

ANNEXURE B – Copy of the Relevant Part of the Decision

QUEENSTOWN LAKES DISTRICT COUNCIL

Hearing of Submissions on Proposed District Plan

Report 10

Report, Recommendations and Decisions of Independent Commissioner
Regarding
Chapter 37 – Designations

Commissioner
Paul Rogers (Chair)

CONTENTS

PART A: INTRODUCTORY MATTERS	3
1. PRELIMINARY MATTERS	3
2. STATUTORY CONSIDERATIONS	5
3. STATUTORY FRAMEWORK FOR ALL DESIGNATIONS	7
PART 1: REQUIRING AUTHORITY DESIGNATIONS	16
4. REQUIRING AUTHORITY DESIGNATIONS	16
5. ROLL OVER OF DESIGNATIONS	17
6. REMOVAL OF DESIGNATIONS	18
7. DESIGNATIONS (MINOR ALTERATIONS)	19
8. DESIGNATIONS (WITH AMENDMENTS)	19
9. AURORA ENERGY LIMITED (AURORA)	19
10. CHORUS NEW ZEALAND LIMITED AND SPARK NEW ZEALAND TRADING LIMITED	23
11. METEOROLOGICAL SERVICE OF NEW ZEALAND	23
12. MINISTRY OF EDUCATION	24
13. NEW ZEALAND POLICE	25
14. NZ TRANSPORT AGENCY	26
15. QLDC SUBMISSION	26
16. NZTA SUBMISSIONS	27
17. TRANSPOWER	30
18. NEW NOTICES OF REQUIREMENT	30
19. MoE	34
20. NEW ZEALAND POLICE	34
21. CONCLUSION	35
PART 2: QLDC REQUIREMENTS/DESIGNATIONS	36
22. QLDC REQUIREMENTS/DESIGNATIONS	36
23. ROLLED OVER DESIGNATIONS	36
24. LAPSED OR REMOVED DESIGNATIONS	37
25. DESIGNATIONS WITH MINOR AMENDMENTS	39
26. DESIGNATIONS WITH MODIFICATION	41
27. NEW DESIGNATIONS	61
28. CLOSED LANDFILLS	70
29. QLDC ROADS	73
30. CONCLUSION	73
PART 3: AIRPORT DESIGNATIONS	74
31. AIRPORT DESIGNATIONS	74
32. WANAKA AIRPORT – DESIGNATION #64	75
33. GENERAL SUBMISSIONS	75
34. PRELIMINARY MATTERS	76
35. EFFECTS ON THE ENVIRONMENT – SECTION 168A(3)	83
36. OTHER MATTERS AND SUBMISSIONS	89
37. OTHER SUBMISSIONS ON DESIGNATION #64	91
38. OVERALL JUDGEMENT	97
39. FINAL DECISION FOR DESIGNATION #64	100
40. WANAKA AIRPORT - DESIGNATION #65 (AIRPORT APPROACH AND LAND USE CONTROLS)	101
41. QUEENSTOWN AIRPORT – DESIGNATION #2	102
42. GENERAL SUBMISSIONS	102
43. PRELIMINARY MATTERS	102
44. DESIGNATION #2 (AERODROME) - QUEENSTOWN AIRPORT- THE PROJECT	106
45. EFFECTS ON THE ENVIRONMENT – SECTION 171(1)	113
46. EFFECTS ASSESSMENT	115
47. OTHER MATTERS AND SUBMISSIONS	128

48.	OVERALL JUDGEMENT ON DESIGNATION #2	135
49.	SUMMARY OF FINDINGS	135
50.	OVERALL CONCLUSION ON DESIGNATION #2	140
51.	QUEENSTOWN AIRPORT - DESIGNATION #4 (AIRPORT APPROACH AND LAND USE CONTROLS)	141
52.	CONCLUSION ON DESIGNATION 4	145

PART A: INTRODUCTORY MATTERS

1. PRELIMINARY MATTERS

1.1. Terminology in this Report

1. Throughout this report, I use the following abbreviations:

CFR	Computer Freehold Register
Council	Queenstown Lakes District Council
NoR	Notice of Requirement
NPSET 2008	National Policy Statement for Electricity Transmission 2008
NPSFM 2011	National Policy Statement for Freshwater Management 2011
NPSFM 2014	National Policy Statement for Freshwater Management 2014
NPSREG 2011	National Policy Statement for Renewable Electricity Generation 2011
NZTA	New Zealand Transport Authority
ODP	the Operative District Plan for the Queenstown Lakes District as at the date of this report
ONF	Outstanding Natural Feature(s)
ONL	Outstanding Natural Landscape(s)
PDP	Stage 1 of the Proposed District Plan for Queenstown Lakes District as publicly notified on 26 August 2015
Proposed RPS	the Proposed Regional Policy Statement for the Otago Region Decisions Version dated 1 October 2016, unless otherwise stated
QAC	Queenstown Airport Corporation
QAZ	Queenstown Airport
RMA	Resource Management Act 1991
RPS	the Operative Regional Policy Statement for the Otago Region dated October 1998
UCES	Upper Clutha Environmental Society
UGB	Urban Growth Boundary
WAZ	Wanaka Airport

1.2. Topics Considered

2. The subject matter of the Stream 7 hearings was Chapter 37 of the PDP. Ms Rebecca Holden prepared and presented the Section 42A Reports for this hearing. Chapter 37 includes a Schedule of Designations that sets out the designation number, map reference, requiring authority responsible, purpose, legal description and conditions that apply to the designation. The second part of Chapter 37 includes the conditions referred to in the schedule of designations.
3. Mr Barr completed the Section 42A Report relating to NZTA and its late submission. I will refer to the author by name when referencing their recommendations and opinions.

1.3. Hearing Arrangements

4. Hearing of Chapter 37 was held on Monday 17 October, Thursday 20 October and Friday 21 October 2016 in Queenstown.
5. The parties heard from on Chapter 37 were:

Queenstown - Lakes District Council (as regulator)

- James Winchester (Counsel)
- Rebecca Holden as Section 42A Reporting Officer (3 Section 42A reports) for all Designations

Queenstown - Lakes District Council (as requiring authority)

- Alice Balme (Counsel)
- John Kyle (Witness)
- Erin Moogan (Witness – infrastructure)
- Jeannie Galavazi (Witness for QLDC as Requiring Authority – Reserves)

Queenstown Airport Corporation Limited¹

- Rebecca Wolt (Counsel for QAC as Requiring Authority)
- John Kyle (Witness for QAC as Requiring Authority)
- David Jerram²
- Sarah Burdon³
- Kirsty Sharpe⁴

Island Capital Limited

- Rosie Hill for⁵

Skydive Queenstown Limited

- Jayne Macdonald for⁶

¹ Submission 433

² Submission 79

³ Submission 282

⁴ Submission 553

⁵ Submission 769

⁶ Submission 23

Remarkables Parks Limited

- John Young for⁷

1.4. Procedural Steps and Issues

6. A minute was issued by the Independent Commissioner Panel on 28 September 2016 setting out procedural matters, namely that first evidence must be lodged with the Council by 12pm Friday 7th October 2016. Requiring authorities would then have the opportunity to provide a written reply which must be filed not later than 5 working days following the date the Hearing is adjourned.
7. A second minute was issued by the Commissioners on 11 October 2016 inviting late submissions by NZTA to address the errors/omissions detailed within the Section 42A Report relating to NZTA and the legal submissions of Ms McIndoe and Mr Winchester.
8. Pursuant to this minute, NZTA applied for, and was subsequently granted an extension of time under section 37 RMA to file a late submission on 14 October 2016. In accordance with clause 7, Schedule 1 of the RMA, the Council then gave public notice of NZTA's submission and served the NZTA submission on all persons who made a submission on the PDP and any person who the Council considered may be directly affected by NZTA's submission. Submissions were open until 16 December 2017 and no further submissions were received.
9. A further Commissioner minute was issued on 16 November 2016 relating to leave sought by Mr Young on behalf of Remarkables Park Limited to file submissions in relation to QAC's allegation of trade competition. I accepted these submissions and have considered all the evidence presented to me. I will discuss the issue of trade competition later in my report.

1.5. Consistency and Relevance of other recommended decisions in the PDP

10. It is important before I begin to discuss the plan review as a whole. Stage 1 of the review was notified in August 2015, which contained most of the key chapters, including residential, rural and commercial zones. Submissions relating to these chapters have been considered in a series of 13 hearings.
11. All chapters in Stage 1 were notified at the same time, which means Section 32 Assessments and relevant reports were all available at the same time for interested submitters to read. I consider that where there was commonality of location, participants or issues across these chapters that the participants would have had the opportunity to review Council reports, submissions and evidence on the matters of interest.
12. I acknowledge that through the hearing process, there have been some changes made to the underlying zones where these designations are located. This is particularly relevant to the airport designations, which I will refer to in Part 3 of this decision. However in reaching my decision I consider it appropriate to have regard to other relevant recommended decisions on other relevant PDP chapters.

2. STATUTORY CONSIDERATIONS

13. Due to their unique nature, it is important to set out some context and background to designations and the process involved. The statutory framework is discussed in this section to aid the reader through my decision-making process.

⁷ Submission 1097

2.1. QLDC in the Designation Process

14. The plan review process triggers a number of processes under the RMA specific to designations. Some take place prior to notification of the Proposed Plan. QLDC has dual roles and functions due to it being a territorial authority responsible under the RMA for both the District Plan and its review and because it is also a requiring authority responsible for its own designations within the District Plan and the review process.
15. As territorial authority, QLDC has a recommendatory role in relation to NoR's of other requiring authorities notified as part of the PDP. Second, as requiring authority, QLDC has decision making powers in respect of its own designations.
16. Both roles have been delegated to me as decision maker. So I will make decisions on the QLDC designations⁸ and make recommendations⁹ to all other requiring authorities on their designations. Requiring authorities can respond to my recommendations relating to their designations and I provide details later.

2.2. Designations

17. A 'designation' is a provision in a District Plan that authorises a requiring authority's work and activities over a particular site or area without the need to obtain a land use consent or comply with zone rules. A designation also prevents a third party from carrying out activities over or on that particular site or area that may be incompatible with the designated purpose.¹⁰

2.3. Requiring Authority

18. Section 166 of the RMA defines a "requiring authority" as:
 - a. A Minister of the Crown;
 - b. A local authority; or
 - c. An approved network utility operator¹¹.
19. Ministers of the Crown and local authorities are, by right, requiring authorities for projects and works for which they have financial responsibility.
20. The scope of the requiring authority status approved by the Minister under section 167 is set out in the Gazette Notice. In the case of section 360, the requiring authority status approved by the Governor General is set out in the regulations.¹²

2.4. Notice of Requirement (NoR)

21. To begin the process of designating land, section 168 of the RMA requires that a requiring authority must serve a NoR on the relevant territorial authority. NoR's are not defined in the RMA, but it is established through case law that a NoR is effectively a proposal for a designation.¹³

⁸ Resource Management Act 1991, Schedule 1 (cl 9(2)). Act 1991, Schedule 1 (cl 9(1)).

⁹ Resource Management Act 1991, Schedule 1 (cl 9(1)).

¹⁰ RMA, section 176

¹¹ Those network utilities listed under section 166 can apply to the Minister for the Environment for requiring authority status under section 167. The Minister can approve requiring authority status for an entire network operation or a specific project. Most eligible network utility operators have already obtained this status.

¹² Section 360 has been used sparingly since the enactment of the RMA.

¹³ Hastings v Auckland CC A068/01

22. If the designation is confirmed, it overrides the provisions of the District Plan so that the project or the works may be implemented by the requiring authority in accordance with that designation and any conditions attached to it. However, the underlying plan provisions continue to apply if the land is used for a purpose other than the designated purpose.
23. All work undertaken on a designated site shall be undertaken in accordance with the NoR creating that designation, and any conditions attached to the NoR at the time the designation was confirmed.

3. STATUTORY FRAMEWORK FOR ALL DESIGNATIONS

3.1. Notifying Designations in the PDP

24. Section 168(2) of the RMA enables a requiring authority¹⁴ to give notice to a territorial authority of its requirement for a designation for a public work or project, or in respect of any land, water, subsoil, or airspace where restriction is necessary for the safe or efficient functioning or operation of a public work or project.
25. Under clause 4, Schedule 1 RMA, a territorial authority is required, prior to the notification of a PDP, to invite all requiring authorities who have designations existing under the ODP (but which have not lapsed) to give written notice to the territorial authority stating whether or not they require their existing designation to be rolled over to the PDP, with or without modification.
26. Any modifications are required to be included in the requiring authority written notice together with reasons for such modifications¹⁵.
27. In addition to rollover designations, a requiring authority may also give written notice requesting a new site to be designated. The territorial authority can then include this requirement in the PDP in accordance with Clause 4(5) of Schedule 1 RMA.
28. Clause 4(6), Schedule 1 RMA provides that a territorial authority may include, in its PDP, any requirement for a designation or existing designation that the territorial authority has responsibility for in its district.

3.2. Rolling over Designations

29. A number of designations as set out in Appendix 1 to this decision were rolled over without modification and no submissions were received on these. Clause 9 (3) of schedule 1 reads;

“Nothing in this clause shall allow the territorial authority to make a recommendation or decision in respect of any existing designations... that are included without modification and on which no submissions are received”

30. Accordingly the designations that have rolled over without modifications are included in Appendix 1 and attract no further comment from me except to confirm them.

3.3. Legal Issues for Designations

31. The matters to be taken into account under the RMA when considering whether or not to include a designation in a district plan are the same regardless of who the requiring authority

¹⁴ A requiring authority for the purposes approved under s167

¹⁵ Clause 4(3) Schedule 1 RMA

is (and for that matter whether the NoR is part of the plan making process or separate to and outside of the plan making process). The matters for consideration are listed in section 168A when the territorial authority is the requiring authority, and section 171 for other requiring authorities.

32. I will outline these matters using section 171 as reference, however as noted above these are the same matters set out in section 168A. While both sections identify matters to be considered in reaching a decision the application of these sections within a given context inevitably will lead to legal issues and questions.
33. When considering a requirement, section 171(1) of the RMA states that a territorial authority must, subject to Part 2 of the RMA, consider the effects on the environment of allowing the requirement, having particular regard to:
- a. *any relevant provisions of –*
 - i. *a national policy statement;*
 - ii. *a New Zealand coastal policy statement;*
 - iii. *a regional policy statement or proposed regional policy statement;*
 - iv. *a plan or proposed plan; and*
 - b. *whether adequate consideration has been given to alternative sites, routes or methods or undertaking the work if –*
 - i. *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
 - ii. *it is likely that the work will have a significant adverse effect on the environment; and*
 - c. *whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
 - d. *any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*
34. The interpretative and application issues that arise are now discussed.
35. I have carefully reviewed the Board’s decision¹⁶ on the NZTA NoR for what is commonly referred to as the “Basin Reserve Project” along with the subsequent appeal by NZTA to the High Court¹⁷ following the Board’s decision. The High Court judgement found that the Board’s decision did not contain any of the errors of law alleged resulting in the NZTA appeal being dismissed.
36. Given the outcome of the appeal my references are exclusively to the Board’s decision. The Board’s decision gives clear direction on the correct approach to applying section 171 and as such I will restate the key principles in this introduction to provide the framework by which I apply section 171 and ultimately make my decision on each designation.

¹⁶ *Final Report and decision of the Board of Inquiry into the Basin Bridge Proposal* Ministry for the Environment, Board of Inquiry, August 2014 at [199].

¹⁷ *New Zealand Transport Agency v Architectural Centre Inc* (2015) NZHC 1991

3.4. Subject to Part 2

37. When interpreting the words ‘*subject to Part 2*’ in section 171, the Board explained that this requirement means that the directions in Part 2 are given paramountcy and are overriding in the event of conflict.

38. The Board went on to state that the Part 2 directions apply to both the evaluation of specific environmental effects and the overall evaluation in the final analysis:

[170] The focal point of the assessment is, subject to Part 2, consideration of the effects of allowing the requirement having particular regard to the stated matters. The import of this is that the purpose, policy and directions in Part 2 set the frame for the consideration of the effects on the environment of allowing the requirement. Paramount in this regard is section 5 dealing with the purpose of the Act, namely to promote sustainable management of natural and physical resources.

39. The Board also referred to the comment of the Privy Council in *McGuire v Hastings District Council*¹⁸, which I restate for clarity as to the procedure in the event of conflict: between Act provisions¹⁹:

Note that section 171 is expressly made subject to Part 2, which includes sections 6, 7, and 8. This means that the directions in the latter sections have to be considered as well as those in section 171 and indeed override them in the event of conflict.

40. The Board discussed how to apply section 171 as follows:

[175] What is required (subject to consideration of the King Salmon decision, which we address next) is a consideration of the effects on the environment of allowing the requirement having particular regard to the matters set out in sub-sections (a) – (d). This means that the matters in (a) – (d) need to be considered to the extent that our finding on these matters are to be heeded (or borne in mind) when considering our findings on the effects on the environment.

41. When considering whether King Salmon altered the approach to Part 2, the Board concluded that as King Salmon considered a plan change, that different statutory tests applied.

42. The Board went on to say that:

[187] Accordingly, we do not understand King Salmon as rejecting, or materially altering, the need for us to finally determine a NoR (such as the one before us) in accordance with the established framework we have already outlined. Indeed, we do not consider we would be complying with the statutory requirement that our assessment of the Transport Agency’s NoR be subject to Part 2, if we failed to ultimately determine that NoR by reference to Part 2, and undertake an overall judgement in accordance with Section 5. We would require very clear and explicit guidance before being persuaded we must now depart from this very specific Parliamentary direction.

¹⁸ *McGuire v Hastings District Council* (2002) 8 ELRNZ 14

¹⁹ *Ibid* at [22]

3.5. Meaning of the words “having particular regard to”

43. Section 171(1) requires me to consider the effects on the environment of the project enabled by the NoR, subject to Part 2 and *having particular regard to* the matters set out in sub-sections (a)-(d).
44. The obligation to assess effects with respect to NoRs under section 171(1) is expressed in “*subtly different language from the equivalent obligation arising with respect to resource consents under Section 104(1).*”²⁰ The Board explained this difference as:²¹

Specifically, Section 171(1) requires consideration of the effects on the environment having particular regard to the matters in sub-sections (a) – (d). Whereas under Section 104(1), the activity’s actual and potential effects are instead listed as one of the matters to which a decision maker must have regard, alongside those in Section 104(1)(b) and (c). Both Sections 104(1) and 171(1) though, are subject to Part 2.

[194] However, we do not consider that difference in wording requires a substantively different approach to considering effects on the environment arising from NoRs as that for determining consent applications...

..... [195] Thus Section 171(1) does not give any of the matters listed in sub-sections (a) – (d) any primacy or additional importance in assessing the project’s effects on the environment. Nor can the effects of an NoR somehow be lessened, or made more acceptable, by having particular regard to the matters in sub-sections (a) and (d), as the Transport Agency sought to establish. Indeed, the Act’s definitions of effect and environment do not vary depending on whether they arise in the context of an NoR or resource consent.

[196] Rather, Section 171(1) provides the context for our effects assessment, which must be informed as appropriate by the matters listed in sub-sections (a) – (d). We must make our own judgement on each matter on the evidence, and in all the circumstances. Having done so, we must then finally determine the Transport Agency’s NoR in accordance with Part 2.

3.6. The Order of applying section 171 matters

45. Section 171(1) does not list the matters in (a) – (d) in a hierarchy for consideration. None of the matters are given any primacy or additional importance in assessing the project’s effects on the environment.
46. Section 171 (1) provides the context for my effects assessment. In order to complete this assessment, I adopt the approach taken in *Basin Bridge*. This involves an effects assessment first, prior to considering the section 171(1)(b) matters.

3.7. The Relevant Environment and Permitted Baseline

47. I do need note here that before considering effects on the environment I will need to first understand both the relevant environment on which the projects effects would occur and the scope of potential effects that can validly be taken into account for the purposes of that assessment.

²⁰ *Final Report and decision of the Board of Inquiry into the Basin Bridge Proposal* Ministry for the Environment, Board of Inquiry, August 2014 at [193].

²¹ *Ibid.*

48. I also note that the assessment of the relevant environment and the application of the permitted baseline are two distinct exercises, undertaken for different reasons. The purpose of assessing the existing and future state of the environment is to determine the nature of the receiving environment on which an activities effects would occur.

49. As noted in the *Queenstown Lakes District Council v Hawthorn Estate Limited*²² the purpose of the permitted baseline analysis is to isolate, and make a relevant, effects of activities on the environment that are permitted by the district plan, or have already been consented to. Such effects cannot then be taken into account when assessing the effects of a particular resource consent application.

50. The leading authority as to what must be considered as the relevant environment is the Court of Appeal decision in *Hawthorn* in which it was held as follows²³

In our view, the word environment embraces the future state of the environment as it might be modified by the utilisation of rights to carry out permitted activities under a district plan. It also includes the environment as it might be modified by the implementation of resource consents which have been granted at the time a particular application is considered, where it appears likely that those resource consents will be implemented.

51. As to the scope or extent of the environment to be considered, the Court of Appeal in *Far North District Council v Te Runanga-A-Iwi O Ngati Kahu*²⁴ confirmed that it is appropriate and necessary to consider the environment both beyond and on the application site.

52. The Environment Court in *Beadle v Minister of Corrections*²⁵ in the absence of submissions to the contrary, accepted that it could apply the permitted baseline to both designations and regional resource consents. To the extent any relevant permitted baseline with respect to the matters before me is relevant I need follow that approach. However I also acknowledge that I am not mandatorily required by either case law or statute to do so. I also observe that if I do apply a permitted baseline I can do so only to discount the project's relevant adverse effects, not its positive benefits.²⁶

3.8. Section 171 (1) (b) –adequate consideration of alternatives

53. In considering whether an assessment of alternatives is adequate, the Environment Court has said that the question is “*whether or not the decision was reached arbitrarily*”.²⁷ Rather than looking at whether all alternatives were considered and whether the outcome was the best option, the Court is limited to the process that the authority undertook.²⁸

54. Where the requiring authority does not have an interest in the land or if there are potentially significant effects arising from the work proposed then alternative sites, routes or methods must be considered.

²² [2006] NZRMA 424(CA),at [65]-[66]

²³ Ibid at [84]

²⁴ [2013]NZCA 221(CA)

²⁵ A74/02(EC),at [991]

²⁶ See Rodney DC V Eyres [200] NZRMA 1 (HC).

²⁷ *Sustainable Matata v Bay of Plenty Regional Council* [2015] NZEnvC 50 at [167]

²⁸ Ibid

55. This is explained by Justice Whata in Queenstown Airport Corporation Limited:

[121] The section presupposes where private land will be affected by a designation, adequate consideration of alternative sites not involving private land must be undertaken by the requiring authority. Furthermore, the measure of adequacy will depend on the extent of the land affected by the designation. The greater the impact on private land, the more careful the assessment of alternative sites not affecting private land will need to be.

56. The Board considered that Justice Whata's comments applied further than solely in the instance where the land was privately owned, stating:

[1087] In this case, the extent of private land subject to the proposed designation is not significant. However, as we have said, the Transport Agency acknowledged (and our assessment confirms) that the work would be likely to have a significant adverse effect on the environment. While Justice Whata's comments applied to the impact on private land, the same logic must apply to the extent of the Project's adverse effects. The measure of adequacy of the consideration of alternatives will depend on the impact on the environment of adverse effects.

57. The Board went on to describe the assessment of adequate sites as:

[1090] Subsection 1(b) requires a judgement on whether an adequate process has been followed, including an assessment of what consideration has been adopted. The enquiry is not into whether the best alternative has been chosen. It is not incumbent on a requiring authority to demonstrate that it has considered all possible alternatives or that it has selected the best of all available alternatives. Rather, it is for the requiring authority to establish an appropriate range of alternatives and properly consider them.

[1091] The Environment Court and the MacKays to Peka Board of Inquiry have also referred to and adopted the following summary of the principles derived from case law that apply to the interpretation of Section 171(1)(b), as accepted by the North Island Grid Upgrade Project Board of Inquiry:

a) The focus is on the process, not the outcome: whether the requiring authority has made sufficient investigations of alternatives to satisfy itself of the alternatives proposed, rather than acting arbitrarily, or giving only cursory consideration to alternatives. Adequate consideration does not mean exhaustive or meticulous consideration...

58. This means I need to determine whether any process of assessment of alternatives is adequate. If my finding is that the alternatives assessment is inadequate this does not automatically mean I must decline the NoR.

59. However, if the requiring authority has not given adequate consideration to alternatives, that might undermine its evaluation of effects, or whether the notice of requirement and works are, in fact, *reasonably necessary*.

3.9. Section 171 (1) (c) Reasonably necessary for achieving the objectives

60. The threshold of "*reasonably necessary*" has been described as falling between expedient or desirable on the one hand, and essential on the other.²⁹

²⁹ *Gavin Wallace v Auckland Council* [2012] NZEnvC 120; *Final Report and decision of the Board of Inquiry into the Upper North Island Grid Upgrade Project* Ministry for the Environment, Board of Inquiry, 4 September 2009 at [51]; *Queenstown Airport Corp Ltd v Queenstown Lakes District Council* [2013] NZHC 2347 at [19].

61. Whata J highlighted the fact that elevating the top end of the threshold to essential or that the “best” site be selected is beyond the requirement of “reasonably necessary”. He said that to “elevate the threshold test to “best” site would depart from the everyday usage of the phrase “reasonably necessary” and significantly limit the capacity of requiring authorities to achieve the sustainable management purpose”, and further that if this was Parliament’s intention then express language to that effect would be employed.³⁰
62. Reasonably necessary is driven by the context of the particular designation being considered to fall somewhere in the middle in the spectrum of desirable to essential, in other words it is proportionate to the circumstances of the particular case.³¹
63. The correct approach to be taken is an assessment of whether the work, and the designation, proposed are reasonably necessary to achieve the requiring authority’s objectives, as opposed to an assessment of the necessity of those objectives. The Environment Court has also held that a territorial authority may consider the extent of land that would be affected by the designation in having particular regard to whether the designation is reasonably necessary.³²

3.10. Overall Judgement

64. Once all preceding steps have been completed, I must then make a judgement whether to recommend to the requiring authority to confirm, modify or cancel the NoR.
65. This means considering all the findings of my section 171 (a) – (d) assessment and making a final evaluation as to whether confirming the NoR would meet the single purpose of the RMA set out in section 5, which is to promote the sustainable management of natural and physical resources.
66. I am guided in this overall judgement by the overarching matters set out in Part 2 of the Act. In the event of conflict, the directions in Part 2 override the directions in section 171. Sections 6 and 7 inform and assist the purpose as set out in section 5 of Part 2, being factors in the overall balancing.
67. Following this framework, I will complete an evaluative judgment on which of the options under section 171(2)(a)-(d) for the designation would better serve the purpose of the RMA as defined in section 5.
68. Throughout this decision, I will apply the approach to section 171/168 and the Act as set out in the above paragraphs under the heading “Legal Issues” and I will make my recommendation to each requiring authority throughout the decision.

3.11. Options for a territorial authority

69. Under section 171(2) RMA, giving reasons, the territorial authority may recommend to the requiring authority that it:
- a. Confirm the requirement;
 - b. Modify the requirement;
 - c. Impose conditions;
 - d. Withdraw the requirement.

³⁰ Queenstown Airport Corporation Limited v Queenstown Lakes District Council [2013] NZHC 2347 at [96].

³¹ Re Queenstown Airport Corporation Ltd [2017] EnvC 46 at [96]

³² Bungalo Holdings Ltd v North Shore City Council EnvC A052; Auckland Volcanic Cones Society Inc v Transit NZ Ltd [2003] NZRMA 54/01.

- 70. I make my recommendation throughout the decision, once I have considered all of the potential effects on the environment pursuant to section 171(1) (a) – (d).
- 71. My recommendations have been made, taking into account all of the information before me, including the NoR, submissions, written briefs of evidence and evidence presented at the hearing.
- 72. In regard to section 171, I record that the evidence and any other information I have received did not identify any relevant matters concerning trade competition or the effects of trade competition other than when considering the Airport Designations.
- 73. My consideration of the designation, for the purposes of section 171 was on terms of the evidence and other information including submissions that I received to which I refer. This is also the case for my obligation to consider all these matters “subject to Part 2” of the RMA

3.12. Recommendation to requiring authority

- 74. Clause 9(1) of Schedule 1 provides that a territorial authority must make and notify its recommendation in respect of any designation (except a territorial authority designation) in a proposed plan to the appropriate authority in accordance with section 171 of the RMA.
- 75. The requiring authority then must notify the territorial authority as to whether it accepts or rejects the recommendation in whole or in part within the statutory timeframes.

3.13. Territorial authority as requiring authority

- 76. Clause 9(2) of Schedule 1 provides that when a designation of a territorial authority is included in a proposed plan, that territorial authority must make a decision on that designation in accordance with section 168A(3) of the RMA.
- 77. This is essentially the same process and considerations as already described for a requiring authority other than the territorial authority.
- 78. Part 2 of this decision report analyses a number of designations where QLDC acts as a requiring authority with regards to designations in the notified PDP.
- 79. Where this is the case, the recommendation step described earlier is redundant because, in addition to the legal power to make recommendations to requiring authorities, I have also been delegated by QLDC the legal power to make decisions on its own designations.
- 80. This means, rather than make a recommendation for designations where QLDC is the requiring authority, I will actually make the decision to confirm, modify or impose conditions on the requirement or to withdraw the requirement under s168A(4).

3.14. Alterations to a Designation

- 81. Section 181 of the RMA relates to the alteration of an existing designation and allows a requiring authority that is responsible for a designation to give notice of a requirement to the Council to alter an existing designation. The process is subject to sections 168 to 179 RMA as if it were a new notice of requirement.

82. The Council may alter a designation in the ODP or a requirement in its PDP without sections 168 to 179 applying if:

(a) The alteration

- i. involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned, or*
- ii. involves only minor changes or adjustments to the boundaries of the designation or requirement; and*

(b) Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration; and

(c) Both the territorial authority and the requiring authority agree with the alteration.

3.15. Structure of Chapter 37 Recommendations

83. After receiving written confirmation of the rollover of designations and notices of new requirements from respective requiring authorities, the PDP notified schedule included 543 designations. These included designations that were either rolled over with or without modification, as well as new requirements included into the PDP as notified on 26 August 2015.

84. The process for this chapter is quite unique and differs from others in the District Plan Review process.

85. Ms Holden helpfully divided her approach to reporting on all designations into 3 parts:

- a. Part 1 being Designations from Requiring Authorities other than QLDC ("**Report 1**"); and
- b. Part 2 being QLDC designations ("**Report 2**"); and
- c. Part 3 being Airport related designations 2, 4, 64 and 65 ("**Report 3**").

Collectively these reports are referred to as the "**S42A Reports**".

86. I will adopt the same divisions between designations in this decision. I will deal first with designations from requiring authorities, then the circumstance when QLDC is the requiring authority and finally with the airport designations where Queenstown Airport Corporation (QAC) is the requiring authority for Queenstown Airport and QLDC is the requiring authority Wanaka Airport.

87. Attached as Appendix 1 is my recommended version of Chapter 37. It incorporates all my recommendations or determinations as the case may be.

PART 1: REQUIRING AUTHORITY DESIGNATIONS

4. REQUIRING AUTHORITY DESIGNATIONS

4.1. Background

88. Prior to notification of the Plan, QLDC invited requiring authorities with designations in the ODP to give written notice to QLDC to roll over, modify, include or remove designations.
89. Several modifications were requested by various requiring authorities and were incorporated into the PDP as notified. Additional minor amendments were sought through submissions. In addition to these QLDC were also informed of designations that requiring authorities did not wish to roll over.

4.2. General Submissions

90. There were a number of submitters³³, who are not requiring authorities, seeking a second bridge over the Kawarau River to the east of Boyd Road be designated.
91. Ms Holden recommended that these submissions be rejected. I have no choice but to agree. Only a Minister of the Crown, a local authority or a network utility operator, approved as a requiring authority under section 167 of the RMA can give a NoR to designate land for a particular purpose.
92. There were also some general submissions³⁴ in support of the chapter and I recommend accepting those submissions.
93. NZTA³⁵ opposed the format that has been applied to the whole of the designations section of the plan. The submission goes on to say because the designations are not listed in numerical sequence, this makes the Plan “*lacking in certainty, and difficult to use and interpret.*”
94. Ms Holden agrees with this submission and I concur. Numerical order is much easier for any plan user to follow and I recommend accepting this submission and that the designations are listed in numerical order as set out in Appendix 1.
95. I have reviewed all submissions and expert evidence presented in relation to this chapter and have recommended amendments where I consider it is appropriate. The amended version of Chapter 37 that I am recommending or making determination on (as the case may be) is contained in **Appendix 1**.

4.3. 37.1 Introduction

96. QLDC submitted to amend the chapter by beginning with explanatory and procedural text to provide an introduction and some clarity to readers.³⁶
97. Ms Holden drafted, what I think, is an appropriate introduction to Chapter 37.³⁷ The proposed text provides an outline of the designation process in addition to a definition of designations.

³³ Submission Point 553.1 Kerry Dunlop, David Hay, Adam Childs, Sir Eion Edgar, Dr Ralph Hanan, Hudson Turnbull, Kevin Conaghan, Simon Hayes, Alan Millar, Bill and Kirsty Sharpe and neutral FS1117.220

³⁴ Submission 19.24 and Submission 21.64

³⁵ Submission 719.157 supported by FS1341.27

³⁶ Submission Point 383.84

³⁷ Ms Holden, Section 42A Report – QLDC Designations at [7.5].

Helpfully it also provides for and addresses the lapsing issue. Finally the introductory statement describes what is included in the schedule that follows.

98. I recommend including the statement as follows:

37.1 A designation is a 'spot zoning' over a site or area that authorises the Requiring Authority's work and activity without the need to comply with the zone rules or obtain a resource consent. A Requiring Authority includes Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under the Resource Management Act 1991 (RMA). Conditions of the designation set parameters for which the activity can occur in accordance with the purpose of that designation.

The majority of the designations incorporated in the District Plan have been rolled over under clause 4 of the First Schedule of the Act, from the previous designations in the District Plan. Most of these works have already been given effect to, and accordingly do not lapse after five years in terms of section 184 of the Act.

Any new designations incorporated into this Plan will lapse after five years, unless a longer period is specifically identified in the following schedules, or the designated work is given effect to in the specified time period.

All designated land is identified on the District Plan Maps and in the schedule. The following schedule specifies the name of the authority responsible for the designation, the designation's purpose and location, and a legal description of the designated site. The rules of the underlying zone apply to activities other than those authorised by the designation and carried out by the Requiring Authority. If an activity is proposed to be undertaken by the Requiring Authority, it must be in accordance with the purpose of the designation and the designations conditions, and an outline plan or an application to waive the requirement for an outline plan must be submitted to Council prior to the activity or work commencing, pursuant to section 176A of the RMA.

4.4. Approach to Decision

99. I have divided this part of the decision report into the following categories:

- a. Roll-over designations;
- b. Removal of designations;
- c. Designations with minor amendments;
- d. Designations with substantive amendments;
- e. New Designations.

100. Several of these categories do not warrant much discussion as outlined previously, however where a submission was received or the requiring authority requested changes outside the scope of section 181, I will discuss them under the relevant headings.

5. ROLL OVER OF DESIGNATIONS

101. QLDC received written notice from all requiring authorities confirming the designations that they wished to be rolled over.

102. Following the same approach taken by Ms Holden in the Section 42A Reports, this report will not address those designations which have been rolled over from the ODP without modification and had no submissions made against them. They are simply included in the list of designations in the Schedule of Designations - 37.2 of Appendix 1.

103. There is no need for any detailed analysis of these designations, as pursuant to Clause 9(3) I cannot make any recommendations or decision in respect of existing designations that are included without modification and on which no submissions are received.

6. REMOVAL OF DESIGNATIONS

104. The following table sets out the requiring authorities who gave notice of designations that they did not require to be rolled over. Accordingly, these were removed from the schedule and were not notified as a part of the PDP.

Requiring Authority	Designations
Department of Conservation	#114; #115; #120; #188
Queenstown lakes District Council	#51; #78; #152; #153; #187
Queenstown Airport Corporation	#3

105. QLDC as a requiring authority by Memorandum of Counsel dated 1 March 2018 gave notice under Section 168(4) that two designations, (No 171 Commonage Reserve, Queenstown Hill and No 374 Queenstown Hill Forest Section) it had earlier requested be rolled over into the PDP (designations), in so far as they relate three properties be withdrawn from the PDP. The three properties are;
- a. Certificate of title 732628 (Lot 1 DP 496901)-8.8453ha;
 - b. Certificate of title 725780 (Section 2 Survey Office Plan 5030441)-5853M2;
 - c. Certificate of title OT16A/404 (Part Lot 1 DP21763)-703m2.
106. Other than a requiring authority giving notice no other steps are needed to remove designations. The Memorandum also confirmed removal of the designation from the above described properties from the ODP as well.
107. QLDC also sought that the PDP Plan maps be amended removing the designations from the properties with no amendment required in respect of the table of designations.
108. By way of email dated 19 March 2018, QLDC advised that submission point 383.89 seeking complete removal of designation #171 was an oversight and should not have been included in QLDC's submission. By way of same email, QLDC sought to withdraw submission point 383.89 and clarify that Designation #171 should remain in the PDP as notified except to the extent it has been partially withdrawn by the Memorandum of Counsel dated 1 March 2018.
109. In accordance with the above the requested amendments are detailed within Appendix 1.

6.1. Kiwi Rail – Designation #5

110. KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network.
111. KiwiRail submitted on the PDP explaining that it does not own or operate on any land within the Queenstown Lakes District area, as the Kingston Branch, which is the subject of Designation #5, was passed to LINZ in 1994.
112. Therefore, the submission sought to withdraw Designation #5 from Schedule 37.2 and the corresponding Planning Maps 15 and 39.

113. QLDC submitted opposing the inclusion of Designation #5 from Planning Map 39a due to the fact that KiwiRail had advised that this designation is to be removed.³⁸ KiwiRail also submitted requesting that Designation #5 be removed from Schedule 37.2 and Planning Map 39a.³⁹ I recommend accepting these submission points.
114. Ms Holden has removed Designation #5 from Schedule 37.2 in accordance with Clause 4(10) of the Schedule 1 of the RMA. I also recommend that this designation be similarly removed from Planning Maps 15 and 39 as per the submission.

7. DESIGNATIONS (MINOR ALTERATIONS)

115. There were some minor amendments sought by requiring authorities proposed within NoRs. Ms Holden explained to me that “*minor amendments*” in her view include:
- a. corrections to legal descriptions; or
 - b. typographical errors; or
 - c. minor mapping errors,
- that would not have prejudiced any potential submitter.
116. I propose to deal with these requests for minor alterations in general accordance with section 181 of the RMA which relates to the alteration of an existing designation. A requiring authority that is responsible for a designation may give notice of a requirement to the Council to alter an existing designation. The process is subject to sections 168 to 179 RMA, as if it were a new NoR.
117. I agree with Ms Holden’s view, and further do not consider that where amendments relate to those matters identified above that any further explanation or justification is required. These submission points are recorded in Appendix 2 and incorporated into Appendix 1. It is not proposed to further discuss any recommended changes considered to be minor amendments.

8. DESIGNATIONS (WITH AMENDMENTS)

118. I will follow the same format as Ms Holden’s Section 42A Report, using the requiring authorities as the subheading and discussing their designations and any relevant submissions/amendments.
119. As noted above this section will not discuss minor amendments sought by requiring authorities as described above. I will however, discuss amendments that are not minor nor able to be amended via section 181 sought by the requiring authorities prior to notification, and amendments sought through submissions on the notified plan.

9. AURORA ENERGY LIMITED (AURORA)

120. Aurora is an approved requiring authority under section 167 of the RMA for its network utility operation, including projects and works of the network utility operation.
121. Pursuant to Clause 4 of the First Schedule of the RMA, written notice was received from Aurora requesting that the three designations within the ODP which had not lapsed be included in the

³⁸ Submission Point 383.87

³⁹ Submission Point 81.1

PDP when notified without modification. These were three existing Aurora facilities located within the Queenstown Lakes District, being Designations #331, #337 and #338.

122. Ms Holden advised that the conditions relating to managing noise for Designation #331 were rolled over from the ODP to the PDP containing obsolete New Zealand Standards, which been superseded by the acoustic metrics adopted in 2008 (NZS 6801:2008 Acoustics – Measurement of environmental sound and NZS 6802:2008 Acoustics - Environmental noise).
123. There was no submission received on this, however Ms Holden recommended that the reference to the standard should be updated to reference the latest NZ Standard. She also advised me that Aurora had confirmed its acceptance of this condition by email.⁴⁰
124. Aurora submitted that Condition 2 of #337 needed to be updated to reflect the new proposed zoning under the PDP.⁴¹
125. It is important that the designations contain accurate and current references. For this reason I recommend to Aurora that it modify Designation #331 by updating condition 3(d) of the designation to reflect the update noise standards. I also recommend Aurora confirm Condition 2 of Designation # 337 to reflect the new zoning and confirming the designation. It follows I recommend accepting the Aurora submission.
126. These recommendations are included in Appendix 1 and 2.

9.1. Update Request for Approved Designations

127. In its written notice, Aurora requested five designations be included in the notified PDP. These had been confirmed by Council through the resource consent/NoR process but had not been updated in the ODP, as follows:

Ref #	Description	Resource Consent Ref
575	Arrow Substation	RM110323
570	Queenstown Substation	RM120701
572	Commonage Substation	RM071118
567	Jacks Point Substation	RM81287
571	Riverbank Road Substation	RM120328

128. In order to maintain consistency with other Aurora designations, Aurora requested to modify the designation purpose for all five of these sites, to '*Electricity Zone Substation and Ancillary Purposes.*'
129. In addition, Aurora proposed to "*rationalise some of the existing conditions*" as there were several conditions that were no longer considered necessary as they were included prior to construction of the various assets.
130. These amendments were included in the PDP as notified.
131. As for Designation #331 described above, the conditions established with Designations #572 and #575 also refer to out of date acoustic standards. Accordingly, Ms Holden considered that I should recommend to Aurora that the acoustic metrics be modified to reflect industry best

⁴⁰ Section 42A Report of Ms Holden at [6.3].

⁴¹ Submission Point 635.82

practice measurements.⁴² Again, Ms Holden told me that Aurora have confirmed that they accept these amended conditions.

132. I consider that in the interests of accuracy and consistency that these conditions should be updated to reflect the industry standard. As Ms Holden has confirmed that Aurora have accepted these amendments for the reasons given, I recommend to Aurora to modify Designation #331, #572 and #575 as per the wording above. I also recommend to Aurora that it confirm the remaining Aurora designations for "*Electricity Zone Substation and Ancillary Purposes*" as per Schedule 37.2 in Appendix 1.
133. Aurora⁴³ submitted with reference to the fact that some of the conditions attached to its designations have not been amended to reflect new proposed zoning and rules under the Proposed Plan. Aurora requested that these be updated to provide greater certainty for plan users going forward. These relate to Designations #570, #571 and #575.⁴⁴
134. I recommend accepting this submission and recommend to Aurora that it confirm Designations #570, #571, and #575 inclusive of the updated conditions as included in Appendix 1.

9.2. Designation #567 Jacks Point Substation

135. Designation #567 was confirmed by NoR RM081287 on 9 March 2009. At confirmation, a number of conditions were recommended pursuant to section 171(2) of the RMA relating to the design and appearance of buildings and structures, lighting, access and parking, stormwater disposal and landscaping, which were accepted by the requiring authority in a letter dated 31 March 2009. This designation is shown on Planning Map 13.
136. This designation was notified in the PDP and attracted a submission by RCL Queenstown Pty Limited, RCL Henley Downs Limited, RCL Jacks Point Limited⁴⁵ (RCL) requesting that the boundary of Designation #567 be amended to reduce the area of the designation to the extent of the Aurora substation easement being that part marked "G" on the title for Lot 12 DP 364700.
137. RCL consider this to be an error that needs to be rectified as it is unreasonable for the entire Lot 12 DP 364700 to be designated for this purpose given the extent of Aurora's interests and easement. Aurora⁴⁶ further submitted in support of the RCL submission.
138. I agree that the designation needs to be correct and accurately reflect the area that is subject to the designation. Therefore, I recommend to Aurora that submission 632 and further submission 1121 are accepted and that it confirm the amendments to Designation #567 described above and as detailed on Planning Map 13 and as amended as shown in Appendix 1.

⁴² Section 42A Report of Ms Holden, Designations-General at [6.6].

⁴³ Submitter 635

⁴⁴ Submission Points 635.83, 635.84 and 635.85

⁴⁵ Submission Point 632.90. FS 1217, FS1219, FS1252, FS1277, FS1275), FS1283) and FS1316 oppose submission 632. Ms Holden pointed out in her S42A Report however that these submissions did not specifically relate to Designation #567, rather oppose submission 632 in relation to the submission points concerning other areas of the PDP (namely Chapter 41 – Jacks Point Zone).

⁴⁶ Further Submission

9.3. Designation #570 – Queenstown Substation

139. Designation #570 relates to the Queenstown Substation located on Isle Street, Queenstown. This designation was originally confirmed by the NoR referenced as RM120701. The recommendation provided by QLDC as part of this NoR was confirmed by the requiring authority on 5 March 2013.
140. In its written notice requesting this designation be rolled over from the ODP, Aurora requested that Condition 1 “The proposed designation is confirmed in accordance with the plan titled Aurora 33kV Substation – Queenstown: Site Survey and Mapping stamped as approved on 8 May 2012” be removed.
141. Queenstown Gold Limited⁴⁷ (QGL) submitted requesting that Condition 1 be retained. In its view, Condition 1 was “an important condition of that approval was that development needed to occur in accordance with a detailed site plan.” QGL is concerned at the uncertainty that the removal of this condition creates and requests that it be retained. For QGL, this condition provides confidence as to the bulk and location of development proposed and the level of effect it could reasonably anticipate.
142. Aurora⁴⁸ opposed this submission on the basis that the substation has already been constructed in accordance with Condition 1 and therefore the condition is superfluous to requirements.
143. Aurora also identified that the Condition 1 Plan does not dictate or prevent further development of the site. Any further development of the substation site would be undertaken in accordance with the Outline Plan provisions provided under section 176A of the RMA, and guided by the designation conditions relating to height (notified Condition 1) and appearance (notified Condition 2).
144. Taking the above into consideration, I agree with Aurora, given the substation is constructed, that Condition 1 has served its purpose. Also I agree Condition 1 does not constrain further development on the site. However I consider the concerns of QGL are provided for by section 176A and the notified conditions 1 and 2 which provide limitations as to the development which can occur on the site and thus providing a level of certainty to QGL as to the development that is likely to occur.
145. I consider that for the reasons advanced by Aurora, Condition 1 is superfluous and as such I recommend to Aurora that it reject submission 724 and accept the further submission by Aurora.
146. Ms Holden also pointed out to me that although the parcel of land containing Designation #570 is correctly shaded as a ‘designated area’ within Planning Map 36 of the PDP, the corresponding annotation ‘570’ is located on the adjoining parcel of land to the west which contains Designation #14 - Queenstown Primary School.
147. She recommended amending this and I agree. It is preferable to have the designation reference inside the area to which it pertains. This is a non-substantive change under Clause 16(2) of the First Schedule and I have amended Planning Map 36 to rectify this.

⁴⁷ Submission 724

⁴⁸ FS 1121

148. For the reasons already provided I recommend to Aurora that it confirm these designations as modified as described on Planning Map 36 and set out in Appendix 1.

10. CHORUS NEW ZEALAND LIMITED AND SPARK NEW ZEALAND TRADING LIMITED

149. On 30 November 2011, Chorus and Telecom demerged into two separate companies. The Telecommunications (TSO, Broadband, and Other Matters) Amendment Act 2011 detailed how existing Telecom designations were to be treated and also a new section was inserted into the Telecommunications Act 2001 approving Chorus as a requiring authority under section 167 of the RMA.
150. Telecom changed its name to Spark New Zealand Trading Limited (Spark) in August 2014 and in this same month the requiring authority name was also amended to reflect the entity Spark. The purpose of any designations in the name of Chorus or Spark are for telecommunication and radio-communication purposes.
151. Chorus and Spark lodged a joint NoR to roll over their existing designations with some modifications requested to reflect the transfer of existing designations from Telecom to Chorus and also Spark.
152. Spark⁴⁹, Chorus⁵⁰ and Two Degrees Mobile Limited⁵¹ submitted to amend the legal description for Designation #19 Glenorchy Microwave Station. These three submitters all requested that the legal description shown in the PDP that reads Section 1 Survey Office 200115 be amended to read Section 1 Survey Office Plan 300115 as shown on the Computer Freehold Register.
153. The legal descriptions set out in the designations must be correct and therefore the Survey Office Plan in the designation must be amended. As such, I recommend to Chorus and Spark these submissions be accepted.
154. I further recommend to Chorus and Spark that they confirm Designation #19 as modified with the correct legal description as described in Appendix 1.

11. METEOROLOGICAL SERVICE OF NEW ZEALAND

155. The Meteorological Service of New Zealand (Metservice) was approved as a requiring authority under section 167 of the RMA for the purposes of “its network operation of a system comprising telecommunication links to permit telecommunication and radio-communication”.
156. Metservice had two designations listed in the ODP Schedule of Designations. Metservice confirmed its desire for Designation #231 (at Wanaka Airport) to rollover without modification and for Designation #230 (automatic weather station at Queenstown Airport) to roll over with modification.
157. Metservice identified Designation #230, as being located approximately 400m north east of the location identified on Planning Map 33, and requested that the designation be modified

⁴⁹ Submission Point 191.32

⁵⁰ Submission Point 781.32

⁵¹ Submission Point 421.26

to update the location on Planning Maps 31a and 33. I was told this was actioned prior to the PDP being notified.

158. QAC⁵² submitted requesting that Proposed District Plan Map 31a – Queenstown Airport is amended (if necessary) to correctly illustrate the location of Designation #230 within the Queenstown Airport boundary. Ms Holden was of the understanding that this designation was accurately located in the PDP and she recommended rejecting this submission.
159. However, evidence presented by Mr Kyle for QAC highlighted that proposed Planning Map 31a shows both Designation #230 and Designation #576. He attached a copy of the plans provided by Metservice when it gave notice of its requirement to roll over Designation #230.⁵³ These plans show that the automatic weather station is located in the position shown as Designation #576 in the proposed planning maps, rather than where Designation #230 is notated.
160. Mr Kyle went on to explain that Designation #230 and Designation #576 represent the former and new location of the automatic weather station, and as the automatic weather station no longer exists at the site shown as #230 on Planning Map 33, it would be appropriate for it to be removed.⁵⁴
161. In her Summary of Evidence presented at the hearing, Ms Holden told me she had received confirmation from Metservice that Designation #576 represents the current location of the automatic weather station.⁵⁵ Designation #230 shows the previous location of the weather station.
162. From the above I conclude Designation #576 effectively no longer exists and the continued reference to it in the PDP planning map is an error I can correct under Clause 16(2) and I do so by removing the notation #576 from Planning Maps 31a and 33. Also I consider that the mapping location of Designation #230 is also an error I can correct under Clause 16(2) and I do so by correcting the mapping location of #230 to the location where #576 was shown which accurately reflects the actual location of #230.
163. I further recommend that Metservice accept the QAC submission as described above.

12. MINISTRY OF EDUCATION

164. As a Minister of the Crown, the Minister of Education (MoE) is a requiring authority pursuant to section 166 of the RMA.
165. Opus International Consultants responded on behalf on MoE confirming to rollover the existing designations. In addition to these rollovers, it was requested to include existing designations that were not in the ODP, but had been designated by the Council for:
 - a. Shotover Country School; and
 - b. Proposed Wakatipu High School Relocation and Early Childhood Centre.

⁵² Submission Point 433.132

⁵³ Appendices E and F, EiC of Mr Kyle on behalf of QAC

⁵⁴ EiC of Mr Kyle at [7.6].

⁵⁵ Summary of Evidence of Ms Holden at [6].

166. The MoE response also advised that Designation #16 could be partially uplifted as much of the land has been sold with only Section 1 Survey Office Plan 448241 remaining as for education purposes.
167. The Council, by error, omitted to roll over Designation #584 (Relocated Wakatipu High School), into the PDP. In the ODP, Designation #584 is identified on Planning Maps 31, 31a and 33 and within the schedule of designations.
168. The Remarkables Park Limited (RPL) submission sought to rectify this by amending the designations section and updating the planning maps to include designation #584.⁵⁶ Ms Holden recommended designation #584 be included in the Schedule and I agree. I consider what is described above amounts to an error within the scope of Clause 16(2) which I utilise to correct that error as shown in Appendix 1. It follows I recommend to MoE it accept the RPL submission.
169. Further amendments sought were identified in the evidence in chief, of Mr Shane Roberts for MoE (tabled). Mr Roberts identified three designations that have been updated in the Schedule to reflect the comments and recommendations of Ms Holden, however the changes were not carried through to the condition headings in Part C of the PDP. Part C contains conditions that apply to designations.⁵⁷ Ms Holden acknowledged these errors at the hearing and recommended that the headings be updated for Remarkables Primary School, Wanaka Primary School and Shotover Primary School, as described by Mr Roberts.⁵⁸
170. I also consider the above amounts to an error amenable to correction by utilising Clause 16(2) and do so in that Designations #17 (Arrowtown Primary School), #243 (Wanaka Primary School) and #377 (Shotover Primary School) and #584 (relocated Wakatipu High School) are included within Appendix 1 with the errors described above corrected.

13. NEW ZEALAND POLICE

171. The Minister of Police is a requiring authority pursuant to section 166 of the RMA.
172. New Zealand Police submitted with regard to the NZ Police designations, seeking to remove the majority of the conditions for Designation #372 being the Police Station at 5 Ballantyne Road, Wanaka. The submission considered that as the conditions (1-8, 9(b), 10, 11, 12 and 13) related to the construction phase of the site, they can be removed as the construction is now complete, also noting that conditions 9(a) and 14 should remain.⁵⁹
173. In her Section 42A Report, Ms Holden explained the background of this designation and told me that the conditions attached to the designation were *“intended to ensure an appropriate level of amenity was maintained with the surrounding area for any activity carried out in accordance with the designation purpose”*.⁶⁰
174. Designation #372 is located in the Low Density Residential (LDR) zone and a police station that meets all the standards for a *“community activity”* in the LDR would be a discretionary

⁵⁶ Submission Point 807.101

⁵⁷ Statement of Evidence of Mr Roberts at [15-20].

⁵⁸ Summary of Evidence of Ms Holden at [9, 10].

⁵⁹ Submission 57

⁶⁰ Section 42A Report of Ms Holden at [6.65, 6.66].

activity.⁶¹ As such, it is important to ensure that an appropriate level of amenity is maintained with the surrounding zone for any future development proposed. I agree with Ms Holden's reasoning and recommend to NZ Police that these conditions remain and the designation is confirmed.

175. A submission on the PDP was received from the NZ Police, requesting that legal descriptions be removed from the schedule of designations. The submission explains that they have been dealing with another District Council which is moving away from using legal descriptions. NZ Police suggest this approach as "*legal descriptions are not always correct*".
176. Ms Holden explained that in her view this is impracticable because including a legal description avoids confusion, particularly when there is no physical address for a site.⁶² I agree with this, in my view legal descriptions provide certainty as to identification of a site. I recommend rejecting this submission.
177. I recommend to NZ Police that NZ Police's designations, being Designations #7 and #372 be confirmed, with minor modifications included in Schedule 37.2 and set out in Appendix 1.

14. NZ TRANSPORT AGENCY

178. New Zealand Transport Agency (NZTA) is a requiring authority under section 167 and 420(6) of the RMA for the purposes of "construction and operation (including the maintenance, improvement, enhancement, expansion, realignment and alteration) of any State highway or motorway pursuant to the Transit New Zealand Act 1989".
179. On 4 February 2015, NZTA confirmed its existing designations by email requesting that they rollover without significant amendments. They also sought some "very minor tweaks", being amending the name of the requiring authority from Transit NZ to NZ Transport Agency, removal of State Highway 89 (SH89) which is no longer a state highway, and reference to the "Government Rounding Powers Act 1989" instead of "Transit Act 1989".
180. These changes were incorporated into the PDP for notification except for the reference to Transit NZ, which was not corrected in all instances, and also removal of reference to State Highway 89, which did not occur.

15. QLDC SUBMISSION

181. In line with NZTA's request, QLDC submitted to request removal of outdated references to other agencies including reference to Transit NZ to be replaced with New Zealand Transport Agency and also removal of reference to State Highway 89 (Crown Range) in Section A2 entitled New Zealand Transport Agency.⁶³
182. I recommend accepting the QLDC submission and amending the designations accordingly as sought by the initial correspondence by NZTA referred to above.

⁶¹ Ibid at [6.67].

⁶² Section 42A Report of Ms Holden at [6.62].

⁶³ Submission Point 383.85

16. NZTA SUBMISSIONS

183. Following notification of the PDP, NZTA wrote to the Council in October 2015 and advised that it had asked for all NZTA designations to roll over with only three minor changes. However, when the PDP was notified there were designations missing and some designations were incorrect. NZTA noted this was a serious concern for them as the missing and incorrect designations cover key aspects of the state highway network.
184. Missing or incorrect designations relate to the following, all of which had been altered through the Part 8 RMA process prior to notification of the PDP:
- a. Kawarau Falls Bridge (RM120413);
 - b. Grant Road Roundabout (RM110290);
 - c. Eastern Access Road Roundabout and four laning (RM140857);
 - d. Makarora Variable Message Sign (RM150169);
 - e. Boyd Road (RM090645);
 - f. Peninsula Road Improvements (RM081075); and
 - g. Nevis Bluff (RM090555 and RM040909).
185. NZTA requested that these matters be corrected by the Council using clause 20A of Schedule 1 of the RMA. NZTA⁶⁴ also lodged a submission shortly afterward, but that submission did not address the inconsistencies as NZTA was of the view that the Council should correct them.
186. In its legal submissions, the Council responded that it had not received any request to alter or amend the NZTA designations and as such NZTA's designations were rolled over as reflected in the ODP at the time.⁶⁵ The apparent problem was that several of the approved alterations to existing NZTA designations (as referred to above) had not been brought across into the ODP at the time the PDP was notified.
187. I read those parts of the Section 42A Report prepared by Ms Holden dated 23 September 2016 relating to the New Zealand Transport Agency (NZTA) designations, the outline of legal submissions of Ms Nicky McIndoe on behalf of NZTA, and the synopsis of legal submissions for the Council from Mr Winchester. Following this, I issued a minute dated 11 October 2016 inviting the parties to consider whether section 37 was available as a means to allow a submission lodged with a view to addressing these matters.⁶⁶
188. Counsel for NZTA and the Council then discussed this matter and they both considered that lodgement of a late submission would represent a pragmatic way forward.
189. Mr Nugent, the Panel Chair was delegated the Council's powers under section 39B of the Act to make decisions on such procedural matters as waiving the time for lodgement of further submissions. Section 37 provides that the Council may extend or waive time limits, subject to the requirements of section 37A.

⁶⁴ Submission 719

⁶⁵ Legal Submissions for QLDC dated 20 October 2016 at [3.2]

⁶⁶ Commissioner's Minute Relating to the New Zealand Transport Agency Submission dated 11 October 2016

190. In its Application for a waiver of time⁶⁷, NZTA pointed out at [7] that:

While the extension sought would be more than twice the maximum time period for making submissions on a proposed plan specified in the RMA, the Transport Agency is the requiring authority that will be responsible for making the ultimate decision in respect of the State highway purposes designations, and clearly agrees to the delay.

191. The Panel Chair agreed with Counsel for NZTA that interests of other parties were unlikely to be adversely affected as the Council would need to notify the submission under cl.7 of the First Schedule to the Act, and any person who may consider they are affected would have the opportunity to lodge a further submission on the submission.⁶⁸

192. It was further noted that the changes sought only reflect the present reality, so would not impose any new effects on any person.

193. Taking everything into consideration, the Panel Chair in his Decision on Application for Waiver of Time to Lodge Submission, concluded that he would waive the time period for NZTA to lodge the submission dated 14 October 2016 included with the application and direct that the Council notify this submission under cl.7 of the First Schedule.

194. The submission by NZTA was publicly notified and made available for further submissions on 16 December 2016. No further submissions were received. On 22 September 2017 I received a separate Section 42A report from Mr Barr providing an evaluation of NZTA's late submission and providing his recommendations.⁶⁹

16.1. Evaluation of NZTA submission

195. I am grateful to Mr Barr for his comprehensive report, which explains the background to the current issues and provides clear recommendations with reasons for each of the changes sought by NZTA. In short, I agree with and adopt all of the recommendations set out in Mr Barr's report.

196. As explained by Mr Barr, most of the alterations requested by NZTA have already been considered and confirmed by previous Hearings Panels between 2004 and 2015 in accordance with Part 8 of the RMA.⁷⁰ For those alterations where there are no further changes proposed by NZTA, I agree that the previous Hearings Panel's reasoning still applies and that NZTA's submission should be accepted.

197. I note that Mr Barr has recommended that several of the plans attaching to the designations be amended to improve clarity, with new or updated plans attached to his report. Mr Barr records that all of these plans have been approved by NZTA as accurately reflecting the designations and I support their inclusion in the PDP.⁷¹

198. There was one matter where Mr Barr did not support NZTA's submission, which relates to the deletion of conditions on Designation #370 (as confirmed through RM140857). Mr Barr supported deletion of several construction conditions on the basis that construction was now

⁶⁷ Application for a waiver of time under section 37 of the RMA on behalf of the New Zealand Transport Agency (719) dated 18 October 2016

⁶⁸ Decision on Application for Waiver of Time to Lodge Submission dated 19 October 2016

⁶⁹ Section 42A Hearing Report dated 22 September 2017, Chapter 37 – Designations, Late submission from NZTA

⁷⁰ Ibid at [1.1].

⁷¹ Section 42A Report Chapter 37 – Designations, Late submission from NZTA of Mr Barr at [1.5].

complete. However, he did not support deleting conditions imposing an obligation on NZTA to arrange for easements on adjoining properties, as these obligations had not yet been fulfilled.⁷² Mr Barr recommended that these conditions be retained. I agree with this recommendation for the reasons provided by Mr Barr.

199. Mr Barr helpfully provided NZTA with a copy of his draft report, including all of the recommendations referred to above. By memorandum dated 18 September 2017⁷³, counsel for NZTA confirmed that NZTA agreed with all of the recommendations in the report, which included all of the relevant plans and conditions for Designation #370. As such, there is no debate or points of contention between the parties.
200. Overall I consider that, subject to Mr Barr's recommended alterations, the changes sought by NZTA will improve the clarity and administration of the PDP. Many of these changes have already been tested and confirmed through the process in Part 8 of the RMA and I am satisfied that they will contribute towards achieving the objectives of the PDP and its strategic direction and goals in an effective and efficient manner.
201. For all of the above reasons, I recommend that the relevant parts of the Designations Chapter and the planning maps be amended as set out in Appendices 1 and 3 of Mr Barr's Section 42A Report. These amendments are included within Appendix 1.
- 16.2. Other matters in NZTA Submission**
202. NZTA⁷⁴ have requested that the definition for '*SH6 Roundabout Works*' be removed from Chapter 2 – Definitions of the PDP. It opposed the definition as "*the particular works described in this definition are part of a Notice of Requirement.*"⁷⁵ The submission went on to say that it is "*inappropriate for these works to be listed in the Definition Section of the District Plan*"⁷⁶ and sought this to be deleted.
203. Ms Holden did not address this in her Section 42A Report. However, in her Summary of Evidence presented at the hearing, Ms Holden pointed out that Part 12 – Shotover Country Special Zone of the ODP contains reference to '*SH6 Roundabout Works*'.⁷⁷ Ms Holden did not consider this definition relevant to Chapter 37 – Designations. Ms Holden did not consider it appropriate to remove this definition, and I agree.⁷⁸
204. Further, in her Reply submissions, Ms McIndoe recorded NZTA's agreement with this opinion and NZTA no longer seek deletion of the definition.⁷⁹
205. NZTA also sought a consistent method of labelling of the State Highway designation (#84) to be used on Planning Maps. On review of Mr Tony MacColl's evidence, I agree that Designation #84 should be consistently labelled. I consider that on larger scale maps, this designation should be shown with the blue outline and filled with blue dots which is consistent with all other designations in the District.

⁷² Ibid at [7.17].

⁷³ Attached as Appendix 4 to Mr Barr's the Section 42A Report, dated 22 September 2017

⁷⁴ Submission Point 719.2

⁷⁵ Submission 719

⁷⁶ Ibid

⁷⁷ Summary of Evidence of Ms Holden at [12].

⁷⁸ Ibid

⁷⁹ Submissions in Reply of Ms McIndoe at [3.2a].

206. At Appendix A to her evidence, Ms Holden provided an example of how this labelling would look on larger scale maps, showing Designation #84 running through Frankton (Map 33).
207. Taking into consideration the evidence provided by Mr MacColl on behalf of NZTA, Ms Holden also considered that retaining reference to Planning Map 24b in Schedule 37.2 for Designation #84 is appropriate.
208. I also agree that Planning Map 24b should be amended to show Designation #84 (State Highway 6).
209. I recommend that NZTA confirm its designations with any modifications as set out in Appendix 1.

17. TRANSPOWER

210. Transpower New Zealand Limited (Transpower) was approved as a requiring authority by the Minister of the Environment on 2 October 1997, pursuant to section 167 of the RMA. Transpower has only one designation in the Queenstown Lakes District.
211. Transpower provided written notice to roll over its existing designation with some minor corrections, including correcting the legal name of Transpower and providing a clearer purpose for the Frankton Substation. The amendments were made and included in the notified PDP.
212. Transpower also submitted supporting Designation #1 which provides for Transpower's Frankton substation.⁸⁰ I recommend this submission is accepted and that Transpower confirm this designation as notified and as set out in Appendix 1.

18. NEW NOTICES OF REQUIREMENT

213. Clause 4(5) of Schedule 1 of the RMA requires that QLDC, as territorial authority, include any new Notices of Requirement (NoR) as part of the PDP.
214. The following authorities lodged new notices of requirement that were notified as a part of the PDP:
- a. Aurora;
 - b. Ministry of Education.
215. I am satisfied that the NoR's received and included in the PDP address all the considerations of section 171 and most do not require a detailed discussion as they are non-contentious.
216. I confirm I have considered the effects on the environment having particular regard to:
- a. any relevant provisions of planning instruments; and
 - b. whether adequate consideration has been given to alternative sites, routes and methods of undertaking the work (where applicable); and
 - c. whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - d. any other matters; and
 - e. of the above being subject to Part 2 matters.

⁸⁰ Submission Point 805.101

217. The new designations are summarised and where submissions were received I have discussed these below.

18.1. Aurora

218. Aurora notified QLDC of seven new designations to be included in the notified PDP, being:

Ref #	Description	Address
566	Camp Hill Substation	Camp Hill Road, Hawea Flat
568	Closeburn Substation	Glenorchy-Queenstown Road near Bobs Cove
569	Fernhill Substation	Wynyard Crescent, Fernhill
573	Remarkables Substation	Kawarau Road
574	Dalefield	Mallaghans Road
580	Glenorchy	Glenorchy-Queenstown Road
581	Coronet Peak	Coronet Peak Station

219. With the consent of the requiring authority, QLDC included notices for the seven sites above in the PDP prior to notification, as provided for by section 170 of the RMA and in accordance with Clause 4(5) of Schedule 1. As part of each notice, an assessment of effects on the environment for each site was provided by Aurora.

220. With the exception of #566 (Camp Hill Station) these notices are formally recognising existing substations. Construction for Camp Hill Station commenced in April 2015, however at the time of the hearing was not yet completed.

221. Ms Holden told me that she considered the assessments for these designations to be accurate and comprehensive.

222. I will summarise the purpose of each designation below. For each designation, I have considered the submissions, the evidence and the statutory considerations of section 171(1) (a) – (d) as set out earlier, and I am satisfied that the decisions made in relation to these designations meets the single purpose of the Act which is to promote the sustainable management of natural and physical resources.

18.2. Designation #566 Camp Hill Substation

223. Aurora gave notice of a requirement for the site known as Camp Hill Substation for works including the construction, operation and maintenance of an electricity substation, which was approved by virtue of RM141053. The site is shown on Planning Map 18.

224. Aurora have volunteered conditions for this designation in accord with RM141053 which have been designed to “balance and manage potential environmental effects with the operational requirements to distribute electricity.” The conditions relate to

- a. design and appearance of any building and structures;
- b. vegetation management;
- c. construction of a vehicle crossing during construction and on completion of works;
- d. earthworks and placement of fill;
- e. noise;
- f. Accidental Discovery Protocol; and
- g. landscape plan, signage and lighting following completion of works.

225. There were no submissions relating to this designation. I have, subject to Part 2 considered any effects on the environment of allowing this requirement pursuant to section 171(1) (a) – (d), and recommend to Aurora that this designation is confirmed as set out in Appendix 1.

18.3. Designation #568 Closeburn Substation

226. Aurora gave notice of a requirement for the site known as Closeburn Substation for works including the operation, erection, installation, maintenance, replacement, alteration, improvement and removal of poles, support structures, regulators, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto. The work is the continuation of the existing use of the site which originally commenced in August 2006.

227. The designation purpose sought is Electricity Zone Substation and Ancillary Purposes and the site is shown on Planning Map 38. Conditions sought cover the following:

- a. Height of Structures; and
- b. Building Appearance.

228. There were no submissions relating to this designation. I have, subject to Part 2, considered any effects on the environment pursuant to section 171, and recommend to Aurora that this designation be confirmed as set out in Appendix 1.

18.4. Designation #569 Fernhill Substation

229. Aurora gave notice of a requirement for the site known as Fernhill Substation for works including the operation, erection, installation, maintenance, replacement, alteration, improvement and removal of poles, support structures, transformers, regulators, buildings, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto. The work is the continuation of the existing use of the site which originally commenced in July 1996.

230. The designation purpose sought is Electricity Zone Substation and Ancillary Purposes and the site is shown on Planning Map 34. Conditions sought cover the following:

- a. Height of Structures; and
- b. Building Appearance.

231. There were no submissions relating to this designation. I have, subject to Part 2, considered any effects on the environment of allowing this requirement pursuant to section 171, and recommend that this designation is confirmed.

18.5. Designation #573 Remarkables Substation

232. Aurora gave notice of a requirement for the site known as Remarkables Substation for works including the operation, erection, installation, maintenance, replacement, alteration, improvement and removal of poles, support structures, regulators, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto. The work is the continuation of the existing use of the site which originally commenced in December 2010.

233. The designation purpose sought is Electricity Zone Substation and Ancillary Purposes and the site is shown on Planning Map 30. Conditions sought cover the following:

- a. Height of Structures; and
- b. Building Appearance.

234. There were no submissions relating to this designation. I have, subject to Part 2, considered any effects on the environment of allowing this requirement pursuant to section 171, and recommend to Aurora that this designation be confirmed as set out in Appendix 1.

18.6. Designation #574 – Dalefield Substation

235. Aurora gave notice of a requirement for the site known as Dalefield Substation for the continuation of the existing use of the site which originally commenced in 1964. The works including the operation, erection, installation, maintenance, replacement, alteration, improvement, and removal of poles, support structures, transformers regulators, buildings, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto.

236. The NoR for this designation described the site containing the Dalefield Substation as comprising “*approximately 1300 square metres more or less in area, and is legally described as Part Lot 2 DP 26713, marked as A on DP 300596.*”

237. Designation #574 is identified on Planning Map 29 as the area marked blue, which occupies the entire site.

238. Submissions were received from QLDC⁸¹ and Hall Family Trust⁸² who both identified a mapping error pertaining to Designation #574 being an Electricity Substation at Dalefield. A further submission received from Aurora, the requiring authority for this designation (Further Submission 1121), supported these submissions.

239. The Hall Family Trust own this site, which is contained in CFR OT18D/335. The Hall Family Trust points out that the substation is located only in the north eastern corner of the site and they request this is rectified. This designation is recorded on the CFR through registered easement 5047075.1 (incorrectly noted in the NoR as 504707) which records the “*Electricity Transformer & ancillary equipment*” easement over part marked A on DP 300596.

240. The NoR also referred to the designation as applying to the area marked A on DP 300596. Taking all of this into consideration, it is clear that the designation does not relate to the entire site, as implied by Planning Map 29.

241. I recommend to Aurora that the QLDC and Hall Family Trust submissions and its own further submission are accepted and Planning Map 29 is updated to reflect the correct area pertaining to the designation, being A shown on DP 300596.

242. I have, subject to Part 2, considered any effects on the environment of allowing this requirement pursuant to section 171. I recommend to Aurora that this designation is modified in relation to its location and confirmed as set out in Appendix 1.

18.7. Designation #580 Glenorchy

243. Aurora gave notice of a requirement for the site known as Closeburn Substation for works including the operation, erection, installation, maintenance, replacement, alteration, improvement and removal of poles, support structures, regulators, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto. The work is the continuation of the existing use of the site which originally commenced in January 1981.

⁸¹ Submission Point 383.88

⁸² Submission Point 51.1

244. The designation purpose sought is Electricity Zone Substation and Ancillary Purposes and the site is shown on Planning Map 25. Conditions sought cover the following:
- a. Height of Structures; and
 - b. Building Appearance.
245. There were no submissions relating to this designation. I have, subject to Part 2, considered any effects on the environment of allowing this requirement pursuant to section 171, and recommend to Aurora that this designation be confirmed as set out in Appendix 1.

18.8. Designation #581 Coronet Peak Substation

246. Aurora gave notice of a requirement for the site known as Coronet Peak Substation for works including the operation, erection, installation, maintenance, replacement, alteration, improvement and removal of poles, support structures, regulators, switchgear, cables and conductors, associated equipment and other land use activities incidental thereto. The work is the continuation of the existing use of the site which originally commenced prior to May 2004.
247. The designation purpose sought is Electricity Zone Substation and Ancillary Purposes and the site is shown on Planning Map 29. Conditions sought cover the following:
- a. Height of Structures; and
 - b. Building Appearance.
248. There were no submissions relating to this designation. I have, subject to Part 2, considered any effects on the environment of allowing this requirement pursuant to section 171, and recommend to Aurora that this designation be confirmed as set out in Appendix 1.

19. MoE

249. A new NoR for Makarora Primary School was provided by MoE. This sought to formalise the school which has been operating from the site since 1969. The school is located at 31 Rata Street, Makarora shown on Planning Map 16b as Designation #577.
250. The purpose of the designation is "*Education Purposes*". Makarora Primary School is a small school catering for years 1 to 8. There is a preschool, school house, community library, grassed areas, netball court and landscaped areas.
251. The school is already constructed so there are no construction effects considered. The NoR considered operational effects (including traffic), visual amenity and noise. The conclusion is that these effects are considered to be less than minor.
252. There were no submissions received in respect of Designation #577 and after reviewing the NoR having, subject to Part 2, particular regard to the matters in section 171, I recommend to MoE that this designation is confirmed as set out in Appendix 1.

20. NEW ZEALAND POLICE

253. Included in the New Zealand Police submission was a request that the Arrowtown Community Policing Centre, located at 57 Buckingham Street be designated for Police Purposes.

254. In order for a requirement to be included in a proposed plan, a NoR must be given to a territorial authority prior to that plan being notified and it cannot be included through a submission on the PDP.
255. As such, Ms Holden advised in her S42A Report, that a separate NoR should be submitted by this requiring authority.⁸³ She noted this could either to be included within the notification of Stage 2 of the PDP, or assessed as part of a separate notice of requirement under Part 8 of the RMA at QLDC's discretion.⁸⁴
256. Taking note of Ms Holden's recommendation, I cannot make any recommendation relating to this site as it has not been presented or assessed in accord with the RMA requirements.

21. CONCLUSION

257. Taking all of this into consideration and being satisfied subject to Part 2 as to 171(1) (a) – (d) assessment of effects, I recommend under section 171(2) to each of the relevant requiring authorities that they confirm their relevant designations and conditions (if any) as presented in Appendix 1 and as required by 171(3) for the reasons given in this decision.
258. Many of the existing designations have simply rolled over from the ODP to the PDP. Where I have recommended any changes these result from requests by the requiring authorities themselves and/or submissions received on the notified chapter.
259. There were also new designations sought by requiring authorities through the statutory process. I have read and largely adopted the reasoning and analysis of Ms Holden for each of these NoRs.
260. The recommendation, reasons and decisions are to be provided to the requiring authority responsible for each NoR pursuant to section 171(2) and (3) of the RMA.
261. I have provided reasons as I discussed each designation. However in addition in my view these changes improve the clarity and the accuracy of the designations in the Queenstown Lakes District Plan and meet the single purpose of the Act.

For the Hearing Panel:



Paul Rogers, Chair
Dated 20 April 2018

⁸³ Section 42A Report of Ms Holden at [6.69].

⁸⁴ Ibid.

PART 2: QLDC REQUIREMENTS/DESIGNATIONS

22. QLDC REQUIREMENTS/DESIGNATIONS

22.1. Background

262. Ms Holden explained in her Section 42A Report that pursuant to Clause 4 of Schedule 1 of the RMA, the designations within the ODP that QLDC is responsible for, and that had not lapsed, were included in the PDP, some without modification and some with modification, as requested by QLDC.

263. QLDC also included 181 new designations within the PDP to ensure the safe and efficient functioning and operation of its infrastructure assets as well as its parks and reserves.

264. Section 168 of the RMA enables a local authority that has financial responsibility for a public work to give notice in the prescribed form to a territorial authority of its requirement for a designation for a public work, or in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work.

22.2. General Submissions

265. Wanaka Residents Association⁸⁵ submitted requesting a protective designation for the Bullock Creek source area and water course.⁸⁶ The submission noted the importance of Bullock Creek as a natural feature of Wanaka, adding amenity value and providing a natural environment for flora and fauna.

266. This submission was not mentioned in the Section 42A Report, however I wish to make mention of why I am recommending this submission be rejected.

267. Only a Minister of the Crown, a local authority or a network utility operator, approved as a requiring authority under section 167 of the RMA can give a NoR to designate land for a particular purpose. For this reason, I cannot recommend or confirm a designation as requested by this submission, and my only option is to recommend this submission be rejected.

22.3. Approach to Decision

268. Where the requiring authority is not QLDC, the process I follow in assessing any designations and making a recommendation is set out in s171. However, here QLDC is the requiring authority and the process for me to follow is set out in section 168A, and rather than make a recommendation, I have been delegated authority to make a decision pertaining to all QLDC designations under section 168A(4) (a) through (d).

269. I confirm that I have considered, subject to Part 2, all of the matters set out in section 168A(3) (a) – (d) when making my decisions under section 168A(4)(a) through(d). I have also made my decision with the overall consideration of meeting the single purpose of the Act as set out in Section 5.

23. ROLLED OVER DESIGNATIONS

270. The first grouping are those described as rollovers without modification. This decision will not address designations which have been “rolled over” from the ODP without modification. Those

⁸⁵ Submitter 728

⁸⁶ Submission Point 728.4

designations are identified and shown in green in Appendix A to the Section 42A Report Council's designation notification information.

271. There is no need, nor do I have the ability⁸⁷ to make a decision under section 168A (4) in relation to those rolled over designations. Those designations are included within the revised Schedule 37.2 as attached to this decision as Appendix 1 and become part of the PDP. This decision need not discuss those designations any further.

24. LAPSED OR REMOVED DESIGNATIONS

272. The next grouping are lapsed or removed designations. Where a submission or advice was received from QLDC as requiring authority stating a designation is no longer required, or where they have lapsed, Ms Holden and Ms Balme informed me these designations had been removed (pursuant to Clause 4(9) of Schedule 1 of the RMA). Those designations removed are identified and shown in black in Appendix A to the Council's designation notification information. These were not included in the notified PDP.

273. As such, this decision need not address these designations any further.

274. Subsequent to notification of the PDP additional requirements were withdrawn by QLDC as requiring authority. Ms Holden identified them in her Section 42A Report and I mention them for the sake of completeness.

24.1. Designation #171 – Commonage Reserve

275. QLDC originally sought to roll over Designation #171 with a minor amendment correcting the legal description to which it applied. The ODP recorded Designation #171 as applying to Part Section 104 Block XX Shotover SD. The change requested by QLDC was to amend the legal description so that Designation #171 applied to Section 2 SO 433650. This change was made and included in the notified PDP.

276. Following notification, Section 2 SO 433650 was subdivided (RM150220) to create two new parcels of land, being Section 1 and Section 2 SO 483628. QLDC submitted regarding Section 1 SO 483628 requesting a zone extension and also to remove Designation #171 over this parcel of land.⁸⁸

277. QLDC also lodged another submission seeking that Designation #171 be removed.⁸⁹ With reference to Designation #171⁹⁰, Mr Winchester reminded me of my obligation pursuant to Clause 4(10) of Schedule 1 of the RMA⁹¹, being:

if a territorial authority receives notice from a requiring authority that a requirement has been withdrawn, the territorial authority must, as soon as reasonably practicable and without using the process in this schedule, amend its proposed district plan accordingly.

278. Following its submission to remove Designation #171, QLDC sought to make amendments to Designation #171 by way of Memorandum of Counsel dated 1 March 2018. I explained to QLDC that they could not seek amendment to a designation they had requested be removed.

⁸⁷ See Cl 9(3) of Schedule 1

⁸⁸ Submitter Point 790.5

⁸⁹ Submitter Point 383.89

⁹⁰ Synopsis of Legal Submissions of Mr Winchester dated 7 October 2016 at [2.19]

⁹¹ Ibid at [2.18]

279. QLDC, by way of email dated 19 March 2018 advised me that submission point 383.89 seeking complete removal of Designation #171 was an oversight and should not have been included in QLDC's submission. By way of same email, QLDC sought to withdraw submission point 383.89 and clarify that Designation #171 should remain in the PDP as notified except to the extent it has been partially withdrawn by the Memorandum of Counsel dated 1 March 2018.
280. Accordingly, I accept QLDC's withdrawal of submission point 383.89 and QLDC's amendments to Designation #171 as requested in the Memorandum of Counsel dated 1 March 2018.
- 24.2. Designations #389 and #390 – Local Purpose Reserves (Storm Water Soakage Basin)**
281. Crescent Investments Limited sought withdrawal of Designations #389 and #390, both of which are designated as local purpose reserves (Storm Water Soakage Basin) in private ownership.⁹² These designations relate to a stormwater detention area within the Kirimoko Park subdivision.
282. I was told that these designations are over private land and relate to stormwater infrastructure that is required to be maintained by the Kirimoko Park Residents Association in accordance with the conditions of consent held in respect of this land.
283. The stormwater infrastructure is not vested in QLDC and the Council has no responsibility for its maintenance, repair or upgrade. As such, the Council considered it appropriate for this submission to be accepted and the designations to be withdrawn, on the basis that they are not necessary to achieve the Council's objectives.
284. QLDC as requiring authority has confirmed that, given these local purpose reserves will remain in private ownership, they have decided to withdraw these designations pursuant to Clause 4(9) of Schedule 1 of the RMA.⁹³
285. Accordingly, I have noted this change to the revised chapter within Appendix 1.
286. Therefore, I accept the Crescent Investments Limited submission and these designations are withdrawn.
- 24.3. #560 – Local Purpose (Repeater Site)**
287. The PDP identifies Designation #560 on Planning Map 37 for the purposes of "Local Purpose (Repeater Site)" with the authority responsible being listed as QLDC. Although the QLDC owns the land, Radio New Zealand (RNZ), leases land from the QLDC for their existing radio transmission facility.
288. RNZ made only one submission⁹⁴ on the PDP and that was to oppose this designation noting it could "see no good reason for the Council to require a designation over RNZ's facilities".
289. As the QLDC does not operate the radio transmission facility and would not have financial responsibility for it, designating this leased area of land serves no purpose particularly given the transmission facility is owned and operated by RNZ.

⁹² Submitter Point 270.1

⁹³ Section 42A Report Designations (QLDC) of Ms Holden at [7.76].

⁹⁴ Submission Point 337.1

290. As such, pursuant to clause 4(9) of Schedule 1 of the RMA, the QLDC have decided to withdraw Designation #560. As such, the relief sought by RNZ has been met and its submission is accepted and this withdrawal is taken into account in the revised chapter within Appendix 1.

24.4. Designation #585 - Recreation Reserve

291. Ms Holden explained that the ODP contains Designation #585, being a Recreation Reserve at Jack Reid Park in Arrowtown. QLDC, as requiring authority, omitted to give notice for this designation be 'rolled over' into the PDP.

292. I understand that QLDC as the requiring authority has now identified this as an error.

293. Clause 4(4) of Schedule 1 of the RMA provides that if a requiring authority fails to give notice for a designation to be 'rolled over,' no provision for that designation shall be included in a proposed plan.

294. It is the position of Mr Winchester that I am unable to include Designation #585 in the Designations Chapter as part of Stage 1 of the PDP.

295. I agree for the reasons he advances in his submissions I have no jurisdiction to deal with this designation. However, I do consider that Designation #585 could be notified as part of Stage 2 of the PDP.

25. DESIGNATIONS WITH MINOR AMENDMENTS

296. The next grouping are designations rolled over with minor amendments shown in red in Appendix A to the Councils designation notification information.

297. Pursuant to section 181 as noted above, designations with minor amendments by the requiring authority can be included within the PDP with little formality.

298. There is also a subgroup of the above where members of the public have lodged submissions on requirements seeking similar minor amendments. Subject to the scale and significance of those minor amendments and because I do not consider section 181 is available where a submission has been lodged I have assessed them subject to Part 2 against the considerations set out in section 168A(3)(a)-(d).

299. Those designations with significant modifications by virtue of the requiring authority seeking modification before notification or by submission either by it or a member of the public require a different approach. These designations need be considered against the matters set out in section 168A (3) and a decision made under section 168A (4).

25.1. Requirements with minor amendments by the requiring authority under section 181(3)(a)(i).

300. The corporate submission by QLDC⁹⁵ sought a number of typographical corrections be made to Schedule 37.2 of the PDP, along with the removal of a number of designations identified within. As no revised schedule marking these errors was included with the QLDC submission, I have attempted to identify and correct these minor errors.

⁹⁵ Submission Point 383.85 and Submission Point 383.86 – referring specifically to Designations 56, 58, 117, 176, 215.

301. Minor changes to designations include updates to legal descriptions (not affecting the boundary of a designation), notation, addresses, correction of typos, mapping errors and other minor matters which did not alter the substance of a designation.
302. These minor amendments are noted in Appendix 2 attached to Ms Holden’s Section 42A Report.
303. In addition, changes to a requiring authority’s name through notification in the New Zealand Gazette, or reductions in the extent of a designation boundary are similarly regarded as a minor change.

25.2. General Mapping Errors

304. Ms Holden noted a number of mapping errors associated with the following new designations. The table below outlines these designations, the relevant Planning Map, a description of the error and proposed correction that Ms Holden recommended.⁹⁶

Designation #	Map Ref	Purpose	Description of error and proposed correction
439	39b	Kingston Closed Landfill	No such map as 39b. Additionally this designation is not annotated on Map 39 or 39a. Recommend to the Panel that Designation #439 be shown on Map 39a (discussed further below).
444	39a	Waste Water Pump Station	This designation is annotated correctly on Map 39 (Arthurs Point). The reference to 39a (Kingston) in an error. Recommend that the map reference within Schedule 37.2 is corrected to Map 39.
457	18, 23	Waste Water Pump Station	This designation is annotated on Map 18 (Wanaka Rural, Hawea Flat), but not on Map 23 (Wanaka) as it is outside the area that Map 23 depicts. Recommend that reference to Map 23 is removed from the Schedule 37.2.
586	17	Waste Water Pump Station (Nichol Street)	As discussed in detail above, this designation was duplicated as Designation #462 and is therefore not annotated as #586 on Map 17 (Hawea). I recommend to the Panel that Designation #462 pertaining to the pump station on Map 17 is updated to reference #586.
479	18	Water Intake (Brecon Point)	Is not annotated on Map 18 but is on Map 19. Recommend that this designation is correctly referenced in Schedule 37.2 to refer to Map 19.
532	25	Glenorchy Fire Station	Designation #532 is not annotated on Map 25. Recommend that reference to Designation #532 is added to Map 25.

⁹⁶

Section 42A Report of Ms Holden at p17 and 18.

305. In her submissions, Ms Balme advised that QLDC, as requiring authority, accepted all changes identified in the table and as recommended by Ms Holden. There was only one minor point of clarification in respect of Designation #586, which was provided by Ms Moogan's evidence.⁹⁷
306. I also observe here that Ms Balme in her legal submissions, pointed out for me that Appendix E to QLDC's Designation Notification Information provides an assessment of minor modifications in accordance with section 168A(3).⁹⁸ For the avoidance of doubt I record I have considered Appendix E and agree the modifications identified are minor. I accept and agree with the Appendix E assessment and adopt it.
307. I agree that the appropriate outcome is for me to modify as set out in Appendix 2 to Ms Holden's Section 42A Report and as per the table immediately above and confirm these designations pursuant to section 168A(4)(a). The changes, amendments and alterations as are requested are addressed in Appendix 1.

26. DESIGNATIONS WITH MODIFICATION

308. This section will discuss any modifications sought by QLDC prior to notification and by submission after notification. As noted above there will be no further discussion regarding minor amendments dealt with pursuant to section 181 RMA.

26.1. Designation #29 – QLDC Events Centre and Aquatic Centre

309. Designation #29 relates to the Queenstown Event Centre (QEC) and Aquatic Centre, located at the entrance to Frankton along Ladies Mile (SH6). This designation was rolled over from the ODP with some modifications.
310. Ms Galavazi, senior parks and reserves planner in the Parks and Reserves Department at QLDC, notes the QEC was designated in the Operative District Plan for the purpose of "*Multi purpose indoor and outdoor recreation, cultural and conference complex.*"⁹⁹ A number of conditions for the designation are included in C.22 of the Operative Plan.
311. The NoR for Designation #29 noted a number of modifications to this designation compared to that within the ODP. These modifications can be summarised as follows:
- a. inclusion of additional land;
 - b. removal of a triangular portion of land (see red shaded area in Figure 7 below);
 - c. enable future development opportunities; and
 - d. significantly altering the existing conditions.
312. Below I have structured my decision to address the following matters raised in submissions relating to Designation #29:
- a. minor amendments;
 - b. boundary and legal descriptions of land within Designation #29;
 - c. conditions of designation; and
 - d. relationship with Plan Change 35 (PC35) and Lot 6 NoR.

⁹⁷ Statement of Evidence of Ms Moogan at [8.4].

⁹⁸ Legal Submissions of Ms Balme at [2.3].

⁹⁹ Statement of Evidence of Ms Galavazi at [8.51].

26.2. Minor amendments

313. NZTA¹⁰⁰ opposed Designation #29 identifying a number of minor errors within the conditions as follows:¹⁰¹
- a. delete heading "A. Conditions for the Events Centre;"
 - b. condition 1: Correct legal descriptions included on page 37-41; and
 - c. condition 11(b), 12(b) and 13(d): Remove reference to SH6A as designated site does not have frontage to this highway.
314. Ms Holden agreed that the legal descriptions contained under heading "A. Conditions for the Events Centre" do not match with those listed in Condition 1 of C.22 or those within Schedule 37.2.
315. Ms Holden confirmed that the correct legal descriptions for land within Designation #29 are those contained at Condition 1 which are:
- a. Lot 1 DP 25073;
 - b. Lot 100 DP 468142;
 - c. Lot 2 DP 476309;
 - d. Sections 49, 50, 61-62 and 149 Block I Shotover Survey District;
 - e. Part Section 63 Block I Shotover Survey District; and
 - f. Section 5 and 6 Block XXXIII Town of Frankton.
316. Ms Holden recommended that the submission from the NZTA is partly accepted in that the text blurb above Condition 1 listing the legal descriptions is removed, as shown in Appendix 1 attached to this decision.
317. NZTA has also sought that the structure plan referred to in the designation conditions be included as part of the designation. I agree with the submission by NZTA and with the recommendation of Council's reporting officer that the structure plan should be included. I note Ms Galavazi agrees.¹⁰²
318. The NZTA submission included a number of changes to the conditions of Designation #29.
319. In respect of conditions 12(b) and 13(d) NZTA requested the removal of reference to SH6A. The NZTA submission noted that the QEC is not accessed via SH6A, rather SH6, and therefore this reference should be removed. Ms Holden considered the NZTA submission on this matter is correct and should be accepted in this regard.
320. Ms Galavazi discusses the NZTA submission in her evidence¹⁰³ and agrees that most of the relief NZTA seeks is appropriate. She recorded her support for the changes identified above by Ms Holden.¹⁰⁴
321. Ms Galavazi however, did not agree with that part of the NZTA submission that seeks that condition 23 dealing with the sign on State Highway 6 only display messages related to the use of the site.¹⁰⁵ She said the conditions imposed on the use of the sign are intended to address

¹⁰⁰ Submitter 719

¹⁰¹ Submission Point 719.158

¹⁰² Statement of Evidence of Ms Galavazi at [8.56].

¹⁰³ Ibid at [8.51 to 8.64].

¹⁰⁴ Ibid at [8.55]

¹⁰⁵ Ibid at [8.59].

the visual effects and safety effects of the sign.¹⁰⁶ Those effects are mitigated she said through controls on the colour of text, the brightness of the LED lights along with restrictions on flashing.¹⁰⁷ She did not consider the content of the message on the sign creates an environmental or safety effect that must be mitigated by way of a new condition.¹⁰⁸

322. I agree with her. I do not consider the content of the message on the sign creates an additional environmental or safety effect that must be mitigated by way of a new condition. Also I agree with Ms Galavazi the sign may be used by QLDC to display important messages relating to the district more widely particularly given its location. The condition proposed by NZTA would prevent this. So I neither agree with the NZTA submission nor Ms Holden's recommendation in relation to condition 23.

323. NZTA sought that an advice note be included in the designation in relation to early engagement with NZTA if events at QEC will likely generate traffic that will impact on the normal operation of SH6. Ms Galavazi said the Council would always consult with NZTA in respect of major events at QEC and would likely prepare and implement a traffic management plan in the circumstance considered by NZTA.¹⁰⁹

324. Ms Galavazi agreed in principle with the advice note, but recommended some rewording as follows:¹¹⁰

*Where events on the site may generate traffic that will **significantly change** the normal operation of state highway 6 and/or the safety of road users...*

325. I agree with Ms Galavazi because it would be too onerous is to require such consultation for smaller scale events that have only a minor impact on the operation of the State Highway. I also consider that inclusion of the advice note will encourage early consultation with NZTA which is best practice in such circumstances.

326. Overall, subject to the matters I have explored above I consider the corrections requested by NZTA will improve the chapter and I accept these submission points other than the NZTA submission point relating to condition 23 dealing with the sign on State Highway 6 only display messages related to the use of the site.¹¹¹ As far as the NZTA submission is concerned it follows it is accepted in part.

26.3. Boundary of Designation #29 (as shown on Planning Map 33)

327. QAC requested that the boundary of the designation on Map 31a be amended to correctly illustrate the extent of the designation.¹¹² QAC submitted that the planning map currently contradicts the extent of the designation described within the NoR.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid at [8.60].

¹⁰⁹ Statement of Evidence of Ms Galavazi at [8.63].

¹¹⁰ Ibid.

¹¹¹ Ibid at [8.59].

¹¹² Submission Point 433.129 supported by FS1077 and opposed by FS1097 and FS1117

328. Ms Holden had reviewed the NoR relating to this designation and noted it was clear that it was proposed to remove:¹¹³

a large triangular shaped piece of land that is contained within both Designation 29 and Designation 2 (Aerodrome Purposes). This land is located in the south-eastern corner of the existing Designation 29 (and to the west of Grant Road). This land includes portions of Section 61-61 Block I Shotover Survey District and Part Section I Block I Shotover Survey District.

329. She advised she identified an error within the legal descriptions included within the NoR for this designation.¹¹⁴ The triangular piece of land (marked in a red hashed outline in her Figure 7) contains portions of land legally described as (recommended changes shown as deleted text struck-through, added text underlined):

- a. Part Section I 63 Block I Shotover Survey District;
- b. Section 61-612 Block I Shotover Survey District.

330. To clarify, Schedule 37.2 and the legal descriptions cited in Condition 1 of the designation correctly describe this land. She advised that some amendments would be required to assist with correctly identifying which pieces of land were included and not included with regard to this designation.¹¹⁵

331. Ms Holden also noted that the Schedule identifies Lot 100 DP 468142 as being included in Designation #29.¹¹⁶ However, she advised that this piece of land is not included within the designated area shown on Planning Map 33. She outlined this parcel of land with a blue dashed line in her Figure 5 and recommended that this area of land be added to Planning Map 33.

332. She noted that this parcel of land is owned by QLDC and currently contains sports fields.¹¹⁷ This piece of land is located within the 'Wider Grounds Area' (WGA) as depicted on 'Attachment B Designation Plan' of the NoR, encompassing the sports playing fields and other small amenities. The NoR describes the intention of the WGA to allow flexibility of location and use for buildings that are required to be established that specifically support activities undertaken in this area i.e. changing facilities, toilets and clubrooms.

333. To summarise, she recommended that Planning Map 33 be amended as follows:¹¹⁸

- a. The triangle shaped piece of land outlined in red within Figure 5 is annotated to clearly state that it is part of Designation #2; and
- b. The 'L' shaped piece of land, outlined in green in Figure 1 above is removed from Planning Map 33; and
- c. Planning Map 33 is amended to include Lot 100 DP 469142 within Designation #29 as outlined in blue in her Figure 5 as above.

334. Additionally, she recommended that a note be added to both the schedule and Condition 1 of the designation to provide clarity that Designation #29 applies to only part of the land parcels described above.¹¹⁹

¹¹³ Section 42A Report of Ms Holden at [7.18].

¹¹⁴ Section 42A Report of Ms Holden at [7.19].

¹¹⁵ Ibid at [7.20].

¹¹⁶ Ibid at [7.25].

¹¹⁷ Ibid at [7.26].

¹¹⁸ Ibid at [7.28].

¹¹⁹ Section 42A Report of Ms Holden at [7.29].

335. As I understood their evidence and submissions, neither Ms Balme nor Ms Galavazi had issues with the recommendations of Ms Holden as I have detailed them above. Accordingly I adopt them and include them within the designation either as conditions or as advice notes. It seems to me doing so is most appropriate because inclusion corrects a number of errors. These amendments are set out in my recommended chapter at Appendix 1.

26.4. Relationship between Plan Change 35 and Lot 6 NoR

336. Ms Holden noted that both further submissions of RPL¹²⁰ and QPL¹²¹ oppose any amendment within Chapter 37 that undermines or circumvents the PC35 and Lot 6 NoR proceedings that are currently before the Environment Court.¹²² She noted however that Designation #29 has no bearing on these proceedings and therefore recommended that both of these further submissions be rejected in relation to Designation #29.¹²³

337. Having considered the matter I agree and accept Ms Holden's recommendation to reject both further submissions 1117 and 1097.

26.5. Changes to Conditions of Designation

338. I have already discussed NZTA's submission points as they relate to conditions of the designation and now move on to the submission from QAC.

339. The QAC submission also sought changes to the conditions of Designation #29.¹²⁴ Recognising that Condition 7 of the designation as notified provides for '*community activities*' that support the overall operation of the QEC, QAC seek the insertion of an additional condition to ensure that any building containing Activities Sensitive to Aircraft Noise (ASAN) are designed to achieve an "Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 203 37 Noise Contours".

340. Given the event centre and aquatic centre have already been established on site, Ms Holden recommended that QAC's submission be partly accepted in relation to Condition 7, in that this condition be applicable to new or altered parts of buildings only.¹²⁵ Additional changes to Condition 7 are sought by QAC which I discuss further below.

341. The QAC submission also requested that Condition 4 of Designation #29 is amended to allow children to attend the day care facility only when their parent or guardian is using the site for its designated purpose (i.e. remain on site).

342. Ms Holden recommended these submission points be accepted.¹²⁶ In her view, even if the acoustic standards of the building are met in accordance with the proposed requirement that "*Any rooms containing Activities Sensitive to Aircraft Noise [are] designed to achieve an Indoor Design Sound Level of 40dBLdn within any Critical Listening Environment*", adverse noise effects on this sensitive activity could be exacerbated if a parent or guardian was able to leave the site.¹²⁷

¹²⁰ FS 1117

¹²¹ FS 1097

¹²² Section 42A Report of Ms Holden at [7.30].

¹²³ Ibid.

¹²⁴ Submission Point 433.129 supported by FS1077 and opposed by FS1097 and FS1117

¹²⁵ Section 42A Report of Ms Holden at [7.42].

¹²⁶ Ibid at [7.44].

¹²⁷ Ibid.

343. Ms Holden was concerned the duration of exposure to aircraft noise would increase while the child was left within the day care facility.¹²⁸ Additionally, she considered this condition is in accordance with the parameters imposed around Designation #29 within the ODP, specifically Condition 16.¹²⁹
344. At the time of her Section 42A Report she noted no evidence from the requiring authority has been provided from a suitably qualified noise expert to advise that this condition is not necessary in terms of mitigating any adverse noise effects on users of the day care facility (classified as an ASAN).¹³⁰ As such, she recommended these submission points from QAC be accepted in part.¹³¹
345. On the other hand, on this submission point both Ms Galavazi and Dr Chiles, QLDC noise expert, did not see justification to restrict the use of day-care facilities to use by children whose parents are on site. Dr Chiles pointed out that the buildings can be designed to provide acceptable internal sound levels and therefore a broader range of care facilities might be appropriate.¹³² I accept Dr Chile's evidence on this point so there seems little justification in accepting the QAC submission point on condition 4 and accordingly I reject it.
346. In any event as Ms Galavazi recorded in her evidence the use of the QEC for child care facilities must be consistent with the purpose of the designation otherwise a resource consent would be required.¹³³
347. QAC also requested that Condition 7 of the designation restrict the provision of community facilities to those directly related or ancillary to the operation of the QEC. Ms Holden is of the opinion that given any activity carried out by QLDC would still need to be in accordance with the purpose of its designation, being the "*Multi Purpose indoor and outdoor recreation, cultural and conference complex.*"¹³⁴ As such she recommended the change requested by QAC be rejected.¹³⁵ I note that Ms Galavazi agreed with Ms Holden, that this change was not necessary.¹³⁶ I agree for the reasons advanced by Ms Holden and Ms Galavazi that the QAC amendment is unnecessary and I reject it.
348. QAC sought to impose an additional control on Designation #29 to ensure that activities on the site do not penetrate the Airport's obstacle limitation surface. Ms Galavazi recorded QLDC's agreement to this amendment to condition 11(a), 12(a), 14(f) and 14 is appropriate as set out below¹³⁷effectively making 11a),12a)and 14f) subject to new condition 14.

No temporary or permanent buildings, structures, facilities or landscaping shall be placed in a position such that it penetrates the take-off climb and approach or transitional protection surfaces for the main runway or the cross-wind runway at Queenstown Airport except where the new object or extension is shielded by an existing immovable object or the penetration is a temporary short term penetration (e.g. construction machinery or equipment) of these

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid at [7.45].

¹³¹ Ibid.

¹³² Statement of Evidence of Dr Chiles at [5.3].

¹³³ Statement of Evidence of Ms Galavazi at [8.68].

¹³⁴ Section 42A Report of Ms Holden at [7.46].

¹³⁵ Ibid.

¹³⁶ Statement of Evidence of Ms Galavazi at [8.69].

¹³⁷ Ibid at [8.72].

surfaces that has been authorised by the Queenstown Airport Corporation Limited unless prior written consent of Queenstown Airport Corporation is obtained.

349. Ms Galavazi noted QLDC as requiring authority has no intention of carrying out works in accordance with its designation that might compromise the safety of aircraft taking off and landing at Queenstown Airport.¹³⁸ However, where appropriate and approved by QAC, some breaches of the OLS may be appropriate where there is already another immovable object that would screen the new development.¹³⁹
350. Overall, Ms Holden agreed with this submission point to the extent that an additional condition would provide clarity and consistency with Designation #4, which could otherwise be overlooked by the requiring authority or a Planning Officer processing an Outline Plan associated with Designation #29.¹⁴⁰ As such, she recommended that submission 433 be accepted in relation to the amendments to Condition 14,¹⁴¹ as marked in the Revised Chapter attached at Appendix 1.
351. I agree the QAC submission be allowed in part as I adopt the wording preferred by Ms Galavazi.
352. Ms Holden noted that QAC's submission is supported by Board of Airline Representatives New Zealand¹⁴² (BARNZ) who request that the changes proposed by QAC are inserted into the PDP in relation to Designation #29. Similarly, she recommended that this further submission be rejected.¹⁴³
353. As I have noted above, further submissions of QPL and RPL oppose QAC's submission to the extent that the modifications sought by QAC circumvent PC35 and Lot 6 NoR proceedings. As noted above, I have accepted Designation #29 has no bearing on these proceedings, therefore both of these further submissions are rejected in relation to Designation #29.
354. I have considered the effects on the environment that arise from the modifications sought by QLDC. I confirm subject to Part 2 I have had particular regard to the matters set out in section 168A(3)(a)-(d) where applicable.
355. Taking all of the evidence, submissions and statutory requirements into account, pursuant to section 168A(4)(a) I confirm Designation #29 with the modifications discussed in this report.
356. The amended version of Designation #29 is included in Appendix 1.
- 26.6. Designations #105, #110, #111 and #113 – Recreation Reserves**
357. Designations #105, #110, #111 and #113 are for the purpose of 'Recreation Reserve' on Planning Maps 7, 18, and 22. These designations run along the foreshore of Lake Wanaka from the Log Cabin to Glendhu Bay.
358. In addition to being the requiring authority responsible, Ms Holden advised that the land subject to these designations is vested in the QLDC as a Recreation Reserve under the Reserves

¹³⁸ Ibid at [8.73].

¹³⁹ Ibid.

¹⁴⁰ Section 42A Report of Ms Holden at [7.52].

¹⁴¹ Ibid.

¹⁴² FS 1077

¹⁴³ Section 42A Report of Ms Holden at [7.47].

Act 1977.¹⁴⁴ She added that through the special consultative process provided for under the Reserves Act, QLDC adopted the 'Wanaka Lakefront Reserves Management Plan' in October 2014 (Wanaka Lakefront Management Plan).¹⁴⁵ This plan identifies the key objectives and policies for the management, protection and development of the Wanaka lakefront reserves.

359. Ross & Judith Young Family Trust¹⁴⁶ raised concerns regarding the conditions relating to these designations along the foreshore of Lake Wanaka. In particular, the submitter noted that the underlying zone for these designations is Rural, however the conditions associated with this designation allow buildings of up to a 100m² footprint, and a maximum height of 10m, to be located within these reserves along the lake front.
360. This submitter is of the view that buildings should be excluded from these reserves, and that a condition placing controls over the size and scale of buildings raises the expectation of buildings being able to be constructed within the reserves.
361. Specifically, Ms Holden drew my attention to Section 5.2.3 of the Wanaka Lakefront Management Plan.¹⁴⁷ This section includes seeks to manage the impact on the natural amenity values of the lakeside reserves by minimising buildings and positioning them appropriately. In addition, Section 4.2 – Recreation of the Wanaka Lakefront Management Plan acknowledges that activities along the lakefront are supported by facilities such as boat launching, children's play equipment, formed pathways and tracks, barbeque equipment, toilets, car parking and buildings.
362. It is Ms Holden's view that community expectation of what could be built within these lakefront reserves is jointly addressed by the District Plan and the Wanaka Lakefront Management Plan prepared for these areas.¹⁴⁸ She considered that there is a dual layer of protection afforded to these lakefront reserves by both the RMA and Reserves Act. As such, she recommended that the Ross & Judith Young Family Trust submission be rejected.¹⁴⁹
363. Ms Holden did agree with Wanaka Watersports Facility Trust¹⁵⁰ who opposed the relief sought by Ross & Judith Young Family Trust.¹⁵¹ Ms Holden explained this further submission noted that in some cases it may be appropriate to locate buildings within these reserves when they are associated with the use of that reserve.¹⁵² The submission also stated that the matters raised by Ross & Judith Young Family Trust have already been considered for the Wanaka Lakefront Management Plan. As such Ms Holden recommended that FS 1305 is accepted.¹⁵³
364. Ms Holden recommended that Designations #105, #110, #111 and #113 be confirmed as detailed in her revised chapter, attached as Appendix 1 to her Section 42A Report.
365. With reference to the Ross & Judith Young Family Trust submission, Ms Galavazi said amending the designation conditions to prevent buildings on these reserves will not achieve the outcome

¹⁴⁴ Ibid at [7.57].

¹⁴⁵ Ibid at [7.54].

¹⁴⁶ Submitter 704

¹⁴⁷ Section 42A Report of Ms Holden at [7.56].

¹⁴⁸ Ibid at [7.57].

¹⁴⁹ Ibid.

¹⁵⁰ FS1305

¹⁵¹ Section 42A Report of Ms Holden at [7.58].

¹⁵² Ibid.

¹⁵³ Section 42A Report of Ms Holden at [7.58].

desired by the submitter.¹⁵⁴ She went on to explain, any party who wished to construct a building on the reserve for which the Council does not have financial responsibility would require a resource consent.¹⁵⁵ In her opinion, the designation conditions are not a relevant matter to determining such a consent application.¹⁵⁶

366. Ms Galavazi further noted restriction on any buildings in these reserves may however result in a significant burden on QLDC as requiring authority, in the event that it became necessary to construct any buildings, such as toilets, to facilitate the use of these reserves.¹⁵⁷ She also said it would also make these reserves inconsistent with all other recreation reserves.¹⁵⁸
367. Ms Galavazi agreed with Ms Holden that the Wanaka Lakefront Management Plan will ensure that the effects of the natural amenity values of the lakeside reserves are appropriately managed and that there is no need for this additional restriction on buildings to be imposed on the designations.¹⁵⁹ She also agreed with the further submission by Wanaka Watersports Facility Trust.¹⁶⁰
368. After considering subject to Part 2 the matters set out in section 168A(3)(a)-(d) and for the reasons advanced by both Ms Holden and Ms Galavazi. Consequently I agree that submission 704 be rejected and submission 1304 be accepted and the designation be confirmed under section 168A(4)(a) as recommended by Ms Holden and as set out in Appendix 1.

26.7. Designation #175 – Part of Hawea Recreation Reserve (Motor Park)

369. Designation #175 as rolled over from the ODP only covers part of the land legally described as Section 2, Block II, Lower Hawea SD, comprised in Computer Freehold Register 370244.
370. Ms Sarah Burdon requested that Designation #175 be extended to cover the whole of the Hawea Camping Ground¹⁶¹, which is vested in QLDC as a Recreation Reserve. Ms Burdon leases a portion to operate the camping ground activity. The submitter seeks the extension of the designation in order to expand the provision of accommodation within the site.
371. Designating the entire site on Planning Maps 8 and 17 for the purpose of Recreation Reserve would align with the approach taken toward other sites in the District which are similarly vested as 'Recreation Reserve' under the Reserves Act. However, Ms Holden is of the understanding that the underlying rationale for the expansion of this designation may not satisfy the relief sought by Ms Burdon in terms of allowing further development of accommodation options within the camping ground.¹⁶²
372. Considering section 168A (3) of the RMA, Ms Holden's view was that the QLDC have not asked for this site to be designated, and there is no evidence to support that designating the entire site is necessary for the safe or efficient functioning or operation of public work.¹⁶³ She

¹⁵⁴ Statement of Evidence of Ms Galavazi at [8.20].

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid at [8.21].

¹⁵⁸ Ibid.

¹⁵⁹ Ibid at [8.22].

¹⁶⁰ Ibid at [8.23].

¹⁶¹ Submission Point 282.2

¹⁶² Section 42A Report of Ms Holden at [7.61].

¹⁶³ Ibid at [7.62].

recommended Ms Burdon's submission be rejected and that Designation #175 be confirmed as notified.¹⁶⁴

373. I note that Ms Burdon appeared and provided evidence in particular detailing reasons why the designation should be extended to include the whole reserve. While Ms Burdon is the lessee, Ms Galavazi accepted, on behalf of the requiring authority, that there were useful operational reasons to extend the designation.
374. Ms Galavazi agreed with that part of Ms Burdon's submission seeking that the designation be extended to cover the entire property.¹⁶⁵ She explained this was because it would be consistent with how all other Council owned reserves are treated and allows for the Council as requiring authority to undertake necessary maintenance or upgrade works in accordance with the purpose of the designation.¹⁶⁶ I took this to answer Ms Holden's concern that there was no evidence from the requiring authority demonstrating that it was necessary for the safe or efficient functioning or operation of the public work.
375. Ms Galavazi did not support that those parts of the submission that seek to allow the campground operator or lessee to undertake development in accordance with the designated purpose as it is not the requiring authority.¹⁶⁷ She recorded any future development must be agreed with the Council given its responsibility under the Reserves Act, QLDC as requiring authority and as the lessor.¹⁶⁸
376. I agree for the reasons advanced by both Ms Holden and Ms Galavazi that Ms Burdon's submission be rejected in part. That part of the submission seeking to extend the designation to cover the entire property is appropriate to allow but in every other respect the submission is rejected.
377. I confirm that subject to Part 2 I have had particular regard to the matters set out in section 168A(3) (a)-(d) inclusive. Accordingly subject to this extension of the designation it is confirmed pursuant to section 168A (4) (a) as set out in Appendix 1.

26.8. Designation #282 – Recreation Reserve

378. As notified, Designation #282 refers to Conditions G and H being conditions relating to Recreation Reserves (G), and Lot 13 DP 322851 & Lot 312 DP 329276 relating to Transpower's transmission lines running through these sites (H).
379. The QLDC corporate submission sought changes to Designation #282 in terms of the reference to condition H (Recreation Reserves).¹⁶⁹ Ms Holden recommended that this submission point is accepted.
380. Ms Holden pointed out that the title for Condition H referred to legal descriptions of sites affected.¹⁷⁰ These legal descriptions have been changed through subdivision. Therefore she

¹⁶⁴ Ibid at [7.23].

¹⁶⁵ Ibid at [8.6].

¹⁶⁶ Ibid.

¹⁶⁷ Statement of Evidence of Ms Galavazi at [8.7].

¹⁶⁸ Ibid.

¹⁶⁹ Submission Point 383.92

¹⁷⁰ Section 42A Report of Ms Holden at [7.7].

recommended that this heading is changed to “Transpower’s Development Free Zone”.¹⁷¹ I agree and this submission is accepted.

381. In relation to the relief sought by QLDC, on further investigation, Ms Holden noted that Condition G (as notified) appears to be a duplication of Condition B and therefore she recommended that Condition G also be deleted, with reference being made to condition B instead.¹⁷² She noted consequential changes throughout Chapter 37 in terms of reference to Condition B instead of G will subsequently need to be made.¹⁷³ I agree and those changes are included my revised recommended chapter at Appendix 1.

382. I confirm I have, subject to Part 2, to the extent necessary, considered the matters set out in section 168A(3)(a)-(d) and I confirm under section 168A(4)(a) Designation #282, subject to the modifications discussed as set out in Appendix 1.

26.9. Designation #239 – Recreation Reserve (Aerodrome)

383. WPRA¹⁷⁴ sought to impose conditions on Designation #239 in relation to the Glenorchy Airstrip, as identified on Planning Map 9.¹⁷⁵ Specifically, they requested conditions be added to manage the adverse effects of the designation on the environment and neighbouring properties by imposing conditions related to the following:

- a. hours of operation;
- b. ‘no fly’ zones and prohibition of circulatory flights over Glenorchy Township or Wyuna Preserve;
- c. number of leases/licences; and
- d. maximum number of flights.

384. WPRA’s submission was supported by Blanket Bay Lodge¹⁷⁶ and opposed by Skydive Queenstown Limited.¹⁷⁷ Skydive Queenstown Limited considered the Reserves Management Plan is a better mechanism for managing the Glenorchy Airstrip than imposing conditions on the designation.

385. Ms Holden advised the ‘Reserves Management Plan, Glenorchy Airstrip’ (Glenorchy Reserves Management Plan) referred to in the Skydive Queenstown Submission relates to the land which also contains Designation #239 (Local Purpose Reserve (Airport)). She said the Glenorchy Reserves Management Plan was adopted by Council in 2016.¹⁷⁸

386. The key objectives of the Glenorchy Reserves Management Plan, noted as being associated with the purpose of this reserve, include facilitating “*existing emergency community, recreational and low intensity commercial tourism aviation as the principle purpose of the reserve*” and ensuring that “*the Reserve is managed and maintained so that the use remains compatible with the surrounding environment.*”¹⁷⁹ A number of actions are identified to give effect to the objectives and policies of the plan. These actions include aligning the Designation provisions with the Glenorchy Reserves Management Plan.

¹⁷¹ Ibid.

¹⁷² Ibid at [7.8].

¹⁷³ Section 42A Report of Ms Holden at [7.8].

¹⁷⁴ Submitter 744.

¹⁷⁵ Submission Point 744.1, supported by FS1308 and opposed by FS1345

¹⁷⁶ Submitter 1308.

¹⁷⁷ FS1345

¹⁷⁸ Section 42A Report of Ms Holden at [7.67].

¹⁷⁹ Ibid.

387. Ms Holden explained she had been informed by the QLDC as requiring authority that it agrees to impose some controls within the conditions of the designation to manage noise effects generated by aircrafts using the airstrip.¹⁸⁰ These include a condition restricting the hours of operation, and a condition requiring aircraft operators to plan routes and operate their aircraft in accordance with the “*Fly Neighbourly*” guidelines, with the exception of reasons associated with emergency and safety.¹⁸¹
388. Ms Holden’s view was that some parameters should be placed around the operation of this informal airstrip due to its proximity to sensitive activities (e.g. Wyuna Preserve).¹⁸² She noted that the Glenorchy Reserves Management Plan refers to maintaining the “*nature, scale and intensity of the use of the airstrip*” which is to “*remain generally unchanged from the level that exists from the date of adoption of this plan.*”¹⁸³ However, she advised without baseline information to establish the existing nature and scale of the activity, it is difficult to measure how the nature, scale and intensity of the use of the airstrip may change over time.¹⁸⁴
389. Ms Holden was of the opinion that there is not sufficient baseline information regarding the current nature and scale of commercial activities utilising this airstrip (i.e. number of flights, noise received at the notional boundary of residential units etc.) in order to impose conditions relating to the frequency of flights, noise limits etc.¹⁸⁵ Furthermore, she did not consider that imposing conditions within the designation is the appropriate mechanism for managing the effects associated with flight paths or number of leases/licences.¹⁸⁶
390. Ms Holden recommended to partly accept submission 744, with the conditions volunteered by QLDC being included in the Revised Chapter attached as Appendix 1 to her Section 42A Report.¹⁸⁷
391. The Skydive Queenstown Limited¹⁸⁸ submission also sought to correct the purpose of Designation #239 to more accurately state ‘Local Purpose Reserve (Airport)’. Ms Holden advised this piece of land has been vested in the QLDC under the Reserves Act through Gazette Notice dated 13 June 2013 where it was classified as Local Purpose (Airport) Reserve.¹⁸⁹ As such, she recommended that this part of the relief sought by Skydive Queenstown Limited be accepted.¹⁹⁰ I agree and amend the purpose of this designation as per Appendix 1.
392. In addition, Skydive Queenstown Limited submitted that Planning Map 25a identified only the runway as being designated and not the balance of the aerodrome comprised in Section 11 SO Plan 443869.¹⁹¹ The submitter noted that this is inconsistent with the Gazette Notice which vests Section 11 in the QLDC as a reserve in its entirety, as well as the definition of Aerodrome contained within Chapter 2 – Definitions of the PDP which states: “*Means a defined area of land used wholly or partly for the landing, departure, and surface movement of aircraft*

¹⁸⁰ Section 42A Report of Ms Holden at [7.68].

¹⁸¹ Ibid.

¹⁸² Ibid at [7.69].

¹⁸³ Ibid.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid at [7.70].

¹⁸⁶ Ibid.

¹⁸⁷ Ibid at [7.71].

¹⁸⁸ Submission Point 23.1

¹⁸⁹ Section 42A Report of Ms Holden at [7.72].

¹⁹⁰ Ibid.

¹⁹¹ Ibid at [7.73].

including any buildings, installations and equipment on or adjacent to any such area used in connection with the aerodrome or its administration.”

393. Ms Holden explained her understanding that the Gazette Notice classifies this entire piece of land as Local Purpose Reserve under the Reserves Act, which is a separate process to the designation process under the RMA.¹⁹² The QLDC does not seek to designate the entire site for aerodrome purposes. Rather, it is only its intention to designate the airstrip in order to facilitate the landing and take-off of aircraft from/to the site.
394. As discussed in relation to Designation #175 above, after considering the factors under section 168A(3) of the RMA, Ms Holden’s view was that although inconsistent with other designations throughout the district, the QLDC have not asked for this site to be designated and there is no evidence to support that designating the entire site is necessary for the safe or efficient functioning or operation of public work.¹⁹³ As such, she recommended to me that this part of Skydive’s submission be rejected.¹⁹⁴
395. Overall she recommended to me that Designation #239¹⁹⁵ be confirmed with the modifications marked within her recommended chapter, appended to her Section 42A Report.¹⁹⁶
396. Ms Baker-Galloway, presented legal submissions on behalf of WPRA. In summary form she submitted that:¹⁹⁷

The Designated Airstrip ("Airstrip") sits within the wider Glenorchy Airstrip Reserve. It is located nearby the Rural Lifestyle settlement Wyuna Preserve, the Blanket Bay Rural Visitor Special Zone, and the township of Glenorchy. As such, the effects on this receiving environment need to be managed to a level that is consistent with sustainable management.

For the purpose and needs of the use of the Designation as an airstrip, the notified boundary of the Designation is appropriate. In terms of the powers sought to be exercised by the requiring authority, there is no justification for extending the boundary wider and the WPRA would strongly oppose any change.

Historically there have been no controls on the intensity of use, or noise generated by users of the Airstrip. The recently approved Glenorchy Reserve Management plan ("GMP") is intended to impose some controls on intensity of use, but has no jurisdiction for controlling adverse effects such as noise beyond the boundary of the Reserve.

Approving the Designation in its current form, with no control of the intensity of activity or noise effects will not provide for sustainable management and will not meet the tests in Part 8 of the Act.

The WPRA has provided a solution to achieve a flexible and pragmatic approach to management effects of the use of the Airstrip. This approach is based upon expert evidence

¹⁹² Ibid at [7.74].

¹⁹³ Ibid at [7.75].

¹⁹⁴ Ibid.

¹⁹⁵ I note that while Ms Holden referred to Designation #23 in her Section 42A Report, the correct reference should be Designation #239

¹⁹⁶ Ibid at [7.76].

¹⁹⁷ Legal Submissions of Ms Baker-Galloway on behalf of WPRA at section 2.

and is consistent with the remainder of the PDP and the purpose of the Act. In summary, WPRA seeks that the Designation contain provisions that:

- a. Clarify and provide certainty as to the exact purpose of the Designation;*
- b. Restrict buildings;*
- c. Control hours of operation;*
- d. Require users to follow the "Fly Neighbourly" guidelines; and*
- e. Require development of, and compliance with, a Noise Management Plan that achieves a noise limit Ldn 55 dB at dwellings, from aircraft activities associated with the Airstrip.*

397. Ms Baker-Galloway observed all experts involved with the Glenorchy aerodrome agreed there is uncertainty as to the baseline use levels of the air strip.¹⁹⁸ She submitted this was not a relevant consideration in the consideration of the management of an adverse effect is.¹⁹⁹ Furthermore she submitted the concept of a permitted baseline has limited relevance to decision making on a designation in a district plan review process.²⁰⁰ She said it was not justified to refrain from imposing noise restrictions on the basis of no baseline data.²⁰¹
398. Instead, Ms Baker-Galloway submitted that noise restrictions should be imposed based on expert evidence.²⁰² She considered that because there was expert evidence namely from Mr Hunt on the appropriate noise levels then the air strip activities should be managed in order to address adverse effects on that receiving environment.
399. Ms Macdonald, Counsel for Skydive Queenstown Limited pointed out to me this designation is a rolled over designation albeit with the possible inclusion of additional conditions.²⁰³ The significance of this point is she said there is a baseline established by activities that have been lawfully established pursuant to that designation when I consider what if any additional conditions can or should be imposed on this designation.²⁰⁴ So she differed markedly from Ms Baker Galloway on the application of permitted baseline considerations to designations.
400. Ms Baker-Galloway complained that despite the council having control over the reserve as the administering authority under the Reserves Act for over three years it has done little to formalise noise and use controls.²⁰⁵ She accepted the development of the plan was a positive step but still considered that current operators are not acting under authorisation of leases or license agreements.²⁰⁶ Essentially Ms Baker Galloway complained there were no effective noise control mechanisms in place.
401. She expressed concern that a management plan prepared under the Reserves Act would not be an effective management tool particularly for noise.²⁰⁷ She submitted an adverse effect is arising from the use of the air strip need to be and should be managed in the RMA framework.²⁰⁸

¹⁹⁸ Legal Submissions of Ms Baker-Galloway at [5.1].

¹⁹⁹ Ibid.

²⁰⁰ Ibid at [5.6] referring to Evidence of Stephen Chiles at [6.5] and evidence of Jeannie Galavazi at [8.48]

²⁰¹ Ibid at [5.7].

²⁰² Ibid

²⁰³ Legal Submissions of Ms MacDonald at [6].

²⁰⁴ Ibid.

²⁰⁵ Ibid at [5.4].

²⁰⁶ Ibid.

²⁰⁷ Ibid at section 6.

²⁰⁸ Ibid at [6.5].

402. Ms Baker-Galloway was critical of the Council’s changing position where earlier in time when considering the management plan it signalled a preference to deal with noise under the RMA but at this hearing it signalled a preference to deal with noise under the management plan and Reserves Act framework.²⁰⁹
403. Ms Baker-Galloway based her submission on the evidence of Mr Ferguson and Mr Hunt a well-qualified and experienced noise expert. She said including the recommended provisions in the designation provided an appropriate balance between certainty for residents and the community as to excess of all levels of noise on amenity and flexibility for operators and stakeholders to agree on the methods to achieve that outcome through consultation and community planning.²¹⁰
404. Mr Ferguson explained he was well aware of the tensions within the local community including residents at Wyuna with the impact of noise from aircraft on amenity values.²¹¹ His major concern was that the notified designation provides no controls over the use of the Glenorchy airstrip and the unfettered use of the land by aircraft for any purpose would result in significant adverse effects on the amenity values for residents.²¹²
405. While he acknowledged the recommendations contained within Ms Holden’s report being imposition of conditions on operating hours and the adoption of a “*fly neighbourly*” principle these were, he thought, insufficient.²¹³ This was particularly so because benchmarking the intensity of use of the airport has proved problematic.
406. Mr Ferguson’s evidence suggested developing a framework to manage noise.²¹⁴ In conjunction with Mr Hunt’s evidence, Mr Ferguson was of the opinion that this would include adopting a condition on the designation requiring the formulation of a noise management plan. He identified the key elements that would need to be addressed in a noise management plan²¹⁵ including specifying the noise standard to be achieved for all aircraft activity. In his view, this would represent a sustainable outcome for the use of this resource which I took to be both the air strip and the Wyuna Preserve and other residential activities nearby the air strip.²¹⁶
407. Mr Hunt, expressed his opinion that the operation of propeller aircraft and helicopters utilising the Airstrip has the potential to adversely affect outdoor amenity and living conditions for nearby residents.²¹⁷ Elaborating on those effects, he expressed the view there appears to be a clear case for improved measures to control noise from aircraft.²¹⁸ He too recommended that the designation be amended to include the development of a noise management plan that governs the use of the airstrip for noise control purposes and sets a clear requirement for all aircraft activity to be carried out in accordance with that plan.²¹⁹

²⁰⁹ Ibid at [6.6].

²¹⁰ Legal Submissions of Ms Baker-Galloway at [8.4].

²¹¹ Statement of Evidence of Mr Ferguson at [3.2].

²¹² Ibid at [3.3, 9.1].

²¹³ Ibid at [3.3, 9.12].

²¹⁴ Ibid at [3.5].

²¹⁵ Ibid at [9.3c]

²¹⁶ Ibid at [3.5].

²¹⁷ Statement of Evidence of Mr Hunt at [4.1].

²¹⁸ Ibid at [4.3].

²¹⁹ Statement of Evidence of Mr Hunt at [4.4a].

408. I asked three questions of Ms Baker Galloway at the hearing, and she responded in supplementary submissions dated 21 October 2017. Ms Baker Galloway summarised my questions as follows:²²⁰
- a. The relevance of the 'permitted baseline' test in the context of decisions on designations under section 168A of the RMA, and in the context of Designation #239;
 - b. Scope for making recommendations on the relief sought in evidence presented by the WPRA; and
 - c. The timing of the consenting and development of the Wyuna Preserve.
409. In her supplementary submissions, Ms Baker Galloway referred to a range of relevant authorities in which the relevance or otherwise of the permitted baseline in relation to consideration of designations was considered. She sought to distinguish them from the circumstance I have been asked to consider. Essentially though even if there were merit in me applying a permitted baseline she said because there was no certainty as to the level of baseline activity particularly aircraft noise so I could not apply a baseline in any event.²²¹
410. I agree. In my view, the permitted baseline can apply to designations.²²² I agree with Ms McDonald that the ODP designation does establish a baseline of sorts. However this is of little assistance to me, as I do not have either clear or available evidence as to the extent and scope of that permitted baseline particularly in relation to noise. I do not have data on the previous and current use of the air strip.
411. Ms Baker-Galloway also responded to the issue of scope raised by Ms MacDonald. Ms MacDonald noted in her submissions that the method of a noise management plan was beyond the scope of the WPRA submission.²²³ Ms Baker-Galloway acknowledged that a Noise Management Plan was not explicitly referenced in the WPRA submission but she contended such a management plan would be a method which is fairly and reasonably within the scope of that submission.²²⁴
412. Ms Baker-Galloway also provided dates when the subdivision consent for the Wyuna Preserve was issued being 20 September 2005.²²⁵ However she advised at the time of subdivision and titling, notwithstanding the airstrip was designated, there are no reliable records available as to what level of use existed at the air strip at the time of subdivision or to what extent that use has increased since 2005.²²⁶
413. Skydive²²⁷ sought an expanded footprint for Designation #239. Ms MacDonald referred to the evidence of Mr Buckley in which he seeks to have the designation extended albeit not to the extent as originally sought but to a lesser or smaller footprint.²²⁸
414. Ms Galavazi told me the Council does not have any intention to carry out further development under the designation at the Glenorchy Airstrip.²²⁹ She said the purpose of the designation is simply to provide the necessary planning permission for aircraft to take off and land on the

²²⁰ Supplementary Legal Submissions of Ms Baker Galloway at [2.1]

²²¹ Ibid at [3.9]

²²² See my earlier reference to Beadle

²²³ Legal Submissions of Ms MacDonald at [18].

²²⁴ Supplementary Submissions of Ms Baker Galloway at [4.2].

²²⁵ Ibid at [5.1].

²²⁶ Ibid.

²²⁷ Submitter 23, FS1345

²²⁸ Statement of Evidence of Mr Buckley at section 4.explained that based on his experience as a pilot

²²⁹ Statement of Evidence of Ms Galavazi at [8.33]

runway and the Council has clearly stated in the management plan that one of the objectives for the reserve is to “ensure that the nature, scale and intensity of the use of the airstrip remain generally unchanged”.²³⁰

415. However the submitter Skydive is not the requiring authority and despite the submitter’s views on the scale of an appropriate designation it is only the requiring authority that can increase the scale or scope of its own designation.
416. Ms Galavazi made it very clear in her evidence that QLDC as requiring authority does not seek to extend the designation as sought by Mr Buckley and supported by Ms Jones.²³¹ Ms Galavazi explained further the purpose of the designation as being simply to provide the necessary planning permission for aircraft to take off and land on the runway.²³² Moreover she explained the requiring authority has made it clear particularly through its recently developed management plan that it has no intention to increase the scale and intensity of the strip rather it seeks no change.²³³
417. Ms Balme, Counsel for the QLDC as requiring authority also makes it very clear that it is not seeking to extend the footprint of its designation.²³⁴
418. I acknowledge that Ms Jones does make some compelling points in support of her argument that extending the designation beyond the air strip. In particular, the linkage she made between extending the designation and the achievement of objectives and policies within the PDP related to both support and in growing tourism within the district.²³⁵
419. However even if I had the legal ability or jurisdiction to extend the designation beyond the airstrip doing so in the absence of other steps would only exacerbate issues between airstrip users in residents.
420. I can go no further than what the designating authority seeks so that is an end to that issue.
421. On the matter of scope raised by Ms MacDonald, I agree with Ms Balme’s analysis that on a fair reading of the WPRa submission the relief sought except that relating to the limitation on the purpose of the designation is within the ambit of the original submission.²³⁶ The submission sought controls on noise and the nature and scale of activities at the aerodrome. In my view, development of a noise management plan is within scope. However resolving the scope issue, while of some benefit, is not of great assistance because the requiring authority does not agree or support the relief sought by WPRa.
422. The key issue to be resolved is whether or not additional conditions beyond those advanced by the requiring authority, providing for hours of operation, the other being to control the noise of aircraft over properties are required within the designation or if the management plan is the more appropriate means of addressing effects.
423. I have already observed while I have some assessment of noise effects via evidence and submissions such as the Blanket to Bay submission, all parties who have an interest agreed the

²³⁰ Ibid.

²³¹ Statement of Evidence of Ms Galavazi at [8.33].

²³² Ibid.

²³³ Ibid.

²³⁴ Legal Submissions of Ms Balme at [5.8].

²³⁵ Statement of Evidence of Ms Jones at [7.3].

²³⁶ Legal Submissions of Ms Balme at [5.12].

data is incomplete. I also note this is a “rolled over” requirement meaning that whatever the level of effects are they have been in play for some time. So in my view caution is required so that any conditions both recognise the existing environment and appropriately deal with effects.

424. Ms Galavazi makes what I think is a valid point that if others seek an extension of airport related activities they can seek resource consent.²³⁷ This would enable full consideration of effects. I agree.
425. I agree with her that the hours of operation condition is appropriate because it will other than in the case of an emergency restrict all aircraft flight operations between 8 am and 8 pm. This condition will adequately deal with the residents’ complaint of very early morning operations and evening operations disrupting sleep.
426. The second control is aimed at controlling aircraft operations so that they avoid flying over residents at properties. The ‘*fly neighbourly*’ guideline and what it means and how it works was fully discussed at the hearing. In my view provided it is complied with I agree that this is an appropriate condition which is capable of being enforced to deal with this potential effect.
427. Ms Galavazi did not support WPRA’s submission points seeking additional conditions be imposed on the designation including a restriction on the number of leases or licences that may be granted for use of the airport.²³⁸ Her very clear view was these matters which relate to the intensity of use of the airport, are best addressed through the licence and lease regime under the management plan.²³⁹ She stressed the Council is committed to ensuring that any additional licences will not promote use of the airstrip that goes beyond the established current usage.²⁴⁰
428. Dr Chiles expressed his opinion that it is difficult to establish an appropriate Ldn level of noise that is acceptable to all.²⁴¹ This was due to the nature of the activities at the Glenorchy Airstrip. Therefore he considered controls on the number of movements, flight paths and hours of operation may be an appropriate and I considered a more efficient regulatory response.²⁴² He said in his view the license system in the Reserves Management Plan is an important and effective control measure.
429. Given that the Reserves Management Plan provides this control, Dr Chiles did not see any technical reason why duplicate or additional controls on flight numbers or noise levels should be imposed as designation conditions.²⁴³ He went on to tell me that it is generally preferable to maintain a single place where noise controls are located to provide clarity and efficiency of implementation.²⁴⁴
430. I note Mr Winchester for QLDC as the territorial authority informed me it is the Council’s position that the conditions volunteered by the Council will not result in unnecessary

²³⁷ Statement of Evidence of Ms Galavazi at [8.34].

²³⁸ Ibid at [8.46].

²³⁹ Ibid

²⁴⁰ Ibid at 8.47

²⁴¹ Statement of Evidence of Dr Chiles at [6.3].

²⁴² Statement of Evidence of Dr Chiles at [6.3].

²⁴³ Ibid at [6.5].

²⁴⁴ Ibid.

duplication of the provisions of the Reserves Management Plan, but rather are reasonably necessary in the circumstances, and should be imposed.²⁴⁵

431. I agree with Dr Chiles that the Reserve Management Plan is an effective tool for managing noise. Such Plans are simple and create in my view an effective enforcement mechanism. If licences are breached council will be able to revoke them should the licence holder not comply with its terms. In contrast I agree the process for enforcement under the RMA particularly in relation to noise is arguably not as straightforward as revoking a licence.
432. I consider the two conditions advanced by the requiring authority are appropriate in terms of dealing with the potential effects on the environment of allowing the requirement. I consider those two conditions are appropriate against the existing context of the airstrip operations.
433. In response to the submissions and evidence presented regarding Designation #239, I summarise my decision as follows:
- a. In the face of the requiring authority's position on expansion of the designation I consider I have little choice but to confirm the designation as being restricted to the airstrip.
 - b. For the reasons advanced in the evidence of Ms Galavazi, Dr Chiles and the submissions of Ms Balme, I accept the management plan is the appropriate mechanism to deal with the issues raised by the submitters.
 - c. The Skydive submission²⁴⁶ seeking that the description of the designation is amended to record the reserve classification of the reserve land on which the airport strip sits is accepted. That part of the submission that seeks the designation be extended over the entire parcel of reserve land is rejected for the reasons advanced above.
 - d. The WPRA submission²⁴⁷ that opposed the inclusion of Designation #239 in its current form is rejected for the reasons advanced above. That part of the submission that supports utilisation of the Reserve Management Plan as a mechanism to controlled effects is supported. That part of the WPRA submission that seeks controls particularly on noise is supported in part.
 - e. There is no evidence to support the contention that designating the entire site is necessary for the safe or efficient functioning or operation of public work by the requiring authority which has financial responsibility for this work/activity.
434. Having considered, subject to Part 2, all of the relevant matters under section 168A(3)(a)-(d) pursuant to section 168A (4)(a), I confirm the requirement with the modifications discussed for the reasons traversed above. The modifications are set out in Appendix 1.

26.10. #462 – Storm Water Soak Pit/Waste Water Pump Station

435. Designation #462 relates to a storm water soak pit and waste water pump station at Lake Hawea.
436. Ms Holden advised me that there is a duplication of Designation #462 within Schedule 37.2.²⁴⁸ This designation should in fact be listed as two separate designations, one pertaining to a storm water soakage pit with no associated conditions, and the other a waste water pump station referring to conditions contained within C.17.

²⁴⁵ Legal submissions of Mr Winchester at [4.2].

²⁴⁶ Submitter 23

²⁴⁷ Submitter 744

²⁴⁸ Section 42A Report of Ms Holden at [6.35].

437. Planning Map 17 shows Designation #462 to be located at the end of Nicol Street, Lake Hawea, as described in the site description. However, two annotations should be shown, one pertaining to the soak pit and the other to the pump station.
438. Ms Holden further advised that this duplication has been confirmed as an error by QLDC as requiring authority, who acknowledge that there should be two designations.²⁴⁹
439. Accordingly, Ms Holden recommended to insert an additional designation reference for the Waste Water Pump Station with the reference #586. She further recommended that Designation #586 be included in Planning Map 17.²⁵⁰
440. For the reasons Ms Holden has advanced and after considering, subject to Part 2, section 168A(3)(a)-(d), I confirm this designation as amended under section 168A(4)(a) and as set out in Appendix 1.

26.11. Designation #439 – Kingston Closed Landfill 6.43

441. The purpose for Designation #439, as outlined in the NoR for this site, is to maintain consistency with other closed landfills in the District by formally identifying the closed landfill area.
442. As noted in the table above, Ms Holden identified that Designation #439 is not identified on Map 39 as it was noted in the notified Schedule.²⁵¹
443. Ms Holden explained in the past, QLDC have taken the approach of designating these areas of land to alert the public to their location and potential effects on the environment.²⁵² She noted designating the site will also enable QLDC to undertake future remedial works (if required) without the need to obtain land use consent.²⁵³
444. After explaining the Hazards Register, Ms Holden advised the closed landfill at Kingston is identified as being a potentially contaminated site, with the reference LFL010 as shown in the image within QLDC Hazards Register.²⁵⁴
445. The closed landfill is located within a site that is not owned by the QLDC. Although identified in the schedule, this designation was not identified on Planning Map 39a of the PDP. As such, she recommended that Designation #439 be shown on Planning Map 39a to the extent shown on the QLDC Hazards Register, outlined in Figure 6 of Ms Holden’s Section 42A Report.²⁵⁵
446. I agree for the reasons Ms Holden advanced and after considering, subject to Part 2, section 168A(3)(a)-(d), I confirm this requirement under section 168A(4)(a).

²⁴⁹ Section 42A Report of Ms Holden at [6.3.7].

²⁵⁰ Ibid.

²⁵¹ Ibid at [6.4.3]

²⁵² Ibid at [6.44].

²⁵³ Ibid.

²⁵⁴ Ibid at [6.46].

²⁵⁵ S42A Report of Ms Holden at [6.48].

27. NEW DESIGNATIONS

447. New designations or requirements are the next grouping. These are identified as shown in blue in Appendix A to the Councils designation notification information.
448. Ms Holden told me, that in addition to designations that were rolled over from the ODP, 181 requirements for new QLDC designations were included in the PDP as notified.²⁵⁶ She explained these new requirements relate to land containing public works within the district that QLDC has financial responsibility for, as well as land, water, subsoil is space where a restriction is necessary for the safe or efficient functioning or operation of such a public work.²⁵⁷
449. Ms Holden noted information was publicly available from the date of notification of the PDP.²⁵⁸ Further each new NoR was publicly notified. She further explained these NORs included a description of the site as well as an assessment of potential effects on the environment.²⁵⁹ Where applicable, an assessment of alternative sites was also provided.
450. Ms Holden pointed out that QLDC, as requiring authority, advised that the majority of these new designations are required to identify and protect QLDC's existing engineering infrastructure assets as well as new parks and reserves.²⁶⁰
451. Many of these new designations are placed over sites containing existing infrastructure facilities, often created through subdivision as the District has developed. QLDC seeks to designate these pieces of land to ensure the protection and effective operation of the relevant facilities.²⁶¹
452. Similarly, she advised QLDC wishes to designate a number of reserves that have recently been vested in QLDC through subdivision in order to ensure their protection and operation into the future.²⁶²
453. Ms Galavazi also detailed within her evidence the reasons why QLDC as requiring authority wished to include these new requirements in the PDP. In terms of reserves, she explained reserves had been created primarily as a consequence of subdivisions and a related condition of a resource consent.²⁶³ Including requirements for these reserves allowed the identification of the reserve enabling it to be protected from use or activities that would hinder or detract from its use for research purposes. Designating also allowed the Council to undertake any necessary upgrading or maintenance works to allow for the continued enjoyment of this land as a reserve into the future.
454. Designating in this way she said by including these reserves in the district plan provides a consistent planning framework through which works associated with the management of the

²⁵⁶ Section 42A Report of Ms Holden at [6.1].

²⁵⁷ Ibid at [4.3].

²⁵⁸ Section 42A Report of Ms Holden at [4.4].

²⁵⁹ Ibid.

²⁶⁰ Ibid at [6.2].

²⁶¹ Ibid at [6.3].

²⁶² Ibid at [6.4].

²⁶³ Statement of Evidence of Ms Galavazi at [5.2].

reserves can be undertaken.²⁶⁴ She explained because there is generally no applied open space or similar zone for reserves in the district this consistent planning framework is absent.²⁶⁵

455. Ms Galavazi explained such designations facilitates maintenance works in reserves including upgrade or construction of existing and future proposed reserve facilities in the underlying land zonings would not allow for such activities.²⁶⁶ Designations avoid the need for the requiring authority to seek numerous resource consents. On the other hand designations would limit the activities that might occur on reserve land when the land's underlying zoning may not appropriate legal limit such activities. Also designations afford a layer of protection for public land in that external parties must not carry out any works on the reserve without the requiring authority's permission. Finally such designations provide the public with a measure of certainty as to the limited nature of the activities envisaged for the future.
456. For community facilities, Ms Galavazi explained in her evidence the designation of these facilities including community buildings and fire stations enables the ongoing operation of these community activities and their associated buildings and structures and allow for maintenance and upgrade with the Council is responsible for such work.²⁶⁷ In the case of fire stations in particular they enable provision for community health and safety.²⁶⁸
457. Turning to informal recreation reserves, Ms Galavazi explained these reserves provide for an informal recreation spaces, open spaces that range from walkways beautification of roadsides playgrounds and larger reserves that protect landscape and ecological values.²⁶⁹ In addition these reserves serve visual amenity purposes and provide for recreation and general enjoyment of the environment. Buildings and structures on these reserves are limited to those that support informal recreation and are generally small scale community buildings and structures.
458. These designations enable the achievement of the beautification objectives and facilitate informal recreation activities as well as providing for the maintenance and upgrade of facilities, buildings and structures where the Council is responsible for the work. These reserves provide for the protection and enhancement of natural values. Ms Galavazi explained these designations control and limit the use of the land.²⁷⁰ This was important she said because without the designation to limit that use these areas would be capable of much greater development where that development was inconsistent with the intent of informal recreation reserves.²⁷¹
459. Ms Balme when undertaking her section 168A(3)(b) assessment points out all of the facilities and reserve assets which are proposed to be subject to the new requirements are constructed and operated. Therefore the environmental effects associated with the inclusion of the designations in the PDP would be limited if any at all. Subject only to the need to place conditions on some requirements discussed below I agree and accept that evidence.²⁷²

²⁶⁴ Ibid at [5.5].

²⁶⁵ Ibid at [5.6].

²⁶⁶ Ibid.

²⁶⁷ Ibid at [6.3]

²⁶⁸ Ibid at [6.2].

²⁶⁹ Statement of Evidence of Ms Galavazi at [7.2]

²⁷⁰ Ibid at [7.3]

²⁷¹ Ibid.

²⁷² Legal Submissions of Ms Balme at [3.5].

460. Ms Balme made it clear in her submissions the designation relates to the operation of either the facility or reserve asset.²⁷³ This includes and allows council to undertake routine maintenance upgrades and repair work where necessary. However any significant work on these facilities beyond the purpose of the requirements that are under consideration now would require she said additional planning approvals and associated assessment of potential effects.²⁷⁴ I accept that submission.
461. In relation to adequate consideration of alternate sites routes or methods of undertaking the work Ms Balme pointed out such an assessment of alternatives is a requirement if the Council does not have an interest in the land to which a proposed designation relates sufficient for undertaking the work, or it is likely that the work would have significant adverse effects on the environment.²⁷⁵ She informed me that all of the new designations relating to reserves that are proposed to be included in the PDP relate to land the Council owns. She also confirmed the Council generally owns the land to which the proposed infrastructure designations relate.²⁷⁶ She informed me where it does not alternatives are addressed in both Appendix C to the NoR and within Ms Moogan's evidence.²⁷⁷
462. I record I have considered where relevant to both Appendix C and Ms Moogan's evidence and I accept and agree as provided in those assessments that primarily because the facilities are constructed and operated the designation path is the most practical and efficient instead of for example moving the facilities to alternate locations or commissioning alternate or new facilities.
463. I note that in respect of the Wanaka Airport which I returned to subsequently there is a small parcel of privately owned land that is required to be designated to ensure the airport can achieve Code C clearance. I will return to that matter later.
464. In relation to section 168A(3)(a) considerations, Ms Balme referred me to the evidence of Ms Moogan and Ms Galavazi to support her submission that the planning provisions relevant to the proposed new designations are consistent with the intended outcomes of these provisions.²⁷⁸ Having read and considered that evidence I accept both that evidence and that submission.
465. Ms Balme submitted, and I accept, that a proper analysis of the Council's designation notification information and the evidence presented by Ms Moogan and Ms Galavazi confirmed that the proposed new designations are necessary²⁷⁹ in terms of section 168A(3)(c). She said the designations will achieve the Council's objectives of formally identifying and protecting these important infrastructure and reserve assets from adverse land uses or activities locating on or nearby the land to which they relate to and providing for the ongoing operation, maintenance and upgrading of these facilities.²⁸⁰
466. Ms Balme further submitted that relevant Part 2 matters are assessed in the QLDC notification information and within the evidence of Ms Moogan and Ms Galavazi's evidence.²⁸¹ Simply put

²⁷³ Ibid at [3.6].

²⁷⁴ Ibid.

²⁷⁵ Ibid at [3.8].

²⁷⁶ Legal Submissions of Ms Balme at [3.9].

²⁷⁷ Ibid.

²⁷⁸ Ibid at [3.7].

²⁷⁹ Ibid at [3.12].

²⁸⁰ Ibid at [3.3].

²⁸¹ Ibid at [3.14].

the continued operation of these infrastructure and reserve assets will enable the social and cultural well-being of the district's community and provide for the efficient use and development of natural and physical resources and the maintenance and enhancement of the quality of the environment. I accept both those submissions and that evidence and I am accordingly satisfied that Part 2 matters have both been appropriately addressed and provided for.

467. Ms Balme pointed out because all of the facilities and reserve assets proposed to be subject to the new requirements are already constructed and operating, the environmental effects of allowing the requirements would be limited, if any.²⁸²
468. While I have considered the individual notices I consider it appropriate that I adopt Ms Balme's submissions in terms of both Part 2 matters and the extent and scale of effects on the environment of allowing the requirements. Also I accept the evidence of Ms Moogan and Galavazi in relation to the relevant planning provisions, effects on the environment and that the works are reasonably necessary for achieving the objectives of the requiring authority. Therefore I am satisfied with the adequacy of QLDC considerations of section 168A(3)(a) – (d) matters.
469. So for these new designations, in my view they meet and satisfy, Part 2 matters, the considerations set out in section 168A(3)(a) – (d) and in terms of section 168A(4), I confirm those requirements as they are now included in the revised schedule 37.2 attached to this decision as Appendix 1.

27.1. Conditions for new Designations

470. QLDC also sought to designate a number of new sites, without volunteering any associated conditions to avoid, remedy or mitigate effects on the environment of allowing the requirement.
471. In some instances, due to the purpose of the designation, Ms Holden considered this to be an acceptable approach and consistent with the approach taken for similar designations rolled over from the ODP.²⁸³ Designations that she did not consider need conditions to mitigate adverse effects include designations for the following purposes:²⁸⁴
- a. stormwater detention and treatment;
 - b. soakage pits and soakage ponds;
 - c. water reservoirs;
 - d. landfills;
 - e. local purpose reserves – esplanade, access, walkway, pedestrian, beautification, scenic, car park, gravel, cemetery, drainage, road, public well, tree planting;
 - f. historic reserves; and
 - g. segregation strips.
472. She considered it unnecessary to have conditions attached to designations for these purposes mainly because built form is not usually associated with these purposes.²⁸⁵
473. Additionally, for reserves classified as local purpose under the Reserves Act there is an added layer of protection afforded in that the Reserves Act requires these reserves to be

²⁸² Ibid at [3.5-3.6].

²⁸³ Section 42A Report of Ms Holden at [6.6].

²⁸⁴ Ibid.

²⁸⁵ Ibid at [6.7].

administered and maintained to the extent compatible with their primary purpose, as specified in its reserve classification.

474. I agree in both instances. I do observe I have reviewed these new designations that do not include conditions and I conclude for the reasons advanced by Ms Holden and on reliance of the submissions of Ms Balme and the evidence of Ms Moogan and Galavazi that both Part 2 matters and the considerations set out in section 168A(3)(a)-(d) are appropriately provided for and in accordance with section 168A(4), I confirm these requirements as set in Appendix 1.
475. However, in some instances, Ms Holden considered the imposition of conditions on QLDC designations for utility or reserve functions is appropriate in order to maintain the anticipated amenity values of the underlying zone.²⁸⁶ Including conditions within these designations would also be consistent with other QLDC designated sites that have the same purpose and that have been rolled over from the ODP. I agree.
476. To assist she grouped these designations into two categories being:
- a. Recreation reserves; and
 - b. Utilities involving noisy structures e.g. pump stations.

27.2. Recreation Reserves

477. Ms Holden explained that an activity or structure could potentially occur or be built within a recreation reserve on the assumption it was consistent with the Reserves Act.²⁸⁷ Given this, she considered it appropriate conditions be included in all designations relating to recreation reserves.²⁸⁸
478. Essentially the conditions were directed at a properly managing the bulk and location of any building while managing activities that may lead to adverse effects on neighbouring properties. I consider that approach is appropriate because that is the most likely issue arising from designations of this type.
479. Conditions within Part B of chapter 37 relate to the following matters:
- a. setbacks from roads and neighbours;
 - b. maximum building height;
 - c. site coverage;
 - d. access and parking;
 - e. impervious surface;
 - f. glare limitations;
 - g. noise; and
 - h. hours of operation.
480. Ms Holden helpfully included a table which summarised the designations which she recommended these conditions be added to.²⁸⁹ I have replicated that table below.

No.	Designation Purpose	Conditions
492	Local Purpose Reserve	B
493	Reserve for Public Purposes	B

²⁸⁶ Ibid at [6.8].

²⁸⁷ Section 42A Report of Ms Holden at [6.10].

²⁸⁸ Ibid.

²⁸⁹ Ibid at [6.14].

494	Local Purpose Reserve (Public Hall)	B
495	Cardrona Hall Toilets	B
522, 523, 524	Recreation Reserve, Local Purpose Reserve (Child Care Centre), Local Purpose Reserve (Education)	B
532	Glenorchy Fire Station	B
533	Glenorchy Town Hall	B
561	Recreation Reserve	B
562	Local Purpose Reserve	B

481. Ms Galavazi²⁹⁰ and Ms Balme²⁹¹ on behalf of the requiring authority also agreed with Ms Holden’s recommended conditions as being appropriate.
482. In addition to this, QLDC²⁹² submitted to amend condition 8 which is relevant for reserves in the district. Condition 8 of the Part B conditions seeks to limit the effects of lighting on reserves, setting limits on the light spill and requiring that *“all exterior lighting shall be directed away from adjacent properties and roads”*.
483. The QLDC submission sought to add the words *“and the night sky”* to this sentence to further limit the impact of any lighting.²⁹³ I accept this submission and confirm that condition 8 will assist in ensuring effects on the environment of allowing the requirement are appropriate by requiring external lighting to be directed away from the night sky.
484. For the reasons advanced by Ms Holden, I agree after consideration of section 168A(3)(a)-(d), including Part 2 that inclusion of Part B conditions and the amended condition 8 on these designations will ensure that the effects on the environment of allowing these requirements is appropriate. That being the case, I confirm these designations inclusive of conditions under s168A (4) as set out in Appendix 1.
- 27.3. Designations #522, #523 and #524 - Recreation Reserve, Local Purpose Reserve (Child Care Centre), Local Purpose Reserve (Education)**
485. In addition to including Plan B Conditions (as above), Ms Holden pointed out that the area of land identified on Planning Map 35 in relation to Designations #522, #523 and #524 does not match that identified in the NoR for these designations.²⁹⁴
486. Ms Holden confirmed for me, however, that the legal descriptions provided in Schedule 37.2 match those within the NoR pertaining to these sites.²⁹⁵ She included figures in her Section 42A Report to illustrate the difference between the areas identified in the Schedule and the areas depicted on the planning maps. It is clear these do not match, and that Planning Map 35 should be amended to reflect the legal descriptions for the designations.
487. I agree for the reasons Ms Holden advanced that Planning Map 35 should be amended as she recommended.
488. For the reasons advanced by Ms Holden, I agree after consideration of section 168A(3)(a)-(d), including Part 2 that inclusion of Part B conditions within these designations will ensure that

²⁹⁰ Statement of Evidence of Ms Galavazi at [9.2].

²⁹¹ Legal Submissions of Ms Balme at [4.2].

²⁹² Submitter 383

²⁹³ Submitter Point383.91

²⁹⁴ Ibid at [6.28].

²⁹⁵ Ibid.

the effects on the environment of allowing these requirements is appropriate and the amendment to Planning Map 35 is required for accuracy. That being the case, I confirm these designations inclusive of conditions under section 168A(4) as set out in Appendix 1.

27.4. Designation #532 (Glenorchy Fire Station)

489. As above, in addition to including Plan B Conditions for these designations, Ms Holden also advised me of a mapping error relating to Designation #532. Although the correct site is identified as being designated, the annotation for Designation #532 is missing from Planning Map 25. As such, she recommended that this minor mapping error be corrected, as shown in her Figure 3 of her Section 42A Report.²⁹⁶

490. I agree for the reasons she advances that Planning Map 25 should be amended as she recommends.

491. For the reasons advanced by Ms Holden, I agree after consideration of section 168A(3)(a)-(d), including Part 2, that inclusion of Part B conditions within these designations will ensure that the effects on the environment of allowing these requirements is appropriate and the amendment to Planning Map 25 is required for accuracy. That being the case I confirm these designations inclusive of conditions under section 168A(4) as set out in Appendix 1.

27.5. Designations #526, #528 and #529 – Civic Offices

492. The purpose of these designations is “Civic Offices”. The NoR states that the requiring authority, being QLDC, is the landowner. The site is already being utilised for its proposed purpose with QLDC presently operating from the existing offices on these land holdings. The proposed designation will enable QLDC to clearly identify the land incorporating the land into a formal designation.

493. Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited²⁹⁷ submitted requesting the removal of Designation #527 as it “*appears to be in part over the submitters land*”.²⁹⁸ The NoR and the PDP record the legal descriptions for the land to which the designation pertains, and as confirmed in the NoR – QLDC are the landowner. For these reasons, I reject this submission.

494. QLDC’s submission seeks to merge Designations #526, #528 and #529 to create one designation covering three parcels of land, being identified as Designation #527.²⁹⁹ Ms Holden recommended that, in this respect, the submission of QLDC be accepted.³⁰⁰ She advised that this approach is consistent with other designations that cross multiple pieces of land elsewhere in the district.³⁰¹ It also provides more clarity she said as these three designations as notified are for the same purpose (Civic Offices).³⁰² I agree and accept this submission.

495. Using one single designation – being #527 as requested by QLDC – will make the location clearer on Planning Maps for this designation, rather than having separate designations shown in the same area. This may also go some way to addressing the concern of submitter 394 discussed above.

²⁹⁶ Section 42A Report of Ms Holden at p15.

²⁹⁷ Submitter 394 supported by FS1117.50 insofar as it integrates PC50.

²⁹⁸ Submitter Point 394.3 opposed by FS1117.

²⁹⁹ Submission Point 383.90.

³⁰⁰ Section 42A Report of Ms Holden at [6.18].

³⁰¹ Section 42A Report of Ms Holden at [6.18].

³⁰² Ibid.

496. Ms Holden also advised that no conditions have been volunteered by QLDC for Designations #526, #528 and #529.³⁰³ The NoR states that the purpose of this designation is to clearly identify the affected land to the community, offering certainty regarding the expectations for use of this land. In the absence of conditions however, she considered no certainty is provided regarding the scale, design and location of any future building or use of land if this site was to be redeveloped.
497. While recognising the importance of the Civic Offices, she noted that the assessment of the potential effects on the environment contained within the NoR does not take into consideration effects of redeveloping this site, noting that the Civic Offices already exist and operate from the site. Therefore she explained the NoR concludes that designating the site will result in negligible potential adverse effects on the environment.
498. While she agreed with this assessment in so far as the existing built form is already established she is concerned this assessment does not take into consideration potential future redevelopment of the site in accordance with the designation purpose.
499. Subject to consideration of evidence from QLDC as requiring authority as to the need for such conditions, Ms Holden recommended that it may be appropriate to attach conditions such as those which she suggested at C.83 of the revised chapter at Appendix 1.
500. Neither Ms Galavazi in her evidence nor Ms Balme in her legal submissions accepted Ms Holden's recommendation that conditions were appropriate for this designation. Ms Galavazi considered that the justification for the conditions, namely that they should be imposed on this designation to ensure that the bulk and location of any future building is in keeping with the town centre zone provisions was not justified.³⁰⁴ She pointed out that designations are sought to allow activities to occur within the zone that would ordinarily not anticipate such activities.³⁰⁵
501. Ms Galavazi further recorded that should the Council acting as a requiring authority decide to undertake further development on the site then the Council acting as a territorial authority would retain the opportunity to make changes to an outline plan if it considered the effects of any such development were not acceptable.³⁰⁶
502. I agree with Ms Galavazi for the reasons she advances. So I do not consider conditions of the sort recommended by Ms Holden are required to address effects on the environment of allowing the requirement as the relevant buildings are built. As to change and possible future effects I agree with Ms Galavazi such matters are appropriately dealt with utilising an outline development plan process.
503. I note that Ms Galavazi supports combining the three designations into one.³⁰⁷ I agree this is appropriate based on the information supporting combination supplied by QLDC as requiring authority, and the advice of Ms Holden.

³⁰³ Ibid at [6.19].

³⁰⁴ Statement of Evidence of Ms Galavazi at [9.7].

³⁰⁵ Ibid.

³⁰⁶ Statement of Evidence of Ms Galavazi at [9.8].

³⁰⁷ Ibid at [9.9].

504. I note that Ms Balme in her legal submissions accepts³⁰⁸ the correction to the references and mapping errors both of which have been identified by Ms Holden.

505. Being satisfied that the matters set out in section 168A(3)(a) through (d) have been appropriately provided for especially taking into account the recommendations of Ms Holden relating to combining the three designations into one and correction of the references and mapping errors pursuant to section 168A(4)(a), I confirm that the requirement as set out in schedule 37.2 attached as Appendix 1.

27.6. Utilities

506. In relation to utility infrastructure, Ms Holden noted that sewage stations, water pump stations and water takes have the potential to cause adverse noise effects on sensitive receiving environments such as residential activities.³⁰⁹

507. To address these effects she recommended condition C.17 apply to all new designations to mitigate any adverse noise effects on these environments are by imposing noise limits.³¹⁰ She provided a revised chapter which makes the recommended changes to these utility designations. Condition C. 17 reads Noise:

a. *Sound shall be measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 and shall not exceed the following noise limits at any point within the notional boundary of any residential unit:*

i *daytime (0800 to 2000 hrs) 50 dB LAeq(15 min)*

ii *night-time (2000 to 0800 hrs) 40 dB LAeq(15 min)*

iii *night-time (2000 to 0800 hrs) 70 dB LAFmax (b) The noise limits in (a) shall not apply to:*

- *Construction sound which shall be assessed in accordance and comply with NZS 6803:1999.*
- *The use of an electricity generator for emergency use.*

508. Ms Moogan agreed with Ms Holden for consistency purposes the inclusion of such a condition would be appropriate.³¹¹ She did make the point that infrastructure of the type identified by Ms Holden did not in her view generate significant amounts of noise such that the levels in the proposed condition would not be met.³¹² Nevertheless she supported inclusion of the noise condition.

509. I agree for the reasons advanced by Ms Holden and supported by both Ms Balme and Ms Moogan that condition C.17 be added to the relevant new utility designations that were notified without these conditions. Doing so will ensure noise effects on the environment of allowing the new utility designations are appropriate.

510. Being satisfied subject to Part 2 that the matters set out in section 168A(3)(a) through (d) have been appropriately provided for especially taking into account the recommendations of Ms Holden relating to the noise condition described above pursuant to section 168A(4)(a) I confirm that the requirement as set out in schedule 37.2 attached as Appendix 1.

³⁰⁸ Legal Submissions of Ms Balme at [4.4].

³⁰⁹ Section 42A Report of Ms Holden at [6.15].

³¹⁰ Ibid.

³¹¹ Statement of Evidence of Ms Moogan at [8.6].

³¹² Ibid.

27.7. Submissions on Designations.

511. Some of these new designations were the subject of submission by either QLDC as requiring authority and or members of the public. I will now discuss designations which attracted submissions and discussion and make my decisions accordingly.

28. CLOSED LANDFILLS

28.1. Designation #428 – Glenorchy Closed Landfill

512. Designation #428 relates to the closed landfill site within the Glenorchy Township. The NoR for this designation states that condition 2 of Otago Regional Council (ORC) discharge permit 13.396.01 requires that the closed landfill area be recorded in the PDP.

513. Ms Holden advised that Condition 2 of discharge permit 13.396.01 states:

The consent holder shall ensure that the site is recorded in the Queenstown Lakes District Plan as a “closed landfill”

514. Although this condition of the discharge permit does not state that the site is to be ‘designated’, to accord with the approach taken for other closed landfills throughout the district, QLDC has chosen to identify this site as a new designation within the PDP. Designating land is an additional mechanism to bring to the attention of future land owners or a planning officer that this potentially hazardous activity is located within this site.

515. As outlined above, the closed landfill is identified on the QLDC’s Hazards Register. This register also alerts current and future landowners to a potentially contaminated piece of land, or land which is subject to risk from a natural hazard.

516. On this register, the area of land comprising the closed landfill is referenced as ‘LFL011 (Former Glenorchy Landfill)’.

517. Cabo Limited³¹³ (Cabo) submitted requesting that this designation be refined to accurately depict the area and extent of the former landfill within their site, given that the location of the designation does not marry up with the extent of the closed landfill which is more accurately depicted on the QLDC Hazard Maps.³¹⁴

518. Similarly, Island Capital Limited³¹⁵ (Island Capital) sought changes to Designation #428 in so far as the extent to which Planning Map 25 shows this designation covering its land.³¹⁶ As for the relief sought by Cabo described above, the Island Capital submission requests that the area of Designation #428 is reduced to align with the extent of the closed landfill shown on the QLDC Hazard Map depicted within the red hashed line within Figure 8 of Ms Holden’s report.

519. Island Capital Limited included a Preliminary Site Investigation (PSI) prepared by Glen Davis of Davis Consulting Limited with its submission. This PSI confirms that landfill sites are an activity identified on the Hazardous Activity and Industries List (HAIL). The PSI also refers to the QLDC’s Hazards Register which identifies the former landfill as reference LFL011.

³¹³ Submitter 481

³¹⁴ Submission Point 481.

³¹⁵ Submitter 769

³¹⁶ Submission Point 769.1

520. Based on the evidence provided by Island Capital and the record within the QLDC Hazard Register relating to the site, Ms Holden recommended the Island Capital Limited submission be accepted in part and the Cabo submission be accepted.³¹⁷ She further recommended that the Designation #428 annotation on Planning Map 25 be amended to accurately depict the extent of the closed landfill, as identified on the QLDC Hazard Map.³¹⁸
521. I agree with Ms Holden’s recommendations for the reasons she advanced and therefore Island Capital Limited submission is accepted in part and the Cabo submission is accepted.
522. Being satisfied subject to Part 2 that the matters set out in section 168A(3)(a) through (d) have been appropriately provided for especially taking into account the recommendations of Ms Holden pursuant to section 168A(4)(a) I confirm that the requirement as set out in schedule 37.2 attached as Appendix 1.
- 28.2. Designation # 429 - Luggate Closed Landfill**
523. As part of the notification of the PDP, the QLDC lodged a NoR for the closed landfill at Luggate, a site which is not currently designated in the ODP. Condition 3 of ORC consent 11.029.013 requires the site to be identified in the District Plan as a closed landfill. Condition 3 states:
- “The consent holder shall ensure that the site is recorded in the Queenstown Lakes District Plan as a ‘closed landfill’.*
524. The QLDC Hazard maps identify the closed landfill area with the reference LFL013 (Former Luggate Landfill). The purpose of this designation is to comply with the ORC Discharge Permit and to provide an additional mechanism to bring to the attention of Planning Officers or future landowners its existence. Figure 9 in Ms Holden’s Section 42A Report³¹⁹ showed the extent of the closed landfill within the QLDC Hazards Register using the red dashed line.
525. Wakatipu Holdings Limited³²⁰ sought relief in the form of correctly mapping the extent of the closed landfill on their land.³²¹ Currently Planning Map 11 identifies the whole of Lot 1 DP300025 as being designated. This does not align with the QLDC Hazard Maps which depicts only the area which the closed landfill occupies as being potentially contaminated.
526. Ms Holden recommended that the Wakatipu Holdings Limited submission is partly accepted to the extent that Designation #429 (Luggate Closed Landfill) is correctly mapped to correlate with the QLDC hazard register.³²²
527. Ms Moogan³²³ confirmed QLDC no longer sought inclusion of the proposed designations relating to Glenorchy, Luggate and Kingston closed landfills.³²⁴ She explained QLDC was seeking fresh designations in order to first formally identify the subject sites to landowners and the public so that they would be aware of the potential associated effects.³²⁵ Finally this would allow Council to undertake any necessary remedial works without requiring any

³¹⁷ Section 42A Report of Ms Holden at [7.84].

³¹⁸ Ibid.

³¹⁹ Section 42A Report of Ms Holden at p39.

³²⁰ Submitter 314

³²¹ Submission Point 314.1 opposed by FS1309.1

³²² Section 42A Report of Ms Holden at [7.88].

³²³ On behalf of QLDC as requiring authority

³²⁴ Statement of Evidence of Ms Moogan at [7.3, 7.8].

³²⁵ Ibid at [7.4].

additional resource consents.³²⁶ She also observed that identification is a requirement of the Otago Regional Council discharge permits for each of the closed landfills.³²⁷

528. Ms Moogan explained it is QLDC's intention to seek secure access to the sites for the purpose of maintenance and remedial works by way of agreements with the relevant owners.³²⁸
529. Ms Moogan further explained any remedial works will likely require resource consents under the national environmental standard for assessing and managing contaminants in soil to protect human health and under the Otago Regional Plan.³²⁹ She explained a designation in the PDP cannot circumvent these requirements.
530. The position of QLDC, Ms Moogan put forward is that she requests that I do not confirm the designations but instead decide that a notation on the planning maps which accords with the location of the closed landfills as provided for in the Hazard maps is appropriate.³³⁰ She considers a notation is an appropriate mechanism to both advise the public of the existence of the landfills and ensure compliance with the Regional Council discharge permits.³³¹
531. Ms Balme in her legal submissions set out the process to be followed to achieve the outcome Ms Moogan requested.³³² I agree with her assessment that I have a scope available to remove these designations for Glenorchy and Luggate by virtue of the Island Capital Limited submission³³³ and the Wakatipu Holdings Limited submission.³³⁴
532. I also agree that the correct process is for the designations to be withdrawn rather than modified and then replaced with a non-regulatory planning notation on the relevant district plan.
533. In respect of the Kingston closed landfill Ms Balme advised me that QLDC agrees with the reporting officer's recommendation that the landfill be noted on the planning map to correct a mapping error. However Ms Moogan recorded that QLDC is no longer pursuing the Kingston closed landfill designation and instead it considers that a simple notation on the planning map will be sufficient to satisfy the requirements of its discharge permits as well as alerting members of the public.³³⁵
534. QLDC, as requiring authority considers this to be the correct course for all three closed landfill designations and seeks that I utilise my discretion under clause 9(2) of Schedule 1 to the RMA to implement this approach.
535. Mr Winchester submitted that, upon receiving notice of a withdrawal of a designation the Council, as regulatory authority, is required to remove that designation from the PDP without using the Schedule 1 process.³³⁶ However, as the requiring authority has notified the Panel of this matter through its evidence and has not provided formal notice of withdrawal there would

³²⁶ Statement of Evidence of Ms Moogan at [7.4].

³²⁷ Ibid.

³²⁸ Statement of Evidence of Ms Moogan at [7.6].

³²⁹ Ibid at [7.4].

³³⁰ Ibid at [7.5, 7.9].

³³¹ Ibid at [7.5].

³³² Legal Submissions of Ms Balme at [5.29 to 5.37].

³³³ Submission 769.

³³⁴ Submission 314.

³³⁵ Statement of Evidence of Ms Moogan at [7.8].

³³⁶ Legal Submissions of Mr Winchester at [7.4].

be nothing to prevent the Panel from making a decision to withdraw the designations in accordance with s 168A(4)(d) of the RMA.³³⁷

536. I agree taking into account the evidence of the submitters and their accompanying legal submissions and the evidence of QLDC as requiring authority and its related legal submissions it is appropriate for me to exercise my discretion under clause 9(2) of schedule 1 of the RMA and to withdraw the designations in accordance with section 168A(4)(d) of the RMA. This decision is provided for in Appendix 1.
537. In terms of the Island Capital Limited³³⁸ and Wakatipu Holdings Limited³³⁹ submissions they are accepted.

29. QLDC ROADS

29.1. Deeming provisions and Stopped Roads

538. The first paragraph of Section 'A Roads', located on page 37-42 of the PDP, makes the following statement: *"All Queenstown Lakes District Council Roads are deemed to be designated for the purpose of road."*
539. This section & the next section have been overtaken by Variation 2 – see page 87 of the notified Transport chapter (change to Chapter 37). Clause 16B means that any submissions on these sections will be heard in the variation and cannot be dealt with now.
540. Prior to that above advice and after considering Ms Holden recommendations and the submissions of Ms Balme and Mr Winchester I reached certain outcomes on these provisions resulting in various deletions. Accepting I cannot now make a decision on these two matters I nevertheless identify in greyed out text to indicate the provision is subject to variation and is therefore not part of my recommendation or decision.

30. CONCLUSION

541. On the basis of my consideration of the evidence, legal submissions and submission on the PDP in accord with my delegation my decision pursuant to section 168A(4) is to confirm, modify and impose conditions on the QLDC designations considered in Part 2 of this decision as more particularly expressed within the revised chapter in Appendix 1 attached to and forming part of this decision.
542. The reasons are changes will improve the clarity and administration of the Plan; contribute towards achieving the objectives of the Plan and Strategic Direction goals in an effective and efficient manner are subject to Part 2 in accord with section 168A(3)(a)-(d) and give effect to the purpose of the RMA as set out in section 5.

For the Hearing Panel:



Paul Rogers, Chair - Dated 20 April 2018

³³⁷ Ibid.
³³⁸ Submitter 769.
³³⁹ Submitter 314.

PART 3: AIRPORT DESIGNATIONS

31. AIRPORT DESIGNATIONS

31.1. Background

543. The final part in my decision report focuses on Designations #2 (Aerodrome Purposes) and #4 (Airport Approach and Land Use Controls) both at Queenstown Airport and Designations #64 (Aerodrome Purposes) and #65 (Airport Approach and Land Use Controls) at Wanaka Airport.

544. QAC (Queenstown Airport) is responsible for Designation #2 and #4 and QLDC (Wanaka Airport) is responsible for Designations #64 and #65. They are the respective authorities responsible for these designations. Both authorities confirmed that these designations should be rolled over from the ODP to the PDP with modifications.

31.2. Relevance of Recommendations in the PDP

545. Chapter 17 provides the framework for activities within both the Queenstown and Wanaka Airports. The parties who have submitted and subsequently presented evidence at this hearing, have also been privy to the section 32 assessments, Council Reports and submitter evidence relating to similar issues at the Chapter 17 hearing. The Stream 1B hearing which addressed Chapters 3, 4 and 6 are also relevant as they provide the strategic direction of the Council in governing the district.

546. Taking into account, I consider that the parties were alive to the underlying issues in the airport zones for Wanaka Airport (WAZ) and Queenstown Airport (QAZ) which are similar to those requiring consideration in the airport designations. Also it follows that if the designation is a more permissive planning regime, that the same issues and effects would be relevant to those considerations.

31.3. Approach to Decision

547. For the designations at Queenstown Airport where QAC is the requiring authority, I will consider the matters set out in section 171, make a recommendation in accord with section 171(2) and provide reasons under section 171(4) of the RMA. QAC, as requiring authority will then make a decision to accept or reject my recommendation pursuant to section 172(1) of the RMA.

548. For Wanaka Airport, the requiring authority for Designations #64 (Aerodrome Purposes) and #65 (Approach and Land Use Controls (transitional slopes and surfaces)) is QLDC. I have delegated authority to consider these designations under section 168A(3) and make decisions on behalf of QLDC pursuant to section 168A(4) of the RMA.

549. I will first discuss Wanaka Airport and its designations #64 and #65 before moving on to Queenstown Airport and Designation #2 and #4.

31.4. Structure of the decision

550. I structure this part of my decision based on the approach that was adopted by the Board in the Basin Bridge decision, as follows³⁴⁰:

[a] To identify and set out the relevant provisions of the main RMA statutory instruments that we must have particular regard to under Section 171(1)(a), and the relevant provisions of the

³⁴⁰ Final Report and decision of the Board of Inquiry into the Basin Bridge Proposal Ministry for the Environment, Board of Inquiry, August 2014 at [199].

main non-RMA statutory instruments and non-statutory documents that we must have particular regard to under Section 171(1)(d);

[b] To consider and evaluate the adverse and beneficial effects on the environment informed by the relevant provisions of Part 2; the relevant statutory instruments; and other relevant matters being the relevant conditions and the relevant non-statutory documents;

[c] To consider and evaluate the directions given in Section 171(1)(b) as to whether adequate consideration has been given to alternative sites, routes or methods of undertaking the work;

[d] To consider and evaluate the directions given in Section 171(1)(c) as to whether the work and designation are reasonably necessary for achieving the objectives for which the designation is sought; and

[e] In making our overall judgment subject to Part 2, to consider and evaluate our findings in (a) to (d) above, and to determine whether the requirement achieves the RMA's purpose of sustainability.

551. This is consistent with the NoR's assessment of effects and legal submissions covering section 171/168 matters received during the hearing. Note, that where the text above refers to section 171, with regard to Wanaka Airport, I will be referring to section 168A.

32. WANAKA AIRPORT – DESIGNATION #64

552. QLDC as Requiring Authority has sought to roll-over two existing designations for Wanaka Airport into the PDP, with some modifications. They are Designation #64 (Aerodrome Purposes) and Designation #65 (Airport Approach and Land Use Controls).
553. In the sections that follow I will provide an overview of the current and possible future Wanaka Airport operations and the existing designations in the ODP. I will then discuss the modifications sought by QLDC for the purpose of identifying the project.

33. GENERAL SUBMISSIONS

554. A general submission³⁴¹ was received by QAC in support of Designation #64, subject to their suggested amendments. I partly accept this submission as there are some additional modifications that I propose in addition to the notified NoR.
555. RPL³⁴² and QPL³⁴³ submitted in opposition to all amendments that are inconsistent with Plan Change 35. Where relevant I will discuss these further submissions, however often the further submission point has been recorded against all submissions for Queenstown Airport and they are not always relevant. In these cases, I will not discuss the further submission, however will record the further submission in my footnotes.

³⁴¹ Submission Point 433.122 opposed by FS1097 and FS1117.

³⁴² FS1117

³⁴³ FS1097

34. PRELIMINARY MATTERS

34.1. Overview of Current and Possible Future Wanaka Airport Operations

556. Wanaka Airport is located between Wanaka and Luggate and is accessed from State Highway 6 (SH6) via Spitfire Lane. Spitfire Lane (a public road administered by Council, but used for internal access to buildings at the airport - on QLDC land) is located on the southern side of the designated site and runs along the boundary in a roughly east to west direction of the designation (running parallel to SH6).
557. Ms Balme presented legal submissions³⁴⁴ relating to both Designation #64 and #65 on behalf of QLDC as requiring authority, explaining that Wanaka Airport is one of the Council's existing strategic assets. It was transferred into the ownership of the Council in 1990. In the past, overall management of the airport was delegated to a committee of councillors (the Wanaka Airport Management Committee (WAMC)), however day-to-day operation is now delegated to Queenstown Airport Corporation (QAC), of which QLDC is the majority shareholder (75.1%).
558. Ms Balme informed me the current and future role of Wanaka Airport has been identified in the Astral Report³⁴⁵ as being a complementary and supplementary facility to Queenstown Airport, able to accommodate aircraft spill-over from Queenstown. This is increasingly likely to occur as Queenstown focuses its capacity on accommodating jet air transport flights. Wanaka Airport may become more of a base for general aviation in the region as well as accommodating scheduled and charter air transport services.
559. Ms Balme detailed that Wanaka Airport currently has no scheduled commercial flights, with Air New Zealand having ceased flights to the airport in early 2013 due to lack of profitability. The airport continues to provide a base for scenic and charter flights to destinations such as Milford Sound and Mount Aspiring National Park.
560. There are a number of independent operators leasing hangar space who provide services including flying instruction, tandem skydiving and aircraft maintenance. Wanaka Airport hosts the very popular international air show 'Warbirds over Wanaka' and also hosts several visitor attractions including the 'Warbirds and Wheels Museum and Café'.
561. Based on Ms Balme's submissions and my reading of the Astral report, my overall view as to current operations is that they are at a low scale and involve general aviation, which I took to mean small privately owned aircraft. Commercial activities (such as they are) service the tourism industry by providing charter flights, again utilising small aircraft – more smaller planes each carrying small passenger loads.
562. Ms Balme submitted that Queenstown Airport has various constraints that inhibit its ability to grow, including land-related issues with regard to physical expansion. Wanaka Airport is an obvious proposition to provide an increasing level of air services in the region. According to the Astral report³⁴⁶ this would be likely to include:
- a. Hangar space for high value privately owned aircraft;
 - b. Hangar and facility space for scientific operations such as NASA super pressure balloon launches;

³⁴⁴ Ms Balme Legal Submissions dated 20 October 2016

³⁴⁵ Wanaka Airport Planning and Development-Astral Limited April 2016(Astral Report)

³⁴⁶ Astral Report Page 15.

- c. Operational offices and reception facilities for sport aviation activities;
- d. Hangars and bases for helicopter and general aviation, including flight training;
- e. Ancillary services such as maintenance and repair of aircraft and components;
- f. Aircraft parking, in particular corporate jet overflow from Queenstown Airport;
- g. Charter air services such as winter ski flights.

563. Even if these “spill over” changes or developments identified as possibilities in the Astral report were to occur at Wanaka Airport it seems to me these changes would not significantly alter levels of activity compared to that currently undertaken. This is because the level of change or growth in aircraft movements while not being directly quantified in evidence appeared to be limited, based on the Astral report.
564. Ms Balme contended that if planned and managed well, the potential for growth at Wanaka Airport could provide not only increased services to the Wanaka area, but also reduced pressure on Queenstown Airport and generate a healthy return for the benefit of the community from a strategic asset.
565. So based on her submissions I formed the view that Wanaka Airport is currently operationally capable of dealing with the current general aviation activities which predominate at the airport. Also I formed the view if the “spill over” activities did occur then Wanaka Airport would not be operationally challenged because the increase did not appear to me to be significant and related to small privately owned aircraft carrying small passenger numbers.
566. Ms Balme’s overall submission was that the modifications or changes to the designations, particularly as they related to increasing the range of permitted activities for Designation 64, reflected what was currently occurring and what is anticipated to occur in the future as a direct result of growth.³⁴⁷ I will return to this submission later.

34.2. The Current Designation #64 (Aerodrome) – Wanaka Airport

567. Designation #64 within the ODP permits certain airport related activities and associated activities pertaining to the Wanaka Airport. The purpose of this designation, as stated within both the ODP and PDP, is to *protect the operational capability of Wanaka Airport, while at the same time minimising adverse environmental effects from aircraft noise.*
568. The nature of activities covered by Designation #64 within the ODP includes the following:
- a. aircraft operations, rotary wing aircraft operations, aircraft servicing, fuel storage and general aviation, navigational aids and lighting, aviation schools, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation; and
 - b. associated buildings and infrastructure, car parking, offices and cafeteria.
569. Other permitted activities listed relate to the details of the runway length and width, safety areas, apron areas, new passenger terminal and control tower, as well as alterations and realignments. The designation is subject to a number of conditions relating to building height and setback, hours of operation and aircraft noise.

³⁴⁷ A Balme, Legal Submissions at [2.11].

34.3. Proposed modifications sought by the NOR– The Project

570. The modifications sought by QLDC as requiring authority are detailed in the evidence of Mr Kyle.³⁴⁸

571. Designation #64 within the PDP as notified includes a number of modifications proposed by QLDC as requiring authority, which can be summarised as follows:

- a. the extension of the area that Designation #64 occupies;
- b. an expanded list of permitted activities to capture a wider range of activities described as airport related activities, that either currently occur at Wanaka Airport or will occur;
- c. the removal of details that are no longer considered to be required, such as runway lengths;
- d. changes to conditions restricting building height, which has increased from 9m to 10m;
- e. changes to conditions relating to building setback, which has decreased from 10m to 5m;
- f. modification of conditions restricting the location and timing of development;
- g. removal of a condition requiring a lighting plan for operations during the hours of darkness; and
- h. other minor modifications to the text to improve clarity.

572. Several of these modifications need little discussion as they were not the subject of any submissions received, nor was any evidence led to challenge the modifications.

573. The following modifications notified included in the notified PDP are more contentious in nature, attracting submissions and being the subject of debate/discussion during the hearing:

- a. Extension of designation #64; and
- b. Expanded range of permitted activities;

34.4. The extension of the area that Designation 64 occupies

574. This proposed modification relates to including an additional 0.127 hectares of land within Designation 64.

575. This additional land Mr Kyle explained³⁴⁹ will allow for a Code C taxiway to be constructed in the future, should the need arise. Ms Balme in her opening legal submissions³⁵⁰ explained that QLDC did not own this land and Mr Kyle would address the matter of alternatives under section 168A(3)(b).

576. The debate around this issue was with regard to whether appropriate consideration had been given to alternative sites (section 168(3)(b)). I will discuss my findings on this matter further in my decision.

34.5. Expanded Range of Permitted Activities

577. As mentioned above, the existing Designation #64 in the ODP permits a range of airport related activities. QLDC has proposed a modification to Designation #64 to allow a much wider range of permitted activities, including (among other activities) retail activities, restaurants and other food and beverage facilities, and industrial and commercial activities, provided they are connected with and ancillary to the use of the airport.

³⁴⁸ Mr Kyle Evidence in Chief Paragraph 4.4 Pages 4 and 5.

³⁴⁹ John Kyle Evidence in Chief Paragraph 4.42.3 page 12

³⁵⁰ Ms Balme Opening Legal Submissions paragraph 3.11 Page9

578. One particular issue with the expanded range of activities, was the inclusion of freight facilities as a permitted activity.³⁵¹

579. The reason for these modifications according to QLDC was allowing for this change reflected what was currently occurring and what was anticipated to occur in the future as a direct result of growth.³⁵²

34.6. Section 168(3)(a)-(d) assessment

580. In order to assess the effects and make an overall judgement and recommendation as to whether the notified requirement should be confirmed, modified, withdrawn or have conditions imposed, I need to consider the matters set out in section 168A(3)(a)-(d). This approach has been described above, and my assessment is as follows.

34.7. Identify plans and what they say and other relevant docs under 168(3)(d)

581. Ms Holden identified the planning instruments that were relevant to my evaluation and assessment pursuant to section 168A.

582. These relevant documents are:

- a. Objectives and policies of the PDP; and
- b. Regional Policy Statement.

34.8. PDP – Objectives, policies and other provisions

583. In her Section 42A Report, Ms Holden raised concerns regarding how compatible the notified version of the designation was alongside other objectives and policies of the PDP. In particular she was concerned about policies that related to managing the spatial location and layout of urban development.³⁵³

584. Ms Holden was also concerned that notified Policy 4.2.6.1 in Chapter 4 may also be compromised.³⁵⁴ As well as addressing spatial growth, Policy 4.2.6.1 seeks to maintain a distinction between urban and rural so as to protect the quality and character of the environment and visual amenity.

585. Ms Holden was concerned that the purpose of the rural zone, which is to enable farming activities while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resources and rural amenity, may be compromised by the amended designation.³⁵⁵

586. Ms Holden suggested the modified proposed designation creates or may create some kind of urban activity, particularly where retail development and food and beverage facilities could develop with limited connection to the rural zone and limited restraint.³⁵⁶

587. Ms Holden was also concerned about fragmentation of rural and urban land particularly because the airport is located approximately 12 km from Wanaka Town Centre and 6 km outside of the urban growth boundary for Wanaka.³⁵⁷

³⁵¹ Ms Holden Section 42A report paragraph 6.64 page 21.

³⁵² A Balme, Legal Submissions at [2.11].

³⁵³ R Holden Section 42A Report at [6.57].

³⁵⁴ R Holden Section 42A Report at [6.56].

³⁵⁵ Ibid at [6.57].

³⁵⁶ Ibid.

³⁵⁷ Ibid at [6.60].

588. An additional concern she expressed was that if development of sufficient scale did occur, this could result in disconnected and poorly coordinated infrastructure networks, which Chapter 4 seeks to avoid.³⁵⁸
589. On behalf of QLDC, Mr Kyle's response was that:³⁵⁹
- "... One of the many reasons that requiring authorities establish designations is to allow activities to occur within land use zones that would not ordinarily anticipate such activities. If all land use zones anticipated the range and breadth of activities undertaken by requiring authorities, the purpose of designations would be somewhat negated. To suggest that the range of activities is inappropriate due to a handful of provisions contained within Chapter 4 (Urban Development) and Chapter 21 (Rural Zone) of the PDP is inappropriate and does not properly take into consideration the statutory framework within which the NOR must be assessed, specifically, the full range of matters in section 168A RMA."*
590. I observe that section 168A(3)(a) requires me to have particular regard to plan provisions. I do not think that the matters set out within section 168A(3)(a) can be offset by the considerations contained in subparagraphs (b) to (d). Each subsection requires me to have particular regard to the matters listed within it all of which is subject to Part 2.
591. As to planning instruments I have already noted the ODP designation does not include much in the way of airport related activities, especially in contrast to the modifications sought. The ODP designation limited options for expansion of airport related activities.
592. Ms Holden also drew attention in her Section 42A report³⁶⁰ to the rural hearing held in May 2016. She noted that the Panel, QAC and the Council reporting officer indicated that the Airport Mixed use Zone may be more appropriate to better manage activities at Wanaka Airport.
593. Ultimately the Panel Chair directed (by way of Minute dated 16 June 2016) that the QAC submission³⁶¹ to the Rural Hearing (Stream 2) Chapter 21 be transferred to hearing Stream 8 and that QAC provide a fully drafted set of provisions, preferably agreed with Council.
594. That duly occurred, with the recommended version of Chapter 17 now containing provisions that provide an Airport Zone for Wanaka, the WAZ. I appreciate the zone provisions in Chapter 17 may be utilised by third parties who cannot rely on the Designation for their activities. However, what is important (as Ms Holden alluded to in her Section 42A report) is that Chapter 17 includes a range of airport related permitted activities that are of a similar nature to the range of airport related permitted activities proposed to be provided for in Designation #64.
595. These are included in the recommended definition for Airport Related Activity. As recommended this definition provides that:
- Airport Related Activity*
Means an ancillary activity or service that provides support to the airport. This includes:
- a. land transport activities*
 - b. buildings and structures*

³⁵⁸ Ibid.

³⁵⁹ John Kyle Evidence in Chief Paragraph 4.25 Page 9.

³⁶⁰ Ms Holden Section 42A Report paragraph 6.58 page 19

³⁶¹ Submission 433

- c. *servicing and infrastructure*
- d. *police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose*
- e. *retail and commercial services, and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses*
- f. *catering facilities*
- g. *quarantine and incineration facilities*
- h. *border control and immigration facilities*
- i. *administrative offices (provided they are ancillary an Airport or Airport Related Activity).*

596. Chapter 17 Rule 17.6.3 provided that in the WAZ, any airport activity (excluding aircraft operations) or airport related activity or that complies with all the relevant standards in Table 4 is a permitted activity.
597. The relevant standards are those relating to maximum height, minimum setbacks, and maximum gross floor areas for identified airport related activities. This recognises the need for airport related activities to locate at Wanaka Airport, but also that they must be controlled in order to respond to potential adverse effects on the environment.
598. What I think is of even greater significance is that the Objective (17.2.2) seeks to draw a linkage between Airport Activities and Airport Related Activities namely that they support the essential functioning of aviation services. The policies (17.2.2.2 and 17.2.2.3) further develop that linkage by seeking to ensure that the Airport Related Activity does have a legitimate relationship with Airport Activities.
599. Further the Airport Related Activities are permitted where they are of a size either individually or cumulatively where they do not adversely affect the key local service and employment function of Wanaka Town Centre or other commercially zoned areas within the District.
600. As well as scale, some particular activities are singled out for attention by Policy 17.2.2.3. In particular, the policy seeks to allow retail, food and beverage facilities only where they are designed and operated and of a nature, scale and intensity to service visitors, passengers or workers at the airport and are unlikely to attract significant patronage outside of this purpose. The relevant Rule 17.7.4 places a restriction of 100m² per tenancy.
601. So the effects of concern described earlier by Ms Holden are addressed by the recommended planning framework in Chapter 17. That Chapter seeks through its framework to control activities of the very same nature that QAC wishes to include within Designation 64 by way of nature, scale and size. In addition, Chapter 17 seeks to protect the key local service and employment function of the WTC which could be at risk from unconstrained retail and commercial activities at Wanaka Airport.
602. In my view the recommended Chapter 17 plan provisions I have referred to emphasise the importance and potential significance of these type of effects, particularly if the airport related activities are not controlled or limited. Limited controls are currently proposed within the modifications included in the NoR, however it is not explained in evidence why the controls in Chapter 17 are unnecessary and why uncontrolled airport related activities are needed at Wanaka Airport.

34.9. Regional Policy Statement

603. Mr Kyle in his evidence³⁶² considered the expanded range of permitted activities and all proposed modifications to Designation #64 under the relevant provisions of the Regional Policy Statements both operative and proposed. He noted, and I rely on his advice, that there are no relevant national policy statements or regional plans that are relevant to this Designation.
604. Given the nature and scope of the Regional Policy Statements I agree with Mr Kyle³⁶³ that there is specific policy recognition of the importance infrastructure such as Airports meeting the present and reasonably foreseeable needs of people and communities.
605. The Operative RPS includes Objective 9.4.2 which seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities. Policy 9.5.2 seeks to promote and encourage efficiency in the development and use of Otago's infrastructure through encouraging development that maximises the use of existing infrastructure, promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure and avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.
606. Policy 9.5.3 aims to promote and encourage the sustainable management of Otago's transport network, including through promoting a safer transport system.
607. The Proposed RPS also includes relevant objectives and policies for consideration. Objective 4.3.5 seeks to ensure that infrastructure is managed and developed in a sustainable way. Policy 4.3.1 seeks to manage infrastructure activities to achieve among other things, supporting economic, social and community activities³⁶⁴ and protecting infrastructure corridors for infrastructure needs now and for the future.³⁶⁵
608. As identified by Mr Kyle, of particular relevance to Wanaka Airport is Policy 4.3.2 which recognises the national and regional significance of airports. Policy 4.3.3 aims to minimise the effects of infrastructure of national or regional significance through avoiding, remedying or mitigating adverse effects. Policy 4.3.4 seeks to protect nationally or regionally significant infrastructure from reverse sensitivity effects³⁶⁶ and seeks to avoid significant effects on the functional needs of infrastructure.³⁶⁷
609. In my view the two regional policy statements recognise the importance of regional airports but not at all costs. Adverse effects must be addressed. In this case I cannot be sure that the potential adverse effects I am concerned about have been adequately assessed so that any potential adverse effects can be avoided, remedied or mitigated as required by the Regional Policy Statements.

34.10. Summary

610. I do accept Mr Kyle's point that designations allow activities to occur within land use zones that would not ordinarily anticipate such activities. However, I do not think that this results in an outcome where I can have limited or lesser regard to any relevant provisions of a plan or a

³⁶² John Kyle Evidence in Chief Paragraph 4.44 Page 13

³⁶³ John Kyle Evidence in Chief Paragraphs 4.46- 4.52 Pages 12 and 13

³⁶⁴ Policy 4.3.1 (c)

³⁶⁵ Policy 4.3.1(e)

³⁶⁶ Policy 4.3.4(a)

³⁶⁷ Policy 4.3.4(b)

proposed plan when I am considering the effects on the environment of allowing the modifications.

611. Overall I do prefer Ms Holden’s assessment of the relevant provisions of the PDP to that advanced by Mr Kyle. By referring me to what I think are more relevant provisions of the PDP she has pointed out matters which I consider are a concern arising from the modifications.
612. I appreciate, as Mr Kyle explains, a designation is an exception or departure from the Plan provisions. However section 168A(3)(a) requires me to consider the relevant provision of the various planning documents of which I consider the PDP to be the most relevant so as to understand the effect on the environment of allowing in this case, the modifications to the designation.
613. Also given the way other related provisions of the PDP deal with activities of this nature, modifying the Designation in the way sought by QAC on behalf of QLDC does not in my view sit comfortably alongside other PDP plan provisions I have referred to.
614. If I accepted the modification then QLDC could establish and undertake these activities, but not have to meet the PDP restrictions a third party would. I consider these PDP provisions, particularly recommended in Chapter 17, are clearly a response to the possible effects of uncontrolled or unlimited airport related activities of the same nature as proposed by QAC.
615. It is equally clear to me, that the Otago Regional Policy Statements recognise the importance of regional airports and their contribution to supporting economic, social and community activities. At the same time, these policy statements aim to minimise effects from these types of infrastructure.
616. The themes I take from the planning documents is that while airport related activities are anticipated in an airport zone, controls are imposed to ensure that airport related activities have a legitimate relationship with the Airport itself and to avoid, remedy or mitigate any adverse effects that may arise from these activities.

35. EFFECTS ON THE ENVIRONMENT – SECTION 168A(3)

35.1. Relevant Environment and Permitted Baseline

617. Before considering the Project’s effects under Section 168A(3) of the RMA, I need to understand:
- a. The relevant environment on which the Project’s effects would occur; and
 - b. The scope of potential effects that can validly be taken into account for the purposes of that assessment.
618. This essentially involves consideration of the existing and future state of the environment in which the activity will take place, and potential application of a permitted baseline analysis.
619. While involving overlapping considerations, assessment of the relevant environment and application of the permitted baseline are two distinct exercises, undertaken for different reasons. The purpose of assessing the existing and future state of the environment is to determine the nature of the receiving environment on which an activity’s effects would occur.

35.2. Existing Environment

620. With respect to the existing and future state of the environment, I note as follows:
- a. Wanaka Airport Zone provides for a range of activities with controls to manage effects;

- b. Wanaka Airport Zone extends over the same area as Designation #64;
- c. Designation #64 within the ODP permits certain airport related activities and associated activities pertaining to the Wanaka Airport; and
- d. The surrounding land is zoned rural.

621. As described above, Wanaka Airport is located between Wanaka and Luggate, approximately 12 km from the Wanaka town centre. Under the ODP the underlying zone is rural, however it is recognised that this is not appropriate for the Wanaka Airport, and the PDP will result in a new zone the Wanaka Airport Zone (WAZ).

622. There are hangars and similar building types on the Wanaka Airport site. Runways and taxiways, navigational aids and aerals make up some of the airside structures. Based on a site visit, there seemed to be very little in the way of airport related activities occurring.

623. This provides some context in order for me to assess the potential effects against what currently makes up the existing environment.

35.3. Permitted baseline

624. No party described to me a permitted baseline, so I have used the provisions of Chapter 17 and the current designation to identify the applicable baseline with respect to the Project.

625. I borrow from Ms Holden's Section 42A Report to describe the nature of activities that are permitted by Designation #64. Ms Holden lists the nature of Designation #64 as follows:³⁶⁸

The nature of activities covered by Designation #64 within the ODP include the following:

a. aircraft operations, rotary wing aircraft operations, aircraft servicing, fuel storage and general aviation, navigational aids and lighting, aviation schools, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation; and

b. associated buildings and infrastructure, car parking, offices and cafeteria.

Other permitted activities listed relate to the details of the runway length and width, safety areas, apron areas, new passenger terminal and control tower, as well as alterations and realignments. The designation is subject to a number of conditions relating to building height and setback, hours of operation and aircraft noise.

626. This describes the activities which can currently occur as of right pursuant to Designation #64, by which I can use as a comparison for my evaluation which follows.

35.4. Effects Assessment

627. Mr Kyle provided evidence on behalf of QLDC as requiring authority for Wanaka Airport. Mr Kyle generally agrees with the findings set out within the assessment of effects accompanying the NOR³⁶⁹. He considers the actual and potential effects expected to arise from the proposed modifications are acceptable for a NOR in terms of the range of activities provided and the nature and scale of the built form enabled on site.

³⁶⁸ R Holden, Section 42A Report at [6.43-6.44].

³⁶⁹ J Kyle, EIC at [4.7].

628. Mr Kyle expressed the view³⁷⁰ that a requisite outline plan of works will provide further detail around how any other effects such as infrastructure effects will be managed. Indeed as I understood his evidence Mr Kyle placed a good deal of reliance upon the provision of an outline plan pursuant to section 176A and that within subsection (3)(f) of that section provided among other things an outline plan must show any other matters to avoid, remedy, or mitigate any adverse effects on the environment.
629. Ms Holden as expressed in her Section 42A Report³⁷¹ generally supports the modifications to the two Wanaka Airport designations. However in this part of the decision I focus on Designation #64 returning to Designation #65 later. In most respects Ms Holden agrees with the assessment of effects on the environment and consideration of all other matters under section 168A(3)(a) to (d) that will result from the modifications to Designation #64.
630. Notwithstanding the above, there are several issues where Ms Holden's opinion differs to the assessment within the NoR and Mr Kyles evidence, in relation to the proposed modification to Designation #64 identified above including:
- a. The extension of the area that Designation #64 occupies;
 - b. Expanded list of permitted activities;
 - c. Inclusion of freight facilities as a permitted activity.
631. Given these are the main issues in contention I consider each of these issues below, with reference to the evidence received and the relevant statutory considerations. Following doing so I will comment as needed on the remaining modifications.
- 35.5. The extension of the area that Designation 64 occupies**
632. Rather than generating adverse effects on the environment, the concern with this modification was that alternative sites had not been considered. I will discuss my findings on this matter further in my decision.
- 35.6. Expanded Range of Permitted Activities**
633. Ms Holden is concerned that the list of permitted activities contained in the NoR has been significantly expanded to include activities that in her view, would be incompatible with the surrounding rural character and landscape values and result in adverse effects on the environment.
634. The type of effects she was concerned with included increases in vehicle movements, car parking demand, noise, light spill, sewage disposal, and outdoor storage of goods, signage, and reverse sensitivity. These effects are associated with the inclusion of the activities listed in the permitted activities list at (f), being:
- Retail activities, restaurants and other food and beverage facilities including takeaway food facilities, and industrial and commercial activities, provided they are connected with and ancillary to the use of the Airport.*
635. Ms Holden's suggested solution was to rationalise the proposed list of permitted activities to better align them with the nature and scale of the existing activities undertaken under the designation. I think the nature, size, scale and intensity is an important issue to understand the effects generated by the expanded list of permitted activities.

³⁷⁰ Ibid.

³⁷¹ Ms Holden Section 42A Report Paragraph 6.46 Page 17

636. In response to Ms Holden's concerns, Mr Kyle made reference to Plan Change 26 (PC26). He advised that PC 26 updated noise boundaries at Wanaka Airport to provide in part for predicted growth in airport operations to 2036. PC 26 also, he said, amended various zone provisions relating to land within the updated boundaries that are likely to be affected by increasing levels of the aircraft noise.
637. Mr Kyle considered it important to understand that today's airport usage scenario is not the ultimately authorised outcome for the airport. I took from this he considered Ms Holden's view on effects to be unduly focused on Wanaka Airport as it is now without considering that Plan Change 26 had already provided for expansion and the effects of that expansion. I also understood from his evidence he was not disputing that the effects Ms Holden was concerned about may arise, rather he considered they had been provided for by virtue of PC 26.
638. However I consider while PC26 addresses aircraft noise arising from possible expansion of or increase in aircraft movements I am not confident it provides for and addresses the nature of effects Ms Holden was concerned about.
639. As earlier noted, in addition, Mr Kyle pointed out under section 176A(3)(f) a further opportunity exists within the context of an outline plan to provide for any other matters to avoid, remedy or mitigate any adverse effects on the environment.
640. I note subsections (4) and (5) of section 176A allow a territorial authority to request the requiring authority to make changes to the outline plan. If the requiring authority decides not to make those changes then the territorial authority may appeal against that decision to the Environment Court. Overall Mr Kyle considered it was appropriate for an assessment of effects to be addressed at the time the outline development plan is provided and when it is reviewed by the territorial authority.
641. I agree with Ms Holden that it is very difficult to consider the effects on the environment of allowing the modifications to the designation based on the evidence presented. In my view, probably because the development of any of the additional permitted activities will only occur sometime in the future, Mr Kyle was not able to present evidence that enabled me to properly understand and consider the effects on the environment of allowing the modifications.
642. That is why I think he placed reliance on such matters being addressed and provided for at the time when the outline plan was being considered by the territorial authority. I do not think that is the appropriate time. This is because the issue of the effects needs to be understood now under section 171 when deciding whether to allow the modification or not.
643. If the permitted activity was expanded as proposed, the only "controls" relevant to them within Designation #64 are limited to height limits and boundary set back controls provided in the designation itself. The only other "control" is that these new expanded permitted activities need to be connected with and ancillary to the use of the Airport. That last matter will require the exercise of a judgement to determine what I consider is a broad criteria if it is satisfied. If these limited qualifying matters are satisfied, the airport related permitted activities can be undertaken as of right with no assessment by a consent authority or other persons.
644. Given the nature of the new expanded permitted activities being, retail activities, restaurants other food and beverage activities, takeaway food facilities, and industrial and commercial activities, it is not difficult, I think, to see these activities being both connected with or ancillary

to the use of the airport, but at the same time serving or drawing custom from locations other than the airport.

645. I consider Mr Kyle's qualifier is too imprecise and does not capture the linkage between the scale of the extended permitted activities and the scale of and needs generated by airport operations. The two should have a relationship so that the needs of the airport visitors, passengers and workers are provided for, but no more. The lack of controls on the scale of the new expanded airport related activities is, I consider an issue, particularly in terms of potential effects on the environment of allowing the modifications being controlled only by being connected with and ancillary to the use of the airport.
646. Further, I did not consider that a sufficient AEE had been provided in order to assess what the effects of allowing the modification as set out in (f) would be.
647. Notwithstanding the distance between Wanaka Airport and Wanaka Town Centre, without some additional controls on the scale of the activities, in my view it is not unreasonable to conclude that the viability of the Wanaka Town Centre and other commercially zoned areas could be potentially undermined by diverting retail, industrial and commercial activities to Wanaka Airport.
648. Not only would this potential undermining effect be of concern, but if such activities did establish at Wanaka Airport that outcome would lead to inefficiencies because demand for services and goods available from such outlets is derived from the urban settlements where people live. I consider that it is more efficient to place the supply of services and goods closer to where people reside rather than at Wanaka Airport being some distance away.
649. Also with limited and possibly ineffective planning controls on size and scale and given the nature of the proposed activities, the amenity of those residing on land neighbouring Wanaka Airport could be effected by the potential effects arising from these additional activities. The lack of detail provided means at best these potential effects remain unaddressed.
650. Based on the evidence, I cannot be confident that the potential effects on the environment of allowing the change are appropriate or acceptable in terms of section 168A(3).
651. While I need not make much of the point as I understood the evidence it was likely that QLDC as owner of Wanaka Airport or QAC as its manager would lease space to others to operate the activities provided for by the proposed expanded list. So given others were providing the services this raised for me the query as to whether or not these activities were in fact works that QLDC would have financial responsibility for. This issue was not addressed in evidence directly. However given my overall conclusion does not need further consideration but if the outcome were different consideration of this point could be required.

35.7. Freight Facilities

652. Ms Holden was concerned that the nature and scale of Wanaka Airport was limited given its location and surrounding land uses. Similarly she was concerned listing freight facilities may imply the site is a transport hub whereby different modes of transport and transport networks join including aviation, rail and road. She considered the potential effects of listing freight facilities as a permitted activity needed more careful assessment. It is also noted that in recommended Chapter 17, wholesaling or commercial storage activity which enables freight facilities, is a non-complying activity due to the potential adverse effects that may arise from the activity, such as limiting the land available for airport activities and on transport routes.

653. She noted that Twenty 24 Limited³⁷² opposed Designation #64 to the extent that freight facilities not associated with the aerodrome purposes are a permitted activity within the notified modified designation.
654. The submitter was concerned about a shortage of hangers on the air field and preferred to see them utilised as hangers and not freight facilities. However, through a further submission, Wanaka Hanger Services Limited³⁷³ requested that submission be rejected in terms of freight facilities not being permitted.
655. Mr Kyle does not share Ms Holden’s concerns. As I read his evidence he suggests Ms Holden is overreaching when she expresses the concern that the freight facility could be interpreted as a transport hub located at the airport whereby different modes of transport and transport networks join, including aviation, rail and road. Rail is not a realistic prospect.
656. The words freight hub as they appear in the proposed Designation are not qualified in any way, including by the requirement that the freight facility use be connected with and ancillary to the airport. Mr Kyle in response in his evidence points to the obvious implication that the freight would or should have been conveyed by air. But the words literally interpreted are not qualified or limited in that way.
657. Given there is no qualification to the effect of limiting the scale or nature to a hub for freight which is conveyed to the airport by air, Ms Holden was expressing the same or similar concerns relating to the effects of increasing airport related permitted activities. The concern in that context related to the size and scale of the activity and its effects. Also the concern related to activities such as transport and its effects.
658. I do note that ultimately Mr Kyle in his reply supported the inclusion of a condition imposed on the designation that requires all activities undertaken at Wanaka Airport to be “connected with or ancillary to the use of the airport”. While this goes some way to addressing the issue identified by Ms Holden in my view is still leaves scale and size and too uncertain creating problems with underestimating effects of allowing the modifications.
659. So similarly to the issue of the expanded airport related permitted activities, understanding the effects on the environment of allowing the change under section 168A(3) cannot be adequately determined based on the evidence provided.
- 35.8. Conclusion on expanded range of permitted activities**
660. The AEE included in the NoR in my view is not sufficient in order to determine whether the potential adverse effects will be avoided, remedied, or mitigated. Whilst I can agree that the NoR is consistent with those objectives and policies that seek to recognise and promote regional infrastructure, I am not satisfied that the potential effects that may arise from the modifications to Designation #64 have been fully addressed. There is insufficient information for me to conclude that the potential adverse effects arising from the proposed airport related permitted activities will be appropriately avoided, remedied or mitigated.
661. For all of the reasons provided above I am not satisfied I have enough evidence to understand the level of effects that would be generated by the proposed expanded range of permitted activities.

³⁷² Submitter Point 5.1

³⁷³ Submitter Point FS1210.1

662. Also, I am not satisfied for reasons already discussed that the control proposed being that these airport related activities are “connected with or ancillary to the use of the Airport” is adequate to provide for effects arising from the size, scale and intensity of the airport related activities.
663. Confirming this part of the Designation as notified given the potential effects discussed above could have adverse effects on the surrounding rural area. Also if the extended range of permitted activities were not constrained in size, scale or degree of connection with the airport they may undermine the commercial networks in Wanaka by potentially diverting retail, commercial and office activity from those networks. To do so would be contrary to the objectives and policies within Chapter 4 and 17 of the PDP. Also it would lead to inefficiencies in the use of resources. Accordingly I am not satisfied the requirements of section 168A(3) are satisfied.
664. It follows from the above that I accept Twenty 24 Limited’s submission to exclude “freight facilities” from the list of permitted activities and that I reject the further submission by Wanaka Hangar Services Limited.

36. OTHER MATTERS AND SUBMISSIONS

665. The remaining proposed modifications to Designation not already discussed are:
- a. The removal of details from Designation #64 no longer considered to be required by QLDC such as runway lengths;
 - b. Changes to conditions restricting building heights increasing from 9m to 10m;
 - c. Changes to conditions relating to building setbacks which has decreased from 10m to 5m;
 - d. Night operations;
 - e. Other minor modifications.
666. All of these remaining matters relating to Designation #64 are not contentious in the sense Ms Holden in her Section 42A Report³⁷⁴ records agreement with the assessment of effects on the environment that will result from these modifications provided within the NoR.
667. Mr Kyle in his evidence³⁷⁵ records his agreement with the findings set out within the assessment of effects accompanying the NoR. He adds that he considers the effects on the environment arising from the proposed modifications are acceptable in terms of the range of activities provided and the nature and scale of the built form enabled on the site.

36.1. Removal of details such as runway lengths

668. The NoR explains that currently the list of permitted activities includes details relating to runway length and roading location. The reason for deleting these details is that the extent of the designation essentially dictates the way that QLDC is able to provide for such works. Furthermore, any substantial changes made to the runway configuration at the Airport within the existing Designation #64 will be subject to an outline development plan.

³⁷⁴ Ms Holden Section 42A Report paragraph 6046 page 17.

³⁷⁵ John Kyle Evidence in Chief Paragraph 4.7 Page 6

669. The outline development plan process would require the requiring authority to provide details of the works including provisions for parking, landscaping and other matters to avoid, remedy or mitigate adverse effects on the environment.

670. There were no submissions received in relation to this modification and I accept the explanation in the NoR as to the justification for removing these details.

36.2. Amendments to Height and Setbacks

671. The modifications in relation to building height and set back will provide a degree of flexibility to provide for reasonable future development within the area covered by Designation #64.

672. I accept and agree with Mr Kyle³⁷⁶ that the modifications particularly those relating to relaxing height and set back requirements support the purpose of Designation #64, particularly protecting the operational capacity of the airport. I accept that those modifications are limited – adding 1m to the height and reducing the setback by 5m.

673. I also agree with Mr Kyle³⁷⁷ that the modifications referred to above particularly those relating to height and setbacks are reasonably necessary for achieving the purpose of Designation #64 because they will allow QLDC to optimise the existing land resource while at the same time retaining development controls to ensure built form remains within a reasonably acceptable range of effects.

674. I agree with his assessment of these proposed modifications to Designation #64 in relation to the relevant matters raised in the Operative and Proposed RPS and the higher order matters raised in the PDP, all of which he details in his Evidence in Chief at paragraph 4.56 on page 15.

36.3. Night Operations- removal of a condition requiring a lighting plan for operations during the hours of darkness

675. The NoR removes part of the condition relating to operations at night. Currently, the conditions require that a lighting plan for night time operations be submitted. Lighting for night flights is a safety requirement which is subject to CAA rules and regulations and the requiring authority is governed by these directions. QLDC, as requiring authority has little control over how this is to be implemented and as such it is proposed to delete this condition.

676. With regard to the effects of removing this condition, Ms Holden accepted removing that part of the condition that related to provision of a suitable lighting plan linked to night-time operations was appropriate. She explained that this was because such lighting plans and related matters were already controlled by the Civil Aviation Authority (CAA). Perhaps Ms Holden misunderstood the extent of the modification.

677. In her report she was concerned to retain that part of the condition relating to hours of operation. Mr Kyle confirmed that was not an issue and it was always the intention to retain that part of the condition.

678. I agree it is important that there be controls on aircraft operations to address effects of aircraft noise. The control time periods provided are simply a rollover from the ODP relevant condition and they preclude aircraft operations between 10 PM and 7 AM.

³⁷⁶ John Kyle Evidence in Chief Paragraph 4.42 Page 12

³⁷⁷ John Kyle Evidence in Chief Paragraph 4.42 Page12

679. Ultimately Ms Holden and Mr Kyle are in agreement. I also agree and pursuant to section 168A(4)(a) on this matter of removal of a condition requiring a lighting plan, I confirm the designation as modified in that regard.
680. This is because of the reasons outlined above including that there are rules and regulations governed by the CAA for night flights. However the conditions relating to the hours of aircraft operation are to remain so as to provide appropriately for effects of aircraft noise. I have included these changes to the conditions in the revised chapter attached as Appendix 1.

37. OTHER SUBMISSIONS ON DESIGNATION #64

37.1. Wanaka Airport Liaison Committee (WALC)

681. QAC³⁷⁸ submitted the airport would be more efficiently and effectively managed by QAC undertaking airport management on behalf of QLDC. Essentially QAC wished to see the Wanaka Airport Liaison Committee (WALC) provision removed and replaced with QAC management given the number and type of aircraft using Wanaka Airport. In other words the airport was not busy enough to support or justify the WALC, according to QAC.
682. Jeremy Bell Investments Limited³⁷⁹ via a further submission opposed many of the amendments sought by QAC as well as removal of references to the WALC.
683. Ms Holden observed³⁸⁰ replacing the WALC removes a forum for community interest to express its views. In addition she considered management by QAC would not necessarily be transparent. She recommended that the further submission 1030 to be partly accepted and that a timeframe for regular meetings and a mandatory requirement as to form be outlined within the conditions of Designation # 64 as presently exist within the ODP.
684. The other change QAC wish to see was its role as airport manager was provided for in the condition and whether or not a liaison committee was to be established rested with QAC and if established it would meet at least once every six months.
685. QAC in my view has not advanced through the evidence and submissions presented compelling reasons why the status quo should change. The level of activity and the airport has not in recent times changed and even when that level is low the WALC performed its role.
686. QAC does have its own separate contractual arrangement with QLDC to manage Wanaka Airport and that contract will continue into the future. As I understand it QAC effectively has the day-to-day management of Wanaka Airport. I am not convinced that holding WALC meetings every six months or so is inefficient or ineffective. Even if it is a cost I am persuaded by Ms Holden's view that there is value in terms of community interests being provided with a regular forum to express views and to ensure management decisions are transparent.
687. For these reasons I agree with Ms Holden's recommendations that the further submission 1030 be partly accepted. I note that a timeframe for regular meetings is outlined within the conditions of Designation #64 as notified. The conditions relating to the WALC are the same as presently exist within the ODP.

³⁷⁸ Submission Point 433.125

³⁷⁹ Further Submission 1030

³⁸⁰ Ms Holden Section 42A Report Paragraph 6.70 Page 22

688. I have retained those conditions relating to the WALC as notified. So further modification is not required. Accordingly I reject the QAC submission point and accept the Jeremy Bell Investments Limited submission in part on this issue.

37.2. Submissions seeking Minor Typographical Amendments

689. There were two submissions received relating to minor typographical amendments sought with regard to the conditions included at E and E1 of Chapter 37 (which relate to Designation #64).

690. QAC's submission³⁸¹ set out these amendments in their table appended to their submission. These are minor amendments to ensure that the designation is correct and accurate and I accept this submission. Twenty 24 Limited sought to have the maximum height amended to be 10m rather than 1m as it was notified.³⁸² I accept this submission and amend the condition to state 10m as per the NoR to rectify the typographical error.

691. James Cooper requested that Designation E18B be removed from his land.³⁸³ This submission related to SNA E18B and was considered in the Rural Stream.

692. Ms Holden referred me to the further submissions from RPL and QPL³⁸⁴. Both oppose the submission from QAC³⁸⁵ in particular these further submissions oppose changes to the PDP that will circumvent the proceedings of Lot 6 associated with Designation #2. Ms Holden recommended that because these further submissions do not relate to Designation #64 that they be rejected.

693. As I read the legal submissions of Mr Young for RPL and QPL no mention is made of Lot 6 in relation to Wanaka Airport. Indeed Lot 6 in the context of Wanaka Airport is not mentioned in any further and or reply evidence. So I agree with Ms Holden that these further submissions do not relate to Designation #64 and I accept her recommendation that they be rejected and I do so in relation to this Designation.

37.3. Consideration of alternatives- 168A(3)(b)

694. I consider this subsection is triggered with regard to the extension of Designation #64.

695. The consequence of QLDC not owning the land means that section 168A(3)(b)(i) applies, which requires that adequate consideration be given to alternate sites, routes or methods of undertaking the work becomes a relevant consideration. Mr Kyle's response³⁸⁶ is that I am not required to consider alternatives because the land owner was contacted prior to submissions on the PDP closing and made no submission.

696. Mr Winchester does not agree³⁸⁷ that I am relieved of the need to give adequate consideration to alternatives. However Mr Winchester points out that the absence of a submission from the relevant land owner and/or occupier may mean I can rely on section 168A(3)(b)(i). This suggests, he submitted, there is no submission because it is likely that the work will not have significant effects on the environment.

³⁸¹ Submission Point 433.124 opposed by FS1097 and FS1117

³⁸² Submitter Point 6.1

³⁸³ Submitter Point 400.4

³⁸⁴ Submitter 1117 & 1097.

³⁸⁵ Submitter 433

³⁸⁶ John Kyle Evidence in Chief Paragraph 4.38 Page 11

³⁸⁷ James Winchester Opening Legal Submissions 20 October Paragraph 5.3 Page 5

697. Given the existing configuration of the runways I have reached the view that in any event that there is little available in the way of alternatives. So I consider this means that the adequacy of consideration of alternatives does not need to be a substantial exercise.
698. I also consider that if the landowner were concerned as to the effects of not only taking the land but effects that might arise from using the land then the landowner especially given he or she was contacted prior to submissions closing would have lodged submissions. This did not occur.
699. Accepting Mr Winchester's submissions, I conclude that adequate consideration has been given to alternate sites under section 168A(3)(b) given the context matters I have referred to above. I further conclude, particularly taking into account the landowner was advised prior to submissions closing on the PDP by the requiring authority about the designation, that the landowner was not concerned about the designation because it is possible that the work will not have significant adverse effects on the environment in terms of section 168A(3).
700. I accept that the need to consider alternatives is triggered relevantly in this case if it is likely that the works will have a significant adverse effect on the environment. I also accept the measure of adequacy of the consideration of alternatives will depend on the impact on the environment of those adverse effects.
701. Based on the AEE included in the NoR and the evidence from QAC I am uncertain as to effects. But I do consider that possible effects generated by the expanded permitted activities list could be significant adverse effects.
702. It also seems to me that the obvious alternative for QLDC is to look at the WAZ provisions as set out in recommended Chapter 17. These provisions allow for airport related activities as permitted, provided the activity standards in Table 4 are met. It was not explained to me why reliance on the WAZ for airport related activities as permitted or if required subject to a resource consent process, would not meet the needs of the airport. These alternatives have not been considered.
703. My major concern is with the process undertaken by QLDC to consider alternatives. It seems to me that QLDC have not considered available alternatives, such as relying on any available permitted activity status under the proposed WAZ for the works.
- 37.4. **Whether the designation is reasonably necessary to achieve objectives - section 168A (3)(c)**
704. Section 168A(3)(c) requires that I consider "*whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought*".
705. Mr Kyle stated that in order to determine whether the expanded range of proposed permitted activities is appropriate, it is appropriate to consider the overall purpose of the designation. He then records that schedule 37.2 of the PDP describes the Designation #64 as being for "aerodrome purposes." This leads him on to develop his opinion and views as to what "aerodrome purposes" might mean.
706. However before discussing that part of his evidence I note at his paragraph 4.1 he sets out the purpose of Designation 64 in the ODP as;

“protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise”

707. I note the words I have quoted appear at page A1-83 in the ODP immediately underneath the heading “E1 Aerodrome Purposes”.
708. Later, Mr Kyle sets out his opinion as to the purpose of Designation #64 within the PDP.³⁸⁸ On this occasion he refers to the Heading “Aerodrome Purposes” which is replicated from the ODP into the PDP as are the words quoted above. However when developing his views as to purpose of Designation #64 in terms of the PDP he ignores, I think, incorrectly the words quoted. In my view the words quoted given their plain ordinary meaning explicitly state the purpose of Designation #64. Also that purpose is the same under the ODP and the PDP, primarily to protect the operational capability of Wanaka Airport.
709. Rather than considering the words within the designation, Mr Kyle refers to the Civil Aviation Act 1990 and the Airport Authorities Act 1966 to assist in defining the word “aerodrome”. He then refers to the decision in *McElroy v Auckland International Airport Limited*³⁸⁹ to further assist in ascertaining meaning to the word “aerodrome”. While he acknowledges this matter of interpretation is a legal issue he expresses his understanding that the interpretation of this decision is to the effect that a broad range of activities legitimately make up a modern day airport.
710. To support that view, Mr Kyle details³⁹⁰ his experience over the last decade or so that the use of the aerodromes has evolved well beyond the traditional runways and terminals focus. Again leveraging of the *McElroy* decision, Mr Kyle records³⁹¹ that modern day and sophisticated aerodromes now demand a diverse mix of commercial, industrial and retail land uses that serve the needs of passengers, crew, ground staff, airport workers and those that meet and greet travellers.
711. He acknowledges Wanaka Airport is not of the scale and national significance of Queenstown Airport but he still considers it appropriate for the designation to provide for a broad range of activities in order to allow QLDC to respond to growth and changes in the aviation sector. Those changes may arise in both air side facilities as well as those ancillary activities that are demanded of modern airports such as commercial and retail offerings for the passengers and crew. He describes these activities as land side activities.
712. Certainty it is important he said³⁹² for airport operators so that they can undertake long-term master planning and so that they can be reasonably able to fulfil the objectives of such master plans. He reminds me that up until 2013 Air New Zealand provided scheduled flights directly into Wanaka Airport and there is nothing in the current designation that would prevent such flights from recommencing.
713. Ms Balme’s legal submissions (on behalf of QLDC as requiring authority) adopted the QAC legal submissions advanced by Ms Wolt particularly as they related to the *McElroy* decision. Ms Wolt drew heavily on this decision to support her submission that aerodrome activities are

³⁸⁸ Kyle, J. EIC at [4.13].

³⁸⁹ [2008] 3 NZLR 262

³⁹⁰ John Kyle Evidence in Chief Paragraph 4.18 Page7

³⁹¹ John Kyle Evidence in Chief Paragraph 4.18 Page 7

³⁹² John Kyle Evidence in Chief Paragraph 4.20 Page 8

continuing to expand well beyond the provision of core activities and services such as provision of runways and the like.

714. While his submissions are more focused on Queenstown Airport, Mr Winchester notes³⁹³ that Ms Wolt's submissions are to the effect that the various discussions in the *McElroy* case confirms that the activities sought to be enabled by way of the modification can properly be considered as legitimate airport and airport related activities. This is of course precisely the thrust of Mr Kyle's evidence.
715. However Mr Winchester cautions³⁹⁴ that the High Court decision in *McElroy* is not an answer to whether the proposed modifications should be included in the designation. I have been very concerned about the application of the *McElroy* case in this way.
716. Mr Winchester notes³⁹⁵ that the *McElroy* case concerned a declaration as to whether certain land was held and still required for a public work under section 40 of the Public Works Act 1981. That is quite a different context from what is before me. I need to make a decision taking into account the factors I am required to consider under section 168A and in terms of what is properly within the scope of the aerodromes purposes designation for Wanaka Airport. These factors are different from the factors that the Court considered in *McElroy*.
717. In my view. Mr Kyle does not correctly capture the purpose of this designation. I acknowledge that the phrase "Aerodrome purposes" is used in the Schedule of Designations in the PDP. The purpose of that Schedule is to list the designation, and to provide essentially a contents page for the plan reader – not to provide a detailed purpose of the designations. The purpose of the designation is more fully described in Section E.1 of the Designations chapter as follows:
- "This designation is defined to protect the operational capability of the airport, while at the same time minimising adverse effects from aircraft noise"*
718. Ms Holden also advised me that the above is the purpose of the designation³⁹⁶. Her approach is much more refined or confined than that of Mr Kyle. She utilises the words as they appear within the designation.
719. I think that the objective or purpose of this designation is much narrower than that advanced by Mr Kyle. I consider the designation is about protecting the operational capability of the airport. While not explicitly stated given the words used, the operational capability I think relates to the existing and future operational capability.
720. Mr Kyle pointed³⁹⁷ to the past when domestic scheduled flights took place from Wanaka Airport (up until 2013) to provide some evidence of scale of at least airside activities to better understand the scale of operational activities being protected. However those scheduled domestic flights had ceased and there was no evidence as to likelihood of re-introduction.
721. The existing and likely future scale of operational capacity was I considered difficult to understand with a reasonable level of certainty. As I noted earlier based on Ms Balme's

³⁹³ James Winchester Opening Legal Submissions Paragraph 6.2 Page 6

³⁹⁴ James Winchester Opening Legal Submissions Paragraph 6.3 Page 6

³⁹⁵ James Winchester Opening Legal Submissions Paragraph 6.3 Page 6

³⁹⁶ Ms Holden Section 42A report paragraph 6.42 page 16

³⁹⁷ John Kyle Evidence in Chief Paragraph 4.21 Page 8

submissions the actual levels of activity were however relatively modest resulting in the actual operational capability being modest, particularly as compared to Queenstown Airport.

722. I accept Mr Kyle's point that Air New Zealand could resume domestic jet services at Wanaka Airport at any time. However I do observe that up until January 2013 it did operate domestic services utilising Eagle Air Beech aircraft nineteen seater aircraft. I understand smaller capacity aircraft may have also been utilised. I note no evidence was advanced to suggest that either the air side or the land side services being airport related activities, then available were inadequate. So perhaps resumption of jet services could be seen as a little optimistic. In any event I received no evidence from Air New Zealand or any other domestic carrier on the issue of domestic flights to Wanaka Airport.
723. Even when taking into account the Astral report I do not consider after evaluating the possible or likely developments identified that the existing operational capacity of the Wanaka Airport would be challenged to meet the possible developments as identified in the Astral Report.
724. Of course I accept that modern day airports provide a range of services to all who use airports such as passengers and crew and those who meet and greet. The permitted activities already included in the Designation permit landside services and activities such as cafeterias, car parking, maintenance and service facilities, catering facilities, and associated offices. Vehicle parking storage, rental vehicles, vehicle valet activities, and public transport facilities are also already provided for.
725. I do also observe that the range of additional permitted activities sought to be included particularly in relation to services for passengers and crew and those who meet and greet at the airport overlap with the permitted activities already included within the designation. However the additional permitted activities even though I have very limited or no detail on possible scale and size are certainly increasing the range of land side airport related activities of a particular nature. This does make me concerned that the proposed modifications are not reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.
726. Expressed another way I do not accept that including these additional permitted airport related activities are reasonably necessary to enable QLDC to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise.
727. I am mindful of Mr Winchester's helpful synopsis³⁹⁸ to the effect that reasonably necessary is an objective standard that falls between the subjective test of expediency or desirability at one end and absolute necessity that the other.³⁹⁹ He said reasonably requires "*some tolerance*".⁴⁰⁰
728. As Mr Winchester pointed out⁴⁰¹ I need to consider whether the evidence demonstrates that the proposed modifications are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

³⁹⁸ J Winchester, Synopsis of Legal Submissions. 7 October 2016.

³⁹⁹ Ibid at [4.5]

⁴⁰⁰ Ibid

⁴⁰¹ J Winchester, Opening Legal Submissions at [6.4].

729. In my view the additional permitted activities are not, on the available evidence, an absolute necessity. I consider they are much more aligned to being desirable or expedient. In my view they do not occupy a middle position between the two.
730. Also what was influential in my consideration was the point that any change in the operational activity at Wanaka Airport was unlikely in the foreseeable future. So increasing the range of permitted activities did little in the way of protecting the operational capability of the airport given it had ample existing capacity which was not being utilised. So I conclude including the expanded range of permitted activities are not reasonably necessary for protecting the operational capability of the airport.
731. I am also influenced by the Chapter 17 recommendations, as discussed above. Within the Airport Zone (of which the Wanaka Airport is part) most if not all of the additional permitted activities that QLDC seeks to include are permitted activities within the zone, subject to area limits. So even though these additional matters are not provided for within the Designation, in terms of the zone these additional matters are permitted activities, albeit subject to floor limits. So QLDC as of right could (subject to those floor limits) provide for these permitted activities at Wanaka. The availability of these permitted activities also suggests including them within the Designation is not reasonably necessary.

38. OVERALL JUDGEMENT

732. My role now is to make an overall judgement as to whether to confirm, modify, cancel or impose conditions on the designation.
733. I must consider my findings and make an evaluative judgment as to whether confirming the NoR would meet the purpose of the RMA set out in Section 5, which is to promote the sustainable management of natural and physical resources.
734. My summaries are as follows:

38.1. Relevant Instruments and Documents – Section 168A(3)(a) and (d)

735. For the reasons discussed earlier in this decision, the NoR for Designation #64 is inconsistent with the policy directions established by the two key RMA statutory instruments – the District Plan and the Regional Policy Statement. That direction is to ensure airport related activities are of a nature, size and scale to serve the needs of airport activity and no more, thus avoiding, remedying and mitigating adverse effects.
736. While I consider that notified Designation #64 is consistent with some elements of the relevant planning documents; there is insufficient information with regard to the potential effects that means I cannot make a conclusion as to the consistency with all provisions of the relevant planning documents.

38.2. Effects on the Environment

737. I do not consider sufficient information has been provided in order to understand and recognise the potential adverse effects on the environment arising from approving the proposed expanded list of permitted activities. However, I do tend to the view if the expanded list were approved, subject only to the broad qualifier “connected with and ancillary to the use of the Airport”, the effects could be significant.
738. I cannot be satisfied that the effects on the environment would be acceptable and as such I cannot confirm the designation in its notified form.

38.3. Consideration of Alternatives (Section 168A (3)(b))

739. I conclude that adequate consideration has been given to alternate sites under section 168A(3)(b) given the context matters I have referred to above.

740. I am not satisfied that adequate consideration has been given to alternative methods of expanding the activities occurring at Wanaka Airport, for example relying on the Wanaka Airport Zone provisions included in recommended Chapter 17 of the PDP. If the permitted activities under the zone rules are not sufficient for the airport's needs then a resource consent should be applied for which would include an assessment of effects on the environment.

38.4. Reasonably Necessary for Achieving Objectives (Section 168A(3)(c))

741. The objectives for the Project are clearly stated as to:

“protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise”

742. I have assessed the evidence and the contribution that the expansion of permitted activities may make to achieve this objective. I am of the view that the expanded permitted activities list is not reasonably necessary to achieve the stated objectives of the designation.

743. Finally adopting Mr Winchester's submissions on the meaning of the word “necessary” in the designation context, I conclude modifying the designation to include a freight hub with no controls or limits on scale is not necessary for achieving the purpose of the Designation being to protect the operational capability of the Wanaka Airport.

744. What influences my findings under this heading is that I do not consider QLDC has given adequate consideration to alternatives to the extent that I consider its evaluation of effects has been undermined. This flows through for me to the finding that the modifications are unnecessary.

38.5. Application of Part 2 of the RMA

745. As set out in section 168A(3) my duty to consider the effects on the environment of allowing the requirement is subject to Part 2 of the RMA.

746. As noted earlier in this decision my approach to Part 2 is first to weigh the matters in section 5(2) in order to reach a broad judgement as to whether or not Designation #64 including modifications as notified achieves and provides for sustainable management.

38.6. Section 6 Matters of national importance

747. Section 6 directs me, in my role as Commissioner, to recognise and provide for certain specific aims as matters of national importance

748. I have considered section 6 and conclude there are no matters of national importance that need to be recognised and provided for.

38.7. Section 7 Other matters

749. Section 7 directs me, in my role as Commissioner, to have particular regard to certain specified values. I will discuss these in turn.

Section 7(b) Efficient use and development of resources

750. Section 7(b) of the Act requires me to have particular regard to the efficient use and development of resources.
751. In my view, efficiency has an economic component. By its very nature of being an airport, Designation #64 is consistent with enabling people and communities to provide for their social, economic, and cultural well-being and for their health and safety.
752. I therefore consider that the NoR provides for efficient use and development of resources, subject to the modifications as set out in Appendix 1.

Section 7(c): The maintenance and enhancement of amenity values

Section 7(f): Maintenance and enhancement of the quality of the environment

753. Sections 7(c) and 7(f) requires me to have particular regard to the maintenance and enhancement of amenity values and the quality of the environment. I will deal with these subsections together as they are so intertwined.
754. The definition of amenity values in the RMA refers to those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes.
755. The amenity values and environmental quality of the Wanaka Airport neighbourhood have been considered throughout this hearing, and in my view the controls imposed on any development at Wanaka Airport will ensure minimal impact on the amenity values of the area.
756. However, in my view, expanding the list of permitted activities to include retail, food, commercial and industrial services and including freight facilities does not maintain or enhance the amenity values of the area. With no standards to control these activities, they will potentially give rise to adverse effects on the amenity values and quality of the surrounding environment. Therefore in its notified form, I do not consider that the designation is consistent with sections 7(c) and (f).
757. However if those conditions or modifications relating to the extended range of permitted activities and a freight facility are removed then I am satisfied the NoR would be consistent with sections 7(c) and 7(f).

38.8. Summary of Application of Sections 6 and 7

758. In summary, having applied the provisions of sections 6 and 7, I consider that the NoR as notified is:
- a. Consistent with section 7(b); and
 - b. Inconsistent with sections 7(c) and (f).
759. I do however consider that the NoR can be modified in order to be consistent with sections 7(c) and (f). Modifying Designation #64 by excluding freight facilities from the list of permitted activities and including some, but not all of the notified permitted activities, in my view would ensure that Designation #64 is consistent with section 7.
760. In my view Designation #64 as I have modified it will ensure Wanaka Airport continues to contribute towards social and economic wellbeing of the community while avoiding possible or potential adverse effects upon the amenity of the surrounding rural environment and other

potential effects such as undermining the commercial network of Wanaka. Thus ensuring its consistency with relevant section 7 matters.

39. FINAL DECISION FOR DESIGNATION #64

761. My decision is that the requirement is confirmed but not as notified. For the reasons already provided I do not accept all of the proposed modifications included within the notified version of the Requirement.
762. I have modified Designation 64 to reflect my decisions on the various issues as discussed above.
763. In summary the modifications that have been included in the Designation #64 I have confirmed are:
- a. the extension of the area that Designation #64 occupies;
 - b. inclusion of “cafeteria activity” as a permitted activity;
 - c. inclusion of some additional permitted activities as set out in Appendix 1;
 - d. the removal of details that are no longer considered to be required, such as runway lengths;
 - e. changes to conditions restricting building height, which has increased from 9m to 10m;
 - f. changes to conditions relating to building setback, which has decreased from 10m to 5m;
 - g. modification of conditions restricting the location and timing of development;
 - h. removal of a condition requiring a lighting plan for operations during the hours of darkness; and
 - i. other minor modifications to the text to improve clarity.
764. The confirmed version of Designation 64 with all of the approved modifications is shown within Appendix 1 being part of this decision. Appendix 1 also reflects my decisions to reject or accept submissions as I have discussed them above.

For the Hearing Panel:



Paul Rogers, Chair

Dated 20 April 2018

40. WANAKA AIRPORT - DESIGNATION #65 (AIRPORT APPROACH AND LAND USE CONTROLS)

765. Designation #65 within the ODP applies in respect of the airspace in the vicinity of the Wanaka Airport. It defines essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances, which are important for the safe and efficient functioning of the Airport.

40.1. Proposed modifications

766. QLDC as requiring authority sought that the existing surfaces and restrictions be retained in the PDP, but that modifications be made to the conditions of Designation #65 to ensure it is clear in its intent and application. It also proposed to remove the detailed description of the location of the runway strip and RESA from the designation as these features are provided for within Designation #64.

767. QAC (as manager of Wanaka Airport on behalf of QLDC)⁴⁰² supports the contents of Designation #65 as notified within the PDP, including the modifications described above. It does however seek a number of further minor amendments to provide clarity mainly in relation to typographical corrections such as references and title details.⁴⁰³

768. Ms Holden in her Section 42A Report⁴⁰⁴ raised no issues with designation #65 noting it had been “rolled over” from the ODP into the PDP” She recommended the minor amendments sought in the QAC submission be accepted.

769. Mr Kyle in his evidence⁴⁰⁵ on behalf of QLDC agrees with Ms Holden’s recommendations for the reasons she advances. He also agrees with the findings set out within the assessment of effects accompanying the NoR. He considers that the actual and potential effects expected to arise from the proposed modifications are acceptable for a NoR in terms of the range of activities provided and the nature and scale of the built form enabled on site. Overall then I conclude the NoR meets the purpose of the Act by enabling the continued operation and growth of Wanaka Airport in an efficient and sustainable way.

770. I consider the amendments sought by QAC are sensible and assist with clarifying the application of the designation. As these amendments are more structural than substantive, I do not address them any further but note acceptance of this submission.

771. After considering the matters in section 168A(3)(a)-(d), which are subject to Part 2 which I have also considered my decision is to confirm Designation #65 with the minor amendments sought by QAC. I have set out the amended designation in Appendix 1.

For the Hearing Panel:



Paul Rogers, Chair

Dated 20 April 2018

⁴⁰² Submitter 433

⁴⁰³ Submitter Points 433.123, 433.126 and 433.127 opposed by FS1097 and FS1117

⁴⁰⁴ Ms Holden Section 42A Report Paragraphs 6.72 and 6.73 on Page 23

⁴⁰⁵ John Kyle Evidence in Chief paragraphs 5.1 to 5.4 Page 17

41. QUEENSTOWN AIRPORT – DESIGNATION #2

772. There are two separate designations for Queenstown Airport, being Designation #2 (Aerodrome Purposes) and Designation #4 (Airport Approach and Land Use Controls (transitional slopes and surfaces)). The requiring authority for both designations is Queenstown Airport Corporation Limited (QAC).

42. GENERAL SUBMISSIONS

773. A general submission was received by the Board of Airline Representatives New Zealand (BARNZ) in support of the inclusion of a designation “specifically relating to the activities and operation of Queenstown Airport.”⁴⁰⁶ I recommend that this submission is accepted.

774. RPL and QPL submitted in opposition to all amendments that are inconsistent with Plan Change 35. Where relevant I will discuss these further submissions, however often the further submission point has been recorded against all submissions for Queenstown Airport and they are not always relevant. In these cases, I will not discuss the further submission, however I will record the further submission in my footnotes.

43. PRELIMINARY MATTERS

43.1. Preliminary issue – Trade competition

775. Following the hearing in its right of reply dated 2 November 2016, Queenstown Airport Company Limited (QAC) alleged that Remarkables Park Limited (RPL) was a trade competitor of QAC. Reference was made to the decision in *Kapiti Coast Airport Holdings Limited v Alpha Corporation Limited*⁴⁰⁷ in support of this submission. QAC sought that the RPL submission should be disregarded. This was the first time this matter was raised notwithstanding submissions on the PDP had been lodged many months earlier. This matter was not raised in any section 42A report nor was it raised in legal submissions or evidence I received at the hearing.

776. Mr Young in response filed a memorandum of counsel on behalf of RPL dated 8 November 2016 seeking leave to provide a response to the trade competition allegation. This memorandum was accompanied by written submissions disputing that RPL was a trade competitor. This decision records that I have granted leave for the RPL submissions to be filed and have duly considered them in reaching my findings on this issue.

777. The *Kapiti* decision relates to a similar circumstance where the Kapiti airport company was promoting a private plan change to extend the range of commercial activities that could occur around the airport. Submissions in opposition were lodged by the owners, developers and lessors or commercial land in the Paraparaumu Town Centre. The airport company sought a declaration from the Environment Court that the submitters were trade competitors.

778. Although the *Kapiti* decision relates to a private plan change, the same considerations around trade competition arise in the context of a designation. Section 169 of the RMA provides that a notice of requirement is subject to section 96 of the RMA as if it was a resource consent.⁴⁰⁸ Section 96 relates to the making of submissions, and restricts the rights of trade competitors

⁴⁰⁶ Submitter Point 271.19 opposed by FS1117 and FS1097

⁴⁰⁷ [2016] NZEnvC 137

⁴⁰⁸ An exception to this is where section 170 is applied. However, this is not relevant in this case.

in accordance with section 308B of the RMA. In addition, section 171(1A) provides that a territorial authority must not have regard to trade competition or the effects of trade competition when considering a requirement and any submissions received.

779. The key finding of the Court in *Kapiti* was that the submitters were trade competitors of the airport company. The submitters were all in the business of commercial landowners, developers and lessors who compete for lessees to rent their premises in Paraparaumu. The submitters were seeking to restrict the commercial activities which the airport company may undertake on its land. The Court held that this is not competition for a resource (as was the case in the *Queenstown Central* decision⁴⁰⁹), but trade competition directly related to the competing uses which they undertake on their respective areas of land at the airport and Town Centre.
780. I consider that the *Kapiti* decision is directly relevant to the current issue that has been raised. Applying this case to the current situation, the key issue is whether QAC and RPL will be in direct competition for lessees to rent their premises. In other words, will the same type of tenants be interested in leasing premises at both locations? If so, RPL may well be a trade competitor of QAC.
781. It is unfortunate that the issue of trade competition was only raised by QAC in its right of reply after all of the hearings had been completed and evidence exchanged. This was the first time the issue was raised. So strictly it is beyond the scope of matters in reply. RPL raised that scope point. No reasons were provided by QAC as to why it was left so late to raise the issue.
782. This is of concern because RPL's submissions on the PDP were available to QAC for many months prior to the hearing. In my view that was the appropriate time to raise objection. The consequence of this timing is that I have very little information on which to make a decision on whether or not QAC and RPL are in fact trade competitors. I also did not consider that it was appropriate to request further evidence on this matter after the hearing had concluded given how late this matter was raised. In my view because QAC was advancing the claim QAC needed to advance evidence in support.
783. In Mr Young's response to QAC's right of reply, he emphasised that QAC's commercial, industrial, retail and other activities will be ancillary to and connected with its aerodrome activities.⁴¹⁰ In contrast, Mr Young submitted that development within the Remarkables Park zone is not ancillary to or connected with aerodrome activities.
784. On the assumption that this statement is correct, it suggests that the two entities are not in competition for tenants. However, I stress that I do not have sufficient information to make a definitive finding on this matter. So this leads me to the conclusion I have reached which is based on the evidence and materials I have received I am not satisfied as alleged by QAC that RPL is a trade competitor of QAC.
785. Even if I had found that RPL was a trade competitor, it does not necessarily follow that its submission should be disregarded. As provided for in section 308B⁴¹¹, a trade competitor may

⁴⁰⁹ *Queenstown Central Limited v Queenstown Lakes District Council* [2013] NZRMA 239 (HC)

⁴¹⁰ The notified version referred to "the use of the Airport" rather than "aerodrome activities" – I am not sure when or why this changed. However I am satisfied the choice of descriptor does not influence the final outcome.

⁴¹¹ Which applies by virtue of s169 and s96

still make a submission if it is directly affected by an effect of the activity to which the application relates that:

- a. adversely affects the environment; and
- b. does not relate to trade competition of the effects of trade competition.

786. RPL owns land directly adjoining the QAC land and has raised a number of issues relating to potential adverse effects at the boundary, such as building height and setbacks. In contrast to the *Kapiti* case where the land of the competing parties was some distance apart, the close proximity of the landholdings in this case gives rise to the potential for direct effects on RPL that can be legitimately raised by RPL, even if it was found to be a trade competitor of QAC.

787. In addition, I note that when considering a NoR and any submissions received, there is a broad range of matters that I must have regard to under section 171 of the RMA. This includes effects on the environment, the provisions of relevant planning documents, consideration of alternatives, and whether the designation is reasonably necessary to achieve the objective of the requiring authority. The obligation to consider these matters exists regardless of whether or not they are raised by submitters and the status of RPL as a potential trade competitor does not alter this fact.

43.2. Overview of Current and Possible future Queenstown Airport Operations.

788. So as to provide some context for what follows I will briefly reference evidence received relating to current and possible future operations at Queenstown Airport.

789. Ms Wolt in her opening legal submissions⁴¹² explained that Queenstown airport is an important existing strategic asset for the district, for the region and nationally. She detailed Queenstown airport is one of the busiest airports in New Zealand. It operates a mixture of scheduled flights both national and international. It caters for corporate jets, general aviation and helicopters.

790. As to growth she described in broad terms significant growth in the use of its facilities and infrastructure over recent years particularly by international and domestic passengers. This growth she said is predicted to continue.

791. QAC is she said concerned to see that the PDP, including designations appropriately recognises and provides for the ongoing operation and growth of the airport, in a safe and efficient manner whilst ensuring that potential reverse sensitivity effects are avoided.

792. Ms Wolt provided details⁴¹³ on both recent growth and recent projects. Growth rates showed significant increases in passenger numbers tourist spend and contribution to the District's economy. Recent projects included the significant expansion of the airport terminal in 2015 and commencement of evening flights.

793. Mr Kyle in his evidence⁴¹⁴ provided details of the increasing rate of activities at the airport detailing significant increases in passenger numbers and overall contributions to the tourism spend. He referred me to his statement of evidence for Chapters 3, (Strategic Direction), 4 (Urban Development) and 6 (Landscape) for further details of the importance of the Queenstown Airport. He also provided me with evidence presented at those hearings by Mr Mark Edghill the then Acting Chief Executive of the Queenstown Airport. That evidence

⁴¹² Ms Wolt Opening Legal Submission Paragraphs 2 -8 Page 2

⁴¹³ Ibid Paragraphs 30 to 36 Pages 7 & 8.

⁴¹⁴ John Kyle Evidence in Chief Paragraphs 3.1 to 3.4 Page 4

provided detail on the airports current activities and future plans. This evidence demonstrated significant growth over time of passenger numbers at the airport.

794. Both Mr Kyle's evidence and that of Mr Edghill demonstrated the significant importance to the social and economic well-being of the community arising from the ongoing operation and development of Queenstown Airport through its contribution to the tourism industry, the economy and local employment.

43.3. QAC Land Holdings

795. As to landholdings Ms Wolt informed me QAC owns approximately a total of 137 ha of land on the Frankton Flats. Approximately 83 ha of this total is utilised for the airfield, runways and aprons, rescue fire facilities and air traffic control. This land she said is generally located within Designation #2 under the ODP.
796. A further 8 ha of the total is utilised by the terminal, car parking, road network and commercial land leased to airport related businesses. Ms Wolt explained this land is currently a mix of zonings under the ODP however in the PDP it is intended to form part of the new Airport Mixed Use zone. My understanding is that the majority of this land is QAZ under the PDP.
797. Other QAC landholdings include undeveloped industrial and rural land and the Frankton golf course land. Ms Wolt provided me with a plan detailing the QAC landholdings to her submissions and marked with the letter A for my reference.
798. So based on Ms Wolt's submission, I understood QAC owns all of the land subject to Designation #2. I refer to this point later. QAC also owns adjoining land outside the QAZ.
799. Ms Wolt then discussed Lot 6 DP 340345 (Lot 6). Lot 6 is located immediately south of the main runway and East of the Cross wind runway, and is owned by RPL. QAC is she said currently seeking to designate approximately 16 ha of Lot 6. She explained the lengthy Court proceeding related to that matter.
800. Ms Wolt detailed that an interim decision from the Environment Court confirmed Lot 6 land is the appropriate location for the relocation of general aircraft and helicopter activities. A final decision is dependent upon the completion by QAC of an aeronautical study. She explained when finalised the designation will among other things provide for general aviation and helicopter activities. These activities will relocate from the current position south of the terminal at the airport freeing up land for other airport related uses.
801. Ms Holden referred to Lot 6 in her Section 42A Report at her paragraph 6.2 recording that QAC withdrew Lot 6 prior to the notification of the PDP. Ms Wolt clarified in her submissions⁴¹⁵ that Lot 6 had not been withdrawn but that the designation remained active before the Environment Court as detailed above.
802. However within this PDP process QAC provided 2 NoRs to QLDC prior to notification of the PDP, one which included Lot 6 and one which did not. She clarified that the NoR that included Lot 6 has been withdrawn from this designation process under the PDP because the Court proceedings I have referred to remain extant and Lot 6 will be dealt with in those proceedings and not this hearing.

⁴¹⁵ Ms Wolt Opening Legal Submission Paragraph 28 Page 6

803. For the reasons I discuss later I do consider the Courts decision on Lot 6 is helpful when I consider effects.

44. DESIGNATION #2 (AERODROME) - QUEENSTOWN AIRPORT- THE PROJECT

804. Designation #2 within the ODP permits certain airport related activities and associated activities, as detailed in section 1.3 of the NoR pertaining to this designation. This existing designation in the ODP is subject to a number of conditions relating to building height and setback, and hours of operation. These conditions also prohibit non-airport related activities within the Aerodrome Purposes Designation.

44.1. Proposed modifications

805. QAC, as requiring authority, gave notice that it sought to roll over Designation #2 with modifications to “ensure that the Aerodrome Purposes Designation continues to be effective in achieving the objectives of the requiring authority with respect to the operation of Queenstown Airport, and to clarify its intent.”⁴¹⁶

806. The nature of the modifications proposed by QAC to Designation #2 can be summarised as follows:

- a. an expanded list of permitted activities to capture the range of airport related activities that occur at Queenstown Airport or will likely occur in the future;
- b. the removal of details that are no longer required;
- c. changes to conditions restricting building height which has increased from 9m to 15m;
- d. changes to conditions relating to building setback from 10m to 5m along boundaries adjoining residential activities or any public road, and 3m along any other boundary;
- e. removal of a condition prohibiting “non-airport related activities”;
- f. insertion of a new condition to clarify the operational requirements of the Runway End Safety Area (RESA) to include normal and emergency engineering works; and
- g. inclusion of additional land owned by QAC into Designation #2 being Sections 126-128 SO 459748, depicted as the dark blue parcels circled in red in figure 1 on page 7 of Ms Holden’s Section 42A Report.

807. An assessment of the effects that these modifications will have on the environment is provided at section 4 of the NoR (attached as Appendix 3 to Ms Holden’s Section 42A report).

808. Based on my review of the all of evidence and submissions provided, in my view the matters of contention and those the subject of submission to be discussed in full are:

- h. Expansion of permitted activities;
- i. Building Height and Setback;
- j. Prohibiting Non-Airport related activities.

809. Although I will discuss all matters in my decision, I will concentrate on those that attracted submissions and debate.

44.2. Expansion of permitted activities

810. The modifications sought to increase the number and range of airport related activities such as retail, restaurants and other food and beverage facilities, and industrial and commercial activities, provided they are connected with and ancillary to the use of the airport.

⁴¹⁶ NoR for Designation to be included in proposed plan with Modification dated 30 March 2015.

811. As mentioned above, the existing Designation #2 in the ODP permits a range of airport related activities. QAC has proposed a modification to Designation #2 to allow a much wider range of permitted activities, including at (f) (among other activities) retail activities, restaurants and other food and beverage facilities, and industrial and commercial activities, provided they are connected with and ancillary to the use of the airport.
812. The reason for these modifications according to QAC was to more accurately describe the range of activities that are currently carried out on land subject to the designation and the activities that are likely to be carried out in the future.

44.3. Building Height and Setback

813. At 3.4 of their NoR, QAC explained that the current Condition 2 of the Aerodrome Purposes Designation in the ODP imposes a building height restriction of 9m (exempting control towers, hangars, lighting towers, or navigation and communication masts and aials).
814. The NoR proposes to increase this height restriction to 15m, which it states is “more characteristic of the building height requirements in and around other New Zealand airports”. The NoR goes on to say that this height is also consistent with the height limits for buildings in the commercial zones surrounding the airport.
815. Condition 3 of the Aerodrome Purposes Designation included in the ODP contains building setback requirements that require buildings within the designated area to be set back from the Designation boundary a minimum of 10m (exempting security and safety fencing). QAC included in its NoR the proposal to modify this condition to reduce the setbacks to 5m where the designated land adjoins residentially zoned land or a public road and 3m for all other areas.

44.4. Prohibiting non-airport related activities

816. This proposed modification seeks to remove a condition that prohibits non-airport related activities. In the ODP, Designation #2 contained a condition as follows:

Prohibited Activities

Non-airport related activities are prohibited within the Aerodrome designation.

817. The NoR explained that this condition was removed as:

The term “non-airport related activities” is not defined in the District Plan and it is unclear what is meant by it. In any event, QAC is limited to undertaking only those works which are expressly enabled by the Aerodrome Purposes Designation.⁴¹⁷

818. The debate around this issue was should the condition be retained, removed as per the NoR or reworded. I will discuss my views and recommendation later in this decision.

44.5. Section 171 assessment

819. In order to assess the effects and make an overall judgement and recommendation as to whether the notified requirement should be confirmed, modified, withdrawn or have conditions imposed, I need to consider, subject to Part 2 the matters set out in section 171(1)(a)-(d). This approach has been described above, and my assessment is as follows.

⁴¹⁷ Ibid at [3.6].

44.6. Identify relevant plans and what they say and other relevant docs under 171(1)(d)

820. Because of Ms Holden’s original position supporting the extended list of permitted activities she did not raise any matters with me relating to the planning framework.

821. In my view the relevant documents for my consideration are:

- a. Objectives and policies of the ODP and PDP;
- b. Regional Policy Statement; and
- c. Corporate Statement of Intent

44.7. ODP and PDP – Objectives, policies and other provisions

822. I consider there are provisions in both the ODP and the PDP that are relevant to the proposed modifications to the NoR. I consider that more weight is to be given to the PDP provisions, as at the time of writing this decision the recommended version of Chapter 17 has been completed. I also sat on the Panel for the Chapter 17 hearing and as such I am well aware of the recommended provisions and also the reasoning behind those decisions.

823. Under the ODP the Airport Mixed Use Zone (AMUZ) also applied to part of Designation 2 being that part of the designation bounded to the south by Hawthorne Drive and to the west are by Lucas place. It is principally that part of the designation where the terminal and related car parking along with the general aviation taxiing and parking area is located. The taxiways to the main runway located immediately to the east are excluded from the airport mixed use zone.

824. The AMUZ purpose explains that the:⁴¹⁸

Zone comprises part of the underlying zone for Queenstown airport in the vicinity of Lucas place and Robertson Street at Frankton. It is characterised by airport related activities necessary for the transport interface role of Queenstown airport, but which do not strictly achieve the purpose of the aerodrome designation – the safe and efficient operation of Queenstown airport. The purpose of the zone is to provide for the continued viability of these activities and to maximise the efficient use of Airport land.

825. Permitted activities in the AMUZ are any activities which comply with all relevant site and zone standards and are not listed as controlled, discretionary, noncomplying, or prohibited. Of interest noncomplying activities include conference facilities and commercial activities other than retailing. Office accommodation is to be provided only as part of an activity undertaken within the zone.

826. The AMUZ standards at 6.2.5.2 iii provides that retail sales and displays are restricted to areas within the airport terminal and to such goods that serve the needs of the travelling public. Any goods displayed for sale and/or retail shall be limited to the sale of those goods within the airport terminal. In so far as industrial activities are concerned the zone standard provides at v (a) there shall be no processing of natural materials.⁴¹⁹

827. Assessment matters for office accommodation, land transport facilities, industrial activities and retailing set out in paragraph 6.2.6.2 v (a) require assessment of the extent to which the activity is dependent on an airport location.⁴²⁰

⁴¹⁸ ODP, 6.2.1 Zone Purpose.

⁴¹⁹ ODP, Queenstown airport Mixed-Use Zone Rules at p5

⁴²⁰ Ibid at p7.

828. Chapter 17 of the PDP was notified at the same time as the NoR for Designation 2 as part of Stage I of the district plan review which also included many other chapters. Chapter 17 set out the objectives, policies and rules for the (then named) AMUZ. This zone provided for airport related activities at Queenstown Airport, recognising the airport as a nationally significant asset providing a gateway for people and freight and generating economic and social benefits.
829. In my view, the recommended Chapter 17 provisions reflect a more liberal approach to the Airport and its operations, by extending the range of airport related activities, but retaining control on those activities both in terms of size, scale and intensity and by location.
830. The rules for this zone sought to provide performance standards in order to manage the effects of airport activities on amenity values within and outside of the zone. Although the notified AMUZ sought to expand the boundary beyond that of the ODP AMUZ, the recommended Chapter 17 seeks to retain the zone extent as per the ODP – renamed as Airport Zone - Queenstown (QAZ), see Decisions Planning Map 33.
831. The performance standards include in recommended Chapter 17 include increased height for buildings to 15 m and reduced setbacks of 5 m or 3 m but only in the reduced and renamed QAZ. So in this way buildings of increased height with reduced setbacks are limited to the airport terminal area being the same area subject to the AMUZ in the ODP.
832. Also of relevance in Chapter 17 is the recommended inclusion of a new definition for airport related activity. As recommended this definition provides that:

Airport Related Activity

Means an ancillary activity or service that provides support to the airport. This includes:

- a. land transport activities*
- b. buildings and structures*
- c. servicing and infrastructure*
- d. police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose*
- e. retail and commercial services, and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses*
- f. catering facilities*
- g. quarantine and incineration facilities*
- h. border control and immigration facilities*
- i. administrative offices (provided they are ancillary to an airport or airport related activity).*

833. Chapter 17 Rule 17.4.1 provides that any airport activity or airport related activity that complies with all the relevant rules in section 17.5 is a permitted activity.
834. It is also relevant that the provisions in recommended Chapter 17 recognises that adjoining residential zones are more sensitive to development and the effects of buildings on adjoining land. The recommended minimum building setback is greater for a residential boundary and the public road than it is for other zones. Further it is recommended to include a rule⁴²¹ in Chapter 17 that where the zone directly adjoins a residential zone then a 45 recession plane should be applied. In my view, these activity standards recognise that development in the neighbouring airport site could have adverse effects on the residents in a residential zone, and as such some level of control should be imposed.

⁴²¹ Recommended Rule 17.5.4 Recession Plane, Recommended Chapter 17

835. While Mr Kyle did not identify and discuss the above provisions he identified other PDP objectives and policies relevant to the proposed modifications in the NoR. Chapter 3, Objective 3.2.8.1 he refers to is a higher order broad objective seeking to maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District's existing infrastructure. Policy 3.2.1.2.4 specifically recognises that the Queenstown Airport makes an essential contribution to the prosperity and economic resilience of the District.
836. Chapter 6 of the PDP is also, I think, of some relevance, as its objective and policy framework seek to recognise and protect the landscape from inappropriate activities that could degrade its qualities, character and values. While no parties pointed me to specific objectives and policies, I consider that the District's landscape are of significant value to people who live in, work in and visitors to the District.
837. In particular Objective 6.34 seeks to protect, maintain or enhance the District's Outstanding Natural Landscapes and Policy 6.3.4.3 states that regard must be given to "*adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.*"
838. As such, provisions that enable development must consider the effect that the development (especially increased building height and reduced setbacks) may have on views of the landscape and be limited to avoid, remedy or mitigate those effects.

44.8. Regional Policy Statement

839. Mr Kyle in his evidence considered the proposed modifications to Designation 2 under the relevant provisions of the Regional Policy Statements both operative and proposed. He noted, and I rely on his advice, that there are no relevant national policy statements or regional plans that are relevant to this Designation.⁴²²
840. The Operative RPS includes Objective 9.4.2 which seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities. Policy 9.5.2 seeks to promote and encourage efficiency in the development and use of Otago's infrastructure through encouraging development that maximises the use of existing infrastructure, promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure and avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.
841. Policy 9.5.3 aims to promote and encourage the sustainable management of Otago's transport network, including through promoting a safer transport system.
842. The Proposed RPS also includes relevant objectives and policies for consideration. Objective 4.3.5 seeks to ensure that infrastructure is managed and developed in a sustainable way. Policy 4.3.1 seeks to manage infrastructure activities to achieve among other things, supporting economic, social and community activities⁴²³ and protecting infrastructure corridors for infrastructure needs now and for the future.⁴²⁴

⁴²² J Kyle, EIC at [4.52]

⁴²³ Policy 4.3.1 (c)

⁴²⁴ Policy 4.3.1(e)

843. As identified by Mr Kyle⁴²⁵, of particular relevance to Queenstown Airport is Policy 4.3.2 which recognises the national and regional significance of airports. Policy 4.3.3 aims to minimise the effects of infrastructure of national or regional significance through avoiding, remedying or mitigating adverse effects. Policy 4.3.4 seeks to protect nationally or regionally significant infrastructure from reverse sensitivity effects⁴²⁶ and seeks to avoid significant effects on the functional needs of infrastructure.⁴²⁷

844. In my view the two regional policy statements recognise the importance of regional airports but not at all costs. Adverse effects must be addressed.

44.9. QAC Corporate Statement of Intent

845. Both Ms Wolt and Mr Kyle relied on the QAC corporate statement of intent as the basis for the objectives of Designation 2. A 2037 Queenstown Airport Master Plan was also referred to in evidence in support of the modifications to the designation.

846. On my reading of the corporate statement of intent in terms of related airport activities that document strongly suggested to me those activities would locate either in the existing main terminal or a later expanded terminal. Indeed the statement on page 11 under the heading Goal 3 specifically identified terminal expansion for International arriving and departing passengers as being one of the major infrastructure projects planned for the forecast period.

847. I note here that Ms Wolt informed me the terminal had had a significant expansion as recently as 2015. However perhaps that expansion had already occurred. I was unclear on that point.

848. Another goal was that of acquiring from RPL land for a new aviation precinct. Goal 4 included providing the travelling public with comfortable and safe places to be in, while moving through the airport terminal and providing to them a range of services to be available for their convenience.

849. Goal 5 seeks to establish the airport as a preferred place of work and business within the district. This goal makes it plain that lease income from businesses operating in the airport terminal and on land within the airport precinct, together with parking revenues are an important and an increasing part of QACs profitability. The corporate statement explains that⁴²⁸

the airport is a major hub for people receiving over 1.2 million passengers per year as well as those that come to greet or farewell travellers. These people expect a range of services to be available to them their rental cars, retail, food and beverage, banking, transport or tour desks etc, and in turn businesses providing these services are key to be a part of the airport success and enhance the service offered to airport users.

850. The corporate statement further notes that the airport:⁴²⁹

is already a major employment hub in the region and future employment growth at the airport should outperform the rest of the region. As our passenger numbers expand so too will our service offerings, subject to terminal space to house them.

⁴²⁵ J Kyle, EIC at [4.58].

⁴²⁶ Policy 4.3.4(a)

⁴²⁷ Policy 4.3.4(b)

⁴²⁸ Queenstown Airport Corporation Limited Statement of Intent 2015-2017 at p16

⁴²⁹ Ibid.

851. The statement of intent recognises both that the location of airport related activities as being within the terminal and also the correlation between needs and demands of visitors/passengers and those services as well as providing for growth in those services. I consider this non-statutory document to be helpful in describing QAC commercial development goals. However as will become apparent later I preferred to rely on the words included in the designation itself to understand its purpose.

44.10. Other Relevant Documents

852. Turning to other relevant documents under section 171(1)(d) the witnesses did not identify relevant Non-RMA statutory instruments such as Urban Development Strategies or Transport Strategies. However usually these strategies inform and implement aspects of both Regional and District Plans.

44.11. Themes arising from planning documents

853. Distilling the themes from the planning documents enables me to better understand and assess the effects on the environment of allowing all of the proposed modifications in the NoR.

854. It is clear from statutory documents that providing for regional and national infrastructure is well recognised as being both important and beneficial for people and communities. However provision should occur while avoiding remedying and mitigated adverse effects.

855. At a district plan level the importance of the airport to the district and region is well recognised. Allowing the airport to be maintained, grow, and develop and be upgraded and operated in an efficient and effective way as long as amenity and building appearance standards⁴³⁰ are met are key themes.

856. The Airport Zone provisions in the District Plan – both operative and recommended – recognise that in respect of airport related activities such as retail, offices, commercial activities and the like it is important to provide for these activities at the airport, but the planning provisions also seek to ensure the nature and scale and intensity of these activities are appropriate to meet the needs of the travelling public. This is a form of control or limitation.

857. In terms of size and scale, these permitted airport related activities are limited or controlled, by the maximum height limits, setbacks and application of a recession plane. In my opinion this is a clear signal that while the activities are anticipated they must also be controlled in order to avoid, remedy and mitigate any potential adverse effects on the environment.

858. This form of limitation or control in the district plan zone provisions seeks to limit and/or assess environmental effects of these airport related activities. Such effects of uncontrolled airport related activities may include increases in road traffic, economic impacts on other centres and commercial zones and amenity effects on neighbouring zones. By limiting the scale and intensity of these airport related activities to the needs of airport users such as the travelling public, such effects would be controlled or assessed. Any effects arising while respecting that limitation arising from or based on passenger need would be acceptable.

859. Further it is recognised that the recommended provisions in the QAZ recognise that the sensitivity of the residential zone through imposing stricter controls to reduce any adverse amenity effects. In my view, as this sensitivity has been recognised and provided for through

⁴³⁰ ODP QAMUZ Rules 6.2.1 Zone purpose

QAZ provisions, this must also be a consideration for adverse effects generated by activities permitted via the designation.

860. It is also important to note that it is recommended in Chapter 17 that the QAZ apply to the same area and location as the ODP AMUZ, rather than the extension that was notified. The key reasoning for this was any adverse effects arising from development need to be identified and assessed. At the Chapter 17 hearing, there was no evidence to justify why the zone needed to extend or that the effects from any development in the additional area would be appropriate and acceptable in a resource management context.
861. The Chapter 17 recommendation results in buildings of increased height and reduced set back being limited to the new QAZ being the same location as the ODP AMUZ.
862. Taking all of this into account I consider that while the planning documents recognise the importance of the airport as significant infrastructure; these same planning documents recognise the need for controls and limits in order to restrict any airport related activities to being of a scale, size and intensity to respond to the needs of the airport passengers, visitors and employees and/or aircraft movements and airport businesses; and also considering any adverse effects on the environment arising from extra height buildings by limiting their location to the QAZ.

45. EFFECTS ON THE ENVIRONMENT – SECTION 171(1)

45.1. Relevant Environment and Permitted Baseline

863. In addition to the planning framework, I need to look at the environment as it is in order to consider the effects of the modifications in the NoR. This includes:
- a. The relevant environment on which the Project's effects would occur; and
 - b. The scope of potential effects that can validly be taken into account for the purposes of that assessment.
864. This essentially involves consideration of the existing and future state of the environment in which the activity will take place, and potential application of a permitted baseline analysis.
865. While involving overlapping considerations, assessment of the relevant environment and application of the permitted baseline are two distinct exercises, undertaken for different reasons. The purpose of assessing the existing and future state of the environment is to determine the nature of the receiving environment on which an activity's effects would occur.

45.2. Existing Environment

866. Planning Map 31a in the ODP details the existing Airport Designation, the airport mixed use zone which corresponds with the location of the existing airport terminal and the underlying rural zoning.
867. As to the zones surrounding the airport, on the lake side to the west the neighbouring zone is a low density residential zone. Designations #29 lies to the north. The Frankton Flats zone is also to the north. On the river or east side is the runway End Safety Zone and finally to the south is the Remarkable Park zone which abuts Designation #2.
868. With regard to the types of activities occurring around Designation #2 - recreational activities and commercial and retail lie to the north, residential to west on the lake side, building

restrictions and the runway safety zone to the east river side and commercial and retail to the south.

869. As for the airport other than airside areas servicing aircraft the major structure and facility is the airport terminal and its surrounding car parking. The statement of corporate intent describes the range of retail and food and beverage activities that occur inside the terminal. I understand all activities of this nature occur inside the terminal.
870. A visit to the airport confirms a range of retail shops providing services and goods expected to be found in an airport terminal, such as bookshops, souvenir and gift shops and the like. Similarly food and beverage offerings are available. Tourism businesses and car rental services are also available. There appears to be a range of administration offices supporting both these activities and airline activities.
871. I stress that I was not provided with detailed evidence on the size, scale or intensity of existing airport related activities at the airport. Much of the above is based on my own visits to the terminal.
872. As for buildings on the airport site the dominant building is the terminal building. There are a number of other buildings that look to function as hangers and storage and or garaging. These miscellaneous buildings are low in height. The vast majority of the buildings on the airport land occupy that part of the Designation #2 site covered by the ODP AMUZ.
873. The terminal building is located well away from adjoining boundaries. The carpark occupies a significant area in front of the terminal. This area is the public area of the airport. Additional development or change in this area would be, I consider anticipated by most given prior upgrades and development. In my observation, this terminal area could accommodate expansion without undue effects on neighbouring zones given the area of land available.
874. The only exception where building development might not be appropriate is where the designation abuts a residential zone. I will return to this matter later.

45.3. Permitted Baseline

875. The evidence and submissions received did not directly address the permitted baseline relevant to any of the modifications to or the designation itself. The Designation in the ODP provides a baseline for limited airport related activities such as a cafeteria but the extended list of permitted activities now proposed to be included in Designation #2 do not fall within it.
876. The underlying rural zone provides a further baseline though not a relevant one in relation to the extended list of permitted activities.
877. I have earlier referred to the recommended Chapter 17 and the recommendation not to expand the geographic location of the QAZ (see Decisions Planning Map 33) and also retaining the controls on the size, scale and intensity of airport related activities via its definition of airport related activity and activity standards (maximum building height, setback and recession plane) set out in the recommended rules at 17.5.
878. In terms of a baseline then I adopt the outcome provided for by the application of the definition of airport related activities and the rules and standards as recommended in Chapter 17 and Chapter 2 (definitions) inclusive of Decisions Planning Map 33. I consider this is a pragmatic approach because adopting this baseline recognises the current retail and commercial activities undertaken at the airport. Chapter 17 also signals more liberal approach

to airport related activities by extending the range of them, whilst still controlling them in terms of size, scale and intensity through the previously mentioned standards. Recommended Chapter 17 is also more liberal in terms of increased height and reduced setbacks for buildings but effectively limits location of such to the existing terminal area (see Decisions Planning Map 33).

879. PC35 established an appropriate land use management regime around Queenstown Airport while providing for the predicted ongoing growth of aircraft operations at the airport until 2037. The vast majority of PC35 is no longer at issue following the three interim Environment Court decisions.⁴³¹ Although there is one outstanding matter, in relation to noise boundaries in the vicinity of Lot 6, I consider that PC35 forms part of the permitted baseline.

46. EFFECTS ASSESSMENT

880. I will discuss the matters in contention, with reference to the evidence received and the relevant statutory considerations:

- a. Prohibiting Non-Airport related activities;
- b. Expansion of permitted activities;
- c. Building Height and Setback.

881. Following doing so I will comment as needed on the remaining modifications, being:

- a. Lot 1 DP 472825;
- b. The removal of details that are no longer required ;
- c. Insertion of a new condition to clarify RESA;
- d. Mechanical ventilation; and
- e. Inclusion of additional land.

46.1. Prohibiting Non airport related activities

882. RPL requested retaining the prohibition of non-airport related activities within the airport designation, noting that there were no “*proper reasons*” given for removing it.⁴³² RPL also noted that there is no definition included in the PDP to define non-airport related activities.

883. Ms Holden directed me⁴³³ to the Court of Appeal case of *McElroy v Auckland International Airport Limited*,⁴³⁴ which she said acknowledged that the use of airports has changed as airports now provide more than an aircraft take-off and landing facility.

884. This acknowledgement, she said, supports the widening of the airport related activities permitted at Queenstown Airport suggesting these constraining words were not appropriate. However I did not find *McElroy* helpful in guiding me as to whether or not the words “*non-airport related activities*” should be removed from this NoR or not in terms of all of the considerations contained in section 171.

885. Ms Holden went on⁴³⁵ to highlight that some of the activities that now occur at Queenstown Airport within the designation area are not airport related. She mentioned activities associated with utilities (e.g. telecommunication masts) and services which pass through the airport to

⁴³¹ As summarised by Ms Holden in her Section 42A Report for Chapter 17 at [5.2b].

⁴³² Submitter Point 807.100

⁴³³ Ms Holden Section 42A report Paragraph 6.8 Page 8

⁴³⁴ *McElroy v Auckland International Airport Limited* [2009] NZCA 621.

⁴³⁵ Ms Holden Section 42A report Paragraph 6.9 Page 8

serve other areas, as well as the New Zealand Meteorological Service's designation for an automatic weather station (Designation #230).

886. However, these non-airport related activities are largely activities associated with utilities having their own designation. So in my view that circumstance sets them apart.
887. Ms Holden contended⁴³⁶ that the phrase "*non-airport related activities*" given this is not defined in the PDP causes some uncertainty as to its meaning. However, she ultimately concluded that in her view including this phrase would ensure that any activity that is not associated with the operation of the airport is required to comply with the underlying zone standards.⁴³⁷
888. She therefore recommended that RPL's submission be accepted and the prohibition condition be reinstated as originally included within the designation as it was in the ODP.
889. Ms Wolt on behalf of QAC, submitted that this phrase was superfluous and as such should be deleted. Ms Wolt submitted that it would be "*unusual, unnecessary and inappropriate for a designation to purport to prescribe an activity class*",⁴³⁸ as the purpose of a designation is to obviate the need to obtain resource consent for activities authorised by the designation. I partially agree with that submission.
890. Mr Kyle presented evidence for QAC and he also submitted that in his view "retention of this condition is unnecessary".⁴³⁹
891. Mr Young for RPL and QPL did concede that there is some validity in the argument of QAC in relation to prohibited activity status from a statutory interpretation perspective.⁴⁴⁰ He did however go on to say that not all readers of the District Plan are lawyers and that if a prohibited activity rule provides "*clarity and certainty*" to the reader then it should be retained in some form.⁴⁴¹
892. Mr Young suggested alternative wording that he considered may overcome the concerns of QAC regarding the phrase "*non-airport related activities*". He suggested the following:⁴⁴²
- "Any activity not expressly provided for in this designation is prohibited"*
893. I consider Mr Young's suggested condition improves the situation by removing the undefined words "*non-airport related activities*". But I do not consider a lack of definition of these words in the Plan renders them incapable of meaning. In my view if these words are given their plan ordinary meaning no interpretive difficulty arises.
894. In my view, his suggested wording, suffers from the same inaccuracy that the original words do. Non-related airport activities could occur on the land area subject to the designation if permitted by or consented under the underlying zoning. So it is inaccurate to describe those activities that do not comply with the designation as prohibited.

⁴³⁶ Ms Holden Section 42A Report Paragraph 6.10 Page 9

⁴³⁷ Ibid at [6.10].

⁴³⁸ Ibid at [118]

⁴³⁹ John Kyle EIC at [4.30-4.31].

⁴⁴⁰ Legal Submissions of Mr Young dated 20 October 2016 at [3.7]

⁴⁴¹ Ibid.

⁴⁴² Synopsis of Mr Young dated 6 October 2016 at [2.4].

895. In my view it is helpful to the Plan user to include a provision stating that the Designation provides for activities expressly stated within it. I recommend to QAC that it accept the RPL submission in part and modify the designation by including the following wording;

“Any activity not expressly provided for in this designation shall be assessed in accordance with the provisions of the Queenstown District Plan for the underlying zone”

46.2. Expanded List of Permitted Activities

896. The modified list of permitted activities which was notified in Designation#2 included additional airport related activities. Whilst many of the activities in the amended list were what I would consider airport activities⁴⁴³, the NoR also sought to include the following airport related activities at (f):

(f) Retail activities, restaurants and other food and beverage facilities including takeaway food facilities, signage, and industrial and commercial activities, provided they are connected with and ancillary to the use of the Airport.

897. The assessment of effects included within the NoR relevant to sub paragraph (f) provided;

The modifications to the aerodrome purposes designation are minor in nature and extent. They provide clarity as to the activities and works that are able to be undertaken within the designation to enable the continued safe and efficient operation of the airport. The proposed list of permitted activities more accurately describes the activities and works that are currently undertaken by a QAC or will be in the future. The modifications also assist QAC to continue to meet its stated objectives and goals as set out in the Queenstown airport Corporation statement of intent for the years 2015 to 2017 attached as appendix C.

898. RPL submitted⁴⁴⁴ opposing the inclusion of the activities listed at (f) of the permitted activities list. The submission noted that the list of permitted activities was “extremely liberal” and potentially made a range of activities permitted.⁴⁴⁵ RPL sought that either item (f) was deleted, or it was amended to specifically list the activities that are permitted. While this will become clearer later I record here that some type of geographic limit would be within scope of RPLs relief.

899. Within her Section 42A Report,⁴⁴⁶ Ms Holden was supportive of the expanded list of permitted activities.⁴⁴⁷ She considered the effects assessment included within the NoR was comprehensive and did not warrant any further comment.

900. Ms Holden recommended that the submission of RPL be rejected and that QACs modifications to the designation be confirmed along with some other minor amendments sought by submitters.

⁴⁴³ For example at (a) airport or aircraft training facilities; and (c) Terminal buildings, hangars, control towers, rescue facilities, navigation and safety aids, lighting, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances, and associated offices

⁴⁴⁴ Submitter 807.

⁴⁴⁵ Submission Point 807.96

⁴⁴⁶ Ms Holden Section 42A report Paragraph 6.6 Page 8.

⁴⁴⁷ Ms Holden Section 42A Report paragraph 6.6 Page 8

901. Ms Wolt in her opening legal submissions⁴⁴⁸ contended the broadened list of activities is consistent with activities commonly found and expected at a modern airport.
902. Ms Wolt submitted based on the High Court’s *McElroy* decision, which she explored extensively in her submissions, that the Court has confirmed that the range of activities that are sought to be enabled are legitimate airport and airport related activities.
903. Mr Kyle for QAC adopted and relied on the submissions of Ms Wolt relating to *McElroy* to justify the inclusion of the expanded list of additional matters⁴⁴⁹.
904. As to effects on the environment of including the extended list of permitted activities Mr Kyle contended the extended list more appropriately recognises and provides for the range of airport related activities that currently occur at the airport and or will likely occur in the future. To support this view he noted that more airport related activities took place at the airport than those identified in the ODP designation.
905. Based on this evidence, I assumed he was of the opinion these airport related activities were already part of the existing environment. However as I have already noted when discussing the existing environment, I did not receive detailed evidence on what was actually occurring at the airport now, relative to these extended airport related activities. Rather I relied on my own observations.
906. Mr Kyle confirmed he agreed⁴⁵⁰ with the assessment of effects contained within the NoR, broadly being the effects will be minor in nature. Mr Kyle noted⁴⁵¹, it is implicit in the designation that the range of activities permitted pursuant to the designation are “*connected with and ancillary to the use of the airport*”. Notwithstanding this view, Mr Kyle then suggested to ensure consistent administration that it would be appropriate to include the following for all activities included in condition 1.⁴⁵²
- The activities authorised in Condition 1 must be connected with and ancillary to the use of the airport.*
907. Mr Young for RPL, first pointed out that the activities listed at item (f) were neither underlined as an addition in Appendix 2 nor discussed in any detail in the Notice of Requirement. He did not consider there was any supporting analysis for them and suggested that the public had not been put on notice of the proposed introduction of a wide range of activities new activities within the designation.
908. I observe here no other participants in this hearing raised concerns about the adequacy of notification due to the absence of underlining of condition (f) in the NoR. I note, while Mr Young and his client may have a particular interest notification was nevertheless sufficient given RPL has lodged a submission.
909. Mr Young noted in particular that QAC seeks to enable retail, food and beverage, commercial and industrial activities throughout Designation #2 with no limits or controls.⁴⁵³

⁴⁴⁸ Ms Wolt Opening Legal Submissions Paragraphs 88 and 89 and 90 to 99 pages 19-22

⁴⁴⁹ Mr John Kyle Evidence in Chief Paragraph 4.14 and 4.15 Page 9

⁴⁵⁰ Ibid Paragraphs 4.5.2, and 4.7

⁴⁵¹ Ibid Paragraph 4.32.

⁴⁵² Evidence of Mr Kyle at Appendix B

⁴⁵³ Mr J D Young Legal Submissions for RPL paragraph 2.3 Page4

910. He did not consider the qualifier that the activities are “*connected with and ancillary to the use of the Airport*” was sufficient or effective. He said this did little to limit the spread of these activities throughout the designation area because of the significant scale of the airport operation and designation. Mr Young expressed concern that the large numbers of passengers that pass through the airport could be used to justify substantial retail, food and beverage and other commercial activity.
911. Mr Young criticised the NoR for lacking in detail. He said stating the designation was simply a reflection of current activities, avoided a critical question – being what is the appropriate scale, intensity and location of the various activities sought to now be expressly permitted?⁴⁵⁴
912. Mr Young submitted that constraints were needed or there was a risk that significant development could occur on land to the south or north of the runway in very close proximity to land zoned for urban activities (Frankton Flats A and B zones and the Remarkables Park Zone)
913. Mr Young’s synopsis of his submissions questioned how QAC reached the conclusion that “*the work will not have a significant adverse effect on the environment.*”⁴⁵⁵ In his view this statement raises a number of questions including what is the work, where is it located and what is the scale and intensity?
914. In detail⁴⁵⁶ Mr Young contended that QAC has not complied with the requirements of section 171(1) because there is no proper assessment of effects. Mr Young submitted that these errors are significant and cannot be remedied by off-the-cuff oral evidence and all the modifications including the extension of permitted activities to the designation must be rejected.
915. Mr Young further noted that RPL does not deny a modern day airport can incorporate a range of commercial or industrial activities. He did not take issue with the *McElroy* decision itself. He emphasised RPL’s concerns related to the paucity of information and analysis supporting the significant range of commercial and industrial activities now proposed within the Designation #2.
916. Mr Young drew my attention to the definitions of commercial and industrial activity in the PDP. These two activities are part of the extended range of permitted activities that QAC seeks. The commercial activity definition provides;
- “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”*
917. Mr Young elaborated on the broad definition for both of these activities stressing QAC proposed no controls via conditions within Designation #2 nor he said had an assessment of effects beyond the designated area considering integration with adjoining and other zones under the PDP been undertaken by QAC.

⁴⁵⁴ Ibid at Para [2.1c iii]

⁴⁵⁵ Ibid at Para [2.1c]

⁴⁵⁶ Mr Young Opening Legal Submissions Paragraphs 1.5 to 1.7 Page 3.

918. Supporting these submissions Mr Young noted⁴⁵⁷ Mr Kyle's assessment of effects simply confirmed agreement with the assessment included in the NoR. In considering the effects assessment in the NoR Mr Young noted it was little more than statements relating to what QAC was intending to do with its land.
919. Mr Young did note that the AEE in the NoR simply records that the amended list of activities reflects the current range of activities carried out on the designated land. At first instance this suggests that the significance of the change or modification to the designation is limited because the change simply provides for what is already occurring.
920. Mr Young submitted⁴⁵⁸ there was a disarming circularity to QACs proposition first there would be no adverse effects secondly if there were then an outline plan would address those effects.
921. Concluding his submissions on effects Mr Young⁴⁵⁹ noted if the modifications are approved the scale and location of activities that could be undertaken as of right have not been properly considered by QAC as required by section 171(1)(a)-(d). He submitted 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 QAC.
922. For this submission Mr Young relied on QACs statement of intent in relation to references to income diversification and upon Ms Wolt's legal submissions when she relied on McElroy. In particular he pointed to that part of Ms Wolt's legal submissions where she referred to the point:⁴⁶⁰

that in airports around the world now consistently include a wide range of facilities and some not obviously connected directly to the arrival and departure of the aircraft, their passengers, crew and freight... But with all such activity being focused on providing revenue to the airport operator to offset the losses inevitably derived from airport operations....

923. Mr Young summarised the effects of concern being there is no information relating to traffic impacts on the roading network adjacent the airport and beyond nor or any information about economic impacts on existing centres or integration with zones surrounding the Airport. He pointed out that PC 50 recently zoned further commercial land adjoining the existing Queenstown CBD in response to a perceived or real threat of commercial expansion at Frankton.
924. Mr Young was clear in his legal submissions that RPL and QPL do not oppose the proposed modifications relating to extending airport related activities or height and setback limits provided they both were restricted in relation to the land that is to the south and west of the terminal building and adjacent to Lucas Place (with the exclusion of deleting the prohibited activity rule discussed above).⁴⁶¹ Mr Young's submission goes on to say that:

*"there has always been an expectation that commercial development may occur in this location."*⁴⁶²

⁴⁵⁷ Mr Young Opening legal submissions paragraph 2.5 on Page 5

⁴⁵⁸ Ibid Paragraph 2.5 Page 5

⁴⁵⁹ Mr Young Legal Submissions Paragraph 2.24 Page 16

⁴⁶⁰ Ibid

⁴⁶¹ J Young, Synopsis of Legal Submissions at [1.2]

⁴⁶² Ibid.

925. RPL and QPL do oppose the proposed modifications in relation to the rest of the land that is subject to Designation #2.⁴⁶³ So as noted earlier I consider that some type of geographic limitation as to where within the designation the extended list of permitted activities could locate is within scope of the RPL submission.
926. In her summary presented at the hearing, Ms Holden had changed her mind regarding the list of permitted activities. After reviewing Mr Kyle's evidence, Ms Holden agreed with Mr Kyle that it was appropriate to clarify that the activities identified in (a) to (f) were permitted provided they were ancillary to the use of the airport.
927. However, Ms Holden reviewed the NoR and considered that Mr Young had raised some valid issues relating to the inclusion of the activities at (f) and why QAC did not consider that any limits on the nature and scale of these activities was required.
928. Ms Holden agreed with Mr Young's assertion that the NoR had not assessed whether it was appropriate to provide for retail activities, restaurants and other food and beverage facilities, or industrial and commercial activities by way of the designation. Based on the legal submissions of RPL, she was of the opinion that QAC should provide further information to justify the inclusion of retail, food and beverage, and other commercial activities in this designation and to demonstrate that limits on the nature and scale of such activities are not necessary.
929. Because Ms Holden had changed her position on her recommendation on the RPL submission I questioned Mr Kyle closely as to the outline development process and how he saw that process addressing and providing for the factors I need consider under section 171.
930. I allowed him the opportunity to respond further in writing to Ms Holden's altered position and to consider the information supplied by RPL relating to the recently confirmed designations for Auckland Airport. He did so on 2 November 2016.
931. Mr Kyle's response essentially confirmed his earlier evidence. He remained of the view modern airports are highly sophisticated and dynamic land uses which legitimately encompass a broad range of activities to meet the changing needs of airport users.
932. In response to providing details as to scale, location and extent of the additional permitted activities he remained of the view that it was unnecessary to do so. As to limitations on location size and scale he referred to our exchange during questions that it was likely most of the extended activities, are likely to be developed within the terminal complex. I took from that he was saying that the existing terminal provided a physical constraint on the size and scale of the airport related activities that could locate inside of it.
933. However the QAC Statement of intent Goal 3 on page 11 refers to a Terminal expansion being one of the QAC major infrastructure projects for the period 2015-2017.
934. Mr Kyle also noted airport land is limited with significant areas of it taken up to facilitate aviation activities. So he contended large scale standalone developments cannot occur.
935. However I do think it would have been very clear to Mr Kyle that what was required was certainty as to location, nature scale and intensity of the extended list of permitted activities

⁴⁶³ Ibid at [1.3].

and an effects assessment, or to provide his opinion with supporting reasons that that limits or controls on the extended list of permitted activities are not necessary.

936. After considering the Auckland Airport designation #1101, Mr Kyle suggested new conditions could be included in the modified designation to more particularly describe how and what an outline development plan should include if the extended list of permitted activities were to be included. He considered this more directive outline development plan process would address the issues of concern raised by RPL.
937. Ms Wolt in reply submissions dated 2 November responded to Mr Young's submissions for RPL and Ms Holden's altered position. In her view the real RPL issue is not with the extended range but is that range consistent with and justifiable at a modern airport. She again relied on McElroy to support her submission that the inclusion of the extended range of permitted activities was both consistent and justifiable for a modern airport.
938. Location of the extended permitted activities is she considers the key issue for RPL. That can be addressed she submitted by acknowledging the fact available airport land is extremely limited. She relied upon both the outline development plan process and the additional conditions proposed by Mr Kyle to be included in the designation relating to that outline plan process.
939. As I noted earlier, Ms Wolt provided a plan detailing the airport, the designations and the Obstacle Limitation Surface areas for the purpose of demonstrating QAC had little land available therefore constraining the size scale and intensity of the extended list of permitted airport related activities. She did not offer any appropriate conditions to deal with issues of concern related to controlling the extended list of permitted activities or restricting their location within the designation.

Findings on effects on the Environment of modifying the Designation to include extended permitted activities.-Section 171(1)

940. In my view Mr Kyle's reply evidence for QAC did not provide that certainty as to location, nature, scale and intensity or an adequate effects assessment. Nor did he provide an opinion why limits or controls are not necessary. He did not proffer suitable or appropriate conditions for inclusion in the designation to address the two issues of concern being the size, scale and intensity of the extended list of permitted activities or their location within the designation.
941. The difficulty in undertaking an effects assessment is further compounded because QAC has not proposed with certainty where, from a range of possible locations the extended list of permitted activities will be located within the designation. For example differing locations within the designation may have differing traffic effects.
942. I consider a greater level of detail is required than that provided within the NoR so as to assess effects of what are in terms of the designation unlimited permitted activities. So on that point I agree with Mr Young.
943. QAC has not, in my view, adequately explained why an uncontrolled extended list of permitted activities is required to meet the objective of the designation. Nor has QAC provided adequate information on the likely scale and intensity of the retail, commercial or industrial activities so that effects can be assessed. Nor has QAC provided information and evidence on why the list of extended activities does not need to be limited or controlled. So again, I agree with Mr Young on those points.

944. While I acknowledge updating the NoR to recognise and provide for airport related activities that are taking place now is appropriate these QAC modifications go much further than that.
945. Also as I noted earlier I received very limited evidence on what airport related activities are now undertaken and the size and scale of them. The evidence and submissions received did not in my view adequately advance matters enabling an adequate assessment of effects under section 171(1)(a)-(d) if there was to be no limits or controls. Nor did it explain why no control or limits are unnecessary. Nor did the QAC evidence adequately assess effects from extended uncontrolled airport related activities.
946. In my view, there is simply not enough information for me to understand to a reasonable level the effects on the environment, including on the neighbouring zones and land. If these activities are not controlled in some way, significant adverse effects on the environment of allowing the modifications, particularly traffic, economic effects and amenity effects may arise.
947. While I accept there are limits on available land for QAC at the airport both Mr Kyle's and Ms Wolt's replies including the plan she provided illustrated to me notwithstanding limited land supply there were possible additional location options to the existing terminal area.
948. However it seemed to me that plan included areas of vacant land other than land close to the terminal inside of the designation. It was not clear to me why that land was not available as a location for some of the extended list of permitted activities.
949. In any event simply relying on an assertion that due to limited land supply the possible locations are restricted and appropriate is much too imprecise. In my view an express location condition is required to provide certainty and to allow an effects assessment.
950. Also in evidence I was told the purpose of the Lot 6 Designation was to re locate general aircraft from their current location, south of the terminal to the Lot 6 Designation. If this occurs and I understood from the evidence this was very likely then the land currently utilised for general aircraft could be utilised for terminal expansion and or the extended list of permitted activities.
951. For reasons already provided I do not consider a subsequent out line development plan is an appropriate response as I need to understand and assess effects now for the purpose on making a recommendation on this NoR.
952. In any event, the matters Mr Kyle suggested be included as a form of condition relating to the outline development Plan in the main seemed to me to relate to boundary issues in particular impacts on views from adjacent sites, colours, landscaping and consideration of construction traffic and operational traffic. He did not suggest controls or conditions for any airport related activities.
953. I do not consider these possible conditions are directed at an increase in traffic effects or any adverse economic effects on other service centres or commercial zones caused by a lack of limits or controls on the extended list of permitted airport related activities.
954. Also simply contending, based on McElroy, and because all modern airports have these extended activities or something similar, does not in my view operate as some alternative effects assessment.

955. I disagree that Mr Kyle's additional wording is required or effective in order to qualify all activities included in conditions (a) to (f). The activities listed in these conditions informed by their description are inherently ancillary to airport operations as distinct from airport related activities. So, in other words the qualifier is superfluous and is not an effective control on these activities.
956. With regard to the activities included in condition (f), I have considered the recommended wording of Chapter 17 and the activities that are permitted pursuant to the Airport zone provisions. Airport related activities includes at (e) "retail and commercial services and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses". The underlined phrase in my view applies a constraint to the scale, size and intensity of the activities which I consider to be appropriate both in achieving the objectives of the airport operations and appropriately avoiding effects on the environment of allowing the modification of extending airport related activities as permitted activities.
957. Linking the permitted activities to the needs of passengers, is a response to demand generated by passengers, visitors and employees. In my view this is a more appropriate control on the scale of activity than the currently proposed phrase "connected with and ancillary to the use of the airport". In other words, I think this is more constraining than the notified condition (f) wording.
958. Also, I note that the recommended Decision on Chapter 17 reduces the Airport Zone from that as notified to that as now identified on Decisions Planning Map 33. So at least for the Airport Zone, there is certainty as to the location of the activities.
959. In my opinion while the words "*connected with and ancillary to*" provide some form of limitation they are broad. They do not address size and scale in the same manner as the PDP definition of airport related activity which is permitted in the QAZ as set out in Chapter 17.
960. Rather than provide clear controls and guidance for plan users, I consider that these words raise questions such as what is the extent or degree of connection? How is the connection established? The word ancillary, while commonly used in this context, is also broad in its everyday meaning being subservient or subordinate. Neither "connected" or "ancillary" control size, scale and intensity, nor is this in my view an important requirement so as to avoid, remedy and mitigate potential adverse effects arising from any development within the Designation #2 footprint.
961. As to positive or beneficial effects I can accept from QAC's perspective if the airport related permitted activities are included then QAC's consenting pathway for those activities would be straightforward. This could be seen as a sufficient and effective outcome allowing QAC to respond to growth, with little planning constraints.
962. Overall, I prefer for the reasons advanced the position of both RPL and Ms Holden on this issue. I do not consider I have sufficient information to adequately assess effects of the extended list of airport related activities, controlled or not, particularly given their location could be designation wide. Nor do I understand why limits or controls on airport related activities and their location within the designation are unnecessary so as to make a determination as to the effects on the environment of allowing the modifications.

46.3. Building Height and Setback

963. RPL in its submission sought to retain the building height at 9m, stating that it did not consider it necessary for aerodrome uses to increase the height. Also it considers the height to be inconsistent with the maximum building height within the surrounding commercially zoned land.
964. The submission also opposed the proposed setbacks, seeking to retain the existing designation setback, as they consider the proposed changes to be inconsistent with the Airport Mixed Use zone provisions.⁴⁶⁴
965. However as earlier noted was the case with the extended permitted activities RPL did not oppose either the height increase or the setback decrease provided that the extension of the range of activities are undertaken on that part of the designated land being that land to the south and west of the existing terminal building and adjacent to Lucas Place.
966. This terminal area land is currently zoned Airport Mixed use (AMU) under the ODP as shown on ODP Planning Map 31. Mr Young explained this area was already developed and buildings of 15m in height could locate there and not cause adverse effects through their dominance, nor cause effects on neighbouring land and uses because this location is sufficient distance from boundaries so as to avoid effects on neighbouring land and activities.
967. In her Section 42A Report⁴⁶⁵, Ms Holden referred back to the NoR which provided an assessment of proposed designated building heights against the building height within other adjacent zones (RPZ and FFBZ) which range from 6.5m to 18.5m (depending on the distance from the State Highway). She agreed with the conclusion of the NoR that the increased height limit is reasonably necessary particularly for the expansion of landside activities such as the terminal building, as outlined within the 2037 Master Plan for the Queenstown Airport.
968. Ms Wolt in her opening legal submissions⁴⁶⁶ contended based on Mr Kyle's evidence the modifications providing increased heights are entirely consistent with the environmental/built form outcomes anticipated in the zones surrounding the existing designation. She provided height comparisons between the proposed modification and Activity Area 8 and 3 and with the FFBZ.
969. Mr Kyle's evidence summarised that, in his opinion, the proposed amendments are appropriate for managing potential effects at the boundary interface and "*ensure that the scarce land resource at Queenstown Airport is utilised efficiently and in a sustainable manner, and consistent with land use within the adjacent commercial zones.*"⁴⁶⁷ Further, Mr Kyle considers that with these amended heights or setbacks for buildings the outcome would be generally consistent with anticipated built forms in the adjacent zones.
970. Mr Kyle also explained⁴⁶⁸ that despite the increased height limits the Queenstown Airport is subject to obstacle limitation surfaces (OLS) which impose height restrictions on buildings and structures in order to maintain the safety of aircraft operations. These are imposed via Designation #4 and the Civil Aviation Authority. Therefore a large portion of the area in Designation #2 are subject to more stringent height controls than the designation itself allows.

⁴⁶⁴ Submission Points 807.97 and 807.98

⁴⁶⁵ Ms Holden Section 42A report Paragraph 6.17 Page 11

⁴⁶⁶ Ms Wolt Opening Legal submissions 14 October 2016 Paragraphs 102-106 Page 23

⁴⁶⁷ Evidence of Mr Kyle dated 7 October at [4.26].

⁴⁶⁸ Ibid Paragraph 4.24 Page 10

971. I questioned Mr Kyle on where within the designation buildings effected by these modified conditions would be located at the hearing. He explained in response that most of the activities including buildings in question are likely to be developed within the terminal complex to complement growing passenger and staff numbers over time. However, he did not explicitly restrict the increase in building height and reduced building setbacks to the area contained in the existing terminal location. As such, I cannot be certain of the effects of these modifications in a location outside of the terminal area.
972. Mr Young⁴⁶⁹ referred me to the Court’s final decision relating to the Lot 6 Designation pointing out the conditions imposed to address maintenance of views to outstanding natural landscapes, landscaping and building design. He noted there was a requirement to submit an “integrated design and management plan” prepared by a suitably qualified expert at the outline plan stage. Based on these points Mr Young submitted that Mr Kyle’s assertion effects or increased height and reduced setbacks for buildings will be minor is seriously undermined raising the issue of the need for a more rigorous assessment of alternatives.
973. Mr Young submitted⁴⁷⁰ that significant development could occur on land to the south and north of the runway in very close proximity to land zoned for urban activities namely Frankton Flats A and B zones and Remarkables Park Zone. He said there is no assessment of impacts of possible development on these zones.
974. Mr Young submitted that in his view, there was no evidential basis upon which these modifications could be made (in relation to height, setbacks and activities (with the exception of the existing AMU land). He referred me to the Lot 6 First Interim Decision which confirms that a “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”.
975. He further noted the failure to provide any meaningful conditions undermines any comparisons to Auckland International Airport which QAC undertook and relied upon.
976. Mr Young also provided in his submissions information relating to the recently confirmed Auckland Airport designation (Designation #1101). This information related to and provided specific guidance for those preparing and assessing outline plans to assist in better managing the effects of resultant buildings. He contended these required details were absent from the QAC assessment of effects.
977. Mr Young said that Mr Kyle’s AEE included a claim that the proposed modifications to the designation were consistent with adjoining zones and an outline plan process would address adverse effects. He noted no adverse effects were identified. He also submitted Mr Kyle’s consideration of maximum allowable heights in surrounding zones was flawed as Mr Kyle overlooked in some instances the need to obtain a resource consent to achieve those heights.
978. In her Reply, Ms Wolt continued her opposition to Mr Young’s submissions relating to the relevance and significance of the Lot 6 NoR Designation for the same reasons she advanced in her opening submissions. Simply put, she did not consider that decision was relevant.

⁴⁶⁹ Ibid Paragraph 2.19 Page 14

⁴⁷⁰ Mr Young Synopsis Legal Submissions 6 October 2016 Paragraph (v) Page 4

979. While Ms Wolt and Mr Kyle suggested new development was more likely to be where the existing terminal is located but did not propose a condition to restrict the location of new building development to that area.
980. Both did point out the restricting effect of the OLS but again I did not understand them to be saying that the OLS prevented new building development under the modified designation occurring in the areas identified by Mr Young especially the area to the North of the runway.
981. Another consideration for conditions and for that matter assessment would be the impact on neighbours views of landscapes and views from public areas and the effects of the dominance of buildings viewed from roads and the State Highway.
982. Possibly indirectly acknowledging both the assessment of effects within the NoR and that included in evidence was brief Mr Kyle said an outline development plan will or could be developed to provide further detail around how any effects that do arise from the future works will be further avoided or mitigated.
983. In his summary evidence⁴⁷¹ presented at the hearing Mr Kyle placed further weight on the role of outline development plans so as to address RPL's concerns. He detailed requirement of section 176A for development plans and he was satisfied such plans would address all RPL's issues.

46.4. Findings on Effects on the Environment -Section 171(1)

984. I have reviewed these conditions and read the additional information supplied by Ms Wolt in her reply relating to the manner in which the Auckland Airport provides for the outline plan development process and designation conditions. I am not convinced by her submission and Mr Kyle's assertion that the outline plan process or the additional outline plan conditions are appropriate to identify and assess the environmental effects of the proposed increased building heights and reduced setbacks arising from a range of locations within the designation.
985. As with the extended list or permitted activities my finding is the same. I do not consider I have sufficient evidence to adequately assess the effects of allowing this modification as to height and set back designation wide in terms of section 171(1).
986. This is particularly so for two reasons. First because there are a range of differing zones surrounding the airport which may mean the proposed increase in height or reduced set back may cause significant adverse effects. Clearly due to differing zones surrounding the airport effects will differ.
987. Second while both Mr Kyle and Ms Wolt intimated all newbuilding would occur near or where the airport terminal is located I was not provided with either clear evidence or a condition confirming the location within the Designation that buildings would be restricted to.
988. This made assessing effects a more difficult process leading me to the conclusion I have insufficient information and evidence to adequately assess effects of modifying the Designation by allowing buildings of 15 m with reduced setbacks to locate anywhere within the designation.

⁴⁷¹ John Kyle Summary Evidence 20 October 2016 Paragraph 2.14

989. I am clear that if a building height of 15 m and a reduced setback are to be provided designation wide then consideration of the effects of buildings on the adjoining zones, and in particular residential zones will be required.
990. Therefore, I agree with Mr Young that the Lot 6 decision is relevant and I agree with his submissions to the effect QAC is required for the purposes of section 171(1) to undertake a much more rigorous boundary based effects assessment.
991. The other point I took from Mr Young's submissions relating to Lot 6 is that while the airport is flanked by special zones either side it also has low density residential adjoining it in the south. There is a further low density residential zone located on the western or lake side of the designation albeit separated by a road. However parts of the designation are on the western side of Lucas Place immediately adjacent to the low density residential zone.
992. Given my view that Mr Young has a valid point, based on the Lot 6 decision the need to include conditions to address maintenance of views to outstanding natural landscapes and to allow integration with neighbouring zones this need must be more so for adjoining residential zones because they are more sensitive to amenity effects.
993. Having listened to and considered the evidence if new buildings to the 15 m height were restricted to that part of the airport land zoned QAZ in the PDP or AMUZ in the ODP located inside of Lucas Place, as now shown on Decisions Planning Map 33, and provided provisions to deal with effects on adjoining residential zones are included then in my view the possible effects of concern noted above would not arise except for adjoining residential zone.
994. This is because as I described both the existing environment and the permitted baseline of 15 m high buildings in this location is both anticipated and provided for as per the recommended version of Chapter 17 but with controls relating to the adjoining residential zone.

47. OTHER MATTERS AND SUBMISSIONS

995. The remaining proposed modifications to Designation #2 not already discussed are:
- a. Lot 1 DP 472825;
 - b. The removal of details that are no longer required ;
 - c. Insertion of a new condition to clarify RESA;
 - d. Mechanical ventilation; and
 - e. Inclusion of additional land.
996. All of these remaining matters relating to Designation #2 are not contentious in the sense that there were few submissions received (if any) and they received little consideration in Ms Holden's Section 42A Report. Ms Holden agreed with the conclusions reached in AEE in the NoR that the modifications listed above were all minor in nature.⁴⁷²
997. I agree with Ms Holden's assessment and consider that these modifications which I will discuss below, do not give rise to any adverse effects.
- 47.1. Lot 1 DP 472825**
998. Part of the submission received from RPL states that Designation #2 should have been lifted from a piece of land legally described as Lot 1 DP 472825.

⁴⁷² R Holden, Section 42A Report at [6.6].

999. Ms Holden explained in her Section 42A Report⁴⁷³ that Lot 1 DP 472825 formed part of Designation #2 within the ODP (noting that the legal descriptions were out of date) and was included within Schedule 37.2 of the PDP when notified. She also noted that it was not listed within section 2 of the NoR sent by QAC in relation to the rollover of the designation, which identifies the legal descriptions of all land contained within Designation #2.
1000. Ms Holden in her Section 42A Report at paragraph 6.12 included Figure 2 which assisted in identifying the location of Lot 1 DP 472825.
1001. Mr Young further explains in his submission that QAC recognises it is no longer the owner of this site and it is “unclear as to why this lot should remain within the Designation.”⁴⁷⁴ He also goes on to say that he understands that QAC does not oppose removing the designation from this land.
1002. Ms Wolt in her legal submissions confirms that the designation of this land is no longer required and that Designation #2 can be uplifted as requested.⁴⁷⁵
1003. I recommend to QAC that the RPL submission point relating to this issue accepted and further recommend to QAC that Lot 1 DP 472825 is removed from this designation.

47.2. Removal of details no longer required

1004. The NoR explains that currently there are a number of conditions in the Designation relating to the construction of the eastern Runway End Safety Area (RESA). The eastern RESA has been constructed and is now operational. As such these RESA conditions have been satisfied and no longer serve any purpose.
1005. The only conditions that need to be retained are those relating to the ongoing operation of the RESA – which is condition 25 requiring the RESA to be protected from the risk of erosion from the Shotover River.
1006. There were no submissions received in relation to this modification and I accept the explanation in the NoR as to the justification for removing these details
1007. Accordingly I recommend to QAC that it confirm removal of the details no longer required as described above.

47.3. Additional RESA condition

1008. In addition to removing the obsolete RESA conditions, the NoR proposed including a new condition to make it clear that the operational requirements of the RESA include normal and emergency engineering works, if required.
1009. This condition is proposed as condition 26a, worded as follows:

Maintenance and emergency works necessary to meet the requirements of condition 25 including engineering works, are permitted under this designation.

⁴⁷³ Ms Holden Section 42A Report Paragraphs 6.12 to 6.15

⁴⁷⁴ J Young, Synopsis of Legal Submissions at [4.3].

⁴⁷⁵ R Wolt, Legal Submissions at [123].

1010. There were no submissions received in relation to this modification and I agree with the inclusion of condition 26a in Designation #2 and so recommend to QAC.

47.4. Mechanical Ventilation

1011. Mr D Jerram⁴⁷⁶ submitted in relation to condition D1.16 which is a cross-reference to a provision within Chapter 36 – Noise of the PDP specifying a requirement for mechanical ventilation for heating purposes only.

1012. Mr Jerram's submission requests that D1.16 be amended to include the requirement for cooling where necessary or that the relevant table in Appendix 13 be modified to include the requirement for cooling as well as heating. The submission also noted that it would be more sensible if Appendix 13 was modified as this would then cover requirements for new construction rather than only the Noise Mitigation obligations of QAC.

1013. Ms Holden explained in her Section 42A Report that Designation #2 and associated conditions have been subject to scrutiny as part of the Environment Court proceedings (in relation to noise). She went on to say that the Section 42A Report and reply evidence on Hearing Stream 5 of the PDP (Chapter 36 – Noise), was that due to the climatic conditions of the Queenstown Lakes District, cooling should be provided as part of any mechanical ventilation system.⁴⁷⁷

1014. On the basis of submissions received on Chapter 36, changes were recommended by the Reporting Officer to that hearing for the mechanical ventilation requirements to apply to cooling within the relevant provisions contained within Chapter 36.

1015. She also explained to me that a further submission was received by the Board of Airline Representatives New Zealand (BARNZ) requesting that submission by Mr Jerram be rejected by the Panel, reiterating the outcomes of the PC35 process, which reflect the noise mitigation obligations for QAC.

1016. However, as outlined above, given the Council's evidence relating to Chapter 36 – Noise of the PDP, Ms Holden recommended that the further submission received by BARNZ be rejected, and that the mechanical ventilation requirements associated with Designation #2 be aligned with the provisions within Chapter 36 – Noise.

1017. Ms Macleod presented evidence on behalf of Mr Jerram explaining to me the effects where a new house does not provide cooling. The evidence presented referred to Plan Change 35 where it was clearly stated that houses within the Airport Noise Boundaries (ANB) would need to operate with their windows and doors closed in order to mitigate the airport noise issues.

1018. Under PC 35, QAC proposed to provide ventilation systems for existing houses within the ANB either fully or partially (75%) subsidised. The submission went on to explain that this requirement was not recorded in Table 2 which set out compliance measures for QAC. Mr Jerram was concerned that as it was not included in Table 2, that QAC would not be required to provide mitigation in relation to cooling and he requested amendments be made to condition D1.16 to ensure this PC35 requirement is satisfied.

⁴⁷⁶ Submitter Point 79.1 opposed by FS1077

⁴⁷⁷ R Holden, Section 42A Report

1019. Taking this into account, Ms Holden then recommended to me that this submission be partly accepted in that condition D1.16 of Designation #2 is amended to refer to the requirement for cooling as well as heating in accordance with redrafted provision 36.6.3(iii) of the PDP.
1020. QAC also submitted in support of Designation #2, requesting that it be confirmed with minor amendments, relating to correcting a reference within the PDP to the Chapter on Noise within the ODP.⁴⁷⁸ Noting the changes recommended on the basis of Mr Jerram's submission⁴⁷⁹ 79 and those made through the hearing proceedings on Chapter 36, Ms Holden recommended that this submission be partly accepted.
1021. I agree with Ms Holden's recommendation. These submissions are relevant to keeping the PDP current and therefore the cross references must be amended in order to maintain consistency within the PDP. As such, I recommend to QAC to accept in part the submissions of Mr Jerram and QAC relating to cooling ventilation insofar as they are shown in Appendix 1.
- 47.5. Inclusion of Additional Land Owned by QAC being Sections 126-128 SO 459748.**
1022. The NoR advised of three parcels of land owned and used by QAC for purposes consistent with the aerodrome designation, being Sections 126-128 SO 459748.
1023. This land was identified on a plan appended as Appendix B to the NoR. These parcels of land are already being utilised for aerodrome purposes and as such, I do not consider that inclusion of these three new parcels of land will generate new adverse effects on the land or elsewhere.
- 47.6. Adequate Consideration of alternatives-section 171(1)(b)**
1024. Based on the AEE included in the NoR and the evidence from QAC I am uncertain as to effects arising from all of the modifications. While I accept that some of the modifications do not give rise to any adverse effects, I do consider that possible effects generated by the list of expanded permitted activities and increased heights and reduced setbacks could be significant adverse effects. I am not satisfied the control included at notification will be effective in dealing with the possible effects of concern.
1025. Mr Young points out that taking the potential significant adverse effects into consideration, that QAC was obliged to consider alternatives, pursuant to section 171(1)(b)(ii). Mr Young maybe correct about significant adverse effects arising from the expanded permitted activities and the modifications to height and setbacks, but in my view the evidence advanced did not allow me to assess effects let alone understand if they were likely to be significant adverse effects arising from the modifications sought.
1026. The NoR in its own terms makes it plain that alternatives were not considered, in fact at section 7, the NoR concludes "*as there are no significant adverse effects arising from these modifications, and because QAC has an interest in the land affected, alternative methods have not been considered.*"
1027. As to the adequacy of considering alternatives I am focused on process. Given that PDP provisions, particularly Chapter 17, were not addressed in detail in evidence, I do question the adequacy of QAC's process in considering alternatives under the PDP.

⁴⁷⁸ Submission 433.128 opposed by FS1097 and FS1117

⁴⁷⁹ Submitter 79

1028. So, as I understand section 171(1)(b) a decision maker must have particular regard to the adequacy of the alternatives assessment in considering, subject to Part 2, the effects on the environment of allowing the requirement.
1029. Mr Kyle contended a designation should provide some exception or allow a departure from the plan provisions. I agree, but in my view he did not adequately address why these Queenstown Airport zone provisions did not meet the needs of QAC in relation to the extended list of permitted activities and increase in height and reduction in setbacks, especially given that at notification of the PDP, they applied designation wide.
1030. He did make the point that only QAC could utilise the designation. That is accepted. But because QAC controls all airport land no other party without the consent of QAC could give effect to either a permitted or consented activity under the Chapter 17 zone provisions on airport land in any event.
1031. While I have insufficient information to adequately assess effects based on what evidence and submissions I have received there is, in my view, a realistic possibility the effects of the ineffectively controlled extended permitted airport related activities, height increase and setback reduction could be significant. This would trigger in my view a careful consideration of alternatives not a blunt dismissal of the need to undertake that exercise as has occurred here.
1032. It seems to me the obvious alternative that is available to QAC are the QAZ provisions available in the recommended Chapter 17. The evidence advanced by QAC did not satisfy me that these Chapter 17 zone provisions, particularly the definition of airport related activities, and the height and setbacks permitted were not a suitable alternative.
1033. I do not consider they were adequately considered by QAC as options or alternatives. I accept I have a limited scope of inquiry as to the adequacy of QAC's consideration of alternatives. I am limited to process. I can consider whether the requiring authority has made sufficient investigations rather than only cursory consideration of alternatives. My concern here is that QAC have given, in my view, very little consideration to QAZ provisions in the PDP.
- 47.7. Reasonably necessary to achieve objectives section 171(1)(c)**
1034. As discussed in the context of Designation #64 for Wanaka Airport, I consider that section 171(1)(c) requires that I consider whether the proposed modifications are reasonably necessary to achieve the objectives or purpose of the designation.
1035. Based on the evidence and submissions from QAC, I understood that QAC sought these changes because the modification would:
- a. more accurately describe the range of airport related activities that are currently carried out and those that likely to be carried out in the future at the airport;
 - b. allow for development to a greater height and with reduced setbacks; and
 - c. enable QAC to meet its objectives and goals as per its statement of intent. While informing to a level, assisting QAC reach its commercial goals is not the same as the modification being needed so as to meet the purpose of the designation.⁴⁸⁰
1036. I did not receive detailed evidence on current airport related activities, or size, scale and relationship with passengers and visitor numbers at the airport. Also as I read the statement

⁴⁸⁰ Evidence of John Kyle Paragraph 4.45 Page 13 and legal Submissions of Ms Wolt Paragraph 99 page 22 Paragraphs 163(e)(f) Page33

of intent it signalled developments relating to airport related activities and new buildings are able to take advantage of more relaxed height and setbacks would take place and be located on or near the existing terminal. So it seemed to me QAC's statement of intent was not signalling airport related activities or new builds would occur elsewhere within the designation.

1037. QAC relies heavily on the decision of the High Court in *McElroy v Auckland International Airport Limited* to provide justification for modifying and extending the airport related permitted activities. Both⁴⁸¹ Ms Wolt and Mr Kyle discuss *McElroy* at length and submit that the discussion in *McElroy* confirms that the activities sought to be enabled by way of the modification to Designation #2 (Aerodrome Purposes) can properly be considered as legitimate airport and airport related activities.

1038. The Council, by way of Mr Winchester's opening submissions disagree. The Council submits that *McElroy* is not an answer to whether the proposed modifications should be included in the designation. Mr Winchester explained why the *McElroy* scenario was different and could not be relied on. He said that:⁴⁸²

The McElroy case concerned a declaration as to whether certain land was held and still required for a public work under section 40 of the Public Works Act 1981. The factors that the Panel is required (to) consider in respect of section 171 of the RMA and in terms of what is properly within the scope of an airport purposes designation are different from the factors that the Court considered in the McElroy case.

1039. Mr Winchester submitted that my role is to consider whether the evidence before me, "demonstrates that the proposed modifications are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought."⁴⁸³

1040. I do prefer Mr Winchester's submissions both as to the application of *McElroy* and that the enquiry starts with the purpose for which the designation is sought then moves to answer the question in this case are the modification being the extended list of permitted activities, necessary for achieving that objective.

1041. Interestingly when considering the purpose of Designation #2 Mr Kyle first identifies the purpose of Designation 2 within the ODP as:⁴⁸⁴

protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise on the community to at least the year 2037.

1042. However when he considers the purpose of Designation #2 in the PDP he refers⁴⁸⁵ to schedule 37.2 of the PDP. That schedule is headed "Aerodrome Purposes" From there Mr Kyle then refers to the definition of aerodromes in the PDP then moves on to refer to the Civil Aviation Act 1990⁴⁸⁶ in support of his interpretation. He then advances to refer to *Mc Elroy*⁴⁸⁷ in support

⁴⁸¹ Ms Wolt Legal Submissions Paragraphs 89 – 99 Pages 19 -22, John Kyle evidence in Chief Paragraphs 4.41, 4.15 Pages 8 & 9

⁴⁸² Legal Submissions of Mr Winchester dated 20 October 2016 at [6.3]

⁴⁸³ Ibid at [6.4]

⁴⁸⁴ John Kyle EIC at [4.1]

⁴⁸⁵ John Kyle Evidence in Chief Paragraph 4.11 footnote 16 Page 8.

⁴⁸⁶ Ibid Paragraph 4.13 Page 8.

⁴⁸⁷ Ibid Paragraph 4.41 Page 8.

of his interpretation as to aerodrome purposes so as to confirm the purpose of Designation #2.

1043. However this approach seemingly ignores the words within Designation #2 as notified in the PDP on page 37-86 which provides under the heading Aerodrome Purposes;

“This designation is defined to protect the operational capability of the airport, while ...to the year 2037.”

1044. In my view these words cannot be ignored and explicitly define the purpose of the Designation namely, *“protect the operational capability of the airport while...”* The purpose is not in my view to provide for all those activities that *McElroy* suggests are found at modern day airports. I do not agree with Mr Kyle’s view as to the purpose of the designation.

1045. The words *“protect the operational capability of the airport”* given the pivotal role both now and into the future the Airport has for the District, and regionally and nationally must be interpreted with the future in mind, and the significant current and likely growth confirmed in evidence.

1046. I can accept that the inclusion of the extended list of permitted airport related activities with the limited controls proposed will assist in protecting current and future operational capability of the airport. Having these activities included in the designation would be efficient as no further consenting would be needed.

1047. However, I cannot agree that it is reasonably necessary in order to achieve the objectives of the designation, to include this extended list of permitted activities with such limited and ineffective controls.

1048. With regard to the height and setback modifications, I accept Mr Kyle’s evidence that QAC has limited land resource within the Designation. Increasing the height and reducing the set back of buildings would allow a more efficient use of that limited resource. However not all of the designation land resource is available to use.

1049. The new height and set back condition given the above is a means by which the operational capability of the Airport can be protected into the future. However it is the lack of assessment of effects of these proposed changes that is the key concern given there are no conditions either limiting or identifying where in the designated area the new height and reduced setback buildings would locate.

1050. Also, QAC’s own evidence suggests strongly that new buildings can only be constructed in certain locations within the designation because many locations within the designation are utilised by aircraft related activities precluding buildings. This is a reality that must be acknowledged. Designation-wide height and setback condition is not reasonably necessary for achieving the purpose of the designation, particularly because all of the designation land is not capable of being used.

1051. Chapter 17 recommends that the QAZ applies to the same area in the ODP AMUZ (now shown in Decisions Planning Map 33), therefore the chapter 17 heights and setbacks apply; so QAC can rely on that zoning and not the designation to utilise those heights and setbacks. This outcome suggests strongly to me modifying the designation to include additional permitted activities, increased heights and reduced setbacks is not reasonably necessary for achieving the designation purpose. In my view, there are readably available alternatives.

1052. Therefore, in my view modifying the designation in the manner sought by QAC is not reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.
1053. I do however, accept that providing for the proposed modifications, with regard to increased height and reduced setbacks, including conditions to address effects on adjoining residential zones in the airport terminal area are reasonably necessary for achieving the objectives of the QAC for which the designation is sought, being to protect the future operational capability of the airport. Further I consider extending the list of permitted activities but with controls, to meet the needs of the passengers, visitors and employees is also reasonably necessary.
1054. This is supported by the fact such limits or controls are included in the relevant planning framework in recommended Chapter 17 because they are needed to avoid remedy of mitigate effects of an unconstrained range of airport related activities.

48. OVERALL JUDGEMENT ON DESIGNATION #2

1055. In this part of the decision I decide to recommend to QAC as the requiring authority whether to confirm, modify, impose conditions, or withdraw the NoR. In doing so I am required to consider my findings and make an evaluative judgement as to whether confirming the NoR as notified which includes the modifications sought by QAC would meet the single purpose of the RMA set out in section 5 which is to promote the sustainable management of natural and physical resources.
1056. In doing this I am guided by the statutory directions contained in section 171 of the RMA but subject to the overarching matters set out in Part 2 of the RMA. In the event of conflict the directions in Part 2 override the directions in the section 171(1)(a) through (d) Sections 6 and 7 inform and assist the purpose set out in section 5 of Part 2 being factors in the overall balancing.

49. SUMMARY OF FINDINGS

49.1. Relevant instruments and docs under 171(1)(a) and (d)

1057. For all of the modifications, the regional policy statements are relevant. The key themes emerging from those statements include recognition of the importance of infrastructure such as airports to the well-being of people in communities. However those regional policy statements also seek to have adverse effects of infrastructure avoided remedied or mitigated.
1058. Chapter 3 of the PDP seeks to maintain and promote the efficient and effective operation, maintenance and development and upgrading of the district's infrastructure. At a policy level the Queenstown airport is recognised as making an essential contribution to the prosperity and economic resilience of the district.
1059. The key themes emerging from District Plan considerations is that retail, commercial and or industrial activities located at the airports need a balanced control as to the nature and scale and intensity of those activities to ensure they meet the legitimate needs of airport users, but no more so there are not adverse effects on other commercial centres and zones or traffic effects of the extended activities.

1060. Amenity effects arising from tall buildings located in close proximity to adjoining zones including residential zones require careful assessment in terms of possible adverse amenity effects. Controls such as building height, setbacks and recession planes are appropriate controls to avoid, remedy and mitigate such adverse effects.
1061. The designation as modified is consistent with that part of the regional policy statement recognising the importance of the infrastructure but likely to be inconsistent with that part of the regional policy statement that seeks to have an adverse effects of infrastructure avoided remedied or mitigated.
1062. The recommended Chapter 17 provisions are more liberal than the ODP by providing for an increased level of development to that part of the Airport covered by that zone is now shown on Decisions Planning Map 33. However there is a degree or limit imposed through the activity standards for height, setbacks and recession plane; and as to location given the extent of the QAZ and the requirement for airport related activities to relate to the needs of passengers and visitors to the airport. While I appreciate that a designation provides for a departure from plan provisions, it cannot do so with total disregard to the effects that the modified designation can have on the environment.
1063. There are non-statutory documents such as the QAC Statement of Corporate Intent which fall for consideration but there are limitations as to the weight that may be attributed to them.
1064. Based on my reading of the Statement of Intent, recommending to QAC modifications relating to an extended list of permitted airport related activities and increased height and reduced setbacks designation wide does not seem consistent with that Statement.

49.2. Effects on the environment

1065. In my view due to a lack of details in the evidence and in the assessment of effects relating to the proposed modifications to the NoR I was unable to determine with certainty the level of effects on the environment of allowing all of the proposed modifications.
1066. There was in my view insufficient detail on the size, scale, intensity and location within the designation of the extended list of permitted activities namely, retail, commercial and industrial activities to allow me to reach a decision on the scale or extent of those effects.
1067. Turning to the modifications to increase height in buildings and reduced setbacks, primarily because the location within the designation of where these buildings could be located was not restricted I consider that I had insufficient details to adequately assess the effects of these modifications if allowed designation wide.
1068. Given it appeared possible that the buildings could be located in a range of locations within the designation, possible adverse effects included amenity effects arising from the bulk and density of buildings located in close proximity to neighbouring zones which included both commercial and residential zones as well as public roads highways and public places.
1069. As such, I cannot be certain as to the scale and extent of the potential adverse effects arising. I consider that it is more appropriate to impose some level of control on the increased level of development to both remedy, avoid and mitigate any adverse effects and also ensure that any development is in response to passenger and visitor needs.

49.3. Consideration of alternatives

1070. The requiring authority QAC given its view that there would be no significant adverse effects or alternatively the effects would be minimal and acceptable did not undertake a consideration of alternatives.
1071. However while I remained uncertain of the scale and extent of effects it appeared to me particularly based on Mr Young's submissions that consideration of alternatives was likely to be triggered because of possible or likely adverse effects on the environment.
1072. This was particular so given the absence of specifying the size, scale and intensity of the extended list of permitted airport related activities and in the absence of specifying the site or sites within the designation for the location of the increased height buildings and airport related activities.
1073. For the extended list of permitted airport related activities available alternatives for QAC would be relying on the AMUZ provisions under the ODP and the QAZ under the PDP. The evidence did not satisfactorily explain why doing so was not a viable alternative.
1074. Nor did the QAC evidence explain why limits or controls for the extended list of permitted airport related activities were not needed in the designation.

49.4. Reasonably necessary for achieving

1075. In my view the objectives of the designation inclusive of modifications as notified as stated within the designation is to "protect the operational capacity of the airport while....."
1076. In my view the purpose of the Designation is not to meet objectives of a corporate plan or master plan nor is it to enable a range of activities to locate at an airport because a High Court decision dealing with different context and subject matter includes statements to the effect modern day airports include a range of activities well beyond the arrival and departure of aircraft from a runway.
1077. I do however agree providing for the extended list of permitted activities in the designation as well the increased height condition would be advantageous to QAC. However, given the availability of Chapter 17 PDP zone rules to achieve the same or similar activities. I doubt that including the modifications in the designation is reasonably necessary to achieving the objectives of the designation.

49.5. Application of Part 2

1078. Because my duty under section 171 is to consider the effects on the environment having particular regard to the matters listed in section 171(1) is subject to Part 2 I need to consider sections 6 and 7.
1079. In my view none of the matters set out in section 6 are engaged.

49.6. Section 7

1080. In terms of Section 7 I am required to have particular regard to certain specified values.
1081. Section 7(b) of the Act requires me to have particular regard to the efficient use and development of resources. Efficiency has an economic element to it. Based on QACs evidence approving the designation inclusive of modifications would allow the Queenstown Airport to grow and expand its range of services to the growing numbers of those who utilise the airport.

This growth and expansion would support growth in tourism. Both of these outcomes would enable people and communities to provide for their economic wellbeing.

1082. Approving the designation inclusive of the modifications could lead to the efficient use of and development of the airport land and infrastructure resource.
1083. So to an extent, approving the designation in a modified form would or could result in these economic benefits.
1084. However approving the designation inclusive of all of the modifications without adequate controls could lead to inefficiencies because the size, scale and location of the extended list of permitted activities has not been controlled by conditions to for example limit scale, size and intensity of identified airport related activities.
1085. This lack of control could have the ability to undermine the commercial network in town centres and commercial and retail zones. Effects such as diverting retail and office activity could result. However I received no expert economic evidence from QAC to answer Mr Young's submissions on this point.
1086. Increases in traffic attributable to including without adequate controls airport related activities could create or cause inefficiencies on the roading network. Approving the extended range of permitted activities with inadequate controls in place as to scale and intensity, given the nature of the activities are retail commercial and industrial could lead to high traffic generation. I did not receive any expert traffic evidence assessing this effect.
1087. So based on the evidence I have received from QAC due to uncertainty as to these effects I could not make a finding that approving the designation inclusive of the modifications would be consistent with section 7(b).
1088. Sections 7(c) and (f) require me to have particular regard to the maintenance and enhancement of amenity values and the quality of the environment. Amenity values as defined in the RMA referred to those of natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. Amenity values includes a wide range of elements and experiences and in this context I think places a strong emphasis on existing neighbourhood character and in the Queenstown context views to outstanding or important landscapes.
1089. The neighbourhood character here is mixed with retail and commercial special zones flanking either side of the designation to the North and South. Residential zones are in place on the lakes side to the west of the designation.
1090. While I accept there are limitations where within the designation buildings to the increased height and reduced setback could be located I considered there was still available locations close to residential zones where buildings as tall as 15 m may cause adverse amenity impacts on the residential zone. Without being certain that buildings would not be located adjacent the residential zone I was clear that possible effects would arise if that occurred.
1091. The special retail and commercial zones on either side of the airport are under development. The existing environment includes a number of large footprint buildings but limited numbers of buildings either at 15 m or close to it. Because the designation did not include conditions relating to how effects of 15 m high buildings built close to the boundaries of these zones

would be addressed I remained unclear as to what effects might arise and if they did arise how QAC proposed to remedy or mitigate those effects.

1092. QAC's evidence that the increased height buildings were likely to be located in the same area as the terminal was, I considered, too uncertain to rely upon.
1093. So based on the evidence available to me I could not make a finding that approving the designation inclusive of the height and setback modifications designation wide would be consistent with sections 7(c) and (f.)

49.7. Exercise of overall judgement in accord with section 5

1094. The application of section 5 requires a broad judgement on whether the designation inclusive of modifications promotes the sustainable management of natural and physical resources, allowing for a comparison of conflicting considerations, the scale or degree and their relative significance or proportion in the final outcome.
1095. I understand that the questions of national and regional value and benefits and needs must all play their part in that overall consideration. I acknowledge there would be some national and regional value and benefits from approving the proposed modifications to the designation.
1096. However there could be conflicting outcomes in terms of local and perhaps regional economic and transportation effects as well as amenity effects. Based on the evidence I was unclear on the scale and significance of those effects and I did not receive expert evidence to assist. So section 7(b) and possibly section 7(c) and (f) could be compromised by approving the designation inclusive of the modifications relating to permitted activities and height and setback modifications everywhere in the designation.
1097. In the final outcome I need to evaluate the possibility of significant adverse effects alongside the significance of the regional and perhaps national benefit for the designation inclusive of the modifications as sought by QAC.
1098. I am mindful of the need to acknowledge that section 7 matters are strong directions to be borne in mind. As well it seems to me under section 171(1)(b) that if an alternative is available that is reasonably acceptable then that alternative should be preferred.
1099. In this case the available alternative was for QAC to confirm that any new buildings at the new height and reduced setback would be located only in the terminal area and that there would be more effective limits or controls on the extended list of permitted airport activities as notified or than by the condition advanced by Mr Kyle. Also, the permitted airport related activities would be limited in their location to part of the designation to which the QAZ of the PDP applies, as per recommended Chapter 17.
1100. Bearing in mind the availability of these alternatives in my view confirming the designation inclusive of all of the modifications as notified in the PDP would not promote the sustainable management purpose of the RMA.
1101. In my view the course would that better promotes the sustainable management purpose of the RMA is to recommend to Q AC that it modify the requirement in the following way.

50. OVERALL CONCLUSION ON DESIGNATION #2

1102. I recommend to QAC that the Requirement is confirmed but not as notified. For the reasons already provided I do not accept all of the proposed modifications included within the notified version of the Requirement meet the purpose of the Act
1103. I have modified Designation #2 to reflect my conclusions on the various issues as discussed above.
1104. In summary the modifications that I recommend QAC undertake for Designation #2 are:
- a. Inclusion of a condition to prohibit non-airport related activities;
 - b. inclusion of some additional permitted activities as set out in Appendix 1;
 - c. the removal of details that are no longer considered to be required;
 - d. changes to conditions restricting building height, which has increased from 10m to 15m;
 - e. changes to conditions relating to building setback, which has decreased from 10m to 5m at a residential boundary or public road and 3m at any other zone;
 - f. inclusion of a condition requiring a recession plane where the adjoining boundary is residential;
 - g. inclusion of conditions restricting the location of development; and
 - h. other minor modifications to the text to improve clarity.
1105. The recommended version of Designation #2 is set out in Appendix 1 being part of this decision. Appendix 1 also reflects my recommendations to reject or accept submissions as I have discussed them above.

For the Hearing Panel



Paul Rogers, Chair

Dated 20 April 2018

51. QUEENSTOWN AIRPORT - DESIGNATION #4 (AIRPORT APPROACH AND LAND USE CONTROLS)

1106. Designation #4 provides for take-off climb and approach surfaces and transitional surfaces in relation to the runways at Queenstown Airport by setting height and obstacle clearance restrictions to safeguard the efficient functioning of the airport and protect people's safety.

1107. QAC sought to rollover Designation #4 from the ODP with some amendments relating to the conditions. These modifications were outlined in the NoR and included in the PDP as notified.

51.1. Proposed modifications

1108. The NoR explained that QAC sought to retain the existing surfaces and restrictions as shown in Figures 1-4 of the ODP, but that modifications are required to the text to ensure that it is clear in its intent and application.

1109. Mr Kyle summarised the modifications in his evidence as:

- a. Removal of the objective at the start of the Designation;
- b. Replace references to "mean sea level" with "Airport datum level";
- c. Insert a definition of object, insofar as it relates to the application of the Designation;
- d. Include a new paragraph within each obstacle limitation surface (OLS) description setting out the pre-conditions when penetration of the OLS may be acceptable;
- e. Update the description of the inner horizontal surface to reflect District Plan Figure 1 – Queenstown Airport Approach and Protection Measures (Figure 1). Specifically, the text of the designation requires amendment to ensure that the transitional surface originates from a point 150m either side of the main runway centreline, as shown in Figure 1;
- f. Include reference, within each OLS description, that certain activities will be prohibited unless approved by QAC; and
- g. Modify the designation text to ensure it is clear in its intent and application.

1110. An assessment of the effects that the modification will have on the environment and the ways in which any adverse effects will be mitigated is included at section 3 of the NoR.

1111. Ms Holden advised me in her Section 42A Report that she considered this assessment to be accurate and comprehensive and therefore did not complete any additional assessment.⁴⁸⁸

1112. She did however explain to me the issues and submissions that were received in relation to the modifications of this designation with regard to:

- a. underlining the amendments sought;
- b. width of transitional surfaces;
- c. minor amendments.

1113. The first two issues are somewhat intertwined. QAC seeks to amend the reference to the distance of the take-off climb and approach surfaces being "75 metres" either side of the main runway centreline to "150 metres." This proposed modification, however was not underlined in the NoR and was the topic of submissions and discussion for this hearing.

⁴⁸⁸ R Holden, Section 42A Report at [6.20].

51.2. Underlining the amendments sought

1114. Ms Holden and RPL both raised as a type of preliminary issue the point that QAC did not underline its proposed modifications to Designation #4 in the accompanying NoR. The real point was failure to underline may have resulted in interested or affected parties being caught unawares of the change due to the absence of underlining.
1115. Ms Wolt in her opening legal submissions explained to me that the text in the NoR was correct however the issue is it was not underlined. She also explained to me that QAC had identified the lack of underlining for the Council prior to notification in August 2016, and provided the Council with a copy of the NoR that correctly “tracked” all proposed modifications, in conjunction with a covering email which described the underling ‘omissions’, and the additional underlining required, in some detail.
1116. However, for some reason, this underlining was not included in the notified version. Notwithstanding the fact that QAC did seek to amend this. Ms Wolt also pointed out that there is no obligation on QAC to track the modifications proposed by underlining the text.⁴⁸⁹
1117. Ms Wolt noted that the notified version of Chapter 37 was “clean”, i.e. with no track changes. Ms Wolt also noted that several other NoRs did not track or track consistently any proposed modifications and no issue has been raised with these.⁴⁹⁰ In other words there is no obligation or requirement to track changes even though doing so is helpful in alerting interested parties to changes of possible interest.
1118. Ms Wolt also considered that the only “*substantive modification to Designation 4 related to the point of origin of the OLS and this change was clear due to the underlining shown in the NoR and the accompanying assessment of effects.*”⁴⁹¹ She submits that the lack of underlining as notified is not an issue.
1119. Mr Winchester for QLDC largely agreed with both Ms Wolt’s analysis and its outcome.
1120. I agree with them both for the reasons they advanced. In short I accept that no party was prejudiced by the lack of underlining. Also I accept what Ms Wolt advises that and there is no requirement for the changes to be tracked.
1121. The change to the OLS was appropriately identified due to underlining in the NoR and the assessment of effects. In any event RPL as a possible affected party was well enough informed of the change and its possible effects to lodge a submission. This to me confirms the modification was clearly identifiable by interested parties.
1122. Also if there was a consistent practice of underlining to such an extent is was commonly accepted and relied upon by interested parties to identify changes then my view may be different. However the evidence and submissions do not support the existence of a common practice of underlining for that purpose.
1123. I do not propose to discuss this issue any further.

⁴⁸⁹ Right of Reply for QAC dated 2 November 2016 at [63].

⁴⁹⁰ Ibid at [66].

⁴⁹¹ Ibid at [65].

51.3. Width of Transitional Surfaces

1124. As noted above in the ODP, Designation #4 refers to a 75m strip to be applied for the purpose of setting the location of take-off climb and approach surfaces. QAC seeks to modify Designation #4, by replacing the reference to "75 metres" with a reference to "150 metres."
1125. QAC's position is that there is a contradiction in the ODP, between the text within Conditions D.3 describing where the take-off climb and approach surfaces originate and Figure 1 Queenstown Airport: Airport Approach and Protection Measures. The conditions in the ODP make no reference to the width of the transitional surfaces. QAC further seeks to include a reference to the width of the transitional surfaces being '150 metres,' which QAC's NoR states is consistent with Figure 1.
1126. Ms Holden said that this amendment is based on calculations that were outside her area of expertise and recommended that QAC provide further clarification. What she did confirm for me was that within Designation #4, reference is made to a 75m strip which is for the purpose of setting the location of the obstacle limitation surfaces. According to the reasons for the changes described at Section 2.8 within the NoR, for the relevant figure within the ODP (Figure 1 Queenstown Airport: Airport Approach and Protection Measures) shows the location of where these transitional surfaces originate, being a point 150 m either side of the main runway centreline.
1127. Despite Ms Holden's uncertainty as to the figure, she did state that in her view, provided that the figure does depict the take-off climb and approach surfaces and transitional surfaces as being a point 150 m either side of the main runway centreline then amending the text of the condition will not have a substantive effect on RPL.
1128. RPL submitted⁴⁹² opposing the amendments to the text proposed by QAC and submits that there is no evidence or analysis to support that it is the text rather than the figure that is incorrect. RPL said that this increase from 75 m to 150 m has implications for the RPZ in relation to the take-off/climb approach slopes and other plans/controls in the RPZ. They submit to retain the 75 m strip width.
1129. Ms Wolt submits quite clearly, that "QAC is not, as RPL alleges seeking a material change to Designation #4, which imposes any additional restrictions on landowners."
1130. Mr Kyle explained to me that QAC has historically administered and protected the OLS according to a strip width of 300 m (being 150 m either side of the runway, consistent with the diagrams in the Plan). He said that when there is a chance that a proposed structure height may penetrate the OLS, then a surveyor or similar will assess the proposal against the figures. Therefore, in practice, it is the figures relied on to determine the location of the OLS and that in its current state the text is inconsistent with this. This is in Mr Kyle's view "*undesirable*" and must be corrected.
1131. Mr Young submits that an equally plausible contention is that Figure 1 is incorrect. In his view, figure 1 places restrictions on neighbouring landowners that he says may not be necessary. He says that the fundamental issue is that this is a material change to the designation in "*the absence of any cogent or proper reasoning.*"

⁴⁹² Submission Point 807.99

1132. Mr Winchester submits that if QAC is able to confirm that the Figures contained in the PDP are correct and the proposed amendments to the text correctly reflect the Figures then there is no reason to decline to recommend that the proposed modifications be made.
1133. I have considered the arguments presented by QAC, RPL and finally the submission above by Mr Winchester. I agree with Mr Kyle that it is undesirable to have inconsistencies with the Plan and corrections must be made.
1134. Based on the evidence that has been presented, I accept the current practice is in accord with Figure 1, rather than the text itself.
1135. This is confirmed by Ms Wolt's concluding paragraph in relation to this matter. She concludes with the statement that if QAC's proposed modification to the text of Designation #4 is not made, "*QAC will continue to apply the Figures for the purposes of determining the location of the obstacle limitation surfaces and compliance with the designation (as it has always done), but the ambiguity arising from the incorrect text in the Designation will remain.*"⁴⁹³ I also rely on the evidence of Mr Kyle in this regard.
1136. This evidence and submission answers Mr Young's point about the lack of cogent or proper reasoning. I can rely on Ms Wolt as she is a lawyer appearing before a quasi-judicial body and has provide information to me that she knows or should know I would and that I am entitled to rely on and do so.
1137. Mr Kyle is an expert and well experienced. I am sure based on that experience knows and understand reliance decision makers place on expert evidence and opinions. He too informed me QAC rely not on the words but the diagram. This outcome should result in no issues for RPL.
1138. I am satisfied that the figures correctly depict those that are utilised by QAC as Mr Kyle and Wolt told me to ascertain the OLS and that the words "75 metres" are both inaccurate and are not relied upon by QAC to ascertain the OLS and should be replaced with the words "150 metres"
1139. In the interests of consistency and clarity the text should be amended to reflect this as set out in the notified PDP.

51.4. Minor Amendments

1140. QAC also sought minor amendments be made to the NoR pertaining to Designation #4 to clarify that this designation also applies to the airspace surrounding the Queenstown Airport, not just the legal description of the land in which the buildings and runway physically occupy.
⁴⁹⁴
1141. As discussed above, Designation #4 relates to the OLS, as detailed in condition D.3, and therefore it is more accurate to refer to the airspace as proposed by QAC in its submission. These are the reasons as required by section 171(3) I recommend that this submission be accepted.

⁴⁹³ R Wolt, Legal Submissions in Reply at [60]

⁴⁹⁴ Submission Point 433.128 opposed by FS1097 and FS1117

52. CONCLUSION ON DESIGNATION 4

1142. Finally, after carefully considering subject to Part 2 all relevant matters under section 171(1) (a) through (d) and for the reasons stated above I recommend to QAC pursuant to section 171(2)(a) that it confirm Designation #4 incorporating the modifications as detailed in the NoR and notified in the PDP. It follows that I recommend that QAC reject RPL's submissions on Designation #4.

For the Hearing Panel:



Paul Rogers, Chair

Dated 20 April 2018

37 DESIGNATIONS



37.1

Statement

A designation is a 'spot zoning' over a site or area that authorises the requiring authority's work and activity without the need to comply with the zone rules or obtain a resource consent. A requiring authority includes Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under the Resource Management Act 1991 (RMA). Conditions of the designation set parameters for which the activity can occur in accordance with the purpose of that designation.

The majority of the designations incorporated in the District Plan have been rolled over under clause 4 of the First Schedule of the Act, from the previous designations in the District Plan. Most of these works have already been given effect to, and accordingly do not lapse after five years in terms of section 184 of the Act.

Any new designations incorporated into this Plan will lapse after five years, unless a longer period is specifically identified in the following schedules, or the designated work is given effect to in the specified time period.

All designated land is identified on the District Plan Maps and in the schedule. The following schedule specifies the name of the authority responsible for the designation, the designation's purpose and location, and a legal description of the designated site. The rules of the underlying zone apply to activities other than those authorised by the designation and carried out by the requiring authority. If an activity is proposed to be undertaken by the requiring authority, it must be in accordance with the purpose of the designation and the designations conditions, and an outline plan or an application to waive the requirement for an outline plan must be submitted to Council prior to the activity or work commencing, pursuant to section 176A of the RMA.

37.2

Schedule of Designations

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
1	31	Transpower New Zealand Limited	National Grid (including Electricity Substation and associated ancillary infrastructure)	93 Frankton-Ladies Mile Highway, Frankton. Section 127, Block I, Shotover SD. (2.4559ha). For conditions refer to C.1 below.
2	33	Queenstown Airport Corporation Limited	Aerodrome Purposes.	Queenstown Airport and the surrounding airspace. For legal descriptions and conditions refer to D and D1 below.
4	Fig. 1 Fig. 2	Queenstown Airport Corporation Limited	Approach and Land Use Control (transitional slopes and surfaces)	Queenstown Airport and the surrounding airspace. For conditions and location description refer to D3 below.
7	36	New Zealand Police	Police Station	9-11 Camp Street, Queenstown Lot 2 DP 357929. (3838m ²).
10	33	Minister of Education	Education Purposes	Remarkables Primary School, Section 5 Block XXXI Town of Frankton. For conditions refer to C.5 below.
11	25	Minister of Education	Education Purposes	Glenorchy Primary School, Oban Street, Glenorchy. Block VI, Town of Glenorchy. For conditions refer to C.6 below.
12	18	Minister of Education	Education Purposes	Hawea Flat Primary School, Camp Hill road, Hawea Flat. Section 1 SO 337906, Part Section 11, Block V, Lower Hawea SD.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
13	20	Ministers of Education	Education Purposes	Mount Aspiring College, Plantation Road, Wanaka. Part Section 8, Block XIV, Wanaka SD. For Conditions refer C.7 below.
14	35	Minister of Education	Education Purposes	Queenstown Primary School, Robins Road. Sections 78-81. Part Sections 73 and 91 Block XX Shotover SD and Part Block LIV. Town of Queenstown. For conditions refer to C.8 below.
15	32	Minister of Education	Education Purposes	Wakatipu High School, Sawmill road, Queenstown Lots 6 and 7 DP 8700, Lot 47 DP 8591. For conditions refer to C.9 below.
16	21	Minister of Education	Education Purposes	Wanaka Early Childhood Centre, Section 1 Survey Office Plan 448241. For conditions refer to C.10 below.
17	27	Ministry of Education	Education Purposes	Arrowtown Primary School. Part Sec 1 Blk VII Shotover SD, and Lots 5-8 DP 309418.
18	28	Chorus New Zealand Limited	Tele-communication and radio communication and ancillary purposes.	Arrowtown Exchange, Hertford Street, Arrowtown. Section 1 SO 19209 (630m ²). For conditions refer to C.12 below.
19	25	Chorus New Zealand Limited (Primary Designation) Spark New Zealand Trading Limited (Secondary Designation)	Tele-communication and radio communication and ancillary purposes	Glenorchy Microwave station, Section 1 Survey Office Plan 300115 (3291m ²). For conditions refer to C.13 below.
20	36	Chorus New Zealand Limited (Primary Designation) Spark New Zealand Trading Limited (Secondary Designation)	Tele-communication and Radio communication and ancillary purposes.	Queenstown telephone exchange and microwave station. Ballarat Street Lot 1 DP 27807 (908m ²). For conditions refer to C.14 below.
21	21	Chorus New Zealand Limited (Primary Designation) Spark New Zealand Trading Limited (Secondary Designation)	Tele-communication and Radio communication and ancillary purposes.	Wanaka Exchange, 9 Brownston Street, Wanaka Section 6, Block XI, Town of Wanaka (1312m ²). For conditions refer to C.15 below.
22	34	Queenstown Lakes District Council	Water Storage	Fernhill No.2 Water Pump Station, Wynyard Crescent, Queenstown, Section 2 SO 317363. For conditions refer to C.16 below.
23	34	Queenstown Lakes District Council	Water Supply pump and intake	Two Mile Water Intake, Glenorchy – Queenstown Road, Queenstown. Section 2 SO 409197. For conditions refer to C.17 below.
24	34	Queenstown Lakes District Council	Sewage Pump Station	Sunshine Bay Waste Water Pump Station, Glenorchy – Queenstown Road, Sunshine Bay, Queenstown. Pt Reserve B BLK 1 Mid Wakatipu SD & Section 46 BLK 1 Mid Wakatipu SD. For conditions refer to C.17 below.
25	36	Queenstown Lakes District Council	Sewage Pump Station	Marine Parade Waste Water Pump Station, Marine Parade, Queenstown Legal Road Section 6 Block LI Shotover SD, Queenstown. For conditions refer to C.17 below.
26	37	Queenstown Lakes District Council	Sewage Pump Station	Cedar Drive Waste Water Pump Station, Kelvin Peninsula, Lakeside Reserve, Queenstown. Lakeside Reserve (Crown Land) BLK 1 Coneburn Survey District. For conditions refer to C.17 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
27	37	Queenstown Lakes District Council	Sewage Pump Station	Bayview Road Waste Water Pump Station, Peninsula Road, Frankton Arm, Section 21 BLK 1 Coneburn SD, Part Frankton Recreation Reserve. For conditions refer to C.17 below.
28	35	Queenstown Lakes District Council	Water Reservoir and Pump Station	Manchester Place, Queenstown. Lot 68, DP 21257. For conditions refer to C.17 below.
29	33	Queenstown Lakes District Council	Multi Purpose indoor and outdoor recreation, cultural and conference complex	SH No 6 Frankton. Lot 1 DP 25073, Lot 100 DP 468142, Lot 2 DP 476309, Sections 49, 50, 61-62 and 149 Block Shotover SD, Part Section 63 Block I Shotover Survey District, Section 5 and Block XXIII Town of Frankton. Note: Designation #29 applies to only part of 61-62 Shotover SD and Part Section 63 Block I Shotover Survey District. For conditions refer to C.22 below.
30	33	Queenstown Lakes District Council	Sewage Pump Station	Frankton Beach Waste Water Pump Station, Lake Avenue, Frankton Arm, Sections 9 and 39 Block XXXI, Frankton. For conditions refer to C.17 below.
31	33,37	Queenstown Lakes District Council	Water pump station and intake	Loop Road, Frankton Arm Section 21, BLK I Coneburn SD. For conditions refer to C below.
32	33,37	Queenstown Lakes District Council	Water Reservoir and Treatment	Peninsula Road, Kelvin Peninsula. Lots 1 – 3 DP 425375 and Lot 2 DP 24223.
33	33	Queenstown Lakes District Council	Sewage Pump Station	Willow Place Waste Water Pump Station, Willow Place, Road Reserve. For conditions refer to C.17 below.
34	33	Queenstown Lakes District Council	Sewage Pump Station	Kawarau Place Waste Water Pump Station Kawarau Place, Frankton. Lot 19 DP 20484. For conditions refer to C.17 below.
35	35	Queenstown Lakes District Council	Leary's Gully Water Pump Station	Frankton Road, Queenstown. Lot 1 and 2 DP 311236. For conditions refer to C.17 below.
36	35	Queenstown Lakes District Council	Sewage Pump Station	Park Street Lift Waste Water Pump Station, Park Street, Queenstown, Lot 1 and 2 DP 316049. For conditions refer to C.17 below.
37	27	Queenstown Lakes District Council	Sewage Treatment Works	Centennial Avenue, Arrowtown, Lot 2 DP 300390.
38	27	Queenstown Lakes District Council	Sewage Pump Station	Section 1 SO 386245, Norfolk Street, Arrowtown. For conditions refer to C.17 below.
39	27	Queenstown Lakes District Council	Sewage pump Station	McDonnell Road Waste Water Pump Station, Lot 38, DP 20153. McDonnell Road, Arrowtown. For conditions refer to C.17 below.
40	27,28	Queenstown Lakes District Council	Water Supply Reservoir	Durham Street, Arrowtown. Section 2 SO 378675
41	27	Queenstown Lakes District Council	Water Supply Pump and Intake	Bush Creek Arrowtown Pt Section 2 BLK XXV TN of Arrowtown, Crown Land Block XXV (LIPS REF 17551), Section 1 SO 21055 & Section 17 BLK XIX TN of Arrowtown. For conditions refer to C below.
42	39	Queenstown Lakes District Council	Water Reservoir	Arthurs Point. Lot 21 DP 22413.
43	39	Queenstown Lakes District Council	Sewage Treatment works	Arthurs Point. Part 148 BLK XIX Shotover SD.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
44	25	Queenstown Lakes District Council	Water Storage Tanks	Queenstown- Glenorchy Road, Lot 4 DP 394250. For conditions refer to C below.
45	25	Queenstown Lakes District Council	Water pump station and intake	Queenstown – Glenorchy Road, Crown land, Block XXI Town of Glenorchy. For conditions refer to C.17 below.
46	31	Queenstown Lakes District Council	Sewage Treatment Works	Lower Shotover River. Lot 4 DP 421841, Lot 2 & 3 DP 422388, Section 143 BLK 1 Shotover SD, Section 144 BLK 1 Shotover SD, Section 152 BLK 1 Shotover SD and CROWN Land Block 1 Shotover Survey District. For conditions refer to C below and RM 970647.
47	26	Queenstown Lakes District Council	Water Supply Pump station and intake	Rutherford Road Reserve Lake Hayes. For conditions refer to C.17 below.
48	26	Queenstown Lakes District Council	Water Supply Reservoir	Lake Hayes Water Reservoir, Arrowtown – Lake Hayes Road, Lake Hayes. Lot 19 DP 329110 and Lot 1 DP 372803.
49	30	Queenstown Lakes District Council	Recreation Reserve Part Sewage pump station	Bendemeer Reserve Sewage Pump Station, Arrowtown-Lake Hayes Road Reserve, Section 87 BLK IX Shotover SD and Section 65 BLK IX Shotover SD. For conditions refer to B and C.17 below.
50	21,23	Queenstown Lakes District Council	Closed Landfill and Transfer Facility	Riverbank Road, Wanaka. Lot 2- 4 DP 406972, Pt Section 38 BLK III, Lower Wanaka SD; Section 37 BLK III, Lower Wanaka SD.
52	20	Queenstown Lakes District Council	Sewage Pump Station	Eely Point Waste Water Pump Station, Lakeside Road, Beacon Point. Section 1543R Block XIV Lower Wanaka SD . For conditions refer to C.17 below.
53	20	Queenstown Lakes District Council	Sewage Pump Station	Lakeside Road # 1 Waste Water Pump Station, Aubrey Road Reserve, Beacon Point. Legal Road. For conditions refer to C.17 below.
54	22	Queenstown Lakes District Council	Water Supply	Sargood Drive, Central Wanaka. Lots 1 and 2, DP 21544.
55	22	Queenstown Lakes District Council	Sewage Pump Station	Local Purpose Reserve – Edgewater Resort Waste Water Pump Station. Morrows Mead, Central Wanaka. Lot 2 DP 19753. For conditions refer to C.17 below.
56	21	Queenstown Lakes District Council	Local Purpose Reserve (Sewage Pump Station)	Dungarvon Street # 2 Waste Water Pump Station, Dungarvon Street Road Reserve & Lot 14 DP 24260. For conditions refer to C.17 below.
57	16	Queenstown Lakes District Council	Makarora Closed Landfill and Green Waste Site	State Highway No 6; Section 1 and Section 3 Survey Office Plan 24578.
58	21	Queenstown Lakes District Council	Sewage Pump Station	Dungarvon Street # 1 Waste Water Pump Station. Dungarvon Street, Section 1 BLK L TN of Wanaka. For conditions refer to C.17 below.
59	21	Queenstown Lakes District Council	Water Reservoir	Plantation Road Water Reservoirs A & B, Pt Section 90, Block IX, Wanaka Town.
60	21	Queenstown Lakes District Council	Water Supply Pump and intake	Lakeside Road, Central Wanaka. Legal Road and Section 67, block XIV, Town of Wanaka. For conditions refer to C.17 below.
61	20	Queenstown Lakes District Council	Water Supply Pump Station	Corner of Plantation Road and Totara Terrace, Central Wanaka. Legal Road. For conditions refer to C.17 below.
62	21	Queenstown Lakes District Council	Water Supply Pump Station	Anderson Road Wanaka, part Sec 8, Block XIV, Lower Wanaka SD. For conditions refer to C below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
63	21	Queenstown Lakes District Council	Sewage Pump Station	Gordon Road Waste Water Pump station Gordon Road, Wanaka Lot 8 DP 385288. For conditions refer to C.17 below.
64	18a	Queenstown Lakes District Council	Aerodrome Purposes	Wanaka Airport. For legal description and conditions refer to E and E1 below.
65	18a	Queenstown Lakes District Council	Approach and Land Use Controls (transitional slopes and surfaces)	Wanaka Airport. For conditions refer to E2 below.
66	17	Queenstown Lakes District Council	Water Storage Reservoir	SH 6 Lake Hawea. Lot 2 DP 22638.
67	17	Queenstown Lakes District Council	Hawea Closed Landfill & Green Waste Site	Domain Road, Lake Hawea Lot 1 DP 24534 and Lot 1 DP 20555.
68	17	Queenstown Lakes District Council	Wastewater Treatment and Disposal	Domain Road, Hawea Lot 1 DP 20555 & Pt Sec 24 BLK IV. For conditions refer to C below.
69	24	Queenstown Lakes District Council	Wastewater Management Purposes	Section 4 SO Plan 24120. For conditions refer to C below.
70	24	Queenstown Lakes District Council	Sewage Pump Station	Alison Ave Waste Water Pump Station # 1 ,Alison Avenue, Legal Road, Lot 112 DP 9486 Albert Town. For conditions refer to C.17 below.
71	24	Queenstown Lakes District Council	Sewage Pump Station	Alison Ave Waste Water Pump Station # 2, Alison Avenue, Legal Road, Albert Town, Section. For conditions refer to C.17 below.
72	24	Queenstown Lakes District Council	Sewage Pump Station	Kingston Street Waste Water Pump Station, Wicklow Terrace, Legal Road, Albert Town. For conditions refer to C.17 below.
73	17	Queenstown Lakes District Council	Sewage Pump Station	Hawea Esplanade Road Sewer Pump, Hawea Esplanade Road (Hawea). For conditions refer to C.17 below.
74	17	Queenstown Lakes District Council	Sewage Pump Station & Water Treatment	Scotts Beach Waste Water Pump Station, Esplanade, Lake Hawea Part Lot 255 DP 7086. For conditions refer to C.51. below.
75	17	Queenstown Lakes District Council	Water intake, Treatment and Pump Station	Lake Hawea. Lot 2 DP 25173. For conditions refer to C.17 below.
76	13	Queenstown Lakes District Council	Landfill Buffer	Victoria Bridge Terrace Site. Lot 1 and 2 DP 420346, Lot 2 DP 27395, Sections 3 and 4 SO 24512 and Lot 8 DP 402448. (See RM 970116) For conditions refer to C.53 below.
77	29	Queenstown Lakes District Council	Tucker Beach Closed Landfill	Pt Section 1, SO 23650 and Sections 4 - 5 SO 302193 and Crown Land, Block II Shotover SD.
79	32,37	Queenstown Lakes District Council	Larchwood Reservoir	Queenstown. Sec 1 SO 23185.
80	36	Queenstown Lakes District Council	Car park	Church Street, Queenstown. Lot 1 DP 27486, part Sec 12 BLK II Town of Queenstown.
81	36	Queenstown Lakes District Council	Carpark	Athol Street, Queenstown, Lot 1 DP 9331, Sections 16, 17 and 19, Block IV, Section 4-6, Block V. Town of Queenstown. For conditions refer to C.56 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
83	13,31, 32	Queenstown Lakes District Council	Local Purpose (Drainage) Reserve & Waste Water Pump Station	Matakauri Park, Gorge Road, Queenstown Section 1 and 2 SO 464148, Lot 1 DP 20808 and Lot 2 DP 22790, Pt Lot 1 DP 22790. For conditions refer to G below and in addition no structure or placement fill shall reduce the storage capacity of the detention dam.
84	2,3,5, 8,11, 13,15, 16,17, 18,21, 24,30, 31,31a, 32, 33,34, 35,36, 37	New Zealand Transport Agency	State Highway Purposes	As shown on District Plan Maps. For conditions refer to A below.
85	20	Queenstown Lakes District Council	Local Purpose (Recreation Reserve)	Mulberry Lane, Wanaka, Lot 13 DP 18568 (0.1096ha). For conditions refer to B below.
86	20	Queenstown Lakes District Council	Utility and Local Purpose (Recreation) Reserve	77 Hunter Cres to Cherry Court Wanaka. Lot 107 DP 20556 & Lot 107& 108 DP 20702, Lot 51 DP 15683 (Recreation) (0.2506ha).
87	20	Queenstown-Lakes District Council	Recreation Reserve	Winders Recreation Reserve 35 Winders Street, Wanaka, Lot 9 DP 7761 (0.1503ha). For conditions refer to B below.
88	20	Queenstown Lakes District Council	Recreation Reserve	Eely Point, Wanaka. Sections 29, 67, 1543R, Block XIV Lower Wanaka SD. For conditions refer to B below.
89	21	Queenstown Lakes District Council	Recreation Reserve and Waste Water Pump Station	Lakeside Road # 2 Waste Water Pump Station, Lakeside Road, Wanaka Sections 6, 9, 14 Block XV, Town of Wanaka (.8245ha). For conditions refer to B below.
90	20	Queenstown Lakes District Council	Recreation Reserve	Lismore Park, Plantation Road, Lismore and Hedditch Streets, Wanaka. Section 90 Block IX, Wanaka Town (18,3048ha). For conditions refer to B below.
91	21	Queenstown Lakes District Council	Local Purpose (Recreation) Reserve	Rob Roy Lane, Wanaka Lot 25 DP 19553 (0.2281ha).
92	21	Queenstown Lakes District Council	Local Purpose (Recreation) & Local Purpose Reserve (Residential)	Mt Iron Drive, Aeolus and Kuri Place, Wanaka. Lot 43 DP 20163 and Lot 24 DP 19125. . For conditions refer to B below.
93	20	Queenstown Lakes District Council	Recreation Reserve. Community Swimming Pool	Plantation Road Lot 1 DP 22331.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
94	20	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Anderson Road near Reece Cres, Wanaka. Lots 25/26 DP 19124 (0.1301ha).
95	21	Queenstown Lakes District Council	Recreation Reserve	Wanaka Golf Course, Ballantyne Road. Lot 1 DP 11284, Legal Road & Part Sec 11, Sec 12 BLK XLIX Town of Wanaka *56.008ha) For conditions refer to F below.
96	21	Queenstown Lakes District Council	Recreation Reserve	Ballantyne Road, Wanaka. Section 3 Survey Office Plan 451106. . For conditions refer to B below (0.7740ha).
97	21	Queenstown Lakes District Council	Local Purpose Reserve (Site for a memorial)	Wanaka Memorial Reserve and Lookout. 11-15 Chalmers Street, Wanaka. Lot 1 DP 4961, Lot 1 DP 454494 & Section 1 SO 448358
98	21	Queenstown Lakes District Council	Recreation Reserve	Pembroke Park, Ardmore Street, Wanaka. Section 1 Blk L TN of Wanaka (10.547ha). For conditions refer to B below.
99	21	Queenstown Lakes District Council	Recreation Reserve	Ardmore Street (part Roys Bay Recreation Reserve) Sections 5,11,13 and Part Sec 7, Block XV Wanaka Town. (5.7401ha). For conditions refer to B below.
100	21	Queenstown Lakes District Council	Recreation Reserve	Section 10 Block XV Town of Wanaka and Part Section 12 Block XV Town of Wanaka. For conditions refer to B below.
101	21	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Wanaka Motor Park, McDougall Street. Section 10 Block XV Town of Wanaka and Part Section 12 Block XV Town of Wanaka. For conditions refer to F below.
102	21	Queenstown Lakes District Council	Recreation Reserve	Upton, Stone, Warren, Connor Streets. Sections 1-7 Block XXXV, Town of Wanaka (1.2917ha).
103	21,23	Queenstown Lakes District Council	Recreation Reserve	Faulks Reserve Aspiring Terrace. Section 7 Block XLIX, Wanaka Town (4.2388ha)
104	23	Queenstown Lakes District Council	Recreation Reserve	Stone Street Reserve, Lot 61 9499, (1.6961ha).
105	22	Queenstown Lakes District Council	Recreation Reserve (part of Roys Bay Recreation Reserve)	Wanaka – Mt Aspiring Road, Part Roys Bay Recreation Reserve. Sections 31, 45 Block III, Lower Wanaka SD (3.9153ha).
106	22	Queenstown Lakes District Council	Recreation Reserve & Local Purpose reserve (Recreation)	Wanaka Station Park. Lot 1 DP 16152 & Lot 14 DP 26147.
107	22	Queenstown Lakes District Council	Local Purpose Reserve (Scenic) & Recreation Reserve	Wanaka Mt Aspiring Road Lots 57, 58 DP 21967, Wanaka – Mount Aspiring Road, Wanaka Rural. Lots 73 and 74 DP 15833(0.2512ha), Block III, Lower Wanaka SD, Lots 2-4 DP 24535, Lot 5 DP 300273, Lot 2 DP 23625 (0.3629ha) Lots 5 - 7 DP 18590.
108	22	Queenstown Lakes District Council	Recreation Reserve	Huchan Lane Walkway, Lot 26, DP 20949 (0.1134ha).
109	22	Queenstown Lakes District Council	Recreation Reserve	Sargood Drive. Lot 75 Lot DP 15833 (0.1030ha). For conditions refer to B below.
110	7,18	Queenstown Lakes District Council	Recreation Reserve	Damper Bay, Lakeside Recreation Reserve. Section 12 Block XIII Lower Wanaka SD, Section 18 Block XIII, Lower Wanaka SD (53.5842ha). For conditions refer to B below.
111	18,22	Queenstown Lakes District Council	Recreation Reserve	Part Roys Bay Recreation Reserve, Waterfall Creek Recreation Reserve, Section 46, Block III, Section 17, Block XIII, Lower Wanaka SD (9.95ha) For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
112	18	Queenstown Lakes District Council	Recreation Reserve	Ruby Island Recreation Reserve (3.1616ha) Ruby Island, Lower Wanaka SD.
113	7	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Glendhu Recreation Reserve, Section 1 BLK XV, Lower Wanaka SD & Sec 2 BLK XV, Lower Wanaka SD(12.5983ha) For conditions refer to F below.
116	18 & 19	Queenstown Lakes District Council	Recreation Reserve	Outlet Road Waste Water Pump Station, Beacon Point/Outlet Road to Albert Town. Clutha Outlet Recreation Reserve. Section 59 Block XIV, Wanaka SD (44.1107ha) For conditions refer to B below.
117	20	Queenstown Lakes District Council	Local Purpose Reserve (Utility)	End of Rimu Lane To Kowhai Drive/Hunter Cres Walkway. Lots 34, 35 DP 15156 (0.1740ha) & Lot 49 DP 15683.
118	20	Queenstown Lakes District Council	Local Purpose Reserve (Utility)	Kowhai to Rata Street Walkway, Lot 50 DP 15683 (0.1740ha).
119	20	Queenstown Lakes District Council	Local Purpose (Recreation Reserve)	Roto Place to lake foreshore Lot 8 DP 18825 (0.0593ha).
121	20	Queenstown Lakes District Council	Recreation Reserve	Kellys Flat Recreation Reserve, Aubrey Road. Section 93, BLK XIV Lower Wanaka SD (3.4067ha). For conditions refer to B below.
126	18	Queenstown Lakes District Council	Recreation Reserve	Dublin Bay Recreation Reserve, Dublin Bay Road. Part Section 28, Block V, Lower Wanaka SD. (18.2109ha) For conditions refer to B below.
127	33	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Kawarau Falls. Lot 19 DP 20484 (0.2398ha).
128	21	Queenstown Lakes District Council	Local Purpose (Off-Street parking and ambulance).	Ardmore Street, Wanaka, Section 10, Block XI Town of Wanaka (0.3536ha).
129	21	Queenstown Lakes District Council	Local Purpose (Service Land)	Dunmore Street, Lot 4 DP 12666, Lot 6 DP 11991 and Lot 2 DP 18325.
130	28	Queenstown Lakes District Council	Historic Reserve	Dudley Section, Arrowtown, Lot 4 & 5, DP 18410 (0.0690ha).
131	21	Queenstown Lakes District Council	Cemetery Reserve	Stone Street, Wanaka Part Section 1, Block XLVIII Town of Wanaka and Part Section 2 Block III, Lower Wanaka SD.
132	27	Queenstown Lakes District Council	Recreation Reserve	Anderson park, Centennial Avenue and Devon Street. Lot 25 DP 16532 (0.0715ha). For conditions refer to B below.
133	27	Queenstown Lakes District Council	Recreation Reserve	De la Perelle Park, Adamson Drive, Bracken Street, Cotter and Douglas Avenues Arrowtown, Lot 32 DP 16747 (0.5498ha), and Lot 36 DP 20153 (0.0362ha). For conditions refer to B below.
134	27	Queenstown Lakes District Council	Recreation Reserve	Reed Park, Adamson Drive, Foxs Terrace, Reid Cres, Arrowtown. Lot 31 DP 16748 (0.4901ha), Lot 29 DP 23672. For conditions refer to B below.
135	27	Queenstown Lakes District Council	Tree Planting Reserve	Adamson Drive, Preston Drive, Jenkins Place, Arrowtown. Lots 2 & 3 DP 15207. (Hamilton Way) Lot 4 DP 15208 (Edwards Way). (0.2621ha)
136	27	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Suffolk Street, Arrowtown. Motor park and recreation. Section 38 Block VII Shotover SD (Motor Park, Lot 43 DP 12741 and Lot 25 DP 12525. For conditions refer to B below

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
137	27	Queenstown Lakes District Council	Recreation Reserve	O'Callaghan Park, Ford Street, Arrowtown. Section 21 Block XXXVI Town of Arrowtown. For conditions refer to B below
138	27, 28	Queenstown Lakes District Council	Recreation Reserve	Wilcox Green Part Section 11, & 15 Block XXIV, Town of Arrowtown & Part Section 20 XXXIV Town of Arrowtown. For conditions refer to B below.
139	28	Queenstown Lakes District Council	Local Purpose Reserve for a Public Library	Library and Village Green, Buckingham Street. Sections 1-4 Block I Town of Arrowtown (0.4224ha).
140	28	Queenstown Lakes District Council	Recreation Reserve	Hertford and Denbigh Streets, Arrowtown. Sections 2-4 BLK V Town of Arrowtown (0.2984ha). For conditions refer to B below. (Swimming pool and bowling green).
141	28	Queenstown Lakes District Council	Recreation Reserve	Buckingham Green, Buckingham Street, Arrowtown. Sections 14-16 Block VI Town of Arrowtown (0.0734ha). For conditions refer to B below.
142	28	Queenstown Lakes District Council and The Crown	Recreation Reserve	Rose M Douglas Park, Wiltshire Street. Sections 10, 13 and 15, Block V, Town of Arrowtown. For conditions refer to B below.
143	28	Queenstown Lakes District Council	Local Purpose Reserve (Community centre Plunket and Doctors rooms). (Section 9 Proposed Reserve)	Buckingham Street (hall and town centre) Sections 7-9, Block IX, Town of Arrowtown.
144	27, 28	Queenstown Lakes District Council	Recreation Reserve	Wiltshire Street and Ramshaw Lane. Area C on SO 19052. Part Section 20, Crown Land, Block XXV Part Section 3, Block XXV, Sections 6 and 7 Block X; Town of Arrowtown. For conditions refer to B below.
145	27	Queenstown Lakes District Council	Bush Creek Recreation Reserve	Butler Park, Middlesex Street. (9.455ha). Crown Land and Part Section 2 and 3 Block XXV Area A, B, D, E, F on SO 19052 (7.0300ha). For conditions refer to B below.
146	27	Queenstown Lakes District Council	Local Purpose Reserve (Arrowtown Cemetery Reserve)	Durham Street, Part Section 10 & Sections 12, 13, 14 and 15 BLK XIX, Town of Arrowtown.
147	18	Queenstown Lakes District Council	Hawea Flat Hall Site	Part Section 5, Block V, Lower Hawea SD (0.2023ha).
148	18	Queenstown Lakes District Council	Local Purpose (Gravel Reserve)	Sections 6, 34, 37 & 50, Block VIII, Lower Hawea SD.
149	27	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	McDonnell Road Reserve, Lot 32 DP 23673, Lot 34 DP 24615 (0.1017ha) For conditions refer to B below.
150	27	Queenstown Lakes District Council	Recreation Reserve	Fox Terrace/Shaw Street/Cotter Ave/McDonnell Road, Lot 16 DP 18937 (0.1383ha) and Lot 33, DP 24613 (0.1793ha). For conditions refer to B below.
151	24	Queenstown Lakes District Council	Recreation Reserve	Lot 31 DP 7458, (0.1012ha). For conditions refer to B below.
154	33	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Frankton Motor park, Stewart Street. Part Section 14 DP 8296, Section 8-9 and Section 16-17 Block XXIV Town of Frankton, Section 8, Section 10, Section 35 and Part Section 7 Block XXXI Town of Frankton and Section 46 Block XXI Shotover Survey District. For conditions refer to F below.
155	33	Queenstown Lakes District Council	Recreation Reserve	SH No 6 Sections 12 and 14 Block XX, Frankton Town (0.6415ha). For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
156	33	Queenstown Lakes District Council	Recreation Reserve	Frankton Domain Sections 9, 11-34, 36-39, 42-44 Block XXXI Town of Frankton, Section 27 Block XVIII Town of Frankton.
157	11	Queenstown Lakes District Council	Hall Site	Luggate Hall, Pt Section 1253R BLK VI Tarras SD & Pt Section 2 BLK VI Tarras SD.
158	33	Queenstown Lakes District Council	Recreation Reserve	Remarkables Cres and Alta Place Lots 88 DP 19735 and Lot 89 DP 19737. For conditions refer to B below.
159	33	Queenstown Lakes District Council	Recreation Reserve	Riverside Road, Lot 603 DP 24569 and Lot 604 DP 24571 For conditions refer to B below.
160	33	Queenstown Lakes District Council	Cemetery Reserve	SH No 6 Crown Land Block XXI Shotover SD.
161	11	Queenstown Lakes District Council	Recreation Purposes	Hopkins Street, Luggate. Lot 12 DP 9232 (0.7712ha). For conditions refer to B below.
162	11	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Luggate Domain, SH No 6. Sections 23-24, 1249R Block VI Tarras SD. For conditions refer to F below.
163	30	Queenstown Lakes District Council	Recreation Reserve	Lot 1 DP 8699 Hayes Township & Lot 6 DP 7121. For conditions refer to B below.
164	33	Queenstown Lakes District Council	Local Purpose (Beautification)	McBride Street, SH 6, Frankton Sections 17 and 18 Block XII Town of Frankton, Section 24 Block VII Town of Frankton and Section 26 Block I Town of Frankton.
165	33	Queenstown Lakes District Council	Frankton Marina Local Purpose Reserve	Adjacent to SH6 and north shore of Frankton Arm. Section 1 SO 24208, Sec 1-2 SO 21582 & Sec 48-49, 52 -53 & 59 BLK XXI, Shotover SD. For conditions refer to B below.
166	27	Queenstown Lakes District Council	Recreation Reserve	Land between Caenarvon Street and Middlesex Street. Section 17, Block XIX, Town of Arrowtown (1.3750ha) For conditions refer to B below.
167	12	Queenstown Lakes District Council	Scenic Reserve	Pigeon and Pig Islands, Lake Wakatipu. Secs 2 & 3 BLK X Glenorchy SD.
168	30	Queenstown Lakes District Council	Recreation Reserve	Lake Hayes Arrow Junction Highway, Wakatipu Basin, Lake Hayes showground, hall, domain. SH 6, Sections 49, 50, 51, 52 65, 68, Block IX, Shotover SD and Lot 7 DP 15921. For conditions refer to B below.
169	30	Queenstown Lakes District Council	Recreation Reserve and Tree Planting Reserve	Arrowtown-Lake Hayes Road. Lots 7 and 8 DP 16529. For conditions refer to B below.
170	13	Queenstown Lakes District Council	Local Purpose Reserve (Water Reserve)	Brewery Creek, Section 72 BLK XX Shotover SD and Section 3 BLK VIII Mid Wakatipu SD.
171	32,37	Queenstown Lakes District Council	Recreation Reserve	Commonage Reserve, Queenstown Hill, Section 2 SO Plan 433650. For conditions refer to B below.
172	36	Queenstown Lakes District Council	Local Purposes (Athenaeum and Library)	Cnr Ballarat and Stanley Streets, Queenstown. Section 7, Block XXXI, Town of Queenstown.
173	18	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Hawea Domain, Domain Road, Section 19, Block IV, Lower Hawea SD (43.4228ha). For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
174	18	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Hawea Recreation Reserve and Pool. Camphill Road. Section 35 Block V, Lower Hawea SD. (0.7062ha) For conditions refer to B below.
175	8,17	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Motor Park, SH No 6 (2.8ha) Section 2, Block II, Lower Hawea SD. For conditions refer to F below.
176	17	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Noema Terrace. Sections 32, 37 and 38 Block IV Lower Hawea SD. For conditions refer to B below.
177	17	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Capell Avenue, Lot 187 DP 6712 and Lot 158 DP 11115. For conditions refer to B below.
178	17	Queenstown Lakes District Council	Esplanade Reserve	Flora Dora parade and Capell Avenue. Part Lot 255 DP 7086, Sections 1 and 3 SO Plan 421723, Lot 124 DP 9257, Lot 123 DP 9161, Sections 1 and 2 SO Plan 421664.
179	37	Queenstown Lakes District Council	Recreation Reserve	Access to waterfront/Peninsula Road, Kelvin Peninsula. Lots 14 and 24 DP 15297 (0.0505ha). For conditions refer to B below.
180	37	Queenstown Lakes District Council	Recreation Reserve	Jardine Park, Oregon Drive, Kelvin Peninsula. Part Section 69 and 70 DP 9249. For conditions refer to B below.
181	34	Queenstown Lakes District Council	Queenstown Recreation Reserve	Kelvin Heights Golf Course, Grove Land, Kelvin Peninsula. Part Sec 29. For conditions refer to F below.
182	37	Queenstown Lakes District Council	Kelvin Peninsula Recreation Reserve	Kelvin Grove waterfront, Earnslaw slipway. Part Section 25 SO Plan 17906, Part Section 25 Block 1 Coneburn SD and Section 26 Block I Coneburn SD.
183	37	Queenstown Lakes District Council	Recreation Reserve (Yacht Club)	Wakatipu Yacht Club, Grove Lane. Part Section 3 SO Plan 3766 and Part Section 3 Block 1 Coneburn SD. For conditions refer to B below.
184	33,37	Queenstown Lakes District Council	Recreation Reserve and Esplanade Reserve	Lakeshore, Willow Place, Peninsula Road, Kelvin Peninsula. Section 22 Block 1 Coneburn SD, Section 21 Block 1 Coneburn SD, Lots 3 and 4 DP 300002. For conditions refer to B below.
185	35,36	Queenstown Lakes District Council	Recreation Reserve	Adjacent to Horne Creek Camp, park Street and Coronation Drive, Queenstown. Sections 1-3, Block LII, Town of Queenstown.
186	24	Queenstown Lakes District Council	Recreation Reserve	Alison Avenue, Albert Town, Lot 110 DP 9486, Lot 48 DP 7458. For conditions refer to B below.
189	25	Queenstown Lakes District Council	Recreation Reserve	Jetty Street and Benmore Place, Glenorchy. Lot 39 and Part Lot 40 DP 8985, Sec 1 SO 18440 (0.9877). For conditions refer to B below.
190	25	Queenstown Lakes District Council	Local Purpose Reserve (Library)	Argyle Street, Glenorchy. Section 23 Block II, Town of Glenorchy. (0.0503ha).
191	25	Queenstown Lakes District Council	Recreation Reserve	Glenorchy Domain, Oban Street. (Showgrounds, racecourse, golf course, rugby) – Section I Block XX, Town of Glenorchy. (9.401ha). For conditions refer to B below.
192	25	Queenstown Lakes District Council	Cemetery Reserve	Sections 1 and 2, Block XVIII, Town of Glenorchy (5.2559ha).
193	39	Queenstown Lakes District Council	Recreation Reserve	Foreshore, Kent Street, Kingston. Section 1 Block XX Town of Kingston. (0.8852ha). For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
194	39	Queenstown Lakes District Council	Recreation Reserve and Local Purpose Reserve (Community Centre).	Dorset, Shropshire, Devon and Gloucester Streets, Kingston, Sections 1-24 Block VII, Kingston Town (Sections 1 and 2 Local Purpose, Sections 3-24, Recreation) (1.0927ha). For conditions refer to B below.
195	39	Queenstown Lakes District Council	Recreation Reserve	Golf Course, Shropshire Street, Kingston. Section 1 Block XVI Town of Kingston (4.0443ha). For conditions refer to B below.
196	39	Queenstown Lakes District Council	Recreation Reserve	Churchill Street, foreshore, Kingston. Lots 20 ,21 DP 4985, (0.7545ha). For conditions refer to B below.
197	39	Queenstown Lakes District Council	Cemetery Reserve	SH No 6, Kingston. Section 16, Block I, Kingston SD (1.5783ha).
198	37	Queenstown Lakes District Council	Recreation Reserve	Panorama Terrace to Earnslaw Terrace, Queenstown, Lot 37 DP 16397 (0.0513ha). For conditions refer to B below.
199	37	Queenstown Lakes District Council	Recreation Reserve and Local Purpose Reserve	Panorama Terrace to SH No 6A, Queenstown. Lot 38 DP 16397, (Recreation) (0.3032ha).
200	37	Queenstown Lakes District Council	Tree Planting Reserve	Frankton Road, Frankton Pt Lot 20 DP19889, Lot 40 DP 16397.
201	37	Queenstown Lakes District Council	Recreation Reserve	Panorama Terrace, Queenstown Lot 39 DP 16397 (0.1257ha). For conditions refer to B below.
202	37	Queenstown Lakes District Council	Recreation Reserve	Cecil Road Lot 3 DP 6818, (0.1427ha). For conditions refer to B below.
203	32, 33, 37	Queenstown Lakes District Council	Recreation Reserve	Foreshore – below SH 6A, Queenstown. Sec 50 BLK XXI, Shotover SD, Gazette 1967, p 1787 (4.8562ha). For conditions refer to B below.
204	35,36	Queenstown Lakes District Council	Recreation Reserve	Marine Parade Park, Queenstown. Legal Road & Section 6 BLK LI, Town of Queenstown and Part Marine Parade (0.6600ha and 0.1160ha).
205	34,35	Queenstown Lakes District Council	Recreation Reserve	Queenstown Gardens, 27-29 park Street, Queenstown. Part section 4, Section 5 and Section 7 Block LI, Town of Queenstown and Lot 1 DP 25870. For conditions refer to B below.
206	35	Queenstown Lakes District Council	Historic Reserve	Transit of Venus, 8 Melbourne Street. Section 15 Block XXXIV, Town of Queenstown. (0.0138ha).
207	35	Queenstown Lakes District Council	Recreation Purposes	York Street. Part Lot 31 DP 18611 (0.347ha). For conditions refer to B below.
208	35	Queenstown Lakes District Council	Recreation Reserve	Suburb Street through to Dublin Street and Corner Dublin Street and Edinburgh Drive. Lots 1 & 2 DP 20449 (0.6983ha). For conditions refer to B below.
209	32	Queenstown Lakes District Council	Recreation Reserve	Gorge Road, Queenstown. Lots 1 & 2 DP 19293 (0.0520ha). For conditions refer to B below.
210	35,36	Queenstown Lakes District Council	Queenstown Recreation Reserve	Corner Man, Camp, Isle and Boundary Streets. Part Section 134, Block XX, Shotover SD. For conditions refer to B below.
211	35,36	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Isle Street, Queenstown. Part Block LVI, part Block XXXII Town of Queenstown. For conditions refer to F below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
213	35,36	Queenstown Lakes District Council	Local Purpose Reserve, Queenstown Cemetery	Cemetery Road, Queenstown. Section 132, BLK XX Shotover SD (1.647ha).
214	32,35	Queenstown Lakes District Council	Recreation Reserve	Kiwi Park, Cemetery Road Sec 1 SO 24407 & Pt Sec 131 BLK XX, Shotover SD and Lot 1 DP 345184, Lot 2 DP 345184 and Lot 3 DP 245184. For conditions refer to B below.
215	36	Queenstown Lakes District Council	Local purpose Reserve. (Community Centre).	Corner Stanley, Ballarat and Henry Streets, Queenstown. Sections 1-2, 9 Block XVIII, Sections 14-17 Block XVI.
216	36	Queenstown Lakes District Council	Local Purpose (Recreation) Reserve	47 Shotover Street, Brecon Street, Queenstown. Section 1 Block IX, Town of Queenstown (0.0339ha).
217	35,36	Queenstown Lakes District Council	Recreation Reserve	St Omer Park, Lake Esplanade. Section 2 Block XVII, Town of Queenstown, Part Sec 110 BLK XX Shotover SD (1.4670ha). For conditions refer to B below.
218	35,36	Queenstown Lakes District Council	Recreation Reserve	Rotary Park, Lake Street. Part Secs 2-4, 6-8, 10-14 Block XXVI Town of Queenstown. (0.2529ha). For conditions refer to B below.
219	36	Queenstown Lakes District Council	Recreation Reserve	Earnslaw Park, 54 Beach Street, Sections 6-18, 27, Crown Land Block XV, Queenstown (0.1847ha). For conditions refer to B and C.57 below.
221	13	Queenstown Lakes District Council	Recreation Reserve	Restaurant Sec 1 SO 24832 Block IX, Shotover SD (1.3290ha). For conditions refer to B below.
222	32	Queenstown Lakes District Council	Tree Planting Reserve	Gorge Road. Lot 42 DP 16439 (o.2402ha).
223	34	Queenstown Lakes District Council	Recreation Reserve	Sunshine Bay, Recreation Reserve, Glenorchy Road. Sec 47 & Pt Res B BLK I Mid Wakatipu SD; Lot 30 DP 23538; Lot 101 DP 24394; Lot 38 DP 23951; For conditions refer to B below.
224	13,34	Queenstown Lakes District Council	Recreation Reserve	Fernhill Road, Queenstown. Lot 31 DP 16628, (0.5059ha).
225	34	Queenstown Lakes District Council	Local Purpose Reserve (Recreation Reserve)	Greenstone, Caples and Von Places. Lot 14 DP 21242 (0.1510ha).
226	32	Queenstown Lakes District Council	Recreation Reserve	Warren park, Queenstown. Part Lot 48 DP 8591. For conditions refer to B below (2.5245ha).
227	13,34	Queenstown Lakes District Council	Scenic Reserve	Adjacent to Ben Lomond Track. Sections 4, 10, 14, and 19 Block I Mid Wakatipu SD, and Sections 1-2 Block VIII Mid Wakatipu SD.
228	37	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	SH No 6A, to Hensman Road, Queenstown. Part Lot 1 DP 22328 (2.0565ha). For conditions refer to C.58 below.
229	32	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Goldfield Heights Queenstown. Lot 26 DP 19559 (0.2035ha).
230	33	Meteorological Service of NZ Ltd	Meteorological Purposes	Queenstown Automatic Weather Station. Queenstown Airport. Part Section 6 Block XXXIV, Town of Frankton and Section 166 Block 1 Shotover SD.
231	18	Meteorological Service of NZ Ltd	Meteorological Purposes	Wanaka Automatic Weather Station. Wanaka Airport. Lot 8 22637.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
232	35	Queenstown Lakes District Council	Gorge Road Car-park	Gorge Road, Queenstown. Lots 1-3 DP 10627, Sections 4, 6-7 Block XXIV, Town of Queenstown and Boundary Road and Gorge Road Reserves For conditions refer to C.59 below.
233	34	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Glenorchy – Queenstown Road Lot 38 DP 23951 (2074m2) and Lot 30 DP 23538 (5547m2).
234	18	Queenstown Lakes District Council	Water Supply Reservoir	Mount Iron Water Reservoirs A & B, Lot 1 DP 22244 and Lot 104 DP 412843.
235	34	Queenstown Lakes District Council	Recreation Reserve	Part Section 109 Block XX Shotover SD.
236	34	Queenstown Lakes District Council	Water Reservoir Purposes & Treatment Purposes	Fernhill No.1 Water Pump Station, Fernhill, Queenstown. Section 1 Survey Office Plan 317363.Part Section 110, Block XX Shotover SD. For conditions refer to RM 960121.
237	34	Queenstown Lakes District Council	Water Reservoir Purposes	Ben Lomond Water Reservoir. Section 1 Survey Office Plan 317363.
238	16	Queenstown Lakes District Council	Cemetery Reserve	Section 9 Block XII, Wilkin SD.
239	9	Queenstown Lakes District Council	Local Purpose Reserve (Airport)	Glenorchy Aerodrome, Section 11 Survey Office Plan 443869. For conditions refer to C.82 below.
240	35,36	Queenstown Lakes District Council	Recreation Reserve (James Clouston Memorial)	Lot 1 DP 7498.
243	20	Ministry of Education	Educational Purposes	Wanaka Primary School, 7 Ironside Drive Wanaka. Lot 1 DP 340530. For Conditions refer to C.61 below.
244	18, 24b	Queenstown Lakes District Council	Recreation Reserve	McMurdo Park, Dale Street, Albert town Lot 1 DP 7458 Albert Town Extn No 3 Gaz 1954/701, Lot 44 DP 339994. For conditions refer to B below.
245	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Murdoch Park, Maple Court, Arthurs Point Lot 301 DP 338585. For conditions refer to B below.
246	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Atley Road, Arthurs Point Lot 301 DP 329180. For conditions refer to B below.
247	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Macalister Park, McMillan Road , Arthurs Point sec 4 SO 308528. For conditions refer to B below.
248	13, 32, 34,35	Queenstown Lakes District Council	Recreation Reserve	Lake Esplanade, Queenstown Sec 1 SO 24350 Sec 106 Pt Sec 105,107,& 110 BLK XX Shotover SD Lot 3 DP 19021& Lot 4 DP 345184. Sec 1 SO 24832. For conditions refer to B below.
249	13,34, 35	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Belfast Terrace, Queenstown Lot 600 DP 26038. For conditions refer to B below.
250	18,22	Queenstown Lakes District Council	Recreation Reserve	Kelliher Green, Kelliher drive, Wanaka Lot 96 DP 346120. For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
251	18,22	Queenstown Lakes District Council	Local Purpose Reserve (Drainage)	McFarlane Terrace, Wanaka Lot 104 DP 346120.
252	18,22	Queenstown Lakes District Council	Local Purpose Reserve (Road and Drainage)	McFarlane Green, McFarlane Terrace, Wanaka Lot 103 DP 346120, Lot 102 DP 346120.
254	9,25b	Queenstown Lakes District Council	Recreation Reserve	Invincible Drive, Glenorchy Lot 54 DP 23959. For conditions refer to B below.
255	10, 26, 27	Queenstown Lakes District Council	Recreation Reserve	Essex Avenue, Arrowtown, Lot 100 DP 323992. For conditions refer to B below.
256	10, 26, 27	Queenstown Lakes District Council	Recreation Reserve	Dennison Weir Reserve, Devon Street, Arrowtown Lot 41 DP 300511, Lot 43 DP 302291, Lot 49 DP 315088. For conditions refer to B below.
257	10, 26, 27	Queenstown Lakes District Council	Local Purpose Reserves (Beautification).	Centennial Ave, Arrowtown Lot 27 DP 300001 Lot 25 DP 309418.
258	13,31	Queenstown Lakes District Council	Local Purpose Reserves (Beautification).	Jims Way, Wakatipu Lot 203 DP 300099 Lot 204 DP 300296. No buildings permitted.
259	13,31	Queenstown Lakes District Council	Recreation Reserve	Gretton Park, Gretton Way, Wakatipu Lot 200 DP 27472 Lots 201-202 DP 27482 For conditions refer to B below.
261	18,22	Queenstown Lakes District Council	Recreation Reserve	Meadow Park, Parkhill Ave, Wanaka Lot 99 DP 346120. For conditions refer to B below.
262	18,22	Queenstown Lakes District Council	Recreation Reserve	Stoney Creek Park, Meadowstone Drive, Wanaka Lot 101 DP 24573 subject to EASEMENT DP 27804. For conditions refer to B below.
263	18,22	Queenstown Lakes District Council	Recreation Reserve	Brook Green, Meadowstone Drive, Wanaka LOT 47 DP 24573, LOT 88 DP 24573 LOT 169 DP 25676 BLK III LOWER WANAKA SD. For conditions refer to B below.
264	18, 21, 22	Queenstown Lakes District Council	Recreation Reserve	Little Oak Green, Meadowstone Drive, Wanaka LOTS 157 and 159 DP 25676 LOT 104 DP 24573, LOT 93 DP 24573. For conditions refer to B below.
265	18, 21, 22	Queenstown Lakes District Council	Local Purpose Reserve (Drainage)	Willowridge walkway, Meadowstone Drive, Wanaka LOTS 79-81 DP 319220 and Lot 3 DP 357630.
266	18,21	Queenstown Lakes District Council	Recreation Reserve	Allenby Park, Wanaka Lot 23 DP 303952. For conditions refer to B below.
267	18,21	Queenstown Lakes District Council	Recreation Reserve	Allenby Car Park, Wanaka Lot 24 DP 303952. For conditions refer to B below.
268	8,17	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Charles Court, Hawea Lot 30 DP 327385. For conditions refer to B below.
269	8,18	Queenstown Lakes District Council	Recreation Reserve	McPhee Park, Long Grass Place, Hawea Lot 1 DP 336255. For conditions refer to B below.
270	18, 20, 21	Queenstown Lakes District Council	Recreation Reserve	Domini Park, Anderson Road, Wanaka Lot 111 DP 347413 Secs 100 and 106 Blk XIV L. For conditions refer to B below.
271	13	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	SH6 Kingston Road, Lot 57 DP 27520.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
272	18,21	Queenstown Lakes District Council	Recreation Reserve	Pembroke Park Recreation Reserve, Ardmore Street, Wanaka Secs 1-2 Blk III TN of Wanaka. For conditions refer to B below.
273	13,31, 39a	Queenstown Lakes District Council	Local Purpose Reserves (Recreation)	Schoolhouse Domain, Arthurs Point Road, Arthurs Point Lot 45 DP 338763, Lot 103 DP 454410 and Lot 101 DP 432070. For conditions refer to B below.
274	13,31, 39a	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Scheib Park, Redfern Terrace, Arthurs Point Lot 20 DP 338763.
275	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Access).	Sylvan Street, Wakatipu Lot 314 DP 333981.
276	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Sylvan Street, Wakatipu Lot 315 DP 333981.
277	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Sylvan Street, Wakatipu Lot 316 DP 333981.
278	13,30	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Wakatipu LOT 301 DP 326828 For conditions refer to B below.
279	13,30	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Queenstown Rural, Lot 303, DP330087, LOT 304 DP 329276 For conditions refer to B below.
280	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Castalia Park)	Orbell Drive, Wakatipu LOT 302 DP 333246 For conditions refer to B below.
281	13,30	Queenstown Lakes District Council	Recreation Reserve	Frankton-Ladies Mile Highway, Wakatipu Lot 307 DP 322452, Howards Drive, Queenstown Rural, Lot 313, DP333981. For conditions refer to B below.
282	13,30	Queenstown Lakes District Council	Recreation Reserve	Frankton-Ladies Mile Highway, Wakatipu Lot 312 DP 329276. For conditions refer to B below.
283	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Access & Recreation)	Erskine Street, Wakatipu Lots 203, 303 DP 336365. For conditions refer to B below
284	13,30	Queenstown Lakes District Council	Local Purpose Reserve (Esplanade)	Walnut Lane, Wakatipu Lots 3-4 DP 26719.
285	8,18, 24b	Queenstown Lakes District Council	Recreation Reserve	Halliday Road, Wanaka Rural Sec 2 SO 24616 Blk IV Lower Wanaka SD. For conditions refer to B below.
286	13,31, 33	Queenstown Lakes District Council	Local Purpose Reserve (Beautification and Play Area)	De La Mare Park, Middleton Road, Frankton Lot 200 DP 307429.
287	9	Queenstown Lakes District Council	Recreation Reserve	Puahiri Park, Priory Road, Glenorchy Section 40 Blk 1 Upper Wakatipu SD.
288	8,18	Queenstown Lakes District Council	Local Purpose Reserve (Road)	Lachlan Ave, Hawea Flat Lot 14 DP 330876.
289	18,23	Queenstown Lakes District Council	Local Purpose Reserve (Utility)	Connell Green, Ballantyne Road, Wanaka Lot 33 DP 332078.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
290	13,31, 33	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	McTaggart Park, Glenda Drive, Wakatipu LOTS 606-608 DP 27577 LOTS 609-612 DP 27 773 LOT 613 DP 301681 LOT 13 DP 322851 LOT 614 DP 328960 For conditions refer to B for LOT 13 DP322851.
291	18,24b	Queenstown Lakes District Council	Segregation Strip	Frye Crescent Segregation Reserve, Frye Cres, Albert Town LOT 66 DP 319218.
292	18,24b	Queenstown Lakes District Council	Local Purpose Reserve (Walkway)	Ash Walkway, Frye Cres, Albert Town LOT 64 DP 319218.
293	10,26, 27	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Helms Court Arrowtown LOT 12 DP 326175, LOT 30 DP 369201. For conditions refer to B below.
294	18,21	Queenstown Lakes District Council	Local Purpose Reserve (Access Way)	Lansdown Walkway, Willowridge, Wanaka LOT 82 DP 319220.
296	18,24b	Queenstown Lakes District Council	Local Purpose Reserve (Access & Segregation)	Wicklow Terrace Walkway, Wicklow Terrace, Albert Town Lots 3 17 DP 312351.
297	13,31, 39a	Queenstown Lakes District Council	Local Purpose Reserve (Pedestrian Access)	Boyd Walkway, Arthurs Point road, Arthurs Point Lot 51 DP 338763.
298	8,18	Queenstown Lakes District Council	Segregation Strip	Aubrey Road Segregation Reserve, Aubrey road, Wanaka LOT 65 DP 314781.
299	18,24b	Queenstown Lakes District Council	Segregation Strip	Alison Ave Albert Town LOT 65 DP 319218.
300	10,26, 27	Queenstown Lakes District Council	Segregation Strip	Centennial Ave, Arrowtown LOT 10 DP 326175.
301	10,26, 27	Queenstown Lakes District Council	Local Purpose Reserve (Access Way)	Alexander Place, Arrowtown LOT 24 DP 306062.
302	18,24b	Queenstown Lakes District Council	Local Purpose Reserve Access Way)	Hunt Place, Albert Town LOT 46 DP 339994.
303	18,21, 23	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Ballantyne road, Wanaka Lots 34 – 36 DP 332078.
304	13,30	Queenstown Lakes District Council	Recreation Reserve including Pedestrian/ Cycle Under-pass	Sylvan Street, Wakatipu Lot 317 DP 333981 and Lot 2 DP 375714. For conditions refer to B below.
305	13,30	Queenstown Lakes District Council	Recreation Reserve	Quill Street, Wakatipu Lot 318 DP 372310. For conditions refer to B below.
306	13,30	Queenstown Lakes District Council	Recreation Reserve	Quill Street, Wakatipu LOT 319 DP 372310. For conditions refer to B below.
307	18,23	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Ballantyne Road, Wanaka LOT 36 DP 332078.
308	18	Queenstown Lakes District Council	Local Purpose Reserve (Pedestrian)	Ewing Walkway, Aubrey Road, Wanaka LOT 64 DP 314781.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
309	18,22	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Mount Aspiring Road Scenic reserve, Wanaka-Mount Aspiring Road, Wanaka LOT 3 DP 300273.
310	18,22	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Mt Aspiring Road Scenic Reserve, Wanaka-Mount Aspiring Road, Wanaka LOT 4 DP 300273.
311	18	Queenstown Lakes District Council	Local Purpose Reserve (Pedestrian)	Old Racecourse Walkway, Aubrey Road, Wanaka LOT 63 DP 314781.
312	5,16, 16a	Queenstown Lakes District Council	Local Purpose (Fire Building) and Recreation	Kiwi Street, Makarora LOT 16 DP 27383. No development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
313	18,23	Queenstown Lakes District Council	Local Purpose (Drainage)	Ballantyne Road Detention Pond, , Ballantyne Road, Wanaka LOT 32 DP 332078.
314	18,20	Queenstown Lakes District Council	Local Purpose (Water Reservoir)	Kirimoko Cres, Wanaka LOT 13 DP 300734.
316	13,30	Queenstown Lakes District Council	Recreation Reserve	Nerin Square, Wakitipu, Lot 405 DP 329276. For conditions refer to B below.
317	9,25	Queenstown Lakes District Council	Recreation Reserve	Benmore Place, Glenorchy, Sec 22 Blk IV Glenorchy SD. For conditions refer to B below and in addition no development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
318	18,24b, 8	Queenstown Lakes District Council	Recreation Reserve	Lake Hawea-Albert Town Road, Albert Town Lot 1-2 DP 375247 For conditions refer to B below and in addition no development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
319	8,18	Queenstown Lakes District Council	Local Purpose Reserve (Site for a Public Well)	Windmill Corner, McLennan Triangle Road, Hawea, Sec 96 Blk XII Lower Hawea SD.
320	13,31	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Sledmere Drive Wakatipu Basin, Lot 207 DP 362057. No buildings permitted.
324	13,31, 39a	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Lot 303 DP 329180. Larkins Way, Arthurs Point.
325	13,31, 39a	Queenstown Lakes District Council	Local Purpose Reserve (Access)	302 DP 329180. Larkins Way, Arthurs Point.
326	13,30	Queenstown Lakes District Council	Recreation Reserve	Erskin Street, Wakatipu Lot 301 DP 336365. For conditions refer to B below.
327	18,24b	Queenstown Lakes District Council	Local Purpose (Cemetery)	SH6, Albert Town, Section 20 Blk V Lower Wanaka SD. No development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
328	10,24a	Queenstown Lakes District Council	Local Purpose (Cemetery)	Cardrona Valley Road, Cardrona, Section 6 Blk I Cardrona SD.
329	13,30, 31	Queenstown Lakes District Council	Local Purpose (Cemetery)	Spence Road Wakatipu Basin, Pt Sec 62 BLK III Shotover SD Pt Sec 888R BLK III Shotover SD.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
330	21	Queenstown Lakes District Council	Works Depot	Corner of Tenby and Conner Streets, Wanaka, Pt Secs 9-10 BLK XXXVII Wanaka. For conditions refer to C.62 below.
331	10	Aurora Energy Limited	Electricity Substation and Ancillary Purposes	Cardrona Valley Road, Cardrona, Sec 1 SO 397170. For conditions refer to C.63 below.
332	26	Queenstown Lakes District Council	Sewage Pump Station	Lake Hayes # 1 Waste Water Pump Station, northern end of Lake Hayes. Lot 3 DP 15096. For conditions refer to C.64 below.
333	30	Queenstown Lakes District Council	Sewage Pump Station	Arrowtown Lake Hayes Road Waste Water Pump Station # 1, Recreation reserve, eastern side of Lake Hayes. Section 65 Block IX Shotover Survey District. For conditions refer to C.65 below.
334	30	Queenstown Lakes District Council	Sewage Pump Station	Lake Hayes # 3 Waste Water Pump Station In road reserve, State Highway 6, adjacent to Crown Land Block IX, Shotover Survey District at the south eastern corner of Lake Hayes. For conditions refer to C.66 below.
335	30	Queenstown Lakes District Council	Sewage Pump Station	Lake Hayes #4 Waste Water Pump Station In legal road reserve adjacent to Lot 235 DP329276 Lake Hayes Estate. For conditions refer to C.67 below.
336	18, 18a	Queenstown Lakes District Council	Wastewater Treatment and Disposal Purposes	Wanaka Airport. Lot 5 DP 340031. For conditions refer to C.68 below.
337	21	Aurora Energy Limited	Electricity Substation and Ancillary Purposes	Wanaka Substation - 39 Ballantyne Road, Wanaka, Lot 1 DP 12295. For conditions refer to C.69 below.
338	31, 33	Aurora Energy Limited	Electricity Substation and Ancillary Purposes	Frankton Substation - Q71 Frankton-Ladies Mile Highway, Queenstown. Lot 1 DP 11785, Lot 1 DP 383378 and Lot 1 DP 20596. For conditions refer to C.70 below.
339	19	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Westview Road, Wanaka Lot 702 DP399076.
340	20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Forest Heights, Wanaka Lot 703 DP 392593.
341	24	Queenstown Lakes District Council	Recreation Reserve	Sherwin Avenue, Albert Town Lot 990 DP 413111. For conditions refer to B below.
342	34	Queenstown Lakes District Council	Recreation Reserve - Two Mile Water Treatment site	Sunshine Bay Recreation Reserve, Glenorchy – Queenstown Road, Glenorchy Rural, Sec, 2 SO 409197. For conditions refer to B below.
343	31	Queenstown Lakes District Council	Recreation Reserve	Spence Road, Wakatipu. Secs 158, 159 Block III Shotover SD. For conditions refer to B below.
344	31, 31a	Queenstown Lakes District Council	Recreation Reserve	Tucker Beach Road, Wakatipu Basin, Sections 1 -3 SO 409393, Section 73 Block II Shotover SD. For conditions refer to B below.
345	26	Queenstown Lakes District Council	Recreation Reserve, part Wastewater Pump Station	Rutherford Road, Wakatipu Basin Lot 3 DP 15096. For conditions refer to B below.
346	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Church Road Hawea Flat, Lot 202 DP 375230.
347	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Harris Place Luggate, Lots 203, 204 DP 375230.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
348	11	Queenstown Lakes District Council	Local Purpose Esplanade Reserve, part Wastewater Pump Station	Luggate-Cromwell Road, Wanaka Rural Lots 400, 401, 402, 406 DP 361422. Church Road, Hawea Flat Lots 408, 409 DP 375230 Lots 410, 411, 412 DP 399292 .
349	11	Queenstown Lakes District Council	Local Purpose Esplanade Reserve	Luggate-Cromwell Road, Wanaka Rural Lot 404 DP 361422, Church Road, Hawea Flat Lot 407 DP 375230.
350	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Luggate-Cromwell Road Wanaka Rural Lot 200 DP 361422.
351	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Luggate-Cromwell Road Wanaka Rural Lot 201 DP 361422.
352	24	Queenstown Lakes District Council	Recreation Reserve	Lagoon Avenue, Albert Town Lot 106 DP 358775. For conditions refer to B below.
353	20	Queenstown Lakes District Council	Local Purpose Reserve (Recreation).	Aubrey Road, Wanaka Town Lot 3 DP 347876.
354	20	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Waimana Place Wanaka Town Lot 12 DP 301972. For conditions refer to B below.
355	19, 20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Greenbelt Place Wanaka Lot 701 DP 399076.
356	19,20	Queenstown Lakes District Council	Recreation Reserve	Platinum Ridge Wanaka Lot 721 DP 399076. For conditions refer to B below.
357	19	Queenstown Lakes District Council	Local Purpose Access Reserve	Beacon Point Road Wanaka Lot 2 DP 325889 and Lot 117 DP27003.
358	21	Queenstown Lakes District Council	Local Purpose (Beautification Reserve)	Plantation Road, Wanaka Rural Lot 17 – 19 DP 300804 Lot 15 – 17 DP 302791.
359	22	Queenstown Lakes District Council	Local Purpose (Access) Reserve	McFarlane Terrace Wanaka Lot 98 DP 346120.
360	22	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Willets Green Wanaka Lot 97 DP 346120.
361	24	Queenstown Lakes District Council	Recreation Reserve	Hikuwai Drive Wanaka Rural Lot 301 DP 348554. For conditions refer to B below.
362	24	Queenstown Lakes District Council	Recreation Reserve	Hikuwai Drive Wanaka Rural Lot 302 DP 348554. For conditions refer to B below.
363	20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Mount Iron Drive, Wanaka Town Lot 40 DP330084, Lot 74 DP 341635.
364	31	Queenstown Lakes District Council	Recreation Reserve	Ferry Hill Drive, Wakatipu Basin Lot 206 DP 357615. For conditions refer to B below.
365	31	Queenstown Lakes District Council	Recreation Reserve, part Water Pump Station and Bores	Onslow Road, Queenstown Rural, Lot 321 DP379403. For conditions refer to B below.
366	13,30,	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Queenstown Rural Lot 305 DP 330087. For conditions refer to B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
367	15a	Queenstown Lakes District Council	Recreation Reserve	Coal Pit Road, Gibbston Lot 1 DP 387152. For conditions refer to B below.
368	17	Queenstown Lakes District Council	Local Purpose Access Reserve	Hewson Crescent Hawea Lot 995 DP 372972.
369	31,32	Queenstown Lakes District Council	Recreation Reserve	Highview Terrace, Queenstown Lot 300 DP 365562. For conditions refer to B below.
370	31, 31a	New Zealand Transport Agency	State Highway Purposes	Roundabout at intersection of State Highway 6 and Eastern Access Road, Frankton Flats. As shown on District Plan Maps. For conditions refer to A below.
371	31, 31a	Queenstown Lakes District Council	Roading Purposes	Eastern Access Road and Road 2, Frankton Flats. As shown on District Plan Maps. For conditions refer to A below.
372	21	New Zealand Police	Police Purposes	5 Ballantyne Road, Wanaka Section 1 SO 451106 2132m ² . For conditions refer to C.4 below.
373	13,	Queenstown Lakes District Council	Forestry Operations	Ben Lomond Forest Section 19 Block XX Shotover SD and Section 20 Block I Mid Wakatipu SD. For conditions refer to C71 below.
374	13, 32	Queenstown Lakes District Council	Forestry Operations	Queenstown Hill Forest Section 2 SO 433650 and Section 2 SO 317364. For conditions refer to C71 below.
375	10, 26, 29	Queenstown Lakes District Council	Forestry Operations	Coronet Forest Lot 1 Deposited Plan 24277, Lot 1-2 Deposited Plan 21922, Section 24 Block XVII Shotover SD and Section 23 Block XVIII Shotover SD. For conditions refer to C71 below.
376	21,	Queenstown Lakes District Council	Wanaka Sports and Events Facility	37 and 97 Ballantyne Road, Wanaka Part Lot 2 DP 303207 and Part Lot 2 DP 304424. For conditions refer to C72 below
377	30, 31a	Ministry of Education	Education Purposes	Shotover Primary School, Stalker Road, Frankton Ladies Mile Highway, Wakatipu Basin Lot 300 DP 459652. For conditions refer to C73 below.
378	24b	Queenstown Lakes District Council	Local Purpose Reserve (Storm Water Detention & Treatment Ponds)	Rifleman Street Storm Water & Detention Ponds - Lot 998 DP 413111.
379	19	Queenstown Lakes District Council	Local Purpose Reserve – Storm Water Detention Basin.	Beacon Point Rd Storm Water Detention Basin - Lot 118 DP 27003.
380	19, 20	Queenstown Lakes District Council	Local Purpose Reserve – Storm Water Detention Basin	Forrest Heights Storm Water Detention Basins. Lot 720 DP 399076.
381	20	Queenstown Lakes District Council	Storm Water Detention Basin	Waimana Place Storm Water Detention Basins. Lots 6 & 8 DP 301972 and Lot 12 DP 301972.
382	18, 23	Queenstown Lakes District Council	Local Purpose Reserve (Soakage Pit)	Niger St Soakage Pit. Lot 901 DP 450893.
383	18, 23	Queenstown Lakes District Council	Storm Water Soakage field	Maggies Way Storm Water Soakage Field. Lots 41, 42 & 43 DP 453936.
384	18, 23	Queenstown Lakes District Council	Storm Water Drainage Basin	Coromandel St Storm Water Drainage Basin. Lots 5 – 8 DP 417176, Lot 2 DP 397620 and Lots 19 – 21 DP 354374.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
385	18, 23	Queenstown Lakes District Council	Storm Water Soak Pit	Stone St Road Reserve – Corner of Stone Street and Cardrona Valley Road, Wanaka.
386	18, 23	Queenstown Lakes District Council	Storm Water Soak Pit	Alpha Close Road Reserve – Adjacent to 1 Alpha Close.
387	11	Queenstown Lakes District Council	Storm Water Soakage Basin	Pisa Rd Soakage Basin 2. Lot 80 DP 375230.
388	23	Queenstown Lakes District Council	Storm Water Soakage Pond	Lot 99 DP 445766.
430	30	Queenstown Lakes District Council	Storm Water Overflow Retention Basin	Lake Hayes Estate Overflow Retention. Lot 2 DP 457573.
431	26, 27	Queenstown Lakes District Council	Storm Water Retention Basins	Butel Park Storm Water Detention Basins. Lot 107 DP 323992.
432	13, 31, 39a	Queenstown Lakes District Council	Local Purpose Reserve (Storm Water Soak Pit)	Lot 101 DP 432070 – Evening Star Terrace, Arthurs Point.
433	25	Queenstown Lakes District Council	Storm Water Soakage Basin	Pigeon Place Storm Water Soakage Basin. Lot 12 DP 381643.
434	30	Queenstown Lakes District Council	Storm Water Pond	Threepwood Storm Water Pond. Lot 29 DP 378242 and Lot 33 DP 378242.
435	30	Queenstown Lakes District Council	Storm Water Dispersion Trench	Threepwood Storm Water Dispersion Trench 1. Lot 29 DP 378242 & Lot 36 DP 378242.
436	30	Queenstown Lakes District Council	Storm Water Dispersion Trench	Threepwood Storm Water Dispersion Trench 2. Lot 30 DP 378242.
437	30	Queenstown Lakes District Council	Storm Water Dispersion Trench	Threepwood Storm Water Dispersion Trench 3. Lot 30 DP 378242.
438	30	Queenstown Lakes District Council	Storm Water Dispersion Trench	Threepwood Storm Water Dispersion Trench 4. Lot 52 DP 378242.
439	39, 39b	Queenstown Lakes District Council	Kingston Closed Landfill	Part Run 323a Lorn and Rockside SD.
440	26, 27	Queenstown Lakes District Council	Waste Water Pump Station	Essex Avenue Wastewater Pump Station. Lot 103 DP 323992. For conditions see C.17 below.
441	26	Queenstown Lakes District Council	Waste Water Pump Station	Lake Hayes #6 Wastewater Pump Station. Lot 5 DP 316479 & Rutherford Rd Road Reserve. For conditions see C.17 below.
442	30, 31a	Queenstown Lakes District Council	Waste Water Pump Station	Lake Hayes #5 Wastewater Pump Station. Lot 511 DP 379403 – Widgeon Place Road Reserve. For conditions see C.17 below.
443	31a, 33	Queenstown Lakes District Council	Waste Water Pump station	Remarkables Park No.1 Wastewater Pump Station. Lot 603 DP 24569. For conditions see C.17 below.
444	39a	Queenstown Lakes District Council	Waste Water Pump Station	Atley Road Sewer Pump Station. Atley Road Rd Reserve. For conditions see C.17 below.
445	31	Queenstown Lakes District Council	Waste Water Pump Station	Tucker Beach Wastewater Pump Station. Lot 18 DP 430336. For conditions see C.17 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
446	30	Queenstown Lakes District Council	Waste Water Pump Station	Threepwood Wastewater Pump Station #7. Lot 21 DP 437509. For conditions see C.17 below.
447	30	Queenstown Lakes District Council	Waste Water Pump Station	Threepwood Wastewater Pump Station #1. LOT 30 DP 378242. For conditions see C.17 below.
448	30	Queenstown Lakes District Council	Waste Water Pump Station	Threepwood Wastewater Pump Station #2. LOT 30 DP 378242. For conditions see C.17 below.
449	31a	Queenstown Lakes District Council	Waste Water Pump Station	Lot 12 DP 386956. For conditions see C.17 below.
450	24b	Queenstown Lakes District Council	Road Reserve (Waste Water Pump Station)	Hikuwai Drive Wastewater Pump Station. For conditions see C.17 below.
451	18, 20	Queenstown Lakes District Council	Waste Water Pump Station	Waimana Place Waste Water Pump Station. Lot 2 DP 361520. For conditions see C.17 below.
453	18, 11	Queenstown Lakes District Council	Local Purpose Esplanade Reserve & Waste Water Pump Station.	Church Road Wastewater Pump Station. Lot 408 DP 375230. For conditions see C.17 below.
454	18, 11	Queenstown Lakes District Council	Waste Water Pump Station	Harris Place Wastewater Pump Station. Lot 303 DP 375230, Harris Street Road Reserve, Luggate. For conditions see C.17 below.
455	11	Queenstown Lakes District Council	Storm Water Soakage Basin	Pisa Road Soakage Basin 1, Lot 501 DP 375230.
456	11, 18	Queenstown Lakes District Council	Waste Water Pump Station	Pisa Road Wastewater Pump Station. Lot 301 DP 361422 – Pisa Rd Reserve. For conditions see C.17 below.
457	18	Queenstown Lakes District Council	Waste Water Pump Station	Riverbank Road Wastewater Pump Station. Riverbank Rd Road Reserve & Part Lot 4 DP 15016. For conditions see C.17 below.
458	18, 24	Queenstown Lakes District Council	Waste Water Pump Station	Albert Town-Lake Hawea Road No. 2 Wastewater Pump Station. Albert Town – Lake Hawea Road Reserve. For conditions see C.17 below.
459	18, 24	Queenstown Lakes District Council	Waste Water Pump Station	Albert Town-Lake Hawea Road No. 1 Wastewater Pump Station. Unformed Legal Road. For conditions see C.17 below.
460	17	Queenstown Lakes District Council	Waste Water Pump Station	Domain Road Wastewater Pump Station, "Timsfield". Domain Rd Road Reserve. For conditions see C.17 below.
461	18, 21	Queenstown Lakes District Council	Waste Water Pump Station	Wanaka-Luggate Highway No.1 Wastewater Pump Station. Lot 104 DP 412843. For conditions see C.17 below.
462	17	Queenstown Lakes District Council	Storm Water Soak Pit	Nichol Street Soak Pit, Lake Hawea. Lot 45 DP311348.
463	39	Queenstown Lakes District Council	Water Bores & Pump Station	Arthurs Point Water Bores, Oxenbridge Tunnel Road. Section 1 SO 322786. For conditions see C.17 below.
464	30	Queenstown Lakes District Council	Local Purpose Reserve (Water Booster Pump Station)	Lake Hayes Estate Water Booster Pump Station. Lot 322 DP 380680. For conditions see C.17 below.
465	30	Queenstown Lakes District Council	Water Pump Station and Water Bores	Lake Hayes Estate Water Pump Station & Bores. Lot 321 DP 379403. For conditions see C.17 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
466	31	Queenstown Lakes District Council	Water Pump Station	Glenda Drive Water Pump Station – Glenda Drive Road Reserve. Corner of Glenda Drive and SH6A. For conditions see C.17 below.
467	31, 31a, 33	Queenstown Lakes District Council	Booster Water Pump Station	Marina Drive Booster Water Pump Station. Corner of Marina Drive and Frankton Rd. For conditions see C.17 below.
468	31, 32	Queenstown Lakes District Council	Water Pump Station	Panners Way Water Pump Station – Panners Way Road Reserve opposite 10 Panners Way. For conditions see C.17 below.
469	34	Queenstown Lakes District Council	Water Pump Station	Lomond Crescent Water Pump Station – Lomond Crescent Road Reserve, opposite 89 Lomond Crescent. For conditions see C.17 below.
470	33	Queenstown Lakes District Council	Water Pump Station	Lot 200 DP 357765 - Middleton Rd Water Pump Station. For conditions see C.17 below.
471	37	Queenstown Lakes District Council	Booster Water Pump Station	Balmoral Drive Booster Water Pump Station. Balmoral Road Reserve. Corner Balmoral Drive and Milward Place. For conditions refer to C.17 below.
472	30	Queenstown Lakes District Council	Booster Water Pump Station	Threepwood Water Booster Pump station. Threepwood Road. Lot 53 DP 378242 Threepwood Road, Lot 30 DP 378242. For conditions see C.17 below.
473	32	Queenstown Lakes District Council	Booster Water Pump Station	Highview Terrace Booster Water Pump station. Highview Terrace Road Reserve adjacent to 47 Highview Terrace. For conditions see C.17 below.
474	34	Queenstown Lakes District Council	Water Pump Station	Broadview Rise Water Pump Station. Fernhill Road Reserve. Corner of Broadview Rise and Fernhill Road. For conditions see C.17 below.
475	31, 31a	Queenstown Lakes District Council	Water Pump Station	Quail Rise Water Reservoir. Lot 1 DP 469901 & Lot 300 DP 457085. For conditions see C.17 below.
476	31, 32	Queenstown Lakes District Council	Local Purpose Reserve Water Reservoir	Goldfield Heights No.1 Water Reservoir. Section 1 SO 317364.
477	34	Queenstown Lakes District Council	Water Reservoir	Lomond Crescent Water Reservoir. Ben Lomond Track Road Reserve.
478	33	Queenstown Lakes District Council	Local Purpose Reserve (Water Reservoir)	Remarkables View Water Reservoirs. Lot 102 DP 3577658.
479	19	Queenstown Lakes District Council	Water Intake	Beacon Point Water Intake. Section 59 Block XIV Lower Wanaka SD. For conditions see C.17 below.
480	18	Queenstown Lakes District Council	Water Intake	Western Water Intake. Section 46 Block III Lower Wanaka SD. For conditions see C.17 below.
481	11	Queenstown Lakes District Council	Water Bores, & Pump Station, and Treatment Facility.	Luggate Bores. Lot 1 DP 462959. For conditions see C.17 below.
482	22	Queenstown Lakes District Council	Booster Water Pump Station	Heaton Park Road Booster Pump Station Adjacent to 6/267 Studholme Road Lot 13 DP 350624. For conditions see C.17 below.
483	18	Queenstown Lakes District Council	Local Purpose Reserve (Booster Water Pump Station)	Hidden Hills Water Booster Pump Station. Lot 38 DP 412843. For conditions see C.17 below.
484	7	Queenstown Lakes District Council	Water Pump and Intake	Glendhu Bay Water Intake. Section 2 Block XV Lower Wanaka SD & Pt Section 3 BLK XV Lower Wanaka SD. For conditions see C.17 below.
485	18, 18a,	Queenstown Lakes District Council	Water Bore and Pump	Wanaka Airport Water Bore. Lot 1 DP 341605 and Lot 5 DP 23517. For conditions see C.17 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
486	11	Queenstown Lakes District Council	Water Reservoirs	Luggate Water Reservoirs. Lot 2 DP 342167. For conditions see C.17 below.
490	20, 21	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Anderson Road, Wanaka, Lot 41 DP 22308 and Lot 40 DP 22307 & Lot 19 DP 24744.
491	24	Queenstown Lakes District Council	Esplanade Reserve	Wicklow Terrace, Albert Town, Section 1 SO 415060.
492	20	Queenstown Lakes District Council	Local Purpose Reserve	Bevan Place, Wanaka, lot 107 DP 387159. For conditions refer to B below.
493	17	Queenstown Lakes District Council	Reserve for Public Purposes	Capel Ave, Hawea, Lot 193 DP 9712. For conditions refer to B below.
494	24	Queenstown Lakes District Council	Local Purpose Reserve (Public Hall)	Cardrona Valley Road, Section 10 Block 1 Cardrona SD & LOT 1 DP 411508. For conditions refer to B below.
495	24	Queenstown Lakes District Council	Cardrona Hall Toilets	Cardrona Valley Road, Section 1 Block XI Town of Cardrona. For conditions refer to B below.
496	24	Queenstown Lakes District Council	Recreation Reserve	Albert Town, Section 1 SO 431144. For conditions see B below.
497	19	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Centre Crescent, Wanaka, Lot 707 DP 454163 & Minaret Ridge, Wanaka, Lot 708 DP 470822.
498	19	Queenstown Lakes District Council	Recreation Reserve	Minaret Ridge, Wanaka, Lot 714 DP 470852 and Lot 723 473192 and Lot 722 DP 412667. For conditions see B below.
499	19	Queenstown Lakes District Council	Local Purpose Reserve (Access).	Infinity Drive, Wanaka, Lot 704 DP 412667, Forrest Heights, Wanaka, Lot 705 DP 412667 .
500	19	Queenstown Lakes District Council	Local Purpose Reserve (Accessway)	Aubrey Road, Wanaka, Lot 105 DP 412843 & Lot 38 DP 412843.
506	19	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Mt Gold Accessway, Wanaka, Lot 125 DP 425615.
507	18	Queenstown Lakes District Council	Local Purpose Reserve	Newcastle Road Accessway, Lot 2 DP 380587.
509	19	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Penrith Park , Lot 2 DP 325889 and Lot 116 – 117 DP 27003.
510	24	Queenstown Lakes District Council	Local Purpose Reserve (Walkway)	Tania Terrace Walkway, Alberttown, Lot 12 DP 24481.
511	21	Queenstown Lakes District Council	Recreation Reserve	Upton Street, Wanaka, Section 1 SO 24567. For conditions see B below.
514	23	Queenstown Lakes District Council	Local Purpose Reserve (Access)	West Meadows Drive, Wanaka, Lot 1000, DP 417176.
515, 516	23	Queenstown Lakes District Council	Recreation Reserve	West Meadows Drive, Wanaka, Lot 902 DP 442803 & Lot 97 DP 417176. For conditions see B below.
517	7	Queenstown Lakes District Council	Recreation Reserve	Section 14 SO Plan 347712. For conditions see B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
519	35	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Kerry Drive, Queenstown, Lot 602 DP 306902.
520	38	Queenstown Lakes District Council	Recreation Reserve	Bell Bird Lane, Lot 13 DP 25238. For conditions see B below.
521	30	Queenstown Lakes District Council	Recreation Reserve	Arrow Junction Road, Section 1 SO 448666. For conditions see B below.
522, 523, 524	35	Queenstown Lakes District Council	Recreation Reserve, Local Purpose Reserve (Child Care Centre), Local Purpose Reserve (Education)	Brecon Street, Queenstown, Section 1 SO 24368 Section 1 SO 24543 and Section 2 SO 21533.
525	35, 37	Queenstown Lakes District Council	Esplanade Reserve	Section 1 & 2 SO 410336.
527	35	Queenstown Lakes District Council	Civic Offices	Memorial Street, Queenstown, Part Section 7 Block XXIII Town of Queenstown, Section 3 Block XXIII Town of Queenstown. Section 4 Block XXIII Town of Queenstown. Section 5 Block XXIII Town of Queenstown.
530	26	Queenstown Lakes District Council	Local Purpose Reserve (Esplanade)	Lakes Hayes, Lot 4 DP 22389.
532	25	Queenstown Lakes District Council	Glenorchy Fire Station	Section 11 Block XIV Town of Glenorchy. For conditions refer to B below.
533	25	Queenstown Lakes District Council	Glenorchy Town Hall	Mull Street, Glenorchy, Section 1560R Block XII Town of Glenorchy. For conditions refer to B below.
534	25	Queenstown Lakes District Council	Recreation Reserve	Glenorchy Village Green, Lot 5 DP 12433, Lots 1 and 2 DP 12433. For conditions see B below.
535	31	Queenstown Lakes District Council	Recreation Reserve	Hansen Road, Section 1 SO 438045. For conditions see B below.
536	30	Queenstown Lakes District Council	Recreation Reserve	Howards Drive, Lot 3 DP 447156. For conditions see B below.
537	13	Queenstown Lakes District Council	Recreation Reserve	Jacks Point Reserve, Lot 13 (Recreation Reserve) DP 364700. Refer to Conditions B.
538	35	Queenstown Lakes District Council	Recreation Reserve	Jubilee Park, Queenstown, Lot 2 DP 316049. For conditions see B below.
539	30	Queenstown Lakes District Council	Local Purpose Reserve (Esplanade)	Kawarau River Esplanade Reserve, Lot 1 DP 447906. & Lot 2 DP 447906.
540	33	Queenstown Lakes District Council	Recreation Reserve	Marina Drive, Queenstown, Lot 44 DP 20704. For conditions see B below.
541	33	Queenstown Lakes District Council	Recreation Reserve	Marina Drive, Queenstown, Lot 28 DP 20687 and Lot 27 DP 19872. For conditions see B below.
542	28	Queenstown Lakes District Council	Recreation Reserve	Marshall Park, Sections 16-19 Block IX Town of Arrowtown. For conditions see B below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
543	33	Queenstown Lakes District Council	Local Purpose Reserve (Access)	McBride Street, Frankton, Section 36 Block XV Town of Frankton.
544	26, 29	Queenstown Lakes District Council	Local Purpose Reserve (Esplanade)	Mill Creek Reserve, Lot 1 DP 20999, Lot 3 DP 25912, Lot 5 DP 25912, Lot 6 DP 23930, Lot 7 DP 23930, Lot 2 DP 24721, Lot 2 DP 24886, Lot 2 DP 22359, Lot 2 DP 22496, Lot 2 DP 21682, Lot 4 DP 460171, Lot 3 DP 21475, Lot 6 DP 24721.
545	26	Queenstown Lakes District Council	Recreation Reserve	Millbrook Cricket Ground, Section 8 SO 434963. For conditions see B below.
546	25	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Oban Street, Glenorchy, Lot 46-52 DP 23959, Lot 1 DP 434815, Lot 3 DP 435250.
547	35	Queenstown Lakes District Council	Recreation Reserve	Paddy Burton Memorial Park, Lot 1 DP 311236, Section 4 Block XLI Town of Queenstown. For conditions see B below.
548	37	Queenstown Lakes District Council	Local Purpose Reserve (Tree Planting)	Panorama Terrace, Lot 8 DP 20477.
549	37	Queenstown Lakes District Council	Recreation Reserve	Peregrine Place, Lot 17 DP 21185. For conditions see B below.
550	9	Queenstown Lakes District Council	Local Purpose Reserve (Esplanade)	Precipice Creek, Lot 19 DP 379201.
553	27	Queenstown Lakes District Council	Recreation Reserve	Tipperary Place, Arrowtown, Lot 41 DP 23953. For conditions see B below.
555	30	Queenstown Lakes District Council	Local Purpose Reserve (Tree Planting)	Arrow Junction, Lots 9-12 DP 22920.
556	36	Queenstown Lakes District Council	Recreation Reserve	Queenstown Village Green, Lot 1 DP 20875. For conditions see B below.
557	34	Queenstown Lakes District Council	Recreation Reserve	Williams Street, Fernhill, Lot 62 DP 12873. For conditions see B below.
558	35	Queenstown Lakes District Council	Recreation Reserve	Edinburgh Drive, Queenstown, Lot 78 DP 22322. For conditions see B below.
561	37	Queenstown Lakes District Council	Recreation Reserve	Section 10 BLK XVIII TN of Queenstown. For conditions refer to B below.
562	20	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	4 Achillies Place, Wanaka, Lot 22 DP 24744. For conditions refer to B below.
563	19	Queenstown Lakes District Council	Local Purpose Reserve (Access)	Peninsula Bay, Wanaka, Lot 711 DP 420307.
564	24	Queenstown Lakes District Council	Recreation Reserve	Sherwin Avenue, Albertown, Lot 997 DP 463085, Lot 998 DP 472137. For conditions see B below.
566	18	Aurora	Electricity Substation and Ancillary Purposes	Camp Hill Substation (RM141053) For conditions refer to C below.
567	13	Aurora	Electricity Substation and Ancillary Purposes	Jacks Point (081287). For conditions refer to C.77 below.

No.	Map No.	Authority Responsible	Purpose	Site/Legal Description and Conditions
568	38	Aurora	Electricity Substation and Ancillary Purposes	Closeburn Substation - Glenorchy Queenstown Road near Bobs Cove. Section 1 SO 24959. For conditions refer to C below.
569	34	Aurora	Electricity Substation and Ancillary Purposes	Fernhill Substation - Wynyard Crescent, Fernhill. Section 1 SO 24322. For conditions refer to C below.
570	35	Aurora	Electricity Substation and Ancillary Purposes	Queenstown Substation (RM120701). For conditions refer to C.75 below.
571	18, 23	Aurora	Electricity Substation and Ancillary Purposes	Riverbank Road (RM120328). For conditions refer to C.78 below.
572	37	Aurora	Electricity Substation and Ancillary Purposes	Commonage Substation (071118). For conditions refer to C.76 below.
573	31a	Aurora	Electricity Substation and Ancillary Purposes	Remarkables Substation - Kawarau Road. Lot 4 DP 349682. For conditions refer to C.79 below.
574	29	Aurora	Electricity Substation and Ancillary Purposes	Dalefield Substation - Malaghans Road Part Lot 2 DP 26713, marked as A on DP 3000596. For conditions refer to C.79 below.
575	27	Aurora	Electricity Substation and Ancillary Purposes	Arrowtown Substation (RM110323). For conditions refer to C.74 below.
577	16b	Ministry of Education	Education Purposes	Makarora Primary School, 31 Rata Street Makarora. Pt Section 4688 BLK 1 Mckerrow SD
580	25b	Aurora	Electricity Regulators and Ancillary Purposes	Glenorchy Regulators - Glenorchy/Queenstown Road. Part Run 346D and Section 28 SO 19501. For conditions refer to C.79 below.
581	29	Aurora	Electricity Substation and Ancillary Purposes	Coronet Peak Substation - Coronet Peak Station Road Reserve. For conditions refer to C.79 below.
582	11, 18	Queenstown Lakes District Council	Waste Water Pump Station	Alice Burn Drive No.1 Wastewater Pump Station. Lot 501 DP 375230. For conditions see C.17 below.
584	31, 31a, 33	Ministry of Education	Education Proposes	Relocation of Wakatipu High School, 48 Hawthorn Drive, Queenstown. Section 1-2 Survey Office Plan 456218 held on Computer Freehold Register 602858 (RM130877) For conditions refer to C.81 below.
586	17	Queenstown Lakes District Council	Waste Water Pump Station	Nichol Street Wastewater Pump Station. Lot 45 DP 311348. For conditions see C.17 below.

A

Roads

All Queenstown Lakes District Council Roads are deemed to be designated for the purpose of road.

A.1 Stopped Roads

Council shall stop all roads in accordance with either the Local Government Act 1974 or the Public Works Act 1981.

Where the boundary of a legal road is re-aligned, or a legal road is stopped, the Council shall apply to the land no longer designated road a zone(s), in accordance with one or more of the following provisions:

- a. zoning shall be that which best accommodates any existing land use activities on the site of the stopped road, and which cause no more than minor effect to the environment; and/or
- b. zoning shall reflect any topographical or natural features that constitute logical reason for zoning; and/or
- c. stopped roads shall be zoned in accordance with the adjoining zone of least intensive development potential (refer to Table A.1).

Table A.1 – Least Intensive District Zoning to most Intensive District Zoning

- a. Rural
- b. Gibbston Character
- c. Rural Lifestyle/Bendemeer
- d. Rural Residential
- e. Resort/Rural Visitor
- f. Arrowtown Residential Historic Management
- g. Township
- h. Low Density Residential/Penrith park
- i. High Density Residential/Medium Density
- j. Corner Shopping Centre
- k. Industrial
- l. Business
- m. Remarkables Park
- n. Town Centre
- o. Airport Mixed Use

A.2 New Zealand Transport Agency

The designation provides for the New Zealand Transport Agency, either itself or through its agents, to control, manage and improve the state highway network, State Highways No 6, 6A and 84 including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to, realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

A.3 Limited Access Roads

Those sections of State Highway which are declared limited access are:

- a. SH No 6 from Brady Creek Bridge to Wharf Creek Bridge;
- b. SH No 6 from the Neck to Lake Hawea (control dam);
- c. SH No 6 from Hawea to Mount Iron;
- d. SH No 6 from Mt Iron to SH8A Intersection;
- e. SH No 6 from the intersection with SH8A, Luggate to Gravelly Gully;
- f. SH No 6 from Gentle Annie Bridge (Kawarau Gorge) to Nevis Bluff;
- g. SH No 6 from Nevis Bluff to Kawarau River;
- h. SH No 6 from Lake Hayes to Shotover River;
- i. SH No 6 from Shotover River to Frankton;
- j. SH No 6 from SH6 the intersection to Wye Creek Bridge;
- k. SH No 6 Kingston Section;
- l. SH No 6A from Frankton to Queenstown (east);
- m. SH No 6A from Frankton to Queenstown (west);
- n. SH No 84 from SH6 to Wanaka.

Those sections of State Highway which are proposed limited access are as follows:

- a. SH No 6 from Hayes Creek to Swift Burn.

The objective of this control is to protect and maintain the safety and high level of traffic service on these important routes which may otherwise be adversely affected by traffic generation of property alongside. Existing legislation controls conditions relating to access to and from land adjoining Limited Access Roads. The effect is to prevent the proliferation of new access points and to reduce the number of accesses and volumes of traffic using them.

Consent under the provisions of the Government Roading Powers Act 1989 is required for access for subdivision purposes and may be required for other development of land adjacent to Limited Access Roads (LAR). The New Zealand Transport Agency should be consulted initially with respect to development along LAR.

A.4 Conditions for Designation # 370 - Roundabout at intersection of State Highway 6 and Eastern Access Road

1. NZTA shall meet the reasonable costs associated with amending the Manapouri Beech Investments /FM Custodians Ltd easement instrument (including survey, legal (including Manapouri Beech Investments and FM Custodians reasonable legal costs) and registration costs) and the construction of the access from SH6 to the Manapouri Beech Investments and FM Custodians Ltd sites (Lots 1 and 2 DP 23542).
2. NZTA shall construct the SH6 roundabout to the standard required to ensure that there will not be any re-work required (other than removal of kerbing) on the roundabout when it comes to build the additional road expected to connect to this roundabout at some future date (shown on Plans I 1009-1264-5a dated March 2011 (Sheets 1 to 4). Subject to compliance with all of NZTA's statutory and other legal obligations in relation to permitting connection to the State highway, private landowners north of SH6 have the right to connect a fourth leg to the roundabout (subject to NZTA approval of connection design and standard of construction).

A.5 Conditions for Designation # 371 - Eastern Access Road and Road 2

1. That the Arrow Irrigation water race within the area affected by the designation be protected from the effects of the designation works in a manner that allows its ongoing operation. For the purposes of this condition "protect" includes maintenance of crossing rights equivalent to existing rights and maintenance of water flow capacity.
2. The proposed works will be constructed generally in accordance with Plans 1009-1264-5a dated March 2011 (Sheets 1 – 4 [attached at the back of Appendix 1 – Designations]).
3. Prior to commencement of works, QLDC shall submit to Council for review and approval a Construction Management Plan addressing the following matters:
 - a. control of dust;
 - b. silt and sediment control;
 - c. construction noise;
 - d. traffic management;

- e. hours operation; and
- f. protection of the Arrow Irrigation scheme.

As part of this plan details shall be provided to:

- a. demonstrate how access will be retained to adjoining properties throughout the construction process;
- b. establish processes to mitigate and address potential adverse effects from dust, noise and other construction activity occurring as a result of the construction process on the existing operations of the Shotover Garden Centre.

Once approved the Construction Management Plan must be complied with throughout the duration of works.

- 4. Prior to the movement of any letter boxes QLDC shall liaise with the relevant landowner and ensure any new proposed locations are identified in consultation with the landowner and provides compliance with any New Zealand Post requirements.
 - 4.1 The final design road levels are to be provided to the owners of Lots 14 and 15 DP 304345, Lot 12 DP 22121 and Lot 4 DP 374540 for approval prior to the lodgement of any consents or engineering approvals or the commencement of works.
 - 4.2 The owners of Lots 14 and 15 DP 304345, Lot 12 DP 22121 and Lot 4 DP 374540 are to respond to the Council within 5 working days of receiving the final design road levels. Consideration of the final design road levels shall be limited to:
 - a. Minimisation of stormwater overflow;
 - b. Maintenance of practical access gradients.

Approval of the final design road levels shall not be unreasonably withheld. In this respect, it shall be unreasonable for the owners of Lots 14 and 15 DP 304345, Lot 12 DP 22121 and Lot 4 DP 374540 to raise design concerns other than those relating to direct effects on their land.

- 4.3 The final design shall be accompanied by a stormwater management plan for roading within the designation demonstrating how stormwater will be collected and drained from impervious areas and the protection of adjoining land against inundation.
- 4.4 Notwithstanding any other provisions in this clause, or the advice note, if approval is not forthcoming from any of the owners of Lots 14 and 15 DP 304345, Lot 12 DP 22121 and Lot 4 DP 374540, the Council shall be entitled to determine the appropriate final design road levels.

Advice Note: The parties acknowledge that minimisation of stormwater overflow is an ongoing management issue particularly with respect to the Queenstown Central Limited land which is at a lower level than the Shotover Park Limited land. The parties acknowledge the Council's intention to prepare a stormwater catchment plan for the Frankton Flats which will among other things address the collection and drainage of water from impervious areas with particular regard to secondary overflow paths in major storm events and to the extent reasonably practicable, the protection of adjoining land against inundation.

5. If koiwi (human skeletal remains), waahi taoka (resource of importance), waahi tapu (place or feature of special significance) or artefact material are discovered, then work shall stop to allow a site inspection by the appropriate runanga and their advisors, who would determine whether the discovery is likely to be extensive and whether a thorough site investigation is required. Materials discovered should be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to their removal or preservation. Historic Places Trust and NZ Police should be contacted so that appropriate arrangements can be made.
6. QLDC shall construct the EAR/Road 2 roundabout as a four leg roundabout including provision for kerb and channel for the future connection to local roads to the south and west expected to connect to this roundabout, as indicated on Plans 1009-1264-5a dated March 2011 (Sheets 1 to 4).
7. QLDC shall, at the same time as constructing the Eastern Access Road construct the intersection (including all kerb and channelling) that will provide the access from the Eastern Access Road to the Future Access Road to Lot 1 DP23542 in the general location identified on the plan referenced on Plans 1009-1264-5a dated March 2011 (Sheets 1 to 4).

A.6 Conditions for Designation # 84 – Kawarau Falls Bridge (RM120413 & RM151026)

General

1. Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the requiring authority as follows:
 - a. the notice of requirement dated 20 July 2012 and supporting documents, being:
 - i. Assessment of Environmental Effects report, dated 3 April 2012 (and re-submitted on 20 September 2012);
 - ii. Geotechnical Assessment SH6 Kawarau Falls Bridge Specimen Design (prepared by Ross Roberts – SKM, dated August 2012); and
 - iii. SH6 Kawarau Falls Bridge – Design Statement in relation to Road Bridges Urban Design Principles (prepared by Vivian + Espie, dated 27 August 2012); and
 - b. the notice of requirement dated 12 December 2015, and supporting documents, being:
 - i. 'Land Requirement Plan' drawing 2701-TW-LRPD-001 revision A;
 - ii. 'River Navigation Overall' drawing 2701-TW-TTRN-001 revision A;
 - iii. 'River Navigation Dimensions' drawing 2701-TW-TTRN-002 revision A; and
 - iv. 'Trestle Setout Dimensions' drawing 2701-TW-TTRN-003 revision A.
2. As soon as practicable following completion of construction of the Project, the requiring authority shall:
 - a. review the width of the area designated for the Project;

- b. identify any areas of designated land that are no longer necessary for the ongoing operation, or maintenance of the Project or for ongoing mitigation measures (provided that the final designation width is no less than 16 metres); and
 - c. give notice to the Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in 2(b) above.
3. The requiring authority may request amendments to the management plans required by these conditions by submitting the amendments in writing to QLDC for certification by the Chief Executive Officer or their delegate, prior to any changes taking effect.
4. At the completion of the Project, the requiring authority shall ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and other material brought on site is removed from the site. The site shall be tidied to a degree at least equivalent to that prior to the Project commencing.

Advice Note: These conditions apply to construction of the Kawarau Falls Bridge, and will be satisfied once construction is complete. These conditions do not apply to operation or maintenance of the Bridge of adjacent sections of the State Highway

Notification

5. The requiring authority shall notify the QLDC and all immediately adjoining landowners in writing at least five working days prior to the commencement of the Project, and at the completion of the Project.

Communications Plan

6. Twenty-five (25) working days prior to the commencement of the Project, the requiring authority shall submit a Communication Plan to QLDC for certification by the Chief Executive Officer or their delegate. The Communications Plan shall be based on the draft plan submitted with the notice of requirement application.
7. The requiring authority shall carry out the Project in accordance with the certified Communications Plan.

Construction Environmental Management Plan

8. Twenty-five (25) working days prior to the Project commencing, the requiring authority shall submit a Construction Environmental Management Plan (CEMP) to the QLDC for certification by the Chief Executive Officer or their delegate. The CEMP shall be based on the draft CEMP provided with the NOR, and include the following:
 - a. Accidental Discovery Protocol;
 - b. procedures to ensure that any refuelling of machinery within 50 metres or any ephemeral or permanent watercourse is carried out in such a manner so as to prevent the discharge of contaminants.

The following plans, required by conditions 6, 11, 14, and 21 shall form appendices to the CEMP and be held together with it:

- a. Construction Noise and Vibration Management Plan;
 - b. Temporary Traffic Management Plan;
 - c. Urban and Landscape Design Master Plan;
 - d. Communications Plan.
9. The requiring authority shall carry out the Project in accordance with the certified CEMP.
10. All significant earthworks, pile boring and retaining construction shall be supervised by a suitably qualified geotechnical engineer.
- Advice note: The NZTA shall ensure that if the CEMP is changed or updated that the most up to date version is provided to the QLDC. The Erosion Sediment and Dust Control Plan and River Users Management Plan may be held together with the CEMP, but will be certified by the Otago Regional Council.

Construction Noise and Vibration Plan

11. Twenty-five (25) working days prior to commencing the Project, the requiring authority shall submit a Construction Noise and Vibration Management Plan (CNVMP) to the QLDC for certification by the Chief Executive Officer or their delegate. The CNVMP shall:
- a. be prepared by a suitably qualified and experienced acoustic consultant;
 - b. contain methods to ensure that construction noise and vibration generally comply with the requirements of NZS6803:1999 and DIN 4150-3:1999;
 - c. contain methods which represent the best practicable option; and
 - d. include requirements for monitoring construction noise and vibration.
12. The requiring authority shall engage a suitably qualified engineer to conduct a detailed pre-construction building condition survey of the existing Kawarau Falls Bridge before construction. This survey shall be repeated within 25 working days of construction being complete. The requiring authority shall provide copies of the survey reports to the QLDC within one week of receipt.
13. The requiring authority shall carry out the Project in accordance with the certified CNVMP.

Temporary Traffic Management Plan

14. Twenty five (25) working days prior to commencing the Project, the requiring authority shall submit a temporary traffic management plan (TTMP) to the QLDC for certification by the Chief Executive Officer or their delegate. The TTMP shall include:
- a. details of traffic management systems for vehicles entering and exiting the site;
 - b. suitable site warning signage to be in place on the road in both directions from the site entrance;
 - c. frequency and number of construction traffic movements estimated to and from the site;

- d. truck loading/unloading areas and procedures;
- e. toad remediation once works are complete;
- f. management of pedestrian and cycling routes during construction.

15. The requiring authority shall carry out the Project in accordance with the certified TTMP.

Dust

16. The requiring authority shall control the discharge of dust created by earthworks, transportation and construction activities in order to minimise dust hazard or nuisance.

Control of Hazardous Substances

17. The requiring authority shall ensure that:
- a. all hazardous substance storage or refuelling areas are bunded or contained in such a manner so as to prevent the discharge of contaminants;
 - b. all machinery is regularly maintained in such a manner so as to minimise the potential for leakage of contaminants;
 - c. no machinery is cleaned or stored within 50 metres of any ephemeral or permanent watercourse; and
 - d. all contaminants (e.g. fuel, hydraulic oils, lubricants etc.) are removed at the end of the construction period.

Utilities on the Bridge

18. The requiring authority shall ensure that the bridge design accommodates the following utilities:
- a. telecommunications;
 - b. electricity;
 - c. water mains;
 - d. intelligent transport systems utilities.
19. The utilities listed in Condition 18 are to be incorporated into the bridge design in such a way as they are, to the greatest extent practicable, not visible, including from the river and the pedestrian/cycle structure proposed under the bridge.
20. Where works completed in relation to or in association with this project result in changes being made to the existing Council services, or the addition of new services, the requiring authority shall submit to the QLDC GIS department new 'as-built' plans. This information shall be formatted in accordance with the Council's 'as-built' standards and shall include all Roads, Water, Wastewater and Stormwater reticulation.

Urban and Landscape Design Master Plan

21. The requiring authority shall submit, prior to lodgement of the Outline Plan of Works, an Urban and Landscape Design Master Plan (ULDMP) to the QLDC for certification by the Chief Executive Officer or their delegate. The ULDMP shall be prepared by a suitably qualified person or persons and shall take into account the following documents or updated versions of same:
- a. NZTA's "Urban Design Policy" (2007);
 - b. NZTA's "Urban Design Principles: Road Bridges" (2009);
 - c. QLDC's "Urban Design Strategy" (2009).
22. The ULDMP shall be consistent with the Landscape Concept Plan as outlined in NOR drawings ZB01194-ECC-DG-0015 (dated 14/02/13) and ZB01194-ECC-DG-0016 (dated 14/02/13 but with the "Recommended Extension" added, which is shown as a solid red line in Appendix 3 to the Commissioners' Recommendation) prepared for NZTA by Sinclair Knight Merz Limited, and include the following:

Urban Design Panel comments

- a. comments obtained from the QLDC Urban Design Panel on a draft ULDMP, together with a statement as to how these have been responded to in the ULDMP submitted for certification;

Revegetation and planting

- b. retention or propagation for replanting of existing native plants where possible;
- c. retention of poisoned willow roots/stumps below the bank works where possible;
- d. in replanting areas outside of the earthworks areas using mature willows shall be retained to provide a nursery for newly planted vegetation. These willows shall be poisoned when vegetation is established and the bank is stable, but dead stumps will remain;
- e. details of maintenance of the newly planted areas, such maintenance to be for a period of 2 years after completion of planting;
- f. selection of plant varieties for newly planted areas consistent with the Department of Conservation's "Wakatipu Project Gold" objective and specifications;
- g. a detailed planting plan identifying the location, density, grade, botanical names and quantity of all planting.

Pedestrian and cycle tracks

- h. the final design and location of pedestrian and cycle tracks shall include step connections indicated on the Landscape Concept Plan as "link via steps" and otherwise meet the intent of the Landscape Concept Plan, including:
 - i. earthworks, showing areas of cut and fill, depths of cut and fill and cut batters;
 - ii. any subsoil drainage systems;
 - iii. ease and convenience of use;
 - iv. providing a complementary amenity experience to what is provided on nearby sections of track;

- v. adherence, to the extent that is practical, to the following design criteria:
 - the provision of pathways that meet district wide design standards of minimum width (2.5m) and maximum gradient (10%); and
 - pedestrian and cycling routes that provide direct and safe routes.
- i. the requiring authority shall make reasonable efforts to consult with Queenstown Trails Trust and the QLDC regarding conformity with the Trust's and the QLDC's pedestrian and cycle track standards, and consult with the Otago Regional Council on provision for pedestrians and cyclists both on and in the vicinity of the new bridge, and if this offer is accepted, described the consultation which occurred, and its outcomes in the ULDMP submitted for certification.

Heritage Matters

- j. a detailed landscape design of the area where the new and existing bridges converge on the true left bank of the River. This design shall be prepared in consultation with a heritage consultant approved by the NZHPT, and shall ensure that the connection between the existing bridge and the north bank remains visible;
- k. a detailed design of the pedestrian and cycle structure below the existing bridge and the new bridge. The design of this structure shall be prepared in consultation with a heritage consultant approved by the NZHPT and shall ensure a minimum impact on the fabric of the existing bridge. Any alteration to the fabric of the bridge is to be undertaken in accordance with the recognised heritage principles such as the ICOMOS New Zealand Charter;
- l. removal of modern traffic facilities from the existing bridge where possible;
- m. prior to removal of the designation from the existing bridge, the requiring authority is to make such modifications as are necessary to enable the carriageway to be used as a pedestrian and cycle track (suitable for use by both recreational and community cyclists). Where this involves modifications to the fabric of the bridge, such work is to be undertaken in accordance with recognised heritage principles such as the ICOMOS New Zealand Charter;
- n. provision of information panels on the history of the existing bridge and Kawarau Falls area;
- o. carparking for visitors to the existing bridge where possible;

Bridge Design

- p. bridge safety barriers which allow views out to the river, river margins and the existing bridge for Stage Highway users, while balancing safety considerations;
- q. final bridge design (including embankments and retaining walls) using external materials, finishes and colours that assists it to accord with both the natural setting and its relationship with the existing bridge, including giving effect to Condition 19;
- r. final bridge design which, to the extent practicable, gives effect to Goals 1, 2 and 4 of the Queenstown Lakes District Council Urban Design Strategy;
- s. details of lighting to be installed on the bridge and its approaches, if any. Any proposed lighting –
 - i. should be an integral design component of the bridge;
 - ii. shall minimise the light spill onto the river, onto adjacent land and into the night sky; and
 - iii. must comply with the Queenstown Southern Lights Strategy.

Emergency Access

- t. details of how, at the completion of construction, the requiring authority shall ensure that emergency access for vehicles onto the historic bridge is to be made possible.
23. The requiring authority shall carry out the Project in general accordance with the ULDMP. The ULDMP shall be fully implemented within 12 months of the opening of the new State Highway bridge.

Archaeology

24. During construction, the requiring authority shall:
- a. identify the extent of the stacked stone wall to the east of the northern abutment of the existing bridge before earthworks begin;
 - b. clear vegetation in the location of proposed earthworks in a way that minimises damage to ground;
 - c. ensure earthworks areas are examined and recorded by an archaeologist prior to earthworks commencing (with recordings submitted to the NZHPT and NZAA).

Advice note: If any archaeological sites are to be affected by earthworks an Authority from the NZHPT will be required.

Lapse date

25. The designation shall lapse if not given effect to within 10 years from the date on which it is included in the District Plan under Section 175 of the RMA.

A.7 Conditions for Designation # 84 – SH 6 Boyd Road Realignment (RM090645)

Access

1. Access to the properties affected by the realignment will be designed in consultation with the relevant property owners.

Landscape

2. A landscape plan shall be submitted for assessment at the time of outline plan approval which achieves the following objectives:
- a. maintains consistency with the open, rural and pastoral character of the valley, including access of stock as part of the maintenance regime;
 - b. identifies reinstatement (re-grassing/re-vegetating) of exposed cut/fill batters;
 - c. identifies treatment (width and surface material) of roads no longer forming part of the State Highway;
 - d. identifies existing trees to be retained or relocated;

- e. addresses the following submitter concerns (concerns from neighbouring properties, including the following);
 - i. provision of bunding, in the vicinity of the Rees Stone Cottage;
 - ii. planting around the entrance to Boyd Road;
 - iii. landscaping and screen planting designed to reduce visibility down the local road leading to Boyd Road, and Council's Landscape Architect.

- 3. The landscape plan detailed under Condition (2) will be developed in consultation with the owners of the Remarkables Ski Field access road, the owners of the Rees Stone Cottage, the owner of 59B Boyd Road and Council's Landscape Architect.

Advice note: Although the alteration to the designation is sought to re-align the State Highway, at this time the only change is to increase the area covered by the designation to include the new stretches of road. It is understood that at a later date NZTA will make application to withdraw unnecessary portions relating to the road to be decommissioned. The reason for this is the need to construct the new carriageway, whilst still using the old.

B

Recreation Reserves

1 Setback from Road

All structures and buildings shall be setback from the road boundary as follows:

All Zones except Rural and Town Centre:	5m
Rural Zones:	20m

2 Separation from Neighbours

All structures and buildings shall be setback from internal boundaries as follows:

All Zones except Rural and Town Centre:	5m, except for buildings necessary for the storage of equipment used for the maintenance of reserves which may be sited as a residential accessory building.
Rural Zones:	10m

3 Height

No structure or building shall exceed the following maximum heights:

All Zones except Rural and Town Centre:	8m
Rural Zones:	10m
Town Centre Zones:	Refer to the relevant standard of the underlying zone.

4 Recession Lines

Within Residential and Township Zones or on boundaries adjoining a residential zone, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at the following angles and commencing at 2.5m above ground level at any given point along each internal boundary:

Northern Boundary:	55 degrees
Western and Eastern Boundaries:	45 degrees
Southern Boundary:	35 degrees

5 Site Coverage

A single building shall not exceed 100m² in total floor area. The combined total of all buildings on site shall not exceed a maximum of 5% of the total site area. These standards are exclusive of play equipment.

6 Access and Parking

Shall be provided in accordance with the general Transport Rules.

7 Surfacing

No more than 30% of the site area in all Zones except Rural and Town Centre and 20% of the site area in Rural Zones shall be covered by impervious surfaces, including courts, footpaths, swimming pools, car-parking areas and/or areas under lease arrangements.

8 Glare

All exterior lighting shall be directed away from adjacent properties and roads and the night sky.

No activity shall result in greater than a 2.5 lux spill, horizontal and vertical, of light on to any adjoining property in all Zones except Rural and Town Centre measured 2 metres inside the boundary of the adjoining property.

9 Noise

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

All Zones except Rural:	during day time 40 dB L _{Aeq (15min)}
	during night time 30 dB L _{Aeq (15min)}
Rural Zones:	during day time 55 dB L _{Aeq (15min)}
	during night time 40 dB L _{Aeq (15min)} ¹⁰

10 Hours of Operation

Where a site adjoins or faces a residential area no activities shall be conducted from the site between the hours of midnight and 7am.

C Conditions for Specific Designations

C.1 Designation # 1 - Frankton Substation

1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
 - a. maximum height 10 metres other than the items listed in (b);
 - b. minimum setback from the road 10 metres;
 - c. minimum setback from internal boundaries 4 metres other than replacement or alteration of existing buildings
2. That the maximum height of any gantry structures, telecommunication masts or transmission poles shall not exceed 20 metres, or up to 26 metres for transmission towers, and the maximum diameter of any dishes or radomes shall not exceed 1.8 metres.
3. That landscaping be provided along the state highway frontage to effectively screen the site from the highway.

C.4 Designation # 372 - Police Purposes

1. Prior to the construction of, or external alterations to, the police station, the requiring authority responsible for the designation shall submit outline plans as required by section 176A of the Resource Management Act 1991, to the territorial authority for consideration.
2. The maximum building footprint coverage shall be 40%.
3. The maximum height for buildings shall be 7.3 metres.
4. The minimum setback distance from road boundaries of any building (except fences and security gates) shall be 2m.
5. The minimum setback from internal boundaries for above ground structures, except fences and security gates shall be one setback of 4.5m and all other setbacks of 2m.
6. Glare
 - a. all fixed exterior lighting shall be directed away from the adjacent sites and roads; and
 - b. no fixed exterior lighting shall result in greater than a 10.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

7. Signage shall be limited to one 4.5m² sign along the road frontage and the Police crest on the exterior wall to the entrance vestibule.
8. Security gates and fencing between the north of the building and the boundary shall be a maximum of 2.2 metres high. Fencing for the remainder of the site shall be limited to a height of 1.8 metres and be visually permeable.
9. Noise
 - a. sound shall be measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 and shall not exceed the following noise limits at any point within any other site in this zone:
 - i. daytime (0800 to 2000 hrs) 50 dB L_{Aeq(15 min)}
 - ii. night-time (2000 to 0800 hrs) 40 dB L_{Aeq(15 min)}
 - iii. night-time (2000 to 0800 hrs) 70 dB L_{AFmax}
 - b. the noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
10. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's current (as at the date of submitting the outline plan of works) policies and engineering standards.
11. Prior to the commencement of works on site the requiring authority shall provide to the Queenstown Lakes District Council for review copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate to detail the engineering works required for the building and the formation of a sealed vehicle crossing.
12. That the earthworks, temporary works, retaining walls and batter slopes for the construction of the police station shall be undertaken in accordance with the Tonkin and Taylor geotechnical report prepared for the site (ref: 891941.1 of November 2011).
13. Landscaping shall be undertaken in accordance with a landscape plan submitted with the Outline Plan of Works.
14. That the Police Station shall not be used for remand purposes other than temporary holding.

C.5 Designation # 10 - Remarkables Primary School

1. That buildings be constructed in accordance with the following:
 - a. minimum setback from roads shall be 4.5m;
 - b. minimum setbacks from internal boundaries shall be 2m;

- c. the maximum height shall be 10m - provided that:
 - i. no part of any buildings shall protrude through a recession plane inclined towards the site at the following angles commencing 4.5m above the ground at any given point on the site boundary:

Northern Boundary:	55 degrees
Western and Eastern Boundaries:	45 degrees
Southern Boundary:	35 degrees
 - ii. The exceptions to (a) - the recession plane condition - are Gable, hip dormer and other similar projections which may encroach beyond the recession plane provided they are within a calculated area no greater than 6m² with the apex no higher than a point 1m below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion.

C.6 Designation # 11 - Glenorchy Primary School

- 1. That future buildings be constructed in accordance with the following;
 - a. maximum height - 5.5 metres;
 - b. a minimum pitched roof of 15 degrees.

C.7 Designation # 13 - Mount Aspiring College

- 1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
 - a. minimum setback from roads shall be 4.5 metres;
 - b. minimum setback from the southern boundary adjacent to Scaife Place residential properties shall be 4.5 metres;
 - c. minimum setbacks from all other internal boundaries shall be 2 metres;
 - d. the maximum height shall be 10 metres - provided that no part of any building shall protrude through a recession plane inclined towards the site at the following angles commencing at 2.5 metres above ground level at any point on the site boundary interfacing with a Residential Zone, and 4.5 metres above ground level at any other point on the site boundary:

Northern Boundary:	55 degrees
Western and Eastern Boundaries:	45 degrees
Southern Boundary:	35 degrees

Exceptions to the recession plane include: Gable, hip dormer and other similar projections may encroach beyond the recession plane provided they are contained within a calculated area no greater than 6m² with the apex no higher than 1 metre below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion.

C.8 Designation # 14 - Queenstown Primary School

1. Where the adjoining site is zoned for residential purposes, future buildings and alterations to existing buildings shall be constructed in accordance with the following:
 - a. minimum setback from internal boundaries 2m.

C.9 Designation # 15 - Wakatipu High School

1. Where the adjoining site is zoned for residential purposes, future buildings and alterations to existing buildings shall be constructed in accordance with the following:
 - a. minimum setback from internal boundaries 2 metres.

C.10 Designation # 16 - Wanaka Early Childhood Centre

1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
 - a. minimum setback from roads shall be 4.5 metres;
 - b. the setback from the internal south east facing boundary shall be 4.5 metres;
 - c. minimum setbacks from all other internal boundaries shall be 2 metres;
 - d. the maximum height shall be 8 metres.

C.12 Designation # 18 - Arrowtown Exchange

1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
 - a. maximum height 5 m
 - b. minimum setback from roads 6 m
 - c. minimum setback from internal boundaries 3 m
2. That no mast shall be greater than 9 metres in height and no antenna greater than 1.2 metres in diameter or 3 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules Chapter 30 (Energy and Utilities) of the District Plan. Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

C.13 Designation # 19 - Glenorchy Microwave Station

1. That future buildings and alterations to existing buildings be constructed in accordance with the following;
 - a. maximum height 10 m
 - b. minimum setback from road 10 m
 - c. minimum setback from internal boundaries 15 m
2. That no mast shall be greater than 20 metres and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules Chapter 30 (Energy and Utilities) of the District Plan. Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

C.14 Designation # 20 - Queenstown Telephone Exchange

1. That buildings not exceed a height of 12 metres.
2. That no new mast shall be greater than 17 metres in height and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Chapter 30 (Energy and Utilities) of the District Plan. Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

C.15 Designation # 21 - Wanaka Exchange

1. That buildings not exceed a height of 10 metres.
2. That no new mast shall be greater than 15 metres in height and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Chapter 30 (Energy and Utilities) of the District Plan. Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

C.16 Designation # 22 - Fernhill Water Supply Pump and Intake

1. No activity or disturbance of the lake bed may be undertaken within that part of the designated area applying to Lake Wakatipu, other than the use of the surface of the lake for recreation activities, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure no damage occurs to the water intake pipe which is located on the bed of the lake, extending approximately 25 metres from the lake edge.
2. That the pump station operate so the following noise levels are not exceeded, except for emergency purposes at or within the notional boundary of residential units:

*	0800 - 2000 hrs	50 dB $L_{Aeq(15min)}$
*	2000 - 0800 hrs	40 dB $L_{Aeq(15min)}$

C.17 Designations - Sewage & Water Pump Stations, Water Intakes

Noise:

- a. sound shall be measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 and shall not exceed the following noise limits at any point within the notional boundary of any residential unit:
 - i. daytime (0800 to 2000 hrs) 50 dB $L_{Aeq(15 min)}$
 - ii. night-time (2000 to 0800 hrs) 40 dB $L_{Aeq(15 min)}$
 - iii. night-time (2000 to 0800 hrs) 70 dB L_{AFmax}
- b. the noise limits in (a) shall not apply to:
 - i. construction sound which shall be assessed in accordance and comply with NZS 6803:1999;
 - ii. the use of an electricity generator for emergency use.

C.22 Designation # 29 - QLDC Events Centre and Aquatic Centre

General Approval

1. To enable the continued operation and expansion of a multi-purpose indoor and outdoor recreation, cultural and conference complex referred to as the Queenstown Events Centre ("QEC") on land legally described as follows:
 - a. Lot 1 DP 25073;
 - b. Lot 100 DP 468142;
 - c. Lot 2 DP 476309;
 - d. Sections 49, 50, 61-62 and 149 Block I Shotover Survey District;

- e. Part Section 63 Block I Shotover Survey District;
- f. Section 5 and 6 Block XXXIII Town of Frankton.

Note: Designation #29 applies to only part of 61-62 Shotover SD and Part Section 63 Block I Shotover Survey District.

- 2. In conjunction to Condition 1, the specific land contained within the QEC is illustrated on the plan titled 'Queenstown Events Centre – Structure Plan' which is referenced and dated as 2596.90.1B (dated 24 March 2015).

Allowed Activities

- 3. General activities allowed to occur (both indoor and outdoor) within the QEC shall include:
 - a. provision of sporting/recreational activities and events;
 - b. provision of commercial recreational activities;
 - c. provision of cultural/commercial activities such as concerts, shows, musicals, carnivals, fairs, market days, meetings, exhibitions, parades, rallies and filming;
 - d. provision of conferences (including gala dinners);
 - e. informal and designated parking associated with the operation of the QEC.
- 4. The provision of small-scale temporary and permanent retailing that supports the overall operation of the QEC. Any permanent retailing operation is to be located within the Central Development Area and shall be limited to a gross floor area of 100m² per tenancy/business.
- 5. A permanent café and/or restaurant can be established within the Central Development Area, provided that such a café and/or restaurant shall not exceed a gross floor area of 100m² that is directly associated with the café and/or restaurant.
- 6. The provision of community activities that support the overall operation of the QEC.
- 7. Subject to the operational requirements of the Civil Aviation Authority and the Queenstown Airport Corporation, rotary wing aircraft flights in association with the use of the QEC can occur on the following basis:
 - a. informal flights can take place between the hours 8am – 6pm;
 - b. no more than 5 flights shall occur each day;
 - c. the QEC shall not be used as an informal airport for more than 7 days in any calendar year;
 - d. the QEC has notified Council's compliance department of the use of the informal airport on any given day;
 - e. for the purpose of this condition the relevant noise standards from the District Plan shall not apply to informal flights to and from the QEC;
 - f. for the purposes of this condition a flight includes two aircraft movements i.e. a landing and a departure.

Buildings

8. Buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36 (Noise) or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.
9. Subject to compliance with all conditions within Designation 29, all future buildings (both new and extensions/alterations to existing buildings) shall be assessed and approved via the Outline Plan process in accordance with Section 176A of the Act.
10. New buildings and extensions/alterations to existing buildings located within the Central Development Area as illustrated on the Queenstown Events Centre – Structure Plan shall be subject to the following controls:
 - a. maximum building height: 18 metres
 - b. setback from any legal road: 5 metres
11. New buildings and extensions/alterations to existing buildings located within the Wider Grounds Area as illustrated on the Queenstown Events Centre – Structure Plan shall be subject to the following controls:
 - a. maximum building height: 8 metres
 - b. setback from State Highway 6: 20 metres
 - c. setback from other legal roads: 5 metres
 - d. maximum Building Footprint: 450m²
12. New floodlights to be established within the QEC shall be subject to the following controls:
 - a. maximum building height: 21 metres
 - b. setback from State Highway 6: 20 metres
 - c. setback from other legal roads: 5 metres
 - d. flood lights can only be used between the hours of 5pm and 10pm daily from March to October.
13. Subject to compliance with all conditions within Designation 29, temporary buildings and structures can be established within the QEC. The following restrictions shall apply:
 - a. temporary buildings and structures are defined as marquees, tents, shelters, stands, filming facilities, offices, scaffolding, safety fences and other similar buildings and structures;
 - b. the use of any temporary building or structure shall be limited to allowing for activities provided for within Conditions 3 to 7 within the QEC;
 - c. the maximum time that temporary buildings and structures can be established within the QEC is 21 days at any one time, including the time required for establishment/construction and dismantling of such buildings and structures;

- d. aside from the provision of safety fences, no other temporary buildings and structures shall be established within 50 metres of the legal boundary of the QEC that adjoins State Highway 6;
- e. the maximum gross floor area of any temporary buildings and structures established within the QEC shall be 2400m² (per building or structure);
- f. the maximum height of any temporary building or structure established within the QEC shall be 10m;
- g. if permission is required under the Building Act 2004 for any temporary building or structure, then such permission shall be obtained.

The establishment and use of temporary buildings and structures shall also be subject to all other relevant conditions of the designation.

14. No temporary or permanent buildings, structures, facilities or landscaping shall be placed in a position such that it penetrates the take-off climb and approach or transitional protection surfaces for the main runway or the cross-wind runway at Queenstown Airport except where the new object or extension is shielded by an existing immovable object or the penetration is a temporary short term penetration (e.g. construction machinery or equipment) of these surfaces that has been authorised by the Queenstown Airport Corporation Limited.

Supply of Alcohol

15. Alcohol can be supplied in accordance with the requirements of the Sale and Supply of Alcohol Act 2012 for the permanent bar facilities associated with the QEC, or for any other activity that is provided for within Conditions 3, 5 and 6.

Hours of Operation

16. Subject to Condition 17, the hours of operation of the QEC shall not be restricted.
17. The hours of operation for the bar facilities associated with the QEC shall not exceed 7.00am to 2.30am daily.

Noise Limits

18. Activities undertaken within the QEC shall be managed so that the following noise emission levels are not exceeded at or within the 20 metre notional boundary of any residential unit:

Monday to Sunday 7am to 11pm. 55dBA L10_{Aeq(15mins)}

At all other times 45dBA L10_{Aeq(15mins)}

A night time L_{max} limit of 75dBA shall be complied with between 11pm and 7am on all days of the week.

19. The exceptions to Condition 18 are major events that occur at the QEC. A “major event” relates to activities provided for in Condition 3 that attracts or which might reasonably be expected to attract more than 2500 persons to the QEC to partake in such an event. Noise emissions for major events shall be managed on the following basis:

- a. on not more than 5 days during any calendar year, noise emission levels from a major outdoor event may exceed the limits detailed in Condition 18, but only between the hours of 7am and 11pm. Provided that such noise emission levels shall not during this time period exceed a noise emission level of 75 dBA L_{eq} (15 minutes) at or within the 20 metre notional boundary of any residential unit.
 - b. on not more than 15 days during any calendar year, noise emission levels from a major outdoor event may exceed the limits detailed in Condition 18, but only between the hours of 7am and 11pm. Provided that such noise emission levels shall not during this time period exceed a noise emission level of 65 dBA L_{eq} (15 minutes) at or within the 20 metre notional boundary of any residential unit.
20. For the purpose of measuring noise from activities undertaken at the QEC in relation to Conditions 18 and 19, the "20 metre notional boundary of any residential unit" only relates to residential units that exist at the time of formal confirmation Designation 29.
 21. Sound emission levels shall be measured in accordance with NZS6801:2008, and assessed in accordance with NZS6802:2008.

Signage and Advertising

22. In terms of the establishment of temporary advertising banners within the designation, the following restrictions shall apply:
 - a. the banners shall only advertise recreation, cultural and conference activities that are to be undertaken within the QEC;
 - b. the banners shall only be located on the 28 existing light poles along Joe O'Connell Drive and within the Events Centre parking area, as shown numbered 1 – 28 on the plan titled "Location of Light Poles with Banner Arms (L100 – 27/7/11)" approved under RM110502;
 - c. the maximum time that one set of specific advertising banners can be placed on the lighting poles is 30 days within any 12 month period.
23. The establishment and on-going operation of the existing main entry sign located near the intersection of Joe O'Connell Drive and State Highway 6 shall adhere to the following restrictions:
 - a. the minimum lettering size on the LED panel shall be 114mm;
 - b. lettering and/or displays on the LED panel shall not flash, roll across the screen and provide intermittent information;
 - c. the colouring of the lettering on the LED panel shall be orange with a black background;
 - d. the LED panel shall produce no more than 150 candela;
 - e. the LED panel shall be floodlit during the hours of darkness;
 - f. should there be any need to alter the wording on the sign in the future (excluding the LED panel), such alterations will require approval via Section 176A of the Resource Management Act 1991.

Alternative Vehicular Access

24. Should the existing vehicular access to the QEC from State Highway 6 (via Joe O'Connell Drive) be either closed or restricted in the future, alternative vehicle access to the QEC can be obtained via Grant Road.

25. If Grant Road is utilised in terms of providing vehicular access to the QEC, then an entry sign can be established at the entrance off Grant Road that advertises activities undertaken within the QEC.

Pedestrian Access

26. Pedestrian/cycle access shall be maintained from the Kawarau Road (State Highway 6) to the QEC.

Aquatic Centre

27. Until improvements are made to the Council reticulated water supply that result in increased residual pressures (minimum 300kPa) in the 150mm diameter water main in SH6, irrigation of the playing fields shall not coincide with peak use times of the Aquatic Centre and/or Events Centre. Peak use times shall be determined by the management of each respective Centre and shall be submitted to Council within 12 months of the opening of the Aquatic Centre. Whenever possible irrigation of the playing fields shall occur outside hours of operation of either centre.
28. The combined discharge of wastewater for both the Events Centre and the Aquatic Centre shall not exceed 13.6l/s unless the consent holder submits information to Council for approval that proves that the wastewater discharge rate can be increased without negative downstream effects.

Advice Note: Where events on the site may generate traffic that significantly changes the normal operation of State Highway 6 and/or the safety of road users (motorists, cyclists or pedestrians), early engagement with the NZ Transport Agency is recommended. Under the Code of Practice for Temporary Traffic Management, a Temporary Traffic Management Plan may be required to be prepared and approved by the Transport Agency prior to implementation. This process may take up to two months.

C.24 Designation # 31 - Coneburn Water Pump Station and Intake

1. No activity or disturbance of the lake bed may be undertaken within that part of the designated area applying to Lake Wakatipu, other than the use of the surface of the lake for recreation activities, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure that no damage occurs to the water intake pipe which is located on the bed of the lake, extending approximately 25 metres from the lake edge.
2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

*	0800 - 2000 hrs	50 dB L _{Aeq (15min)}
*	2000 - 0800 hrs	40 dB L _{Aeq (15min)}

C.30 Designation # 41 - Arrowtown Water Supply Borefield and Infrastructure

1. Any new water supply infrastructure shall have a maximum height of 1m above ground level, except for any vent pipes.

2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

* 0800 - 2000 hrs	50 dB L _{Aeq (15min)}
* 2000 - 0800 hrs	40 dB L _{Aeq (15min)}

C.31 Designation # 44 - Glenorchy Water Storage Tanks

No activity or work may be undertaken within the designated area which could adversely affect the Council water storage tanks, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure that no damage occurs to Council's water storage tanks.

C.33 Designation # 46 - QLDC Sewage Treatment Works

1. The designation shall be in accordance with the approved plans and specifications submitted with the notice of requirement including all associated amendments, with the exceptions required by the following conditions:
2. That unless it is otherwise specified in these conditions of the consent, compliance with any monitoring requirement imposed by this consent shall be at the requiring authority's own expense.
3. That the consent holder shall pay all required administrative charges fixed by the Council, pursuant to Section 36 in relation to:
 - a. the administration, monitoring and supervision of this requirement; and
 - b. charges authorised by regulations.
4. Prior to the construction of any further facilities on site, a preliminary archaeological assessment of the site shall be undertaken to determine whether there is any evidence of archaeological sites or material of cultural or historical significance. That, if during development, archaeological material is discovered or a previously unidentified site disturbed, the designating authority shall immediately implement appropriate measures. Appropriate measures would include an assessment by a qualified archaeologist and notification of the NZ Historic Places Trust and Te Runanga o Otakou and Kati Huiapaki Puketeraki, before operations resume.
5. That in the case of any pre-1900 sites being identified, that the designating authority make appropriate application to the NZ Historic Places Trust, pursuant to Sections 9 to 20 of the Historic Places Act 1993, for authority to search, modify or destroy a site.
6. A landscaping plan including irrigation scheme, shall be submitted to, and approved by, the Territorial Authority within 3 months of the confirmation of the designation.

Prior to submission of the plan, the Requiring Authority shall consult with residents having access off Jims Way, and shall confirm, when submitting the plan, that such consultation has occurred. The landscaping plan shall

be implemented within 12 months of the confirmation of the designation and shall thereafter be maintained in accordance with that plan. If any plant or tree should die or become diseased, it shall be replaced.

In this instance, the landscaping plan shall be designed to meet the following objectives:

- a. create a positive visual effect from the surrounding area using species in keeping with the vegetation of the area including both deciduous and evergreen species;
 - b. minimise the view from State Highway 6 with trees being a minimum of 2 metres in height at the time of planting;
 - c. improve the on-site amenity.
7. Nuisance odour from the existing facility any future facilities shall not be detectable beyond the boundary site.
 8. All practicable measures shall be undertaken and maintained to minimise the risk of the site being inundated by water as a result of flooding that could cause pollution to enter the Shotover and Kawarau Rivers. A risk management report on this issue shall be included with the Outline Plan referred to in Condition 10.
 9. Any upgrades or extensions to the facility shall ensure that public access to sport fishing and game-bird hunting venues in the vicinity is maintained.
 10. Prior to the construction of any further facilities, the Requiring Authority responsible for the designation shall submit Outline Plans as required by Section 176A, to the Territorial Authority for consideration. The Requiring Authority shall also carry out consultation with all potentially affected parties as part of this process, including Te Runanga o Otakou and Kati Hairapa ki Puketeraki, and when submitting such plans shall confirm that this consultation has occurred, and shall indicate the response to issues raised in this consultation.
 11. The Requiring Authority shall design, develop and manage the public work so that it does not attract any birds that are hazardous to aircraft or may endanger aircraft operations. The bird species that have been observed at the airport and which may be hazardous to aircraft are gull, oyster catcher, hawk, spur-wing plover and duck.
 12. 6 months prior to any work being carried out in accordance with the Outline Plan, monitoring of bird activity shall be undertaken by a suitably qualified person experienced in wildlife observation to determine a baseline of bird activity. Subsequently, from the date any work is carried out in accordance with the Outline Plan, the site and surrounding area shall be monitored monthly by a suitable qualified person experienced in wildlife observation and approved by the Territorial Authority. This person will monitor bird activity in and around the site as an impartial observer to enable any increased bird activity as a result of the work to be identified.
 13. The result of all monitoring shall be reported to the Territorial Authority and the Queenstown Airport Corporation Limited every three months.
 14. In the event of any hazard to Queenstown Airport operations arising from birds which have been shown to have or likely to have been attracted to the area by any work for which Outline Plan approval has been obtained, the Territorial Authority reserves the right to review the conditions of consent attached to this designation for the purpose of mitigating, remedying or avoiding any adverse effect on airport operations, that is apparent from the works or from on-going monitoring.

15. The Territorial Authority reserves the right to review the conditions of this requirement annually from the date of confirmation for the purpose of mitigating, remedying or avoiding any adverse effect on the environment that is apparent from the operation of the activity or from on-going monitoring.

In the event that the Council, in exercising its authority as the Territorial Local Authority (as opposed to Designating Authority) does not agree with my recommendation to delete the buffer zone, an additional condition, as follows should be imposed:

16. The buffer zone shall apply to the areas as shown on the approved plan, which is described as including the area 300 metres to the east and south of the designation boundary, 10 metres back from the edge of the terrace on the western boundary and includes the area to the far edge of the road reserve of State Highway 6 on the northern boundary. Residential activities are prohibited within the Buffer Zone boundaries.

C.43 Designation # 62 - Anderson Road Water Supply Pump Station

1. That landscaping be undertaken and maintained along the Anderson Road frontage.
2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the property on which the pump station is located:

* 0800 - 2000 hrs 60 dB $L_{Aeq(15min)}$

* 2000 - 0800 hrs 50 dB $L_{Aeq(15min)}$

3. That from 31 July 2000 the pump station shall operate so that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the designated site and Lot 1 DP 13035.

* 0800 - 2000 hours 50 dB $L_{Aeq(15min)}$

* 2000 - 0800 hours 40 dB $L_{Aeq(15min)}$

Measured and assessed in accordance with NZ 6801:1991 and NZS 6802:1991

4. That in August 2000, and annually thereafter, the Requiring Authority shall undertake a day time and night time noise assessment at the boundary of the Anderson Road Business Zone between the designated site and Lot 1 DP 13035 and shall supply a copy of the same to the owner of Lot 1 DP 13035.
5. The seals on the non-return valves shall be replaced whenever the nuisance noises start.
6. The duration of the designation expires 31 December 2004.

C.45 Designation # 68 - Domain Road Oxidation Ponds, Hawea

No oxidation ponds or associated activity may be undertaken within 100 metres of Domain Road. The purpose of this restriction is to ensure that the land within 100 metres of Domain Road provides a buffer between the oxidation ponds and the road.

C.46 Designation # 69 – Albert Town Wastewater Management Purposes

No buildings are to be erected within the “no build” buffer zone shown on the District Plan Maps.

C.51 Designation # 74 - Lake Hawea Esplanade Sewage Pump Station & Water Treatment

1. Colours for all buildings shall be in the range of natural browns, greys or greens as per the surrounding landscape with a light reflectivity value of between 5 and 25%.
2. The maximum height for buildings shall be 5m set from existing ground level.
3. The maximum building coverage for the designation site shall be 30%.

(For the avoidance of doubt the public toilet facilities are not included in the building coverage).
4. Noise:
 - a. sound shall be measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 and shall not exceed the following noise limits at any point within the notional boundary of any residential unit:
 - i. daytime (0800 to 2000 hrs) 50 dB $L_{Aeq(15\ min)}$
 - ii. night-time (2000 to 0800 hrs) 40 dB $L_{Aeq(15\ min)}$
 - iii. night-time (2000 to 0800 hrs) 70 dB L_{AFmax}
 - b. the noise limits in (a) shall not apply to:
 - i. construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
 - ii. the use of an electricity generator for emergency use.

C.53 Designation # 76 - Victoria Bridge Terrace site (RM 970116)

It is decided that the requirement to Designate part Run 330C, Block II, Kawarau SD for the purpose of a landfill; part Run 330C and part Section 32 for the purpose of a buffer zone; and part Run 330C for the purpose of a road; be confirmed pursuant to Section 168A(3) of the Resource Management Act 1991, subject to the following conditions:

1. The activity shall take place in accordance with the plans and specifications submitted with the notice of requirement and the approved Buffer Zone and Landfill Site Boundaries plan dated 19 March 1998 attached, with the exceptions required by the following conditions:
2. All engineering works shall be carried out in accordance with all relevant New Zealand Standards to meet the acceptance of the Council's Principal Engineer.

3. Prior to the commencement of any works on the land being developed, and in accordance with Condition 2 above, the applicant shall provide to the District Planner, copies of specifications, calculations and design plans both necessary and adequate to detail the following engineering works required:
 - a. that all roading to the site and on site are in accordance with Queenstown Lakes District Council standards;
 - b. that the intersection of the new road and the Kawarau Gorge Road - State Highway 6 be reconstructed in accordance with New Zealand Transport Agency standard described in Diagram 4 with the modification that the radius shown 'R' shall be 15 metres for heavy vehicles;
 - c. that adequate facilities are provided on site for fire fighting purposes. The New Zealand Fire Service shall be consulted regarding training and establishment of fire-fighting procedures;
 - d. must be controlled on the landfill site to ensure that no nuisance is created beyond the site boundary;
 - e. that a water reticulation system be provided at the boundary of the proposed landfill site for the purposes of providing an irrigation system for the proposed tree planting for screening purposes;
 - f. all earthworks required to establish the site for the proposed activity.

4. Prior to the establishment of the activity, the applicant shall provide the following:
 - a. that the boundaries of the land shown 'F' on SO 24512 be fenced with a post and wire, seven strand fence;
 - b. that the proposed new road shown 'F' on SO 24512 have a formation of no less than 4 metres in width and of a metal depth of 150mm of M4 AP40;
 - c. that the land shown as 'A' and 'C' on SO24512 be road to be stopped;
 - d. that areas shown 'B', 'D' and 'E' be land taken for local purpose reserve (landfill);
 - e. that the land shown 'F' on SO 24512 be land taken for road;
 - f. that the applicant shall provide a boundary fence about the proposed landfill area defined as 'B', 'D' and 'E' on SO 24512. The fence shall be a seven strand post and wire fence or equivalent;
 - g. that an operations manual be prepared and approved by the District Planner for all aspects of the operation and maintenance of the activity and the manual is to include any on going conditions that are required to be complied with. Aspects to be included in the manual are:
 - i. that temporary access tracks within the landfill operating area be of adequate standard to ensure that a B Train commercial vehicle can manoeuvre without difficulty;
 - ii. that a portable water supply be available for human consumption at the operator's facilities;
 - iii. that the operational area boundary fence shall be no less than 3 metres in height and in the position shown on the conceptual operations plan, Sheets 10-22;
 - iv. that the effects of odour, dust, vermin and litter will be mitigated to ensure that any adverse effects associated with the site are minor.
 - h. the applicant shall carry out planting in accordance with the Planting Plan drawn by Morgan+Pollard associates, stamped (received 1 May 2007 and stamped as approved 13 June 2007) and the application as submitted (ref. RM070383) with the exception that a maximum 25% of Macrocarpa shall be planted in the replacement of any plant removed within the proposed planting 'D' zone;
 - i. earthworks required as part of the operation.

5. Compliance with the approved operations manual required to be prepared under condition 4(g).
6. The planting carried out in accordance with condition 4(h) above shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it shall be replaced.
7. During the construction stage the consent holder shall ensure:
 - a. that noise generated from construction activities occurring on the site shall be measured and assessed in accordance with, and shall not exceed the maximum permissible noise levels specified in NZS 6803P:1984 'The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work';
 - b. that the deposition of soil onto the State Highway from vehicles and other earth moving equipment is avoided by taking such precautions as the installation of a truck wash area fitted with a high pressure hose to remove mud from vehicles prior to entering onto the State Highway;
 - c. that dust generated by construction, or from the wind is not noticeable at the boundary of the site, by the use of water or other approved dust suppressant and from refraining from construction activities which generate dust during the prevalence of windy conditions;
 - d. that a water supply capable of providing sufficient water for use during the construction stage is available prior to any major earthworks occurring;
 - e. the consent holder shall ensure that run-off of stormwater from the site during construction, which visibly contains sediment is not discharged directly to a waterway.
8. During the operational stage of the landfill the consent holder shall ensure:
 - a. that all activities conducted on the site are carried out such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit (other than a residential unit located on the same site as the activity):

Day time	0800-2000 hours	50 dB L _{Aeq (15min)}
Night time	2000-0800 hours	40 dB L _{Aeq (15min)}

And shall not exceed the following level at the boundary of the site:

65 dB L_{Aeq (15min)}

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1992.

Note: The notional boundary is defined as being 20m from the wall of the dwelling.
 - b. that the unloading and storage of any hazardous substances on the site shall be carried out in an area which is sealed with an impervious material and banded to contain the total volume of the material in the event of a spillage and in all other respects shall be in compliance with the relevant legislation;
 - c. that register of the type and quantity of hazardous substances stored on site and details of the fate of any hazardous substances leaving the site is maintained.
9. Should the applicant choose to site water storage pipes at an elevated height above the landfill operating area on adjoining land, then appropriate easements shall be duly granted.
10. That all proposed monitoring be carried out and reported to the appropriate authorities.

11. That prior to the development of the landfill commencing, an archaeological recording programme shall be commissioned to fully record the sites identified by the preliminary archaeological assessment and a management plan developed to ensure that:
- a. adverse effects on the sites affected by the landfill operation are mitigated by a recording programme in accordance with the following:
 - i. that stratigraphy and remains are sampled in accordance with accepted archaeological practice;
 - ii. that any artefacts are properly removed, curated and retained for study;
 - iii. that if any additional sites of possible interest to Manawhenua are identified, the Trust and Manawhenua in accordance with condition 13 should be notified without delay.
 - iv. that within six months of the conclusion of any archaeological work, a report to accepted archaeological standard be submitted to the Regional and District Council with a copy to the Heritage New Zealand.

Particular regard shall be had to minimising the adverse effects of the proposed new road realignment on the abandoned water race, sluicing sites and hut identified in the preliminary archaeological assessment.

- b. that the consent holder shall obtain an Authority from the NZ Historic Places Trust to destroy, damage or modify any historic archaeological sites affected by the landfill development;
 - c. appropriate management techniques, such as buffer zones, employee education and fencing where appropriate, are put in place to avoid adverse effects on the sites that adjoin, but are not immediately affected by, the landfill operation;
 - d. the management plan should be submitted to the Councils after consultation with the NZ Historic Places Trust.
12. That processes are put in place to ensure appropriate management of the discovery of archaeological remains or unrecorded archaeological sites or sites of possible interest to Manawhenua, during the landfill operations. Appropriate management would include assessment by a qualified archaeologist and notification of the NZ Historic Places Trust and Te Runanga o Otakou and Kati Huirapa ki Puketeraki before operations resume.
13. If any site of historical Iwi association is identified during landfill development and operation, work is to cease in that specific location and both Te Runanga o Otakou and Kati Huirapa ki Puketeraki are to be notified.
14. The site shall be rehabilitated and reinstated in accordance with the Development and Management Plan at the completion of each phase or upon closure of the site, whichever precedes, and shall be grazed to minimise fire risk.
15. Any changes to normal stormwater flows as a result of the activity shall be directed to avoid any adverse effects occurring on neighbouring properties.
- Note: Pursuant to Section 184(a) of the Resource Management Act 1991 the designation will lapse on the expiry of 5 years after the date on which it is included in the district plan unless it is given effect to before the end of that period. A longer period may be fixed if application is made within 3 months of expiry if substantial progress has been, or continuing to be made, towards giving effect to the designation.

Note: The permission of the NZHPT is required for the modification or destruction of any archaeological site, whether recorded or unrecorded, pursuant to the provisions of the Historic Places Act 1993.

C.56 Designation # 81 - Athol Street Carpark

That any future building on the site have:

- a. maximum building height 12 m
- b. maximum building coverage 80%

C.57 Designation # 219 - Earnslaw Park Recreation Reserve

A maximum height limitation of 8m shall apply to designation # 219

C.58 Designation # 228 – Hensman Road Local Purpose Reserve (Beautification)

No buildings may be located on the designated land. The purpose of this restriction is to ensure that the land remains a buffer between residential dwellings and the State Highway.

C.59 Designation # 232 - Gorge Road Carpark

1. That the land designated shall extend from Gorge Road only as far west as the present eastern bank of Horne Creek.
2. Development of the parking area and parking building shall be generally in accordance with the scale of building and type of landscaping shown on the plans presented on behalf of the requiring authority at the hearing. In particular, the level of the floor of the upper level of the parking structure shall be lower than the level of Gorge Road.
3. The parked cars are to be substantially screened by earth mounding and planting from viewpoints along Gorge Road, Boundary Street and the recreational ground. If the planning shown on the plans presented outside the area to be designated does not eventuate, this screening shall be achieved by planting within the designated area. Planting shall be designed and maintained so as not to unnecessarily obscure views over the site.
4. All works shall be carried out in accordance with QLDC's Land Development and Subdivision Code of Practice 2015 or any subsequent amendment.
5. All engineering works shall be carried out in accordance with all relevant New Zealand Standards to meet the acceptance of Council's Principal Engineer.
6. Headworks fees for water and connections shall be paid in conformity with the Council's normal fees and charges.

7. A solid fence or wall with a minimum height of 2 metres shall be erected along the boundary of any adjoining land within the designated area not held in public ownership. Such a fence or wall shall be designed to ensure no lights from vehicles on the site shine through. Any building erected near the boundary of any adjoining land within the designated area not held in public ownership shall comply with the bulk and location requirements in the District Plan as if both sites were zoned Low Density Residential.

C.61 Designation # 243 - Wanaka Primary School

1. The Development be undertaken in general accordance with the application as submitted.
2. Drop-off and pick-up areas shall be maintained on the subject site, designed by a suitably qualified engineer to adequately provide for accommodating the number of pupils on the roll of all facilities on the subject site, at all times.
3. A review of parking and traffic related issues shall be conducted after the expiration of 12 calendar months from the opening of the school and before the expiration of 18 calendar months for the opening of the school, and again at each of the points where the school roll reaches 600 pupils and 800 pupils respectively. Each review shall be conducted by a suitably experienced and qualified traffic engineer nominated by the Queenstown Lakes District Council and approved by the Ministry. A review shall also be conducted at any other time that the Queenstown Lakes District Council deems necessary. The cost of any mitigation of adverse effects as determined by the engineer shall be borne by the Ministry unless an alternative cost-sharing agreement is reached with the Queenstown Lakes District Council. The review shall consider the following issues, and make recommendations for any necessary mitigation of adverse effects which are identified:
 - a. the size and capacity of drop-off and pick up areas accommodated on site, which shall adequately service the full combined role of all schools located on the site. This shall include the use of the un-named road off Totara Terrace and the extension of Ironside Drive;
 - b. increases in on-site parking being provided to adequately accommodate parking demand during peak times, the number of car parks shall be based on a survey conducted by the reviewing engineer on both wet and dry days and in both summer and winter;
 - c. the provision of an extension to Ironside Drive generally as shown on option 4.3 as presented in evidence on decision RM 050409, but within the site boundaries of the subject site, and the possibility of extending the roadway further in a north or easterly direction to Aubrey Road or Kings Drive respectively, through Kelly's Reserve, subject always to the approval of the Ministry of Conservation in whom Kelly's Reserve is presently vested, and to best traffic engineering practice in relation to any intersection thereby created.
4. The following restrictions shall apply to any development on the site:
 - a. minimum setback of buildings from roads shall be 4.5m;
 - b. minimum setback of buildings from residential properties shall be 4.5m;
 - c. minimum setback of buildings from all other internal boundaries shall be 2m;
 - d. maximum height of buildings shall be 10m provided that no part of any building shall protrude through

a recession plane inclined towards the site at the following angles commencing 2.5m above ground level at any point on the site boundary interfacing with a residential zone, and 4.5m above ground level at any other point on the site boundary (as exceptions to the recession plane, gable, dormer and other similar projections may encroach beyond the recession plane provided they are contained within a calculated area no greater than 6m with the apex no higher than 1m below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion).

- i. Northern Boundary: 55 degrees
 - ii. Western and Eastern Boundaries: 45 degrees
 - iii. Southern Boundary: 35 degrees
- e. tree species planted will not exceed 10m in height and will be maintained at this height at maturity;
 - f. the following trees will be excluded from landscaping on the site: Pinus radiata, Pinus muriata, Pinus ponderosa, Pinus syvstires, Pinus nigra, Douglas fir, and all eucalyptus varieties;
 - g. when necessary, water spraying will be used to reduce dust affecting adjacent residential properties;
 - h. during construction, the site shall be kept in a tidy state with construction materials secured so they are not blown around the site or into adjacent properties.

C.62 Designation # 330 – Works Depot Wanaka (RM 080414)

1. The development be undertaken in accordance with the application as submitted and landscape plan and car parking plans prepared by Baxter Design Group and stamped approved on 16 July 2008.
2. Any activity undertaken on the site shall be conducted such that the following noise levels are not exceeded at any time at any point within the boundary of any other site:
 - a. during daytime (0800 to 2000 hrs) 50dB L_{Aeq (15min)}
 - b. during night time (2000 to 0800 hrs) 40dB L_{Aeq (15min)}
3. Hours of operation shall be between 7.30am and 6.00pm daily, except:
 - a. after 6.00am on week days, one vehicle may enter and exit the site; and
 - b. during emergencies, civil defence or rural fire, vehicles and personnel may enter and exit the site at any time.
4. Heavy vehicle access to the site shall be limited to two per day and shall not be before 0800 hours.
5. No more than six staff vehicles shall be parked on the site during any given day. They are to be parked in a designated parking area within the depot grounds. There is to be no parking on the road verges outside the depot.
6. There shall be no more than 12 operational vehicle movements daily.

7. Coinciding with the council upgrading of Tenby Street, the applicant shall upgrade the existing Tenby Street vehicle crossing to a sealed vehicle crossing that is constructed to Council standards and is suitable for regular heavy vehicle use. If the Tenby Street upgrade does not take place within 6 months of the granting of this consent the applicant will construct the sealed vehicle crossing as per above.
8. The provision of a sealed vehicle crossing from Connor Street to the on-site loading ramp that shall be constructed to Council standards, including compliance with the Transport Standards within the District Plan (except for its location in proximity to the Connor/Tenby Street intersection).
9. A Traffic Management Plan is to be implemented when using the loading ramp and shall include the following:
 - a. suitable site warning signage shall be in place on the road in both directions from the site entrance;
 - b. safety 'dayglo' vests or similar shall be worn by any staff working on the road;
 - c. safe sight distances and passing provisions shall be maintained at all times for road users.
10. Prior to the site being used as a public works depot, the following work shall be completed:
 - a. the construction of all vehicle manoeuvring and car parking areas in gravel with a concrete hard stand in front of the building. This is to be done to council standards, including adequate provision for stormwater control;
 - b. management of the on-site manoeuvring and parking areas shall be undertaken at all times to mitigate against dust and/or noise nuisance;
 - c. the closure of the secondary access from Connor Street with permanent fencing materials and a lockable gate;
 - d. the repainting and repairing of the existing on-site building;
 - e. the repairing of the loading ramp to a safe standard.
11. An amended landscape plan shall be submitted for approval by Council prior to the site being used as the public works depot. The approved landscape plan including the fencing, gates and restoration of the berms shall be implemented within six months of the public works commencing and shall thereafter be maintained. If any tree or plant shall die it shall be replaced in the next available planting season. The landscape design shall incorporate the following criteria in order to maintain sight visibility from the access points to the site:
 - a. the hedge planting along the Tenby Street frontage shall be maintained to a height so as not to hinder vehicle visibility when exiting the yard;
 - b. the street tree planting along both road frontages shall include species that provide for a canopy 1.5m above ground level and a small diameter trunk.

C.63 Designation # 331 – Electricity Substation Cardrona Electricity Substation and Ancillary Purposes (RM 070792)

1. Landscape Conditions
 - a. the existing vegetation within and adjacent to the site shall be maintained for the initial five-year period;

- b. a detailed landscape plan to mitigate the visual effects of development on the designation site is to be submitted to Council for approval within three months of the date of this recommendation. The plan shall be implemented within the next available planting season and maintained thereafter. Should any tree or shrub die or become diseased, it shall be replaced in the next planting season. The objectives of the landscaping plan are to achieve the following:
 - i. to fully screen the site from the approaches at both ends of the Cardrona Valley Road;
 - ii. to protect existing rural vegetation in order to preserve a rural character;
 - iii. the planting of a mixed variety of suitable trees of varying heights and maturity sufficient to grow into a naturalised screen to shield the site from the roadway by the time of construction of the substation.
- c. the proposed colour of the container housing the generator shall be submitted to Council for approval prior to application. It should comply with Council's guidelines of being within the natural range of browns, greens and greys and with a reflectivity of less than 36%;
- d. all heritage trees located on the site shall be protected in accordance with the provisions governing such trees.

2. Engineering Conditions

Prior to commencing the construction of any public work on the site:

- a. all engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being NZS4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise;
- b. vehicle access and manoeuvring areas shall be constructed on the designation site in accordance with Council standards;

These areas shall be constructed with a minimum compacted depth of 150mm AP40 metal at a minimum construction standard.
- c. public works to be undertaken in accordance with the designation shall include the provision of a storm water disposal system that is to provide storm water disposal from all impervious areas within the site. The proposed storm water system shall be designed by a suitably qualified professional as is defined in s1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.

3. Environmental Health Conditions

- a. The Requiring Authority shall provide a copy of the annual hazardous substances test certificate within eight weeks of the renewal date.
- b. The Requiring Authority shall ensure that the activities conducted on the premises shall meet the international commission on non-ionising radiation protection guidelines.
- c. The Requiring Authority shall ensure that the conditions attached to the Otago Regional Council discharge permit consent number 2005.470 are fully complied with.

- d. The Requiring Authority shall ensure that all activities conducted on the premises shall not exceed the following noise limits when measured at any point beyond the boundaries of the site:
- i. Day-time (0800 to 2200 hours) 50dBA $L_{Aeq(15min)}$
 - ii. Night-time (2200 to 0800 hours) 40 dB $L_{Aeq(15min)}$
 - iii. Night-time (2200 to 0800 hours) 70 dB L_{AFmax}

Noise limits shall be measured and accessed in accordance with NZS6801:2008 and NZS6802:2008, and shall take into account special audible characteristics.

C.64 Designations # 332– Lake Hayes Sewage Pump Station

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The emergency generator shall be located in the vicinity of the borefield several hundred metres west of the pumping station itself.
3. The pumping station shall be constructed, operated and maintained so that no odour is discernible from a distance of three metres from any part of the facility.
4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Team Leader: Resource Consents shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

C.65 Designation # 333 – Lake Hayes Sewage Pump Station

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The emergency generator shall be located as close as practical to the other utility structures near the entrance to the reserve.
3. The pumping station shall be constructed, operated and maintained so that no odour is discernible from a distance of three metres from any part of the facility.
4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Team Leader: Resource Consents shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

C.66 Designation # 334– Lake Hayes Sewage Pump Station

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The exact location of the pumping station and emergency generator shall be determined in consultation with New Zealand Transport Agency network consultants.
3. The pumping station shall be constructed, operated and maintained so that no odour is discernable from a distance of three metres from any part of the facility.
4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Team Leader: Resource Consents and New Zealand Transport Agency network consultant shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

C.67 Designation # 335 – Lake Hayes Estate Sewage Pump Station

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The pumping station shall be constructed, operated and maintained so that no odour is discernible from a distance of three metres from any part of the facility.
3. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Team Leader: Resource Consents shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

C.68 Designations # 336 – Wanaka Airport Wastewater Treatment and Disposal Purposes

Designation for Wastewater Treatment and Disposal Purposes

1. All fencing of the area within or bordering the Wastewater Treatment System (WTS) designation shall be in either:
 - a. standard post and wire fencing (traditional livestock fencing to a maximum height of 1.2m); or
 - b. security fencing (wire mesh fencing) to a maximum height of 2.5m. Mesh (wire) and poles on any security fencing shall be a black or dark green powder coated finish, or otherwise a dark colour submitted for approval by the Team Leader: Resource Consents, Queenstown Lakes District Council.
2. Consultation with the Airport Committee shall occur prior to any planned development within the WTS to

ensure that any development does not adversely affect:

- a. planned future airport development; and
- b. safety requirements.

(For the purpose of this condition, development shall include utilities).

3. All structure and car-parking areas shall be contained within the WTS site.
4. All of the site outside of the WTS shall be maintained in pastoral appearance by grazing and/or mowing.
5. All buildings shall be finished in one of the following Resene colours: 'Karaka', 'Lignite', 'Charcoal' or 'Iron sands'.
6. All plans of buildings and/or structures to be constructed within the WTS that are compliant with all applicable 'rules' as specified above shall be submitted for Council approval via Outline Plan Approval under s 176A.
7. That following the construction of the facility a bird monitoring program shall be developed and implemented and if birds do become attracted to the facility then all practicable steps shall be taken to eliminate them including the making of any modifications to the facility that may be seen as to be necessary to achieve such elimination.

Designation for Wastewater Disposal Purposes

1. No buildings or structures which are directly related to the WTS shall be constructed within the area designated for 'wastewater disposal purposes'.
2. Consultation with the Airport Committee shall occur prior to any planned development within the area designated for 'wastewater disposal purposes' to ensure that any development does not adversely affect:
 - a. planned future development; and
 - b. safety requirements regarding bird and glare hazards.

(For the purpose of this condition, development shall include utilities).
3. Trenches created for the installation of infiltration pipes within the disposal field shall be exposed for no more than 5 working days prior to being backfilled to the original ground level.
4. All areas of exposed soil resulting from the installation of infiltration pipes within the disposal field shall be reinstated with pastoral grasses within the first planting season from completion of work.

C.69 Designation # 337 – Wanaka Substation - Electricity Substation and

Ancillary Purposes (RM100381)

1. Wall colours of any new building within the designated area shall be natural and recessive (reflectance value of less than 36%) in the natural range of browns, tussocks, greys or greens.
2. Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in the adjoining zone:
 - a. day time (0800 - 2200 hours) 50dB L_{Aeq (15min)}
 - b. night time (2200 - 0800 hours) 40 dB L_{Aeq (15min)} and L_{max} 70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991 and shall take into account special audible characteristics.

C.70 Designation # 338 – Frankton Substation - Electricity Substation and Ancillary Purposes (RM100235)

1. The maximum height of any building or structure on the site shall be 6.75m.
2. All buildings and structures on the site shall be finished with colours in the natural range of browns, greens and greys with a reflectivity of less than 36%.
3. The outline development plan shall include a plan for the approval of Council prepared by a qualified arborist, for the maintenance of the existing hawthorn hedge along the road boundary at a height of about 4 metres. This plan is to indicate how the trees are to be maintained and/or progressively replaced to achieve the objective of a dense, continuous screen. The maintenance regime shall include a schedule for regular trimming.
4. The outline development plan shall include a landscape plan for the approval of Council. This plan shall fulfil the following objectives:
 - a. provide vegetative screening along the frontage with SH 6 so as to obscure views of the activities on site from SH 6;
 - b. provide vegetative screening along the western boundary with Dart Engineering so as to obscure views of the activities on site from the west.
5. The outline development plan shall include a lighting plan submitted for the approval of Council. This lighting plan shall ensure that all exterior lighting is mounted on buildings and that these mountings shall be below the level of the roof pitch and directed away from SH 6. No free standing light poles are permitted.
6. Any on site signage shall have a maximum area of 2m²; be located on site; not project over any road, service lane or footpath.

7. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
8. Prior to the commencement of any works on the land designated the consent holder shall provide to the Queenstown Lakes District Council for review and approval, copies of specifications, calculations and design plans as are considered by Council to be both necessary and adequate, in accordance with Condition (7), to detail the following engineering works required:
 - a. the provision of a comprehensive stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and be subject to the review of Council prior to implementation. The proposed stormwater system shall dispose of stormwater within the site boundary and not result in increased flows off site. The proposed stormwater disposal system shall take into consideration up-stream flows into the site and seek to address known flooding issues associated with existing structures and earthworks;
 - b. the provision of a sealed vehicle crossing to the site from State Highway 6 approved by the New Zealand Transport Agency. Construction of this crossing shall include the removal of a second illegal crossing located to the east.
9. Any outdoor storage of goods will be screened from views from public places.

C.71 Designation # 373, # 374 and # 375 – Forestry Purposes (RM100722)

1. The purpose of the designation is to enable the Queenstown Lakes District Council (“the Council”) to carry out forestry operations within the designated forestry reserves. “Forestry operations” means the use of the land primarily for the purpose of planting, tending, managing and harvesting of trees for timber or wood production.
2. (All forestry operations will be carried out using best management practices under the New Zealand Environmental Code of Practice for Plantation Forestry, Second Edition, May 2008; together with any subsequent updates or editions. (<http://www.fitec.org.nz/Resources/NZ-Environmental-Code-of-Practice-for-Plantation-Forestry/>)).
3. All forestry operations must comply with the management policies and programmes set out in the following current plans:
 - a. Ben Lomond and Queenstown Hill Reserve Management Plan adopted 3 August 2005;
 - b. Ben Lomond and Queenstown Hill Forestry Plan adopted March 2006; and
 - c. Coronet Forest Management Plan dated 26 July 2001;

or any updated versions of these plans adopted by the Queenstown Lakes District Council in accordance with condition (iv) below.
4. The current Ben Lomond and Queenstown Hill Forestry Plan and the Coronet Forest Management Plan (“the

Forest Plans”) shall be reviewed and updated by 31 December 2012, and thereafter every 5 years, and shall address the following matters:

- a. policies and, where applicable, proposed programmes in relation to the re-establishment and/or re-vegetation of production forest, together with areas to be retired from production forestry following harvesting operations. The re-establishment and/or re-vegetation plans shall include the following (as applicable):
 - i. details of any production forest re-establishment programmes; including plant schedules, density of planting and grades of plants by botanical name;
 - ii. areas of land to be retired from production forest following harvesting operations, together with the proposed future re-vegetation (including plant schedules and botanical names) and maintenance programmes;
 - iii. details of all indigenous species planting programmes, where applicable. Indigenous species should be planted, inter alia, to establish permanent non-linear forest and shrub land margins of no less than 20m in width to integrate production forest into the outstanding natural landscape, and to limit wilding spread. The botanical names of species, location and extent of planting to achieve landscape integration (where required), together with proposed maintenance programmes, should be included;
 - iv. proposed control of any wilding regeneration following harvesting operations, both within re-established or re-vegetated areas and in proximity to remnant stands of existing indigenous Beech forest. The Forestry Plans shall provide that any wilding generation is to be eradicated within two years of harvesting;
 - v. the Forestry Plans shall provide that re-establishment or re-vegetation of harvested areas will occur as soon as practicable and no later than two years after the completion of harvesting operations.
- b. areas where additional indigenous Beech species are to be planted (adjacent to Beech remnants) with priority in those areas that will link Beech remnants. Planting programmes for the establishment of indigenous Beech species shall run concurrently with harvesting programmes;
- c. details of indigenous eco-systems to be protected and extended within the Ben Lomond reserve, including One Mile Creek;
- d. policies in relation to the impact and requirements of the New Zealand Emissions Trading Scheme and subsequent implications for the longer term management of the production and non-production forests.

All updates of the Forestry Plans shall be subject to consultation with the community using the Special Consultative Procedure set out in section 83 of the Local Government Act 2002 before adoption by the Council.

5. No forestry harvesting operations will be undertaken within 30m of the Skyline or Ziptrek leased areas unless the prior consent of the affected leaseholder(s) has been obtained.

*Note: As lease operations expand or reduce, the 30 metre buffer zone will be adjusted accordingly to include/exclude the lease area from harvesting operations.

6. The Requiring Authority shall consult with the following parties that may be potentially adversely affected by harvesting operations. These parties must be consulted at least one month prior to an Outline Plan being submitted in relation to the particular forest:

Ben Lomond Forest

- a. Department of Conservation;
- b. Skyline Enterprises Limited*;
- c. Queenstown Mountain Bike Club;
- d. Wakatipu Trails Trust;
- e. ZJV (NZ) Limited (Ziptrek)*;
- f. Ministry of Education*;
- g. Queenstown Primary School Board of Trustees*;
- h. Wakatipu High School Board of Trustees*;
- i. Vertigo Bikes;
- j. Kiwi Birdlife Park Limited*;
- k. Any other lease holders within the designated area.

*Note: Consultation with those parties identified by * above shall be submitted to the consenting authority as part of any Outline Plan approval.

Queenstown Hill Forest

- a. Department of Conservation; and
- b. any other lease holders within the designated area.

Coronet Forest

- a. Department of Conservation;
- b. Millbrook Country Club Limited;
- c. Arrowtown Village Association; and
- d. any other lease holders within the designated area.

7. An Outline Plan is required for the harvesting of trees for timber or wood production prior to any harvesting taking place. The Outline Plan shall be prepared in accordance with the requirements of the New Zealand Environmental Code of Practice for Plantation Forestry (as defined in condition (ii) above) and shall address the following matters:

- a. a site plan shall be prepared, defining:
 - i. site and boundaries of the forestry designation;
 - ii. location and extent of existing beech remnants or other indigenous forest;
 - iii. location and extent of heritage or cultural sites to be protected;

- iv. land contours and features;
 - v. the location and extent of proposed harvesting and associated works, including proposed structures;
 - vi. the staging and stage boundaries of proposed harvesting;
 - vii. extent of replanting for production forest, for permanent forest margin 'buffer' planting, and all areas of indigenous planting;
 - viii. areas of marginal forestry to be retired;
 - b. the extent and location of existing and new tracking works required for the duration of the works shall be outlined;
 - c. a re-establishment and/or re-vegetation programme for the harvested area in accordance with the relevant Forestry Plan shall be included. The programme should contain details of the matters set out in condition (iv) above where applicable (by reference to the relevant Forestry Plan) and shall comply with all of the requirements set out in that condition.
 - d. forestry operations shall be undertaken in accordance with the Harvesting Hazard Management document (attached as Appendix 1 to these conditions). An assessment of natural hazards within the harvesting area shall be undertaken to identify the effects of natural hazards on and off site and the Outline Plan shall provide details of the following matters:
 - i. mitigation on-site and off-site of the natural hazards identified;
 - ii. contingency plans to reduce adverse effects of hazards should the proposed mitigation not be effective;
 - iii. long term management of slope stability, where appropriate.
 - e. the Outline Plan shall have regard to the relevant objectives and policies of the Queenstown Lakes District Council District Plan.
8. Any structures necessary for forestry operations shall be located so as not to break the line or form of any ridges, hills or prominent slopes. Structures shall be located so as to be reasonably difficult to see from surrounding public locations and shall be coloured in dark recessive colours, within the tones of grey, green or brown with a light reflectivity value less than 36%, and shall appear recessive within the landscape. All structures and traces of their presence shall be removed on completion of silvicultural operations or harvesting as applicable.
9. Harvesting should occur only along natural boundaries (such as the edges of stream beds or stands of indigenous vegetation), and should endeavour to avoid the creation of arbitrary lines in the landscape which do not harmonise with underlying features or topography. Harvesting in geometric blocks should be avoided where possible.
10. The method of harvesting should minimise any adverse effects on visual amenity and soil disturbance. To avoid adverse effects of any temporary or permanent roads or other earthworks on the landscape, helicopters should be used for harvesting operations where practicable. Otherwise earthworks should be undertaken in a way that minimises cut and fill. Batters must be rehabilitated as soon as possible and no less than 6 months following harvesting operations. All earthworks are to be restored to original ground level as soon as harvesting has been completed and re-vegetated immediately.

C.72 Designation # 376 – Wanaka Sports and Events Facility (RM120359)

Permitted Activities

1. This designation is to enable the establishment, operation and maintenance of an integrated indoor and outdoor sports and events facility. The nature of the activities covered by this designation includes:
 - a. a multipurpose sports and event facility building(s), providing for:
 - i. an aquatic centre, fitness centre and indoor sports facilities catering for a variety of sports and recreation activities;
 - ii. special events, exhibitions, trade and home shows, markets, conferences, concerts, meetings and other community related activities;
 - iii. ancillary commercial, health, educational, day care and commercial recreation activities.
 - b. associated change rooms, toilets, administrative offices, meeting spaces, signage (including illuminated, variable message and banners), ground maintenance/utilities, recreation facilities, buildings and storage, fuel storage and equipment for heating, operation and maintenance of the pool;
 - c. café, catering and food preparation areas, entertainment areas, membership lounges, the sale and consumption of liquor;
 - d. outdoor court areas, sports fields and artificial turf field(s), including associated sports field lighting, practice facilities, temporary outside seating, toilets, embankments and marquees to cater for a range of sports, recreation activities and events;
 - e. vehicle parking, vehicle access, manoeuvre areas and vehicle pick up and drop off areas;
 - f. landscaping and earthworks.
2. The activities described above are intended to establish the scope of activities that fall with the purpose of the designation. They do not form the basis for exempting activities or works from the requirements relating to Outline Plans under Section 176A of the Resource Management Act.
3. The conditions that apply to these activities are:

Building Controls

4. All buildings shall be setback a minimum distance from road and internal boundaries by:
 - a. buildings less than 12 m in height – 5 metres;
 - b. buildings greater than or equal to 12 m in height – 10 metres.Except for:
 - a. buildings necessary for the storage of equipment used for the maintenance of reserves which may be sited as a residential accessory building;
 - b. lighting towers; and
 - c. wire netting fences and practice nets up to a maximum height of 3.5 m.

No internal boundary setback applies adjoining the commercial core sub-zone of the Three Parks Zone.

5. The maximum height of buildings shall be 15 metres, except for flood lighting that shall not exceed 21 metres in height.

Noise

6. Outdoor sporting events, excluding practice and training, shall take place between the hours of 8:00am and 8:00pm.
7. The design and construction of any buildings and mechanical plant shall ensure that the overall noise level from all sources on site does not exceed 40 dB_(LAeq) at the boundary of any residential property, nor 50 dB_(LAeq) at the boundary of any commercial property.
8. Prior to construction of any building, a report from a suitably qualified acoustic consultant shall be submitted to Council demonstrating the design noise level for internal events, and confirming that the proposed construction will comply with these limits.
9. Any event conducted outside involving amplified sound shall:
 - a. for any temporary activities, including carnivals, fairs, galas, markets, meetings, exhibitions, parades, rallies, filming, cultural events, and theatrical festivals and entertainment, shall be limited to:
 - i. The hours 8:00am to 8:00pm.
 - b. for any activity involving a total power of all amplification greater than 500 Watts RMS and exceeding 2 hours in duration, shall be deemed a 'Major Event', and shall be limited to:
 - i. operation of amplification equipment between the hours of 10:00am and 10:30pm;
 - ii. a total sound duration no longer than four hours (including sound checks); and
 - iii. a frequency of no more than 10 events per year.

At least 30 days before each major event, notice shall be given in appropriate media advising the community and residents within 500 metres of the site of the forthcoming Major Event, the times of operation, and the nature of the event.
10. Vehicle access onto the adjoining road network and car parking areas shall be located no less than 20 metres from adjoining land located within a low density or medium density residential sub-zone of the Three Parks Zone, except where that land may be designated by the Council for reserve or other recreation purposes

Lighting

11. All artificial lighting shall comply with the following controls:
 - a. floodlighting on sports fields shall be turned off no later than 10:00pm, except as required in association with any Major Event conducted in accordance with Condition 5(b);
 - b. no artificial lighting causing added illuminance shall result in excess of 60 lux measured horizontally or vertically at any point on or directly above the boundary of any adjoining land which is located within a low or medium density residential sub-zone between the hours of 7:00am to 10:00pm;

- c. no artificial lighting so as to cause an added illuminance shall result in excess of 3 lux, measured horizontally or vertically at any point on or directly above any adjoining boundary on land which is located within a low or medium density residential sub-zone between the hours of 10:00pm on one day and 7:00am on the next day;
- d. no artificial lighting so as to cause any added illuminance shall result in excess of 50 lux measured horizontally or vertically at any point on or directly above a street kerb line or the edge of the roadway where the kerb has been moved to create a vehicle parking area or bus or taxi stopping bay between dusk and dawn;
- e. any exterior lighting that adjoins road or land located within a low or medium density residential sub-zone shall be so selected, located aimed, adjusted and screened as to ensure that glare resulting from the lighting does not cause an unreasonable and appreciable level of discomfort to any persons;

The standards of Tables 2.1 and 2.2 of Australian Standards AS4282 – 1997 (Control of Obtrusive Effect of Outdoor Lighting) shall be used to determine glare and discomfort;
- f. there shall be zero upward light spill from any luminaire mounted above ground.

Outline Plans

- 12. Prior to the commencement of any development, the requiring authority responsible for the designation shall submit Outline Plans as required by section 176A of the Resource Management Act 1991 to the territorial authority for consideration.
- 13. Any Outline Plan submitted pursuant to Section 176A of the Act relating to the first stage of works including the establishment of outside sports fields and the main indoor sports buildings shall incorporate a landscape 'structure' plan for the whole site. The landscape structure plan shall incorporate:
 - a. development of the open space network and tree structure for the whole site so the site possesses a degree of maturity in line with the eventual full development of the site facilities; and
 - b. measures to address the visual effects associated with the bulk and scale of the proposed sports facility building including reducing the visual bulk of the building while also anticipating the potential expansion of the building.
- 14. Any Outline Plan submitted pursuant to Section 176A of the Act shall incorporate sufficient information, reports and plans including projected traffic generation assessments, as are relevant to the nature of the work covered by the Outline Plan to fulfil the following objectives:
 - a. landscape mitigation of the visual effects of car parking areas, flood light towers, utility areas, buildings and other forms of built development when viewed from outside the site;
 - b. integration of site design with the surrounding urban area, to the extent that urban area has been developed or approved for development by way of any resource consents, taking into account:
 - i. the location of vehicle access(es) onto the surrounding road network;
 - ii. cycle, pedestrian and open space networks; and
 - iii. streetscape in terms of soft landscape treatment (including trees and shrubs), hard landscape treatment (including paving and kerbs), the path and vehicle movement network.

- c. consideration of any comments from a review of any plans for building or landscape development by the Wanaka Urban Design Panel;
- d. the demand for and provision of adequate on-site car parking, taking into account where relevant the outcome of any monitoring of parking demand, in accordance with objective f. below;
- e. identification of areas to accommodate:
 - i. parking associated with future development stages of the facility;
 - ii. temporary or overflow parking within the site associated with any major events; and
 - iii. any off-site/on-street parking that might be required during peak demand periods.
- f. an investigation into the operation of the parking area(s) developed under preceding stages, including:
 - i. the identification of any shortfall or over provision of parking spaces (including bicycle parking);
 - ii. an assessment of the proportion of non-vehicle based trips to the site; and
 - iii. the availability of public transport for accessing the site.
- g. consideration of the projected traffic generation to ensure the design and location of the onsite street layout, circulation areas, and intersections (including ingress and egress to the site) are appropriate.

Engineering

- 15. All infrastructure works, including intersection design, vehicle manoeuvring, car parking areas, loading areas, and the formation of the access road and internal roading, shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards that are applicable at the time of any Outline Plan submitted pursuant to Section 176A of the Act.
- 16. Any Outline Plan application submitted pursuant to Section 176A for any buildings or works resulting in construction related effects shall incorporate a construction management plan to address the following matters:
 - a. control of dust;
 - b. silt and sediment control;
 - c. earthworks debris deposited on streets;
 - d. construction noise;
 - e. traffic management; and
 - f. hours of construction.

This condition is not intended to apply to minor works such as the construction of small scale buildings, signs, lighting towers, fences or internal building alterations that do not give rise to any significant earthworks, noise, construction or traffic effects.

17. Any Outline Plan submitted pursuant to Section 176A of the Act relating to the first stage of works including the establishment of outside sports fields and the main indoor sports buildings shall include a geotechnical report and excavation methodology prepared by a suitably qualified professional in relation to the whole site. The report shall combine all relevant geotechnical information in both a factual and interpretive manner, provide justifiable statements about all pertinent geotechnical aspects, and recommend suitable construction methodologies. The submission of a geotechnical report is not required upon submission of subsequent Outline Plans.

C.73 Designation # 377 – Shotover Primary School

Volunteered Conditions

1. The designation shall lapse on the expiry of 10 years from the date on which it is included in the District Plan if it has not been given effect to before the end of that period.
2. The minimum setback of buildings from road boundaries shall be 3m.
3. Solid fences within the minimum road setback should be no higher than 1.2m in height.
4. The minimum setback of buildings from internal boundaries to Activity Area 2b shall be 10m and from all other internal boundaries, 5m.
5. The maximum height of all buildings above ground level shall not exceed 12m.
6. The maximum building coverage within the NOR area shall not exceed 30%.
7. Airport Noise - Queenstown Airport
 - a. On any site located within the zone, any building or part of a building used for an Activity Sensitive to Aircraft Noise shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required. This control shall be met in either of the following two ways:

EITHER:

 - i. by providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level;

OR:

 - ii. the building shall be constructed and finished in accordance with the provisions of Table 4: Sound Insulation Requirements – Acceptable Constructions within the Shotover Country Special Zone Chapter of the district plan.
8. Activity Noise
 - a. sound from activities in the NOR area measured in accordance with NZS 6801 :2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in the Shotover Country Special Zone:

- i. daytime (0800 to 2200 hrs) 60 dB $L_{Aeq(15\text{ min})}$
 - ii. night-time (2200 to 0800 hrs) 50 dB $L_{Aeq(15\text{ min})}$
 - iii. night-time (2200 to 0800 hrs) 70 dB L_{AFmax}
 - b. sound from activities which is received in another zone shall comply with the noise limits set in the zone standards of the district plan for that zone;
 - c. the noise limits in (a) and (b) shall not apply to construction sound which shall be assessed in accordance with NZS 6803:1999;
 - d. the noise limits in (a) and (b) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, NZS 6807:1994 or NZS 6808:1998.
9. The minimum parking to be provided within the NOR area:
- a. for any school facility shall be 1 parking space per 10 students over 15 years of age plus 1 parking space per 2 staff; and
 - b. for any pre-school facility shall be 1 per 10 children.
10. In providing the above required car parking, consideration should be given to integrating car parks and access for school and pre-school facilities. Design of the car park and number of car parking spaces to be provided should ensure that the majority of student and children drop off and pick up can take place within the site.
11. The Requiring Authority, either directly or through the School Board of Trustees, shall develop, maintain and implement a Travel Plan which provides specifically for measures to reduce vehicle dependence, including measures for walking school buses, cycling, car pooling and public transport, provisions of some onsite parking for school and other public events, and provision of a bus drop-off and collection area. The Travel Plan shall be maintained and regularly updated while the school is operating under this designation.
12. No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight and the storage of outdoor items ancillary to activities located on the site.
13. All fixed exterior lighting shall be capped and directed downwards to avoid direct light above a plane horizontal with the bottom of the light bulb.
14. The colour of any roof on any building shall be within the range of browns, greens, greys and blue greys.
15. Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas should be revegetated within 12 months following the completion of the operations. If the area of exposed soil forms part of building platform or intended hard surfaces, the base course shall be laid within 12 months following the completion of the operation.

16. Any person carrying out earthworks shall:
 - a. implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this condition;
 - b. ensure that any material associated with the earthworks activity is not positioned within the site where it may dam or divert or contaminate water;
 - c. implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this condition.

17. Planting of the following species of vegetation shall be prohibited activities:
 - a. Pinus radiata;
 - b. Pinus muricata;
 - c. Pinus contorta;
 - d. Pinus ponderosa;
 - e. Pinus sylvestris;
 - f. Pinus nigra;
 - g. Douglas Fir;
 - h. All Eucalyptus varieties.

18. A report shall be provided with the first Outline Plan from a suitably qualified designer demonstrating the following:
 - a. how the layout and design of the education facility will promote a positive relationship to the adjoining street network in terms of:
 - i. pedestrian connectivity and desire lines;
 - ii. building location and arrangement;
 - iii. Locations and design of playing fields.
 - b. how vehicle circulation, demands for onsite parking and vehicle crossings have been integrated into a street design surrounding the facility that continues to encourage pedestrian and cycle movements to the site;
 - c. how the consideration of a potential location for a public bus stop could be integrated into the site design to provide a logical connection for pedestrians to the site;
 - d. how cycle parking has been given priority in terms of location to ensure it is conveniently located and is also well designed to encourage cycle use;
 - e. how the arrangement of buildings and playing fields will maximise solar orientation and have been designed in accordance with the principles of Crime Prevention Through Environmental Design (CPTED) including mutual passive surveillance between adjoining dwellings, buildings, street/public space.

19. Prior to the opening of the school the Requiring Authority shall ensure that the roading link (known as the Lake Hayes link Road) to lake Hayes Estate is operational.

Additional Conditions Recommended

20. With the Outline Plan of Works the Requiring Authority shall submit to Council copies of specifications, calculations and design plans to detail the following:
 - a. the general site layout;
 - b. vehicle crossing access points and proposed kerbside parking controls to promote parents to drive into the site rather than drop off and collect kerbside;
 - c. sufficient queuing space within the site to avoid disruption to vehicle movements on adjoining streets; and
 - d. covered on-site cycle parking at a minimum rate of one cycle park per 10 primary school students.
21. All design for vehicle access, manoeuvring and parking areas associated with the facility shall be subject to a safety audit in accordance with the NZTA Manual TFM9 "Road Safety Audit Procedures for Projects" at the Requiring Authority's cost and the results shall be submitted to the Council. Any recommendation contained within the audit with respect to access design and agreed by Council as the Territorial Authority as necessary shall be completed prior to operation of the facility.
22. At the time of outline plan, details of external appearance including signage shall be submitted to Council.

C.74 Designation # 575 Aurora – Electricity Substation and Ancillary Purposes

Conditions:

1. All buildings and structure on the site shall be finished in the natural range of browns, greens or greys with a reflectivity of less than 36%;
2. Activities shall be conducted so that any new equipment installed or any new activity undertaken within the designated area shall not exceed the following noise limits, at any point within the boundary of any other site in adjoining Zones:

a. day time (0800-2000hrs)	50 dB L _{Aeq (15min)}
b. night time (2000-0800hrs)	40 dB L _{Aeq (15min)} and 70 dB L _{AFmax}

 - c. noise levels shall be measured and assessed in accordance with NZS 6801 2008 and NZS 6802 2008 and shall take into account special audible characteristics.
3. That in submitting an outline plan for any future work on the designated site, the following shall be included:
 - a. the maximum height of any building shall be 7m and structures for electricity purposes shall not exceed 9 metres;

- b. a landscape plan for the approval of the Team Leader: Resource Consents. This plan shall fulfil the following objectives:
 - i. Provide visual mitigation of any buildings and structures in views from the adjacent residential zone.
- c. all fixed exterior lighting shall be directed away from the adjacent sites and roads and shall be security type lighting controlled by sensors or timers;
- d. Signage shall have a maximum area of 2m², be located on the site and not project over any road, service lane or footpath.

C.75 Designation # 570 Aurora – Electricity Substation and Ancillary Purposes

Conditions:

1. The maximum height of any building or structure on the site shall be 8m as determined in accordance with the definition of building height in the District Plan (refer to definition for interpretation of building height).
2. All buildings and structures buildings (excluding overhead lines and their support structures and small items such as brackets, insulators and busbars) on the site shall be finished with colours in the natural range of browns, greens and greys with a reflectivity of less than 36%.
3. The Outline Plan shall include a plan for the consideration by Council prepared by a qualified arborist for the maintenance of the existing vegetation on the site in accordance with the regime that mitigates any adverse effects on the adjoining properties.
4. All fixed exterior lighting shall be directed away from the adjacent sites and roads and shall be security type lighting controlled by sensors or timers.
5. Any on-site signage shall have a maximum area of 2m².
6. Any outdoor storage of materials shall be screened from view from the adjoining properties.

C.76 Designation # 572 Aurora – Electricity Substation and Ancillary Purposes

Conditions:

1. That sufficient sound insulation will be fitted to the building to ensure that the noise, including any low frequency hum, will not exceed the following noise limits at the boundary of no 6 Vancouver Drive:
 - a. 0800h to 2000h 50 dB L_{Aeq(15 min)}
 - b. 2000h to 0800h 40 dB L_{Aeq(15 min)}

75 dB L_{AFmax}

2. Prior to any part of the substation being constructed or upgraded the requiring authority will:
 - a. consult with Telecom in respect to the telecommunications and associated infrastructure that is potentially affected by the proposed upgrade;
 - b. evaluate, in conjunction with Telecom, the consequential possible induction hazard and EPR hazard to Telecom network plant;
 - c. identify, in conjunction with Telecom, the required mitigation to Telecom's network plant;
 - d. the above work is recorded in a report to the satisfaction of, and provided to the consent authority for consideration as part of any Outline Plan to be submitted.

3. A landscaping plan shall be submitted to and approved by Council prior to any development of the site. The approved landscaping plan shall be implemented within the first planting season of approval, and shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it shall be replaced. The landscaping plan shall indicate appropriate varieties of trees, and the trees shall be at least 2 metres in height at the time of planting. The trees should reach in maturity a height of no less than 3 metres.

In this instance the landscape plan should be designed to meet the following objectives:

Substantially screen the building from view.

C.77 Designation # 567 Aurora – Electricity Substation and Ancillary Purposes

Conditions:

1. Buildings and structures shall be constructed and activities, including landscaping, shall be undertaken generally in accordance with the following;
 - a. 'The 'Hummocks Design Guidelines' granted under resource consent RM060903 and attached to the decision of RM060903 as Appendix 1. For the avoidance of doubt, at clause 2.1 of the Design Guidelines the restriction upon the maximum height of buildings and electricity equipment to 5.5m above ground level shall apply within the designation;
 - b. all lighting shall be full cut off design, with no lighting to be directed above horizontal;
 - c. access and parking shall be provided in accordance with Council's standards;
 - d. stormwater shall be disposed of to the Jacks Point reticulated stormwater disposal system;
 - e. a landscaping plan (including details of proposed screen mounding) shall be submitted to the satisfaction of and provided to Council for consideration as part of any Outline Plan to be submitted. The landscape plan should be designed to meet the following objectives:

- i. Establish adequate screening of future development within the designation around the perimeter of the site and also to screen future development such that it is not visible from State Highway 6 in order to maintain the natural and pastoral character of the Highways' visual catchment.
2. Should any outline plan submitted under section 176(A) not be in accordance with the conditions set out in (1) of this designation, then the outline plan, in addition to showing the matters required by section 176(A)(3), shall fully explain and justify to Council's satisfaction any deviation from the above provisions for the purpose of Council making any requests under section 176A(4).

C.78 Designation # 571 Aurora – Riverbank Road Substation – Electricity Substation and Ancillary Purposes

1. Prior to the construction of, or external alterations to, the switching/substation, the Requiring Authority responsible for the designation shall submit outline plans as required by section 176A of the Resource Management Act 1991, to the territorial authority for consideration.
2. The maximum height for buildings shall be 7 metres set from a ground level determined as 315.38 masl.
3. The maximum height for structures shall be 9 metres set from a ground level determined as 315.38 masl.
4. The minimum setback distance from road boundaries for any building (except fences and structures) shall be 4.5 metres.
5. The minimum setback from internal boundaries for any building (except fences and structures) shall be 2 metres.
6. Signage shall be limited to one 2 m² sign along the road frontage.
7. All fixed exterior lighting shall be mounted on buildings. The mountings shall be below the level of the roof pitch and directed away from the adjacent sites and roads.
8. A landscape plan shall be submitted as part of an outline plan of works. In this instance the landscape plan shall demonstrate the following:
 - a. a boundary hedge or shelterbelt along the Ballantyne and Riverbank Road frontages and no less than 2 metres in width. The hedge or shelterbelt shall be maintained at a height no greater than 3 metres and no less than 2 metres as measured from the roadside of the designation boundary. Species shall be in keeping with the rural landscape such as non-wilding conifers, poplars, alders, or indigenous species and shall be planted at a density to provide a fast establishing and effective dense screen to a height of 3 metres within 5 years.
9. Planting shown on the approved landscape plan shall be implemented within 8 months upon completion of construction and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.

10. Colours for all structures and buildings (excluding overhead lines and their support structures and small items such as brackets, insulators and busbars) shall be in the range of natural browns, greys or greens as per the surrounding landscape with a light reflectivity value of between 5 and 25%.
11. Noise:
 - a. sound shall be measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 and shall not exceed the following noise limits at any point within the boundary of any other site in the adjoining Zones:
 - i. daytime (0800 to 2000 hrs) 50 dB $L_{Aeq(15\ min)}$
 - ii. night-time (2000 to 0800 hrs) 40 dB $L_{Aeq(15\ min)}$
 - iii. night-time (2000 to 0800 hrs) 70 dB L_{AFmax}
 - b. the noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
12. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's current (as at the date of submitting the outline plan of works) policies and engineering standards.
13. With any outline plan of works, the Requiring Authority shall submit to the Principal Engineer at Council for review and certification, copies of specifications, calculations and design plans to detail the following engineering works:
 - a. formed legal access shall be provided to the site in accordance with Council standards, with no vehicular access permitted within 30 metres of the intersection of Ballantyne and Riverbank Roads. The existing informal crossing located at the intersection of Ballantyne and Riverbank Roads shall be permanently and physically closed off to vehicular traffic;
 - b. all earthworks, batter slopes, and retaining shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor Ltd (dated October 2012, T & T ref: 892698);
 - c. foundations for all structures within the site shall be designed by a Chartered Professional Engineer in accordance with the recommendations of the report by Tonkin & Taylor Ltd (dated October 2012, T & T ref: 892698).

C.79 Designations # 568, 569, 573, 574, 580, 581 Aurora – Electricity Regulators and Ancillary Purposes

1. No electrical equipment shall exceed 9 metres in height except the height of equipment in the Remarkables Substation shall be 11 metres.
2. No buildings shall exceed 7 metres in height.
3. Buildings shall be finished in the natural range of browns, greens, greys with a reflectivity of less than 36%.

C.80 Designation # 566 – Camp Hill Substation - Electricity Substation and Ancillary Purposes (RM141053)

1. That the development must be undertaken/carried out in accordance with the plans:
 - a. 'Site Layout' (excluding the shelter belt planting);
 - b. 'Excavation Plan' (excluding the shelter belt planting);
 - c. 'Switchyard Cross Sections';
 - d. 'Switchgear and Control Building Floor Plan';
 - e. 'Switchyard and Control Building Elevations (part 1)';
 - f. 'Switchyard and Control Building Elevations (part 1)';
 - g. '66/11kV Overhead';
 - h. 'Vegetation Plan' Aurora Substation – Camp Hill Road, Wanaka dated 09.12.2014.
stamped as approved on 4 February 2015

Engineering

2. All engineering works, shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
3. Prior to commencing any work on site the final colours for the buildings and structures (excluding the transformer) shall be submitted to the Planning Department at Council for certification against the following criteria:
 - a. colours shall be within the natural tones of grey, brown or green with a light reflectivity value (LRV) of between 8% and 20%. Small items such as brackets, insulators and busbars are excluded from this condition;
 - b. the transformer shall be coloured 'Goose Grey' or similar.
4. Prior to commencing any work on site a vegetation management plan shall be submitted to the Planning Department at Council for certification. The vegetation management plan shall include details on how:
 - a. stock and rabbits will be excluded from areas of approved planting;
 - b. weed and other pest species will be managed, this shall include mulching within the planted areas;
 - c. the plants will be automatically irrigated using sprinklers or drippers. Plantings shall be irrigated until such time as a closed canopy has been achieved for areas of mass plantings and trees have successfully established for a period of no less than 5 years and have reached a height of no less than 3m;
 - d. any diseased or dead planting will be replaced to ensure adequate vegetation screening is maintained. If any tree or plant shall die or become diseased and/or creates an opening in the mass planting canopy then that area shall be replanted as per the landscape plan at a density no less than 1 plant per metre within 8 months.

5. Prior to commencing any work on the site the requiring authority shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site.
6. At least 7 days prior to commencing excavations, the requiring authority shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 and who shall supervise the fill procedure and ensure compliance with NZS 4431:1989 (if required). This engineer shall continually assess the condition of the fill procedure.
7. The requiring authority shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

To be monitored throughout construction works

8. The requiring authority shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined within the boundary of the property.
9. Hours of operation for earthworks, shall be:
 - a. Monday to Saturday (inclusive): 8.00am to 6.00pm
 - b. Sundays and Public Holidays: No Activity

In addition, no heavy vehicles are to enter or exit the site earlier than 8:00am, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.

10. All construction work carried out on site shall be designed and conducted to ensure that construction noise from the site does not exceed the noise limits specified in the following table. Noise levels shall be measured and assessed in accordance with the provisions of NZS 6803: 1999 Acoustics – Construction Noise. The consent holder shall ensure that no construction activities exceed the relevant noise limits in the table below at the notional boundary of any residential dwelling:

Time Period	Weekdays (dBA)		Saturdays (dBA)		Sundays and public holidays	
	L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
0630 - 0730	55	75	45	75	45	75
0730 - 1800	70	85	70	85	55	85
1800 - 2000	65	80	45	75	45	75
2000 - 2100	45	75	45	75	45	75

11. The existing Right of Way and access point into the site shall remain accessible during the construction and operational phases of the proposed development.
12. If the requiring authority:
 - a. discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
 - i. notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police;
 - ii. stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required. Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.
 - b. discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - i. stop work within the immediate vicinity of the discovery or disturbance and;
 - ii. advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
 - iii. arrange for a suitably qualified archaeologist to undertake a survey of the site. Site work may only recommence following consultation with Council.

On completion of the earthworks

13. On completion of earthworks a suitably qualified engineer experienced in soils investigations shall provide Certification to Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded. Note this will require supervision of the fill compaction by a chartered professional engineer.
14. Any batters slopes shall be formed to have a gradient of no greater than 1 in 10.

To completed prior to the operation of the substation

15. Prior to the substation becoming operational, the requiring authority shall complete the following:
 - a. the existing vehicle crossing from Camp Hill Road to the site shall be sealed in accordance with the transport standards contained within the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage;

- b. the existing right of way shall be upgraded up to the southwest corner of the site to comply with the guidelines provided for in Council's development standard NZS 4404:2004 with amendments as adopted by the Council in October 2005. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. Provision shall be made for stormwater disposal from the carriageway and any necessary road widening;
- c. all earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised;
- d. the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Following construction

- 16. Within two months of the substation becoming operational, the requiring authority shall supply the Council with evidence that all mechanical plant (including transformers and cooling fans) do not exceed $25\text{dB } L_{\text{Aeq}(15\text{ mins})}$ at any point at or within the notional boundary of any residential dwelling existing at 23 December 2014, and any building platform consented but not constructed at 23 December 2014. Evidence is to be in a form of certification by an experienced and qualified Acoustic Consultant. Noise levels shall be measured in accordance with NZS 6801:2008.

Note: This may be achieved by ensuring that noise levels do not exceed $35\text{dBA } L_{\text{Aeq}(15\text{ mins})}$ at any point on or beyond a line 20m from the site boundary.

- 17. All planting as shown on the certified landscape plan (stamped approved under condition 1) shall be planted within 6 months of completion of the construction works and thereafter be maintained in accordance with the vegetation management plan approved under condition 5.
- 18. Signage shall be limited to not more than a 2m^2 sign along the road frontage. Lettering shall consist of a light colour on a dark background.
- 19. All fixed exterior lighting shall be directed away from the adjacent sites and roads and shall be security type lighting controlled by sensors or timers.

C.81 Designation #584 – Relocation of Wakatipu High School (RM130877)

Designation Lapse Period

- 1. The designation shall lapse on the expiry of 10 years from the date on which it is included on the District Plan if it has not been given effect to before the end of that period.

Standards

- 2. The maximum height of buildings shall not exceed 12m above ground level.

3. No part of any building shall protrude through a height of RL353M under the surface of a 1:20 upslope fan with a 10% divergence angle originating from the 14/32 southern runway threshold or transitional side surface plane of 1:5, as shown on the District Plan Map Remarkables Park Zone – Figure 3: Height Restrictions Plan of the District Plan. Building height shall be measured with respect to discrete building components.
4. Airport Noise - Queenstown Airport
- Educational facilities occurring within the green area shown on the Airport Measures and Land Use Control map attached shall comply with the following standards:
- no classrooms, halls or any other buildings which are used as internal teaching areas shall be located within that area;
 - outdoor areas shall not be regularly used for high quality listening or communication, such as occurs in academic teaching. This condition shall not preclude recreation and recreation related activities (i.e: Sports coaching).
5. All buildings (except Non Critical Listening Environments) shown within the green area on the Airport Measures and Land Use Control Map attached shall be designed to achieve an Indoor Design Sound Level of $40\text{dB}_{L_{dn}}$ based on the 2037 Noise Contours (as shown in the 2037 Noise Contour Plan attached following these conditions) and if that indoor Design Sound Level cannot be met with windows open, then those buildings shall be fitted with mechanical ventilation that meets the following requirements:

Room Type	Outdoor Air Ventilation Rate (Air Changes per Hour, ac/hr)	
	Low Setting *	High Setting *
Bedrooms	1-2 ac/hr	Min. 5 ac/hr
Other critical listening environments	1-2 ac/hr	Min. 15 ac/hr
Noise from ventilation systems shall not exceed $35\text{ dB } L_{Aeq(1\text{ min})}$ on High Setting and $30\text{ dB } L_{Aeq(1\text{ min})}$ on Low Setting. Noise levels shall be measured at a distance of 1 m to 2 m from any diffuser.		
Each system must be able to be individually switched on and off and when on, be con-trolled across the range of ventilation rates by the occupant with a minimum of 3 stages.		
Each system providing the low setting flow rates is to be provided with a heating system which, at any time required by the occupant, is able to provide the incoming air with an 18 deg C heat rise when the airflow is set to the low setting. Each heating system is to have a minimum of 3 equal heating stages.		
If air conditioning is provided to any space then the high setting ventilation requirement for that space is not required.		

6. Activity Noise
 - a. sound from activities in the NOR area measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site within Activity Areas 2a, 3, 4, 5, 7 and 8 of Remarkables Park Special Zone:
 - i. daytime (0700 to 2200 hrs) 60 dBA L10
 - ii. night-time (2200 to 0700 hrs) 50 dB L10
 - iii. night-time (2200 to 0700 hrs) 70 dB L_{AFmax}
 - b. sound from activities which is received in another zone shall not exceed the above noise levels at any point within the site;
 - c. construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard;
 - d. the noise limits in (a) and (b) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, NZS 6807:1994 or NZS 6808:1998;
 - e. prior to commencement of construction the consent holder shall submit an acoustic design certificate prepared by a suitably qualified and experienced acoustic engineer. The certificate must demonstrate that plant and other mechanical equipment has been selected and will be installed to ensure noise limits proposed are not exceeded;
 - f. the consent holder shall ensure that the operation and management of the premises is carried out in accordance with an approved Noise Management Plan. At least one month prior to the facility becoming operational the applicant must submit a noise management plan outlining how the proposed noise levels will be met. Once approved, this will become the approved noise management plan.

Parking and Transport

7. The minimum on-site car parking provision to be provided within the NOR area shall be as follows or a lower number based on the outcomes of the demand for car parking based on the Travel Plan (as per condition 9):
 - a. for any school facility shall be 1 parking space per 10 students over 15 years of age plus 1 parking space per 2 staff; and
 - b. for any pre-school facility shall be 1 per 10 children;
 - c. parking provision for people with disabilities in accordance with Rule 14.2.4.1 (vi) of the District Plan;
 - d. car park dimensions in accordance with AS/NZ 2890.1:2004.
8. In providing the car parking, consideration should be given to integrating car parks and access to school facilities. Design of the car park and number of car parking spaces to be provided should ensure that the majority of student pickups and set-downs, including those required by school buses, can take place within the site.
9. The Requiring Authority, either directly or through the School Board of Trustees, shall develop, maintain and implement a Travel Plan which provides specifically for measures to reduce vehicle dependence, including

measures to better facilitate walking, cycling, carpooling and public transport. The Travel Plan shall be maintained and regularly updated while the school is operating under this designation. Other Requirements

10. No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight and the storage of outdoor items ancillary to activities located on the site.
11. No open solid fuel fires shall be operated on the site.
12. All fixed exterior lighting shall be directed away from adjacent sites and roads. No activity on the site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the site, provided that this condition shall not apply when it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.
13. The colour of any roof on any building shall be within the range of browns, greens, greys and blue-greys.

Earthworks

14. Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas are to be re-vegetated within 12 months following completion of the operations. If the area of exposed soil forms part of a building platform or other intended hard surface, the base course shall be laid within 12 months following completion of the operation.
15. Any person carrying out earthworks shall:
 - a. implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Reference should be made to the Queenstown Lakes District Earthworks Guideline to assist in achieving this;
 - b. ensure that any material associated with the earthworks activity is not positioned within the site where it may dam or divert or contaminate water;
 - c. implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Reference should be made to the Queenstown Lakes District Earthworks Guideline to assist in the achievement of this condition.
16. Planting of the following species of vegetation shall be prohibited:
 - a. *Pinus radiata*;
 - b. *Pinus muricata*;
 - c. *Pinus contorta*;
 - d. *Pinus ponderosa*;
 - e. *Pinus sylvestris*;
 - f. *Pinus nigra*;
 - g. Douglas Fir;

- h. All Eucalyptus varieties.
17. A report shall be provided with the first Outline Plan, from a suitably qualified urban designer demonstrating the following:
- a. how the layout and design of the education facility will promote a positive relationship to the adjoining street network and neighbourhood, in terms of:
 - i. Pedestrian connectivity and desire lines
 - ii. Building location and arrangement
 - iii. Location and design of playing fields
 - b. how vehicle circulation, demands for on-site parking and vehicle crossings have been integrated into a street design surrounding the facility that continues to encourage pedestrian and cycle movements to the site;
 - c. how a public bus stop can be integrated into the site design to provide a logical connection for pedestrians to the site. d. How cycle parking has been given priority in terms of location to ensure it is conveniently located and is also well designed to encourage cycle use.
18. With the Outline Plan of Works, the Requiring Authority shall submit to the Council copies of specifications, calculations and design plans to detail the following:
- a. the general site layout including the location of the site works relative to the Outer Control Boundary;
 - b. vehicle crossing access points and proposed kerbside parking controls to promote those transporting students to and from the site driving into the site, rather than dropping off students to and picking them up from the roadside;
 - c. on-site car and cycle parking at a rate considered appropriate in the School Travel Plan;
 - d. building elevations demonstrating compliance with height restrictions as shown in the Remarkables Park Zone Figure 3 – Height Restrictions District Planning map and the Airport Approach and Land Use Controls specified in Designation 3;
 - e. landscape plans;
 - f. sufficient queuing space within the site to minimise any potential disruption to vehicle movements;
 - g. on-site cycle parking shall be provided consistent with the defined cycle targets identified within the Travel Plan;
 - h. a school bus drop-off and collection facility design by a suitably qualified traffic engineer and sufficiently sized to allow for expected levels of demand as outlined within the Travel Plan;
 - i. a passenger vehicle drop-off and collection facility design by a suitably qualified traffic engineer and sufficiently sized to allow for expected levels of demand as outlined within the Travel Plan. The early childhood centre passenger vehicle drop off and collection facility shall be separated to avoid undue conflict.
19. All internal vehicle drop-off and parking areas with the facility shall be subject to a post construction safety audit by a suitably qualified traffic engineer. Any recommendations contained within the audit shall be

completed prior to operation of the facility.

20. All vehicle and cycle access points to the facility shall be subject to a post construction safety audit in accordance with the NZTA Manual TFM9 "Road Safety Audit Procedures For Projects" at the Requiring Authority's cost and the results shall be submitted to Council's Chief Executive Officer or their delegate. Any recommendations contained within the audit and agreed by Council as the Territorial Authority as necessary shall be completed prior to operation of the facility.
21. At the time of Outline Plan, details of external appearance including signage shall be submitted to the Council.

Additional conditions Proposed by Council

22. The cycle parking referred to in condition 18(g) above shall be covered.

C.82 Designation # 239 – Glenorchy Aerodrome – Local Purpose (Airport)

1. Hours of operation (except for emergencies) for all aircraft operations shall be between 8am or morning civil twilight (whichever is later) and 8pm or evening civil twilight (whichever is earlier).
2. Aircraft operators shall plan routes and operate their aircraft in accordance with the "Fly Neighbourly" guidelines with an exception being made for emergency or safety reasons.
3. Within 12 months of the date of this designation being confirmed [insert date] the requiring authority shall submit a Noise Management Plan (NMP) to the Team Leader Resource Consents for consideration and, if satisfied on reasonable grounds as to its appropriateness, approval. The objective of the NMP is to provide the basis for ongoing noise management and mitigation at the aerodrome. The NMP shall:
 - a. be prepared by a suitably qualified and experienced acoustic consultant;
 - b. establish baseline information regarding the current level of both commercial and recreational aircraft operations (number of flight movements), type of aircraft and the level of aircraft noise received at the notional boundary of the closest residential building platform during take-off and landing;
 - c. specify the best practicable options and operational controls to manage the exposure of the community to noise from aircraft operations;
 - d. specify a procedure to deal with noise complaints from aircraft operations within the aerodrome; and
 - e. specify a procedure for review of the NMP.
4. Commercial aircraft operators shall comply with the certified NMP.

The area of land covered by the Aerodrome Designation shall include the sites described below:

- a. Lots 1 and 2, DP 420663;
- b. Parts of Part Sections 59, 60, 61, 62, 63 Block 1 Shotover Survey District;
- c. Lot 9, DP 22121;
- d. Part of Lot 2 DP 394343;
- e. Part of Lots 1 and 2, DP 472825;
- f. Lot 22 DP 304345;
- g. Section 48, 51-52, 68, 114 -115, 117, 119-128 Survey Office Plan 459748;
- h. Part of Section 111, 112, SO Plan 459748;
- i. The portion of an unformed legal road bounded by Sections 51, 111, 114, 119, 121-122 and 124, Survey Office Plan 459748 to the south and west, and Sections 52, 112, 115, 117, 120, 123, 125, Survey Office Plan 459748 and Lots 1 and 2 DP 472825 to the north and east;
- j. Part Glenda Drive, and all legal roads within the above described land.

D.1 Aerodrome Purposes

The following conditions and provisions be included in the Plan as D.1 - Aerodrome Purposes.

This designation is defined to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise on the community at least to the year 2037.

Permitted Activities

1. The nature of the activities authorised by this designation are described as follows:
 - a. aircraft operations, private aircraft traffic, domestic and international aircraft traffic, rotary wing operations, aircraft servicing, general aviation airport or aircraft training facilities, and associated offices;
 - b. Runways, taxiways, aprons, and other aircraft movement areas;
 - c. Terminal buildings, hangars, control towers, rescue facilities, navigation and safety aids, lighting, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances, and associated offices;
 - d. Roads, accessways, stormwater facilities, monitoring activities, site investigation activities, infrastructure and utility activities, landscaping, and all related construction and earthwork activities;

- e. Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, public transport facilities;
- f. Airport related activities¹ located only in the area marked on Planning Map #33 zoned Queenstown Airport Zone.

Any activity not expressly provided for in this designation shall be assessed in accordance with the provisions of the Queenstown District Plan for the underlying zone.

Restrictions on Aerodrome Purposes Activities

Building Height

- 2. Maximum height of any building within Planning Map #33 zoned Queenstown Airport Zone shall be 15 metres and all buildings outside this area will be a maximum height of 10 metres except that:
 - a. this restriction does not apply to the control tower, hangars, lighting towers or navigation and communication masts and aerals.

Building Setback

- 3. Minimum setback from all aerodrome designation boundaries shall be:
 - a. for any land inside Planning Map #33 zoned Queenstown Airport Zone shall be:
 - i. 5m from any public road or any adjoining land zoned for residential activity;
 - ii. 3m from any adjoining land not zoned for residential activity.
 - b. for any land outside Planning Map #33 zoned Queenstown Airport Zone shall be 10m.with the exception of the following:
 - a. security fencing around the perimeter of the Airport which comprises a mesh fence being a maximum height of 2.5 metres and includes a 45° outrigger post with 3 strands of barbed wire, or such security fencing that is required by the Civil Aviation Authority to ensure compliance with Civil Aviation regulations;
 - b. A 3 metre high blast fence at the western end of the runway.

Recession Plane

- 4. On any designation boundary that directly adjoins a residential zone a recession plane commencing at ground level on the boundary and angled at 45° shall be applied. No building shall exceed the height of the recession plane at any point.

Operational Hours

- 5. No aircraft operations other than emergency aircraft operations shall occur between 10pm and 6am.

¹ Refer Chapter 2 and Chapter 17.

Aircraft Noise

6.
 - a. Aircraft noise shall be measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS 6801:2008 Acoustics – Measurement of Environmental Sound, by a person suitably qualified in acoustics. The terms ANB, OCB, ASAN, 2037 Noise Contours and Indoor Design Sound Level shall be as defined in the District Plan.
 - b. The term Annual Aircraft Noise Contours (AANC) shall be defined as the annual Ldn contours 55 dB, 60 dB, and 65dB that have been derived using airport noise prediction software to be determined by the Queenstown Airport Liaison Committee (QALC) in accordance with the Noise Management Plan (NMP) and records of actual aircraft movements for the busiest three consecutive months of the preceding year.
 - c. The term Compliance AANC shall be defined as the AANC adjusted for any differences between calculated noise levels and measured noise levels described in Conditions 7 and 8 of this designation.
 - d. The term Projected AANC shall be defined as the Compliance AANC adjusted for annual growth estimated for the following year based on trends derived from historical aircraft movement data.
 - e. If NZS 6805:1992 is superseded by a revised or new standard, the adoption of this revised/new standard in place of NZS 6805:1992 shall be at the discretion of the QALC under the NMP. Note the detail and the content of the NMP are set out in Condition 21, Condition 22 and Condition 23.
7. The Airport shall be managed so that the noise from aircraft operations does not exceed 65 dB Ldn outside the Air Noise Boundary (ANB) or 55 dB Ldn outside the Outer Control Boundary (OCB). The ANB and OCB are as shown on the District Plan Maps. Compliance with the ANB and OCB shall be determined on the basis of the Compliance AANC required to be prepared by Condition 7 and 8.
8. Each year, QALC, shall produce 55 dB, 60 dB and 65 dB AANC, using airport noise prediction software to be determined by the QALC in accordance with the NMP and records of actual aircraft movements for the busiest three consecutive months of the preceding year.
9. At least every three years, QALC shall undertake a monitoring programme to compare the measured aircraft noise levels with the AANC. The AANC shall be corrected for any differences arising from the measured levels to produce the Compliance AANC. The monitoring programme shall include the following measurements within a three year period: a minimum of one month summer and one month winter undertaken at a minimum of three points located west, north-east and south of the airport with the exact positions to be determined by the QALC under the NMP.
10. Each year the Compliance and Projected AANC (required under conditions 7 and 8 respectively) shall be reported to the QALC. Compliance AANC produced for years when noise measurements have not been undertaken shall be prepared using the same corrections determined from the most recently measured aircraft noise levels undertaken for Condition 8.

Other Noise

11. Sound from activities which are outside the scope of NZS 6805:1992, shall comply with the District Plan noise limits set in the zone standards for each zone in which the sound is received. This requirement includes engine testing other than for essential unplanned engine testing of aircraft for scheduled passenger services.
12. No noise limits shall apply to essential unplanned engine testing of aircraft for scheduled passenger services.

The NMP shall detail noise management practices for unplanned engine testing including preferred locations and times. Following each unplanned engine test the QAC shall report to the next meeting of the QALC why the testing was required and what noise management practices were followed.

Airport Noise Mitigation

13. Queenstown Airport Corporation Limited (QAC), shall provide the Queenstown Lakes District Council (QLDC) with the 2037 Noise Contours in 1 dB increments from 70 dB L_{dn} to 55 dB L_{dn} inclusive. The methodology used to calculate these 2037 Noise Contours shall be the same as that used to calculate the ANB and the OCB. These contours shall be provided in an electronic format and shall also be appended to the NMP.
14. Each year QAC shall produce 55 dB, 60 dB and 65 dB Projected AANCs for the purpose of determining when mitigation shall be offered under Conditions 15 and 16 using the same aircraft noise prediction software as used for the Compliance AANC required under Condition 8, adjusted for annual growth estimated for the following year based on trends derived from historical aircraft movement data.
15. Each year the QAC shall offer to provide 100% funding of noise mitigation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 65 dB Projected AANC. This offer may be earlier at QAC's discretion. The mitigation shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn or less, based on the 2037 Noise Contours contained in the NMP.
16. QAC shall offer to part fund retrofitting, over time, of mechanical ventilation of any Critical Listening Environment within existing buildings containing an ASAN located between the Air Noise Boundary and the 2037 60 dB Noise Contour. In particular, each year the QAC shall offer to provide 75% funding of mechanical ventilation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 60 dB Projected AANC. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later becomes within the 65 dB Projected AANC, but they shall become eligible for 100% funding of any sound insulation required.
17. Mechanical ventilation shall be in accordance with the provisions contained within Chapter 36.6.3 of the District Plan.
18. Noise mitigation funding offered by the QAC shall only be required where the benefitting building owner agrees to the methods offered and agrees to enter into a binding property agreement or covenant to the effect that the owners or occupiers of the property:
 - a. are aware that the property may be subject to increased levels of aircraft noise, and
 - b. agree that any complaint arising from noise related activities shall be dealt with in accordance with the complaints procedures set out in the NMP; and
 - c. will not remove or lessen the effectiveness of the acoustic insulation and/or mechanical ventilation that is installed by QAC without its prior approval.
19. Alternative mitigation strategies may be adopted by agreement of QAC and the building owner. A procedure for dispute resolution shall be provided in the NMP.
20. A Noise Mitigation Plan detailing the processes required to give effect to the funding of sound insulation and

mechanical ventilation shall be included as part of the NMP.

21. Any offer made under Conditions 15 or 16 remains open for acceptance by the landowner for a period of 12 months. If the landowner declines the offer, this shall be recorded by QAC. If, at a later date that landowner wishes to take up the offer, the landowner shall notify the QAC of its desire to do so. The QAC shall determine whether it will make the offer available again and shall communicate the reasons for its decision to the landowner. Acceptance of the request by the QAC shall not be unreasonably withheld. QAC shall monitor change of ownership records and if ownership of the property subsequently changes and the offer made above was not taken up by the landowner at that time, the QAC shall offer the new landowner funding in accordance with Conditions 14 and 15. In these circumstances the offer will remain open for acceptance for a further 12 month period.

Noise Management Plan

22. Within 6 months [insert date designation confirmed] and without in any way limiting its obligations to fully comply with the conditions attaching to this designation, QAC shall complete and provide to the QALC a NMP which describes how QAC proposes to manage the Airport in order to comply with the conditions of this designation. The NMP shall describe, in detail, the following matters:
- a. procedures for the convening, ongoing maintenance and operation of the QALC;
 - b. the QALC's discretion to adopt any revised/new standard which may replace NZS6805:1992 and to choose the noise modelling software to be used for the ongoing AANC compliance monitoring through the Compliance AANC.
 - c. the mechanisms for giving effect to a noise monitoring programme to assess compliance with Conditions 6, 7, 8 and in 21 (h);
 - d. the ongoing investigations, methods, processes and resources that QAC proposes to put in place to provide for:
 - i. the reduction of noise levels from all aspects of Aircraft Operations and engine testing; and
 - ii. alternative methods of noise management to achieve the reduction of these noise levels;
 - e. noise minimisation procedures which include:
 - i. procedures and measures adopted to ensure compliance with noise limits for: -
 - aircraft operations in Condition 6; and
 - engine testing in Condition 11;
 - ii. Civil Aviation Authority (CAA) noise rules applicable to the Airport from time to time;
 - iii. voluntary or self imposed procedures or measures for the reduction of aircraft noise;
 - f. the procedures for modifying and enhancing the noise minimisation procedures to take into account:
 - i. any findings made pursuant to any investigation undertaken in accord with 21(d) above;
 - ii. the need to ensure compliance with all of the requirements of this designation;
 - g. the procedures for reporting to the QALC any Aircraft Operations and engine testing activities which contravene a condition of this designation and the details of noise mitigation procedures for unplanned engine testing including preferred locations and times;

- h. the procedure for the annual preparation and publication of the Compliance AANC by QAC, as required by Conditions 8 and 9 above;
 - i. a procedure for dealing with complaints including: the recording of complaints; acknowledgement to the complainant of receipt of their complaint and the outcome once resolved; any corrective action(s) to be taken including if non-compliance with the conditions is identified, and reporting to the QALC;
 - j. the dispute resolution procedures, to resolve disputes between QAC and QALC about the contents and implementation of the NMP;
 - k. the detailed procedures and processes for implementing a Noise Mitigation Plan above except that those procedures and processes shall not in any way limit the obligations set out in Conditions 12 to 20 above.
 - l. the procedures for amending the NMP.
23. The NMP shall include provisions for a Queenstown Airport Liaison Committee including:
- a. the membership of the QALC, which shall comprise of: a chair, QAC (up to 2 members), QLDC (1 member), community (3 members), Airways Corporation (1 member), a representative of the airlines operating flights at Queenstown Airport (1 member), a representative of the Queenstown Airport general aviation/ helicopter operators (1 member);
 - b. a quorum of the QALC shall be four members including at least one representative of each of QAC, QLDC and the community;
 - c. the QALC shall have an independent chair appointed by QAC in consultation with the QLDC;
 - d. the QAC will provide a venue and secretarial and support services for the QALC which will be provided at QAC's own expense, and
 - e. the meeting times of the QALC which shall be up to 4 times per annum or as agreed by the QALC.
24. The NMP shall provide guidance for noise mitigation by owners of new and altered buildings containing ASANs within the OCB. This shall include details of the likely mitigation required within each 2037 Noise Contour, including identification of the point at which no mitigation is required.
25. The current version of the NMP shall be made available to the public on QAC's web site.

Eastern Runway End Safety Area (RESA)

- 26. The eastern RESA fill shall at all times, be protected in an appropriate manner from the risk of erosion by the river in accordance with accepted engineering practice.
- 26a. Maintenance and emergency works necessary to meet the requirements of condition 25, including engineering works, are permitted under this designation.

D.2 Removed

D.3 Airport Approach and Land Use Controls

Overview

Civil Aviation Rules require an airport operator to provide obstacle limitation surfaces around the airport to ensure the safe operation of aircraft approaching and departing the airport. This is done by means of height controls based on a series of geometric surfaces projecting up from the edges of the strips which surround the runways, the intention being to prevent objects such as structures and trees from penetrating these surfaces in areas critical to operational safety and efficiency.

The obstacle limitation surfaces contained in this designation protect Queenstown Airport from possible intrusion of over-height obstacles into the necessary approach and take-off areas required for the safe operation of the airport by all types of aircraft in use, or expected to be in use, at the airport.

The obstacle limitation surfaces in this designation are based on combinations of various Civil Aviation (CAR 139-6 and 139-7) and ICAO Annex 14 obstacle limitation surfaces. The main runway take off climb surfaces are for Code 3 or 4 aerodromes. These are set out below.

Note: All measurements are in metres above airport datum level of 355 metres for the main runway and airport datum level of 354 metres for the cross wind runway.

Note: Objects (as referred to throughout this designation) include but are not limited to vegetation (including trees), structures (including buildings masts and poles), cranes and construction machinery or other equipment that might penetrate the surfaces.

Take-off Climb and Approach Surfaces

There is a take off climb and approach protection surface at each end of the main runway and cross wind runway strips. The takeoff and approach surfaces differ in detail, but both are protected by a slope extending upward and outward from each end of the strip.

The take off climb/approach surface at the western and eastern end of the main strip rises at a gradient of 1.6% (1 in 62.5) over a horizontal distance of 18,750m and continues along the extended runway centreline. The inner edge of the main strip is 150 metres either side of the main runway centreline and the rate of lateral divergence from the inner edge is 12.5% (1 in 8) on each side of the fan.

The take off climb/approach surfaces at each end of the crosswind runway strip rises at a gradient of 5.0% (1 in 20) over a horizontal distance of 1600 metres. The inner edge of the crosswind strip is 30 metres either side of the runway centreline and the rate of divergence from the inner edge is 10.0% (1 in 10) on each side of the fan.

There is also a curved take-off climb and approach surface at the northern end of the crosswind runway, which turns to the north at the end of the runway strip with a radius of 900 metres and rises at a gradient of 5.0% (1 in 20) over a horizontal distance of 1600 metres. The inner edge of the crosswind strip is 30 metres either side of the runway centreline and the rate of divergence from the inner edge is 10.0% (1 in 10) on each side of the fan.

New objects or extensions of objects that penetrate the take off and approach surfaces shall be prohibited except where the new object or extension is shielded by an existing immovable object or the penetration is a temporary short term penetration (e.g. construction machinery or equipment) of these surfaces that has been authorised by the Queenstown

Airport Corporation Limited.

Transitional Surfaces

The transitional surface provides for a situation where an approaching aircraft is either off centreline or where it has executed a missed approach and allows for an area free of obstacles to protect aircraft in the final phase of the approach to land manoeuvre.

These extend upwards and outwards from the sides of each runway strip starting at the inner edge of 150m from the main runway centreline and 30m from the crosswind runway centreline. For the main strip the gradient is 14.3% (1 in 7). For the crosswind strip the gradient is 20% (1 in 5) to a height of 45 metres above the aerodrome.

Transition slopes extend at the same heights beyond each end of the runway strip to intercept the approach protection surfaces.

New objects or extensions of objects that penetrate the transitional surfaces shall be prohibited except where the new object or extension is shielded by an existing immovable object or the penetration is a temporary short term penetration (e.g. construction machinery or equipment) of these surfaces that has been authorised by the Queenstown Airport Corporation Limited.

Inner Horizontal Surface

The inner horizontal surface is a plane surface at a height of 45 metres above the airport datum level of 355 metres enclosed within a 4000 metres radius drawn from the periphery of the main runway strip, and a 4000 metres distance either side of the main runway strip.

New objects or extensions of objects that penetrate the inner horizontal surface shall be prohibited except where the object is shielded by an existing immovable object, or the party on whose land the object is located or who is otherwise responsible for the object has provided to the Queenstown Airport Corporation Limited an aeronautical study prepared by a suitably qualified and independent person which has determined the object will not adversely affect the safety or regularity of airport or aircraft operations, and that study has been accepted by the Queenstown Airport Corporation Limited, and the Queenstown Airport Corporation Limited has provided its written approval to the penetration.

Conical Surface

The conical surface extends from the periphery of the inner horizontal surface upwards and outward at a slope of 5.0% (1 in 20) to a height of 150m above the aerodrome datum level.

New objects or extensions of existing objects that penetrate the conical surface shall be prohibited except where the object is shielded by an existing immovable object, or the party on whose land the object is located or who is otherwise responsible for the object has provided to the Queenstown Airport Corporation Limited an aeronautical study prepared by a suitably qualified and independent person which has determined the object will not adversely affect the safety or regularity of airport or aircraft operations, and that study has been accepted by the Queenstown Airport Corporation Limited, and the Queenstown Airport Corporation Limited has provided its written approval to the penetration.

Lake Hayes Flight Path

The centreline of the engine failed take-off surface for light and medium weight aircraft at the eastern end of the proposed extended strip follows the heavy aircraft take off climb/approach surface for a distance of 78 metres from the end of the strip. At this point the engine failed take off surface turns left through an angle of 32 degrees, at a radius of 1442 metres before continuing straight ahead for 3550 metres when it makes a further left turn through 50 degrees around Slope Hill at a radius of 3250 metres.

Immediately on completing this turn a right turn through 195 degrees at a radius of 1475 metres is initiated. When this third turn is completed, Northeast of Morven Hill the path continues straight ahead for 2625 metres before turning right through 67 degrees at a radius of 1475 metres between Morven Hill and The Remarkables. After completing this last turn it passes straight back over the Airfield.

The sides of the engine failed surface follow a 12.5% lateral divergence from each end of a 75 metre long strip inner edge either side of the extended runway centreline for a horizontal distance of 4200 metres and thereafter continues at a constant width of 600 metres either side of the centreline. The upward slope of the engine failed protection surface is 1.6% (1 in 62.5) for a distance of 78 metres at which point the surface drops 4.6 metres. The surface then continues to rise at 1.6% (1 in 62.5) terminating overhead the runway.

Note: Pursuant to Part 77 of the Civil Aviation Rules, a person proposing to construct or alter a structure must notify the Director of Civil Aviation of the proposal if the proposed structure or alteration to a structure is located below the approach or take-off surfaces described in this designation and shown on the Planning Maps and extends to a height greater than a surface extending outwards and upwards at one of the following:

- a. a slope of 1:83 from the fan origin if the take-off surface of a runway where the runway is used or intended to be used by aircraft with a Maximum Certified Take-Off Weight above 5700kg;
- b. a slope of 1:50 from the fan origin of the take-off surface of a runway where the runway is intended to be used by aircraft with a Maximum Certified Take-Off Weight at or below 5700kg.

Notification must be in the form specified in Rule 77-13 and be submitted at least 90 days before the proposed date of commencement of construction or alteration.

E

Wanaka Airport

The land area covered by the Aerodrome Purposes designation shall include the sites described below:

- a. Lot 2 DP 341605;
- b. Lots 1, 2, 3, 4, 5 DP 18824;
- c. Lot 2 DP 368240;
- d. Lot 1 DP 341605;
- e. Lots 4 – 5 DP 340031;
- f. Lot 6 DP 22636;
- g. Lot 7 and 8 DP22637;
- h. Lots 2, 3, 4, 5 DP 23517;
- i. Lots 10 and 11 DP 24410;
- j. Lot 6 DP 24685;
- k. Lots 1 and 2 DP 26239;
- l. Section 1 Survey Office Plan 24776;
- m. Part of Lot 1 DP 23563;
- n. Legal Road.

E1 Aerodrome Purposes

This designation is defined to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise.

Permitted Activities

1. The nature of the activities authorised by this designation is described as follows:
 - a. aircraft operations, rotary wing aircraft operations, helicopter aprons, and associated touch down and lift off areas, aircraft servicing, general aviation, navigational and safety aids, lighting, aviation schools, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation;
 - b. runways, taxiways aprons, and other aircraft movement or safety areas;
 - c. terminal buildings, cafeteria, hangars, rescue facilities, navigation and safety aids, lighting, car parking, maintenance and service facilities, catering facilities, quarantine and incineration facilities, medical facilities, fuel storage and fuelling facilities, and associated offices;

- d. roads, accessways, stormwater facilities, monitoring activities, site investigation activities, other infrastructure activities, landscaping and all related construction and earthwork activities;
- e. vehicle parking and storage, rental vehicles, vehicle valet activities, public transport facilities;
- f. temporary Activities associated with Air Shows, Conferences and Meetings.

Restrictions on Aerodrome Purposes Activities

Building Height

- 2. Maximum height of any building shall not exceed 10 metres except that:
 - a. this restriction does not apply to the control tower, lighting towers or navigation and communication masts and aials associated with airport operations;
 - b. no permanent buildings, other than a control tower shall infringe the restrictions of the Approach and Land Use Controls designations.

Building Setback

- 3. Minimum setback for buildings from all boundaries of the designation shall be 5.0 metres.
- 4. Security fencing around the perimeter of the Airport is not subject to the building setback standards in (a) above.
- 5. Minimum setback for buildings from the eastern side of the centre line of the main runway (as at 2013) shall be 217 metres.
- 6. Minimum setback for buildings from the western side of the centre line of the main runway (as at 2013) shall be 124 metres.

Note: The setback in (c) and (d) above provides appropriate protection for the future relocation of the main runway 93m to the north, parallel with the main runway (as at 2013).

Building Location and Appearance

- 7. Buildings shall comply with the QLDC Guide to Reducing Glare and Reflective Surfaces.
- 8. Before buildings are constructed on the northern side of the runway the airport operator will undertake a visual impact assessment of development in this area. The purpose of this assessment will be to serve as the guide to future development through the identification of view shafts or other mitigation methods to be implemented through the outline plan process as development occurs.

Operations at Night

- 9. No aircraft operations, other than emergency aircraft operations, shall occur between 10 pm and 7 am.

Wanaka Airport Liaison Committee

10. Within one year of this designation being confirmed by the Requiring Authority, the airport operator shall establish and maintain at its cost a Wanaka Airport Liaison Committee ('WALC'). The WALC shall include (but not be limited to) membership from:
 - a. an independent chair appointed by the airport operator,
 - b. the airport operator;
 - c. Queenstown Lakes District Council;
 - d. Wanaka Airport Users Group;
 - e. commercial airlines;
 - f. Airways Corporation; and
 - g. The Wanaka Community Board.

11. The WALC shall meet at least once every six months with a quorum of four members including the chair and at least one representative of each of the airport operator, Queenstown Lakes District Council (as the Consent Authority) and the Wanaka Community Board. The WALC shall:
 - a. review any complaints or issues relating to the operation of the airport, and responses by the airport operator;
 - b. assist the airport operator develop procedures to minimise adverse environmental effects on the community;
 - c. assist the airport operator to communicate and engage with the community;
 - d. develop noise management procedures for unplanned engine testing of aircraft for scheduled passenger services, and review any such occurrences;
 - e. review progress on airport development and the master plan; and
 - f. encourage parties to work together co-operatively, sharing information and making recommendations by consensus and agreement.

Airport Noise

12. Airport noise shall be measured, predicted and assessed in accordance with NZS 6805:1992 "Airport Noise Management and Land Use Planning", by an acoustics specialist.

13. The Airport shall be managed so airport noise does not exceed a day/night level of 55 dB_{L_{dn}} outside the Outer Control Boundary.

14. Compliance with the 55 dB_{L_{dn}} noise limit at the OCB shall be determined every two years by the calculation of noise contours using the IMNv7b acoustics computer model and records of actual aircraft activity at the Airport. A report shall be provided every two years to the WALC, including the noise contour results and the methodology used in the preparation of the contours.

15. Once the calculated noise levels at any point on the Outer Control Boundary shown on the Planning Maps is 54 dB_{Ldn} or greater, noise level measurements shall be carried out for a minimum of one month in the summer and one month in the winter at each of two measurement locations every two years. The noise measurement locations should be selected to allow confirmation of compliance with the 55 dB_{Ldn} limit at the OCB. The measurement locations do not need to be on the OCB. The difference between the measured sound level and the calculated sound level at a measurement location shall be added to the calculated sound level at the OCB to determine compliance. A report on the results of such monitoring shall be forwarded to the WALC within two months of the monitoring being undertaken.
16. Note: This designation does not provide for an Air Noise Boundary at the 65 dB_{Ldn} contour as the provisions and extent of the OCB render this unnecessary at Wanaka Airport at this time.
17. Noise from the following Aircraft Operations shall be excluded from the compliance calculations set out above:
 - a. aircraft landing or taking off in an emergency; and
 - b. emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency;
 - c. aircraft using the airport due to unforeseen circumstances as an essential alternative to landing at another scheduled airport;
 - d. flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983;
 - e. flights certified by the Minister of Defence as necessary for reasons of National Security in accordance with Section 4 of the Act; and
 - f. aircraft undertaking fire fighting duties;
 - g. aircraft using the airport in preparation for and participation in the biennial Warbirds Over Wanaka air shows (this applies 5 days prior to and 3 days after the air show).

Other Noise

18. Sound from activities operating in this designation, which is outside the scope of NZS 6805:1992, shall comply with the District Plan noise limits set in the zone standards for each zone in which the sound is received. This requirement includes engine testing other than for essential unplanned engine testing of aircraft for scheduled passenger services.
19. No noise limits shall apply to essential unplanned engine testing of aircraft for scheduled passenger services. The WALC shall determine noise management practices for unplanned engine testing including preferred locations and times. Following each unplanned engine test the airport operator shall report to the next meeting of the WALC why the testing was required and what noise management practices were followed.

Proposed Parallel Runway

Note: The conditions apply to the potential future relocation of the main runway.

1. Prior to the commencement of construction of the proposed parallel runway, and in conjunction with the outline plan of works required by Section 176A, a Construction Management Plan shall be submitted to the Council for review and approval. The purpose of the Construction Management Plan shall be to:
 - a. describe the methods proposed for the construction of the runway;
 - b. describe what actions will be taken to manage the actual or potential effects of construction activities associated with the runway constructions;
 - c. ensure compliance with the conditions of the designation as they relate to construction of the parallel runway.
2. The Construction Management Plan shall include the following information:
 - a. description of all the runway construction works including identification of fill sources, access roads and tracks, identification of areas for storing plant and machinery, mitigation measures, monitoring and reporting to be undertaken.
3. If fill is to be transported from off-site a Construction Traffic Management Plan shall be prepared in conjunction with the New Zealand Transport Agency and submitted to Council for approval. The Construction Traffic Management Plan shall incorporate:
 - a. proposed construction haulage routes;
 - b. construction traffic volumes over haulage routes.

E.2 Airport Approach and Land Use Controls

This designation applies in respect of the airspace in the vicinity of the Wanaka Airport. It defines essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances as defined below and as shown on District Plan Maps.

Airport Protection

1. The airport protection surfaces are described as
 - a. Take-off Climb and Approach Surfaces.

General

2. In order to provide the maximum flexibility for the existing and future development of the runway layout, the protection surfaces and associated height controls extend laterally to include the existing sealed runway as well as the proposed replacement sealed runway. This requires the length of the origin points of the OLS (referred to as 'inner edges') to be 243.0m being 121.5m either side of the inner edge centreline position defined in Table 1 below.
3. The nominal centreline of this enlarged inner edge arrangement is 46.50m north east of the existing runway centreline and the ends of the inner edges and 121.50m either side of the centreline.

4. Table 1: Location of inner edge centre points

Inner Edge	Co-ordinates (NZMG)	
	X	Y
South east end	5602375.47	2213155.92
North west end	5603676.22	2211881.18

5. The runway strip edges are 75m south west of and parallel to the existing runway centreline and 75m north east of and parallel to the future replacement runway centreline. For height control purposes the strip edges end where they intersect the inner edges of the approach surfaces.
6. The runway strip edges are 75cm south west of and parallel to the existing runway centreline and 75m north east of and parallel to the future replacement runway centreline. For height control purposes the strip edges end where they intersect the inner edges of the approach surfaces.

South East End of Existing and Future Main Runways

7. Inner edge location
- the south east takeoff and approach surfaces are combined into a single takeoff/approach surface;
 - the takeoff and approach surfaces have the same inner edge location (as defined in table 1) and length of 243.0m;
 - the inner edge commences at a height of 339.4m AMSL at the south east end.
8. Takeoff/Approach Surface
- the take-off/approach surface at the south eastern end commences at the inner edge and rises at a gradient of 2.0% with its centreline on a bearing of 135.6° grid. The surface continues on a bearing of 135.6° until a distance of 15,000m from the inner edge;
 - the edges of the approach surface commence at the inner edge end point locations and expand outward at 15% of the distance along the centreline until the end of the surface;
 - the final total width of the approach surface is 4743.0m at 15,000m from its inner edge.

North West End of Future Main Runway

9. Inner edge location
- the north west takeoff and approach surfaces are combined into a single takeoff/approach surface;
 - the takeoff/approach surface inner edge location is defined in table 2 and its length is 243.0m;
 - the inner edge commences at a height of 347.84m AMSL at the north west end;

10. Takeoff/approach Surface
 - a. The combined takeoff/approach surface at the north west end commences at the inner edge and rises at a gradient of 2.0% with its centreline on a bearing of 315.6° grid. The surface continues on a bearing of 315.6° until a distance of 4,780m from the inner edge. At that point the surface turns 195° north with a radius of 2400m and continues on a bearing of 150.6°;
 - b. The edges of the surface commence at the inner edge end point location and expand outward at 15% of the distance along the centreline until the end of the surface 15,000m from the inner edge;
 - c. The final total width of the surface is 4743.0m at 15,000m from its inner edge.

Transitional, Inner Horizontal and Conical Surfaces

11. The transitional, inner horizontal and conical surfaces described below are based on the extremities of the runway strip edges for the combined existing and future parallel runways. The strip edge on the north east is 75m to the north east of and parallel to the proposed alternative runway centreline. The strip edge on the south west side is 75m to the south west of and parallel to the existing runway centreline.
12. For height control purposes the strip edges end where they meet the inner edges of the approach surfaces.
13. Transitional Side Surfaces
 - a. the transitional side surfaces extend from the sides of the strip and the approach surfaces, upwards and outwards at a gradient of 1v:7h (14.3%) extending until they reach the inner horizontal surface.
14. Inner Horizontal Surface
 - a. the inner horizontal plane is located at a height of 393m AMSL (45m above the runway reference height) and extends out to a distance of 4000m measured from the periphery of the runway strip.
15. Conical Surface
 - a. the conical surface slopes upward and outward from the periphery of the inner horizontal surface rising at a gradient of 5% to a height of 498m AMSL (150m above the aerodrome reference height).

Penetration of airport protection surfaces

16. No object, including any building, structure, mast, pole or tree, but excluding a control tower, shall penetrate the takeoff/approach or transitional surfaces without prior approval of the requiring authority.
17. No object, including any building, structure, mast, pole, or tree shall penetrate the horizontal and conical surfaces except with prior approval of the requiring authority, or where the object is determined to be shielded by an existing immovable object in accordance with recognised aeronautical practice.
18. If requested by a landowner with a site specific development proposal affected by the obstacle limitation surfaces, the requiring authority shall provide them with a terrain shielding drawing for that portion of their site.

Note: Any person proposing to construct or alter a structure that penetrates the airspace protection surfaces described in this designation is subject to the requirements of Part 77 of the Civil Aviation Rules and must notify the director of Civil Aviation Rules and must notify the director of Civil Aviation 90 days before the proposed date of commencement of construction or alteration. Notification must be in the form specified in Rule 77-13 and be submitted at least 90 days before the proposed date of commencement of construction or alteration.

F

Motor Parks and Golf Clubs

1. Setback from Road

All structures and buildings shall be setback the following minimum distances from the road boundary:

Residential Zones: 4.5m

Rural Zone: 20m

2. Separation from Neighbours

All structures and buildings shall be setback the following minimum distances from internal boundaries:

Residential Zones: 4.5m

Rural Zones: 10m

3. Height

No structure or building shall exceed the following maximum heights:

Residential Zones: 8m

Rural Zones: 8m

4. Recession Lines

On flat sites within the Low and Medium Density residential zones, or on boundaries adjoining a site within these residential zones, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at the following angles:

Northern Boundary: 2.5m and 55 degrees

Western and Eastern Boundaries: 2.5m and 45 degrees

Southern Boundary: 2.5m and 35 degrees

On flat sites within the High Density Residential zone, or on boundaries adjoining a site within this zone, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at the following angles:

Northern Boundary: 2.5m and 55 degrees

All other boundaries: 2.5m and 45 degrees

Note: Gable end roofs may penetrate the building recession plane by no more than one third of the gable height. Recession planes do not apply to site boundaries adjoining a Town Centre or Business Mixed Use Zone, fronting a road, or adjoining a park or reserve.

5. Building Coverage

A single building shall not exceed 600m² in total floor area. The combined total of all buildings on site shall not exceed a maximum of 5% of the total site area for golf clubs and 40% of the total site area for motor parks. These standards are exclusive of play equipment.

6. Access and Car parking

Shall be provided in accordance with the transport rules.

7. Surfacing

No more than 25% of the site shall be covered by impervious surfaces, including courts, footpaths, swimming pools, car-parking areas and/or areas under lease arrangements.

8. Glare

All exterior lighting shall be directed away from adjacent properties and roads.

No activity shall result in greater than a 2.5 lux spill (horizontal and vertical) of light on to any adjoining property in Residential or Rural-Residential Zone, measured 2m inside the boundary of the adjoining property.

9. Noise

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

Residential Zones:	* 0800 - 2000	40 dB	$L_{Aeq(15\ min)}$ 10
	* 2000 - 0800	30 dB	$L_{Aeq(15\ min)}$ 10

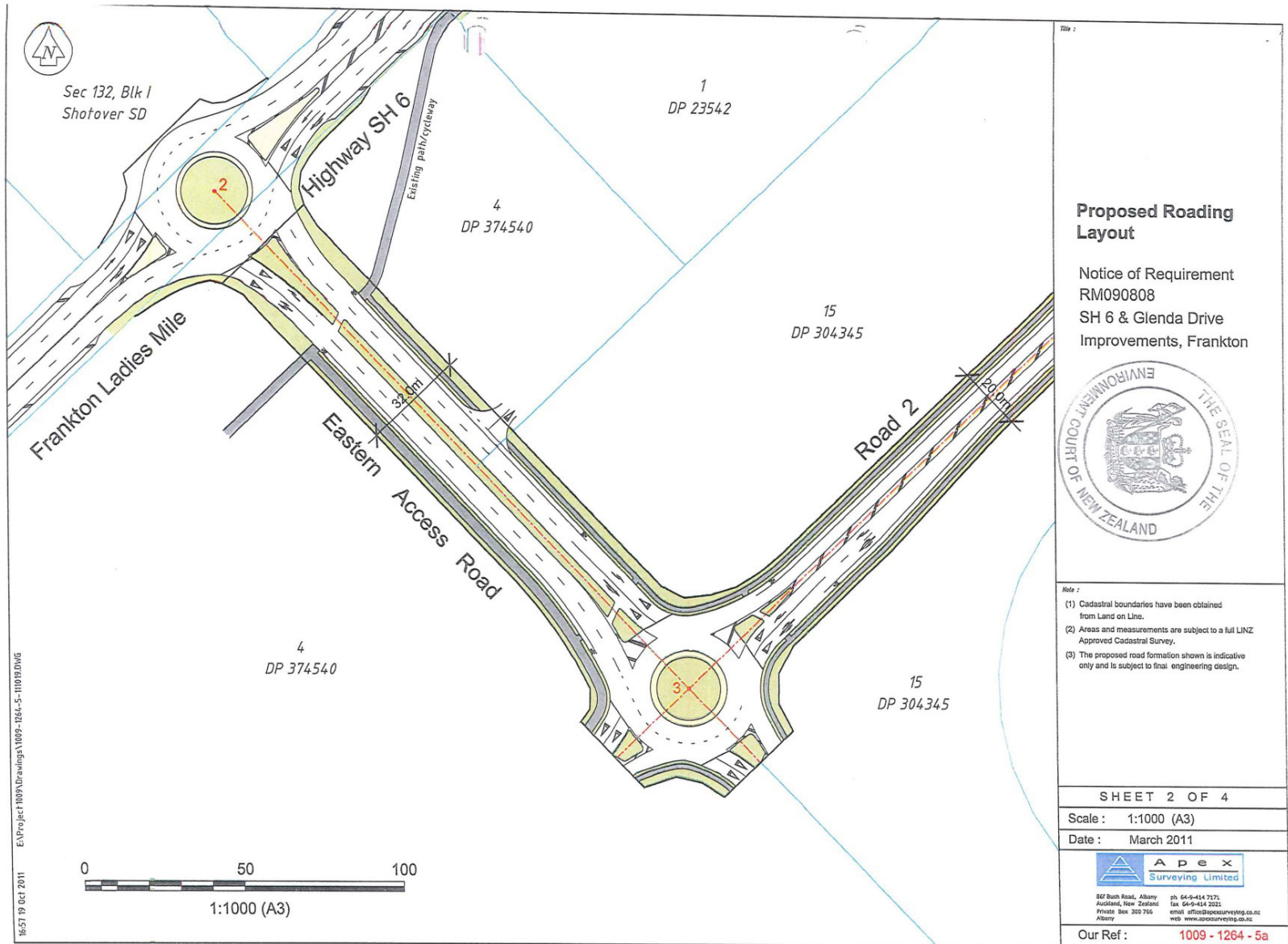
Rural Zones:	* 0800 - 2000	55 dB	$L_{Aeq(15min)}$ 10
	* 2000 - 0800	40 dB	$L_{Aeq(15 min)}$ 10

G Transpower's Development Free Zone

1. (Transpower's Development Free Zone) All trees/vegetation (in excess of 1 metre in height) and/or buildings/structures on Lot 13 DP 322851 and Lot 312 DP 329276 shall be setback by a horizontal distance of at least 12 metres either side (total of 24 metres) from the centre line of the Cromwell – Frankton A transmission line.
2. (NZECP 34:2001 safe distances from conductors where engineering advice is necessary) Prior to construction, the Requiring Authority must submit to the Queenstown Lakes District Council (and a copy to Transpower) certification from a suitably qualified electrical engineer confirming that any building or structure on Lot 13 DP 322851 and Lot 312 DP 329276 complies with the minimum safe distances from the Cromwell – Frankton A line as specified in Table 3 of the NZECP 34:2001.
3. (NZECP 34:2001 safe distances from support structures) Buildings or any part of a building on Lot 312 DP 329276 shall not be located within 12 metres of the closest visible edge of any high voltage transmission line support structure foundation.
4. (NZECP 34:2001 safe distances from support structures - fences) With reference to NZECP 34:2001 Figure 2, fences of conductive materials shall not be constructed within 5 metres of any tower of a high voltage overhead electric line of 66 kV or greater.
5. (NZECP 34:2001 safe distances of mobile plant from conductors) All machinery and mobile plant operated on Lot 13 DP 322851 and Lot 312 DP 329276 shall maintain a minimum clearance distance of 4 metres from the Cromwell – Frankton A transmission line conductors at all times.
6. (NZECP 34:2001 access to support structures) All buildings, structures and vegetation located on Lot 312 DP 329276 shall not be located to preclude existing vehicle access to the existing support structure on site.
7. (NZECP 34:2001 excavation near support structures) In the case of any tower supporting any conductor, no person may excavate or otherwise interfere with any land:
 - a. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or
 - b. at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the tower; or
 - c. in such a way as to create an unstable batter.
8. (NZECP 34:2001 safe distances of conductors from ground) Excavated or other material must not be deposited under or near the Cromwell – Frankton A line so as to reduce the vertical distance from the ground to the conductors to a distance less than:
 - a. 7.5 metres vertically, across or along driveways or on any other land traversable by vehicles;
 - b. 6.0 metres vertically, on any land not traversable by vehicles due to inaccessibility; and
 - c. 4.5 metres in any distance other than vertical on all land.

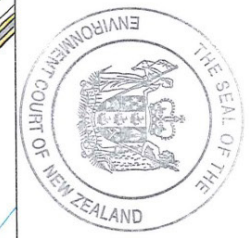
Please note that the distances specified include an allowance for mechanic creep (i.e. permanent elongation).

9. On Lot 13 DP 322851 and Lot 312 DP 329276 all tree trimming activities around the Cromwell – Frankton A transmission line, shall be carried out in accordance with the Electricity (Hazards from Trees) Regulations 2003.
10. All land use activities, including earthworks located on Lot 13 DP 322851 and Lot 312 DP 329276 must comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001).
11. All trees and vegetation planted on Lot 13 DP 322851 and Lot 312 DP 329276 must comply with the Electricity (Hazards from Trees) Regulations 2003.



Proposed Roading Layout

Notice of Requirement
RM090808
SH 6 & Glenda Drive
Improvements, Frankton

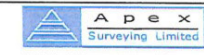


- Note:
- (1) Cadastral boundaries have been obtained from Land on Line.
 - (2) Areas and measurements are subject to a full LINZ Approved Cadastral Survey.
 - (3) The proposed road formation shown is indicative only and is subject to final engineering design.

SHEET 2 OF 4

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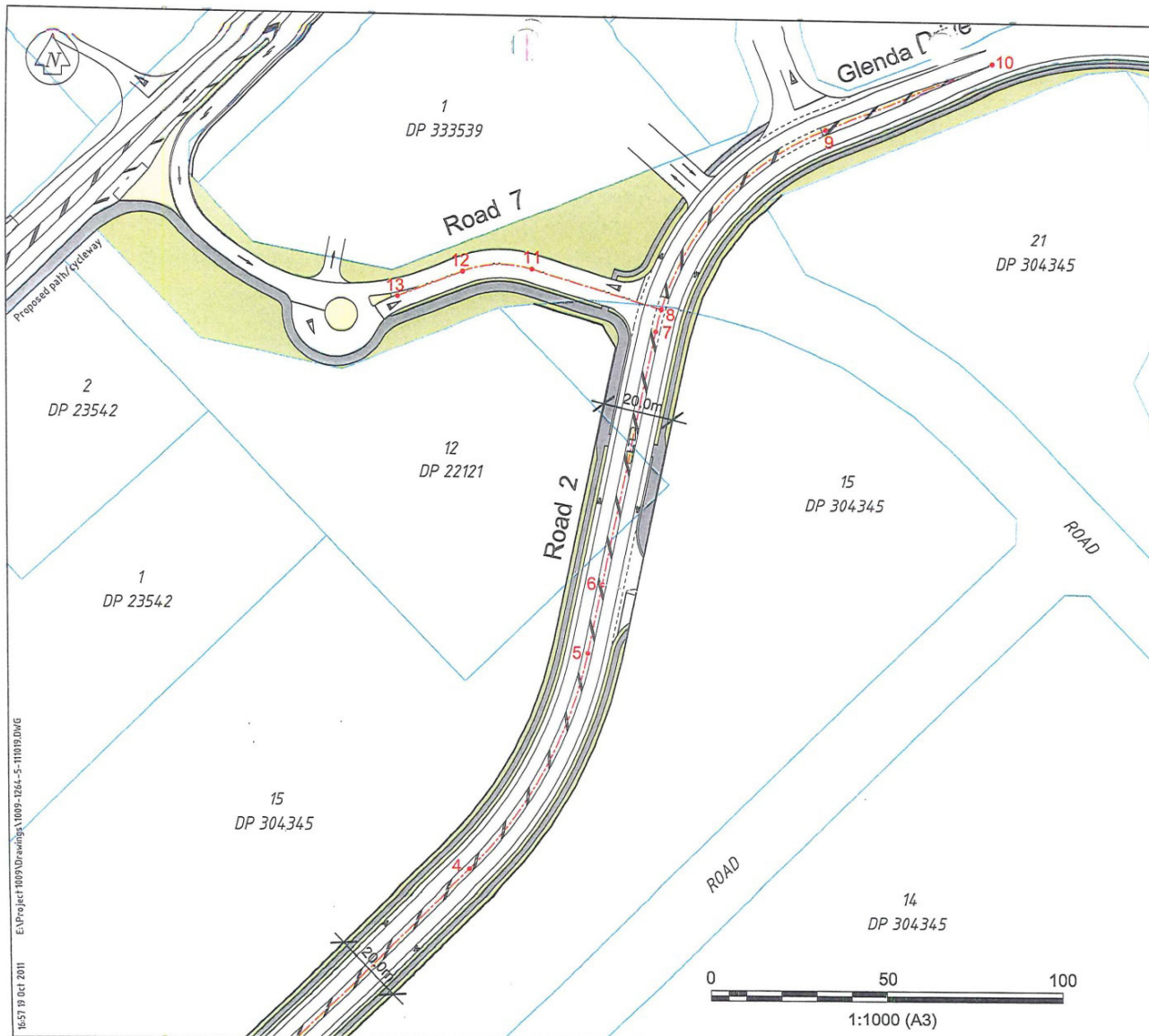
Date : March 2011



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Our Ref : 1009 - 1264 - 5a

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File :

Proposed Roding Layout

Notice of Requirement
 RM090808
 SH 6 & Glenda Drive
 Improvements, Frankton



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SHEET 3 OF 4

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Date : March 2011

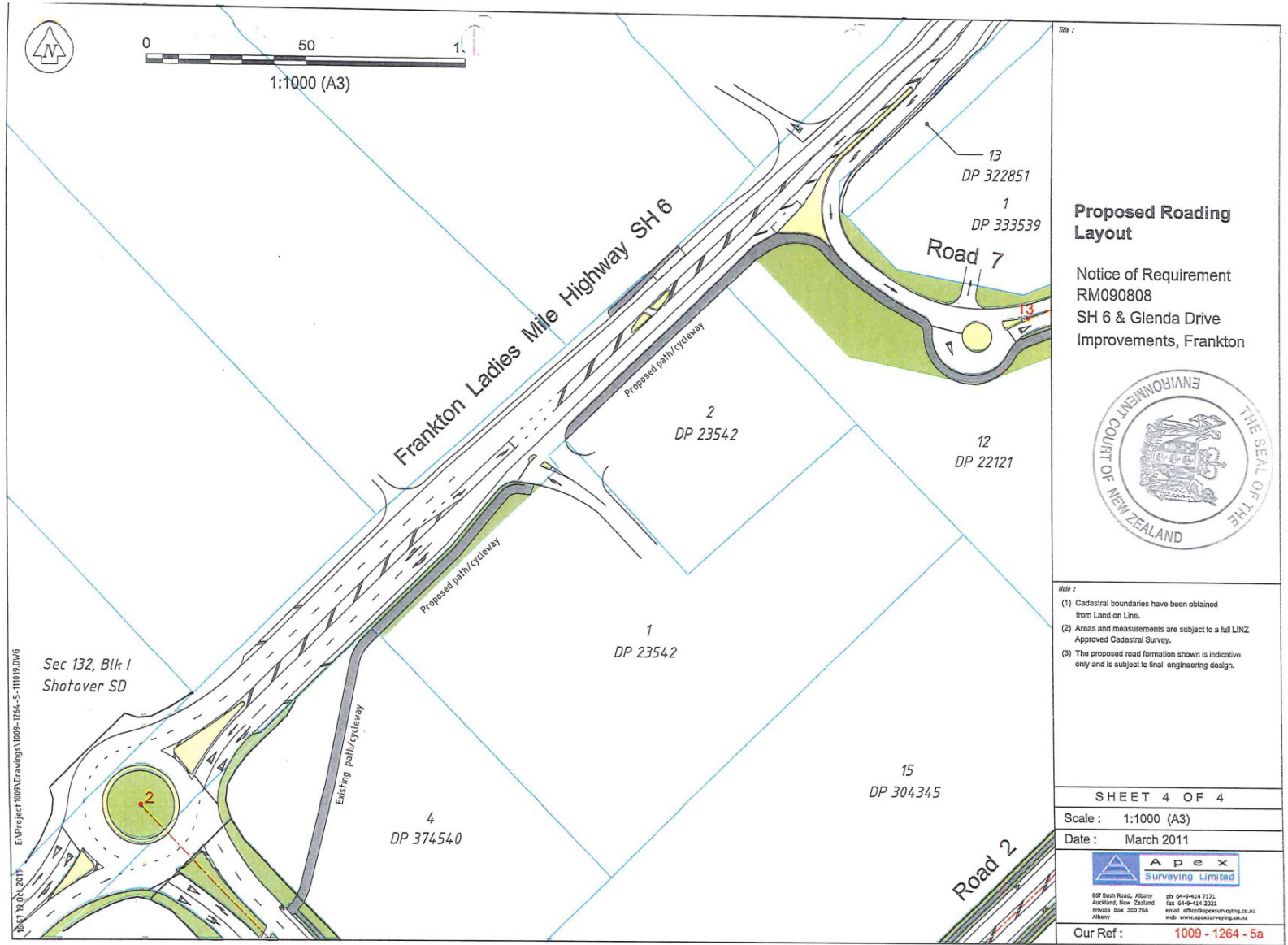


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Proposed Roding Layout

Notice of Requirement
RM090808
SH 6 & Glenda Drive
Improvements, Frankton

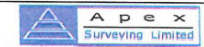


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SHEET 4 OF 4

Scale : 1:1000 (A3)

Date : March 2011



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Sec 132, Blk 1
Shotover SD

Appendix 2 for Report 10
Part A: Submissions

Submission Number	Submitter	Commissioner Recommendation	Paragraph Reference
5.1	Twenty24 Ltd	Accept	Freight Facilities
6.1	Twenty24 Ltd	Accept	Submissions seeking Minor Typographical Amendments
19.24	Kain Fround	Accept	General Submissions
21.64	Alison Walsh	Accept	General Submissions
23.1	Skydive Queenstown Limited	Accept in Part	Designation #239 – Recreation Reserve (Aerodrome)
51.1	for the Hall Family Trusts	Accept	Designation #574 Dalefield Substation
57.1	New Zealand Police	Accept in Part	New Zealand Police
79.1	David Jerram	Accept in Part	Mechanical Ventilation
81.1	KiwiRail Holdings Limited	Accept	KiwiRail - Designation #5
191.32	Spark Trading NZ Limited	Accept	CHORUS NEW ZEALAND LIMITED AND SPARK NEW ZEALAND TRADING LIMITED
270.1	Crescent Investments Limited	Accept	Designations #389 and #390 – Local Purpose Reserves (Storm Water Soakage Basin)
271.19	Board of Airline Representatives of New Zealand (BARNZ)	Accept	Part 3 General Submissions
282.2	Sarah Burdon	Reject	Designation #175 – Part of Hawea Recreation Reserve (Motor Park)
314.1	Wakatipu Holdings	Accept in Part	Designation #429 - Luggate Closed Landfill
337.1	Radio New Zealand Limited	Accept	Designation #560 - Local Purpose (Repeater Site)
383.84	Queenstown Lakes District Council	Accept	37.1 Introduction
383.85	Queenstown Lakes District Council	Accept	Part 1 General Submissions
383.86	Queenstown Lakes District Council	Accept	Requirements with minor amendments by the requiring authority under s181(3) (a)(i).
383.87	Queenstown Lakes District Council	Accept	Kiwi Rail – Designation #5
383.88	Queenstown Lakes District Council	Accept	Designation #574 – Dalefield Substation

Submission Number	Submitter	Commissioner Recommendation	Paragraph Reference
383.89	Queenstown Lakes District Council	Submission 383.89 withdrawn	Designation #171 – Commonage Reserve
383.90	Queenstown Lakes District Council	Accept	Designations #526, #528 and #529 – Civic Offices
383.91	Queenstown Lakes District Council	Accept	Recreation Reserves
383.92	Queenstown Lakes District Council	Accept	Designation #282 – Recreation Reserve
394.3	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited	Reject	Designations #526, #528 and #529 – Civic Offices
400.4	James Cooper	Reject	Other Submissions on Designation 64
421.26	Two Degrees Mobile Limited	Accept	CHORUS NEW ZEALAND LIMITED AND SPARK NEW ZEALAND TRADING LIMITED
433.122	Queenstown Airport Corporation	Accept in Part	Part 3 General Submissions
433.123	Queenstown Airport Corporation	Accept in Part	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
433.124	Queenstown Airport Corporation	Accept	Part 3 Submissions seeking Minor Typographical Amendments
433.125	Queenstown Airport Corporation	Accept in Part	Wanaka Airport Liaison Committee (WALC)
433.126	Queenstown Airport Corporation	Accept	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
433.127	Queenstown Airport Corporation	Accept in Part	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
433.128	Queenstown Airport Corporation	Accept	Mechanical Ventilation
433.129	Queenstown Airport Corporation	Accept in Part	Designation #29 – QLDC Events Centre and Aquatic Centre
433.132	Queenstown Airport Corporation	Accept	METEOROLOGICAL SERVICE OF NEW ZEALAND
481	Cabo Limited	Accept	Designation #428 Glenorchy Closed Landfill
524.49	Ministry of Education	Accept	Ministry of Education

Submission Number	Submitter	Commissioner Recommendation	Paragraph Reference
553.1	Kerry Dunlop, David Hay, Adam Childs, Sir Eion Edgar, Dr Ralph Hanan, Hudson Turnbull, Kevin Conaghan, Simon Hayes, Alan Millar, Bill and Kirsty Sharpe	Reject	Part 1 General Submissions
632.90	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept	Designation #567 Jacks Point Station
635.82	Aurora Energy Limited	Accept	AURORA ENERGY LIMITED (AURORA)
635.83	Aurora Energy Limited	Accept	AURORA ENERGY LIMITED (AURORA)
635.84	Aurora Energy Limited	Accept	AURORA ENERGY LIMITED (AURORA)
635.85	Aurora Energy Limited	Accept	AURORA ENERGY LIMITED (AURORA)
704.2	Ross & Judith Young Family Trust	Reject	Designations #105, #110, #111 and #113 – Recreation Reserves
719.1	New Zealand Transport Agency	Accept	Designation #84
719.157	NZ Transport Agency	Accept	Part 1 General Submissions
719.158	NZ Transport Agency	Accept	Designation #29 – QLDC Events Centre and Aquatic Centre
719.2	New Zealand Transport Agency	Accept	Designation #84
719.3	New Zealand Transport Agency	Accept	Designation #84 and #307
719.4	New Zealand Transport Agency	Accept	Designation #84
719.5	New Zealand Transport Agency	Accept	Designation #84
719.6	New Zealand Transport Agency	Accept	Designation #84
719.7	New Zealand Transport Agency	Accept	Designation #84
719.8	New Zealand Transport Agency	Accept	Designation #84
719.9	New Zealand Transport Agency	Accept	Designation #84
724.4	Queenstown Gold Ltd	Reject	Designation #570 – Queenstown Substation
728.4	Wanaka Residents Association	Reject	Part 2 General Submissions
744.1	Wyuna Preserve Residents Association Incorporated	Accept in Part	Designation #239 – Recreation Reserve (Aerodrome)
769.1	Island Capital Limited	Accept in Part	Designation #428 – Glenorchy Closed Landfill
781.32	Chorus New Zealand Limited	Accept	CHORUS NEW ZEALAND LIMITED AND SPARK NEW ZEALAND TRADING LIMITED
790.5	Queenstown Lakes District Council	Accept	Designation #171 – Commonage Reserve

Submission Number	Submitter	Commissioner Recommendation	Paragraph Reference
805.101	Transpower New Zealand Limited	accept	Transpower
807.100	Remarkables Park Limited	Accept in Part	Non airport related activities condition to remove or amend
807.101	Remarkables Park Limited	accept	Ministry of Education
807.96	Remarkables Park Limited	Accept	Expanded List of Permitted Activities
807.97	Remarkables Park Limited	reject	Building Height and Setback- The Project
807.98	Remarkables Park Limited	reject	Building Height and Setback- The Project
807.99	Remarkables Park Limited	reject	Width of Transitional Surfaces

Appendix 2 for Report 10
Part B: Further Submissions

Further Submission No	Original Submission	Further Submitter	Commissioner Recommendation	Paragraph Reference
FS1030.13	433.125	Jeremy Bell Investments Limited	Accept in Part	Wanaka Airport Liaison Committee (WALC)
FS1077.5	79.1	Board of Airline Representatives of New Zealand (BARNZ)	reject	Mechanical Ventilation
FS1077.50	433.129	Board of Airline Representatives of New Zealand (BARNZ)	Accept in Part	Designation #29 – QLDC Events Centre and Aquatic Centre
FS1097.122	271.19	Queenstown Park Limited	reject	Part 3 General Submissions
FS1097.408	433.122	Queenstown Park Limited	Reject	Part 3 General Submissions
FS1097.409	433.123	Queenstown Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1097.410	433.124	Queenstown Park Limited	Reject	Part 3 Submissions seeking Minor Typographical Amendments
FS1097.411	433.125	Queenstown Park Limited	Reject	Wanaka Airport Liaison Committee (WALC)
FS1097.412	433.126	Queenstown Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1097.413	433.127	Queenstown Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1097.414	433.128	Queenstown Park Limited	Reject	Mechanical Ventilation
FS1097.415	433.129	Queenstown Park Limited	Reject	Designation #29 – QLDC Events Centre and Aquatic Centre
FS1097.418	433.132	Queenstown Park Limited	Reject	METEOROLOGICAL SERVICE OF NEW ZEALAND
FS1117.168	433.122	Remarkables Park Limited	Reject	Part 3 General Submissions

Further Submission No	Original Submission	Further Submitter	Commissioner Recommendation	Paragraph Reference
FS1117.169	433.123	Remarkables Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1117.170	433.124	Remarkables Park Limited	Reject	Part 3 Submissions seeking Minor Typographical Amendments
FS1117.171	433.125	Remarkables Park Limited	Reject	Wanaka Airport Liaison Committee (WALC)
FS1117.172	433.126	Remarkables Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1117.173	433.127	Remarkables Park Limited	Reject	Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport
FS1117.174	433.128	Remarkables Park Limited	Reject	Mechanical Ventilation
FS1117.175	433.129	Remarkables Park Limited	Reject	Designation #29 – QLDC Events Centre and Aquatic Centre
FS1117.178	433.132	Remarkables Park Limited	Reject	METEOROLOGICAL SERVICE OF NEW ZEALAND
FS1117.220	553.1	Remarkables Park Limited	Reject	Part 1 General Submissions
FS1117.39	271.19	Remarkables Park Limited	reject	Part 3 General Submissions
FS1117.50	394.3	Remarkables Park Limited	Reject	Designations #526, #528 and #529 – Civic Offices
FS1121.48	51.1	Aurora Energy Limited	Accept	Designation #574 Dalefield Substation
FS1121.49	383.88	Aurora Energy Limited	Accept	Designation #574 – Dalefield Substation
FS1121.51	632.90	Aurora Energy Limited	Reject	Designation #567 Jacks Point Station
FS1121.52	724.4	Aurora Energy Limited	Accept	Designation #570 – Queenstown Substation
FS1210.1	5.1	Wanaka Hangar Services Limited	Reject	Freight Facilities

Further Submission No	Original Submission	Further Submitter	Commissioner Recommendation	Paragraph Reference
FS1217.91	632.90	HL Dowell and MJM Brown Home Trust	Reject	Designation #567 Jacks Point Station
FS1219.91	632.90	Bravo Trustee Company	Reject	Designation #567 Jacks Point Station
FS1252.91	632.90	Tim & Paula Williams	Reject	Designation #567 Jacks Point Station
FS1275.263	632.90	"Jacks Point" (Submitter number 762 and 856)	Reject	Designation #567 Jacks Point Station
FS1277.94	632.90	Jacks Point Residents and Owners Association	Reject	Designation #567 Jacks Point Station
FS1283.204	632.90	MJ and RB Williams and Brabant	Reject	Designation #567 Jacks Point Station
FS1305.2	704.2	Wanaka Watersports Facility Trust	Accept	Designations #105, #110, #111 and #113 – Recreation Reserves
FS1308.1	744.1	Blanket Bay	Accept in Part	Designation #239 – Recreation Reserve (Aerodrome)
FS1309.1	314.1	The Alpine Group	Reject	Designation #429 - Luggate Closed Landfill
FS1316.90	632.90	Harris-Wingrove Trust	Reject	Designation #567 Jacks Point Station
FS1341.27	719.157	Real Journeys Limited	Accept in Part	Part 1 General Submissions
FS1345.7	744.1	Skydive Queenstown Limited	Accept in Part	Designation #239 – Recreation Reserve (Aerodrome)