structures should be limited to those:
 - (i) that have a functional or operational need to be located in the coastal marine area, or that are for infrastructure that cannot reasonably or practicably be located outside the coastal marine area; and
 - (ii) that cannot reasonably or practicably be accommodated on existing structures or facilities.
 - (b) the following measures should be taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, cultural values, water quality and natural character:
 - (i) construction methods and site works should avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;
 - (ii) construction or works should be done at a time that avoids or minimises, adverse effects on marine mammals, bird roosting, nesting and feeding, and cultural and recreational users of the coastal marine area; and
 - (iii) the hours of operation of construction or works should minimise adverse effects of noise and disruption on existing activities, and on nearby residential, marae and open spaces.
 - (c) the work should be located and designed to avoid, remedy or mitigate adverse effects on the environment;
 - (d) the form, intensity and scale of works, structures and buildings should be sensitive to the marine environment and surrounding adjoining spaces;
 - (e) works and structures should ensure efficient use of the coastal marine area is made by using the minimum area necessary for their purpose; and
 - (f) the materials used should be compatible with the surrounding coastal environment, and where practicable be consistent with the natural materials at the site. This should take into account the physical

characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.

(5) Standard infringements in the Coastal Sub-precinct

- (a) adverse effects of the infringement on the coastal marine area or the identified values of the Significant Ecological Area or Outstanding Natural Features should be avoided, remedied or mitigated.
- (b) adverse effects of the infringement arising from the disturbance of the foreshore and seabed should be avoided, remedied or mitigated.
- (c) adverse effects of the infringement on safe navigation or public access should be avoided, remedied or mitigated.
- (d) the positive effects which arise from the infringement should be considered alongside any adverse effects.

(6) New impervious areas not serviced by the stormwater network that do not meet permitted activity controls:

- (a) the extent to which the proposal prevents or minimises the adverse effects of the discharge, including cumulative effects, to the extent possible having regard to:
 - (i) the nature, volume and peak flow of the stormwater discharge;
 - (ii) the sensitivity of the receiving environment to stormwater contaminants and flows including any areas of identified degraded coastal water quality;
 - (iii) avoiding the creation or increase of flood risk to other properties external to the Auckland Airport Precinct;
 - (iv) practical limitations on the measures that may be used;
 - (v) maintaining water levels in underlying peat soils and ground stability (where relevant);
 - (vi) Mana Whenua values; and
 - (vii) the management of contaminants from any area where there is a likelihood or risk of high levels of contaminants being generated and discharged.
- (b) options for discharge where there is no available stormwater network.
- (c) consistency with any relevant network discharge consent or publicly available and current Auckland Council stormwater management plans/analysis.
- (d) opportunities to reduce existing adverse effects and enhance receiving environments.

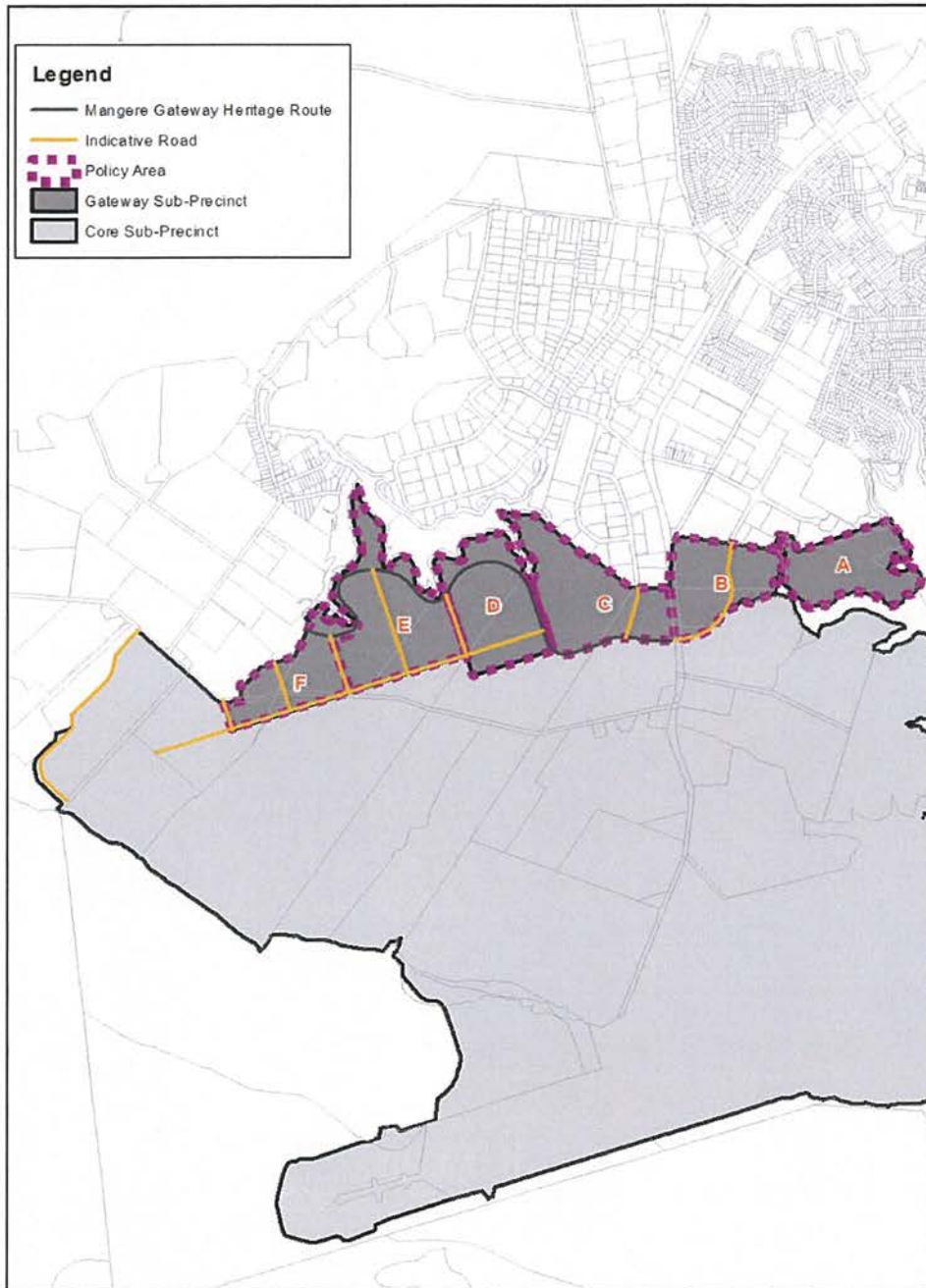
- (e) the effects on marine sediment quality.
- (7) Buildings containing visitor accommodation located within the 1% AEP flood plain
 - (a) Adequacy of methods to respond to the identified risks including the following:
 - (i) actions that can be taken to ensure the safety of people in the building during a flood event, including safe refuge areas and/or evacuation procedures; and
 - (ii) the location of accommodation and the extent to which physical measures are proposed to manage risks to the occupants.

I402.9. Special information requirements

There are no special information requirements for this precinct.

I402.10. Precinct plans

H1.11.1 Auckland Airport : Precinct plan 1





IN THE MATTER of the Resource Management Act 1991 and the
Local Government (Auckland Transitional
Provisions) Act 2010

AND

IN THE MATTER of the Proposed Auckland Unitary Plan

**STATEMENT OF EVIDENCE OF GREGORY JOHN OSBORNE FOR
AUCKLAND INTERNATIONAL AIRPORT IN RELATION TO TOPIC 045
AIRPORT**

(PLANNING)

26 MARCH 2014

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future aircraft noise predictions. In my view, that would be the antithesis of sound planning.

- 3.8 Further it is clear that the proposed RPS and particularly policies B3.2 (7) and B3.3 (6) (set out in full in **Annexure 2** to my evidence) anticipate that (as well as protecting **existing** significant infrastructure) significant "**planned** infrastructure" and "future...air flight paths" must be protected from reverse sensitivity effects "*...so they can meet future passenger and/or freight and trade demand*". In my view, the AIAL submission seeking that provision is made for future airport growth by ensuring that land use planning avoids reverse sensitivity effects on the "planned infrastructure" of the northern runway, and the "future air flight paths" associated with that runway, is giving effect to the RPS. On this latter point I would reiterate that my analysis of the airport's master planning process is that it represents a long term and rational commitment to growing the airport in line with the social and economic needs of Auckland. As such, it can be safely relied on by the Hearings Panel as qualifying as properly and soundly "planned infrastructure" anticipated by the proposed RPS.

Proposed Unitary Plan Framework

- 3.9 In discussing the Unitary Plan framework relating to AIAL it is important to distinguish between:
- (a) the Airport Designations (Designations 1100, 1101 and 1102) which provide for the operation of the aeronautical functions of the airport and other directly related activities and which contain conditions and restrictions on (amongst other matters) noise from aircraft operations (conditions 5-8 and 13);
 - (b) the objectives, policies and rules in the Aircraft Noise Overlay which contain land use restrictions within the aircraft noise areas designed to ensure that Activities Sensitive to Aircraft Noise ("**ASAN**") are avoided in the High Aircraft Noise Area ("**HANA**") around the Airport and are avoided in the Moderate Aircraft Noise Area ("**MANA**") unless the effects of such