

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF the Queenstown Lakes Proposed District Plan
Chapter 15 (Local Shopping Centre Zone)
Chapter 17 (Airport Mixed Use Zone)

STATEMENT OF EVIDENCE OF JOHN CLIFFORD KYLE

(Submitter 433 and Further Submitter 1340)

18 NOVEMBER 2016

Lane Neave
Level 1, 2 Memorial Street
PO Box 701
Queenstown
Solicitor Acting: Rebecca Wolt
Phone: 03 409 0321
Email: rebecca.wolt@laneneave.co.nz
Fax: 03 409 0322

Mitchell Daysh
Level 2, 286 Princes Street
PO Box 489
Dunedin
John Kyle
Phone: 03 477 7884
Email: john.kyle@mitchelldaysh.co.nz

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1. INTRODUCTION

QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is John Kyle. I am a founding director of the firm Mitchell Daysh Limited.
- 1.2 My qualifications and experience are set out in paragraphs 1.1 to 1.6 of my statement of evidence for Hearing Stream 1B of the Proposed Queenstown Lakes District Plan (“PDP”), dated 29 February 2016.
- 1.3 I confirm my obligations in terms of the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

2. SCOPE OF EVIDENCE

- 2.1 This hearing specifically relates to the following chapters of the PDP:
- (a) Chapter 12 (Queenstown Town Centre);
 - (b) Chapter 13 (Wanaka Town Centre);
 - (c) Chapter 14 (Arrowtown Town Centre);
 - (d) Chapter 15 (Local Shopping Centre Zone);
 - (e) Chapter 16 (Business Mixed Use Zone); and,
 - (f) Chapter 17 (Airport Zone) of the PDP.
- 2.2 The Queenstown Airport Corporation (“QAC”) filed submissions and further submissions with respect to Chapters 15 and 17.
- 2.3 By way of summary, in this statement of evidence I will:
- Provide an overview of Queenstown and Wanaka Airports;

- Set out the regional and district level policy framework that relates to airports;
- Provide an evaluation of the appropriateness or otherwise of the notified Chapter 17 provisions insofar as they relate to Queenstown Airport;
- Provide an evaluation of the proposed new provisions relating to Wanaka Airport;
- Provide an evaluation of the Local Shopping Centre Zone, insofar as it relates to implementing the land use management approach established via Plan Change 35.

2.4 Given the number of submission points made by QAC with respect to Chapters 15 and 17, this evidence only considers the key matters in QAC's submission. My comments and recommendations with respect to QAC's remaining submissions are set out in **Appendix A**. Where I have suggested changes to the provisions contained in the section 42A report, a further section 32AA evaluation commensurate with the significance of the change is also provided.

2.5 I have also attached, as **Appendix B**, a marked up set of my recommended changes to the Chapter 15 and 17 provisions.

DOCUMENTS REVIEWED

2.6 In preparing this brief of evidence, I confirm that I have read and reviewed:

- (a) The relevant chapters of the PDP as notified, including the associated section 32 evaluations;
- (b) QAC's submissions and further submissions on the PDP;
- (c) The relevant submissions and further submissions;¹
- (d) The section 42A reports prepared for Chapters 15 and 17 (dated 2 November 2016);

¹ Submission 19, 116, 238, 271, 383, 768 and 807 and further submissions 1077, 1097, 1117, 1340.

- (e) The evidence of Dr Chiles and Mr Heath for the Council (dated 2 November 2016);
- (f) The evidence of Ms Tregidga and Mr Day (dated 18 November 2016);
- (g) The evidence of Ms O’Sullivan relating to Hearing Stream 2 (dated 20 April 2016) and Hearing Stream 5 (2 September 2016);
- (h) The relevant sections of the operative and proposed Regional Policy Statement for Otago (the “Operative RPS” and the “Proposed RPS” respectively);

3. BACKGROUND CONTEXT

QUEENSTOWN AND WANAKA AIRPORTS

- 3.1 I have described the history of Queenstown and Wanaka Airports, the important role they play in the district, and the planning framework within which they operate in my statement of evidence for Hearing Stream 1B (dated 29th February 2016). Evidence for QAC was also presented at this same hearing by Mr Mark Edghill, who was then the acting Chief Executive of QAC.
- 3.2 Ms Rachel Tregidga, General Manager Property at QAC, has provided an overview of the master planning work that is currently underway and an update on passenger growth and projections since February of this year. Both of these statements of evidence provide the contextual basis for some of the opinions I express.

NATIONAL AND REGIONAL SIGNIFICANCE OF QUEENSTOWN AIRPORT

- 3.3 Queenstown Airport is an important gateway to the Queenstown Lakes District and the wider region. As set out in the evidence of Mr Edghill, Queenstown Airport is one of the fastest growing airports in New Zealand and the fourth busiest by passenger numbers. The Airport serves as the primary port for domestic and international visitors to the lower South

Island and facilitates economic activity in both the local and regional economies.²

3.4 In 2013, Market Economics Limited undertook an economic evaluation of Queenstown Airport and the proposed zoning for the airport land.³ A copy of this evaluation is appended to the section 32 evaluation as Attachment 2.

3.5 A summary of the key finding of this report is provided in paragraphs 4.2 to 4.8 of my statement of evidence for Stream 1B. To provide context to the discussion that follows, I wish to highlight the following key points from my earlier evidence:

- (a) More than a third of the local Queenstown Lakes District economy is based on tourism and around half of all employment is related to the tourism sector;⁴
- (b) Queenstown Airport facilitates tourism spending (value-added) of between \$592 and \$638 million and sustains between 14,855 and 15,948 jobs.⁵
- (c) Over the previous 12 month period ending October 2016, Queenstown Airport accommodated in excess of 1.74million passengers.⁶ Recent growth projections have indicated that passenger growth is set to continue, with 2.5 million passengers projected by 2025. ⁷

² Paragraph 3.1 to 3.5, Statement of Evidence of Mark Edghill, Hearing Stream 1B, dated 29 February 2016.

³ Market Economics Limited "*Queenstown Airport Mixed Use Zone, Economic Assessment*" November 2014.

⁴ Paragraph 4.2, Statement of Evidence of John Kyle, Hearing Stream 1B, dated 29th February 2016.

⁵ Refer to section 2.2 of the Market Economics Limited Evaluation "*Queenstown Airport Mixed Use Zone, Economic Assessment*" November 2014.

⁶ Paragraph 13, Statement of Evidence of Rachel Tregidga, Hearing Stream 8, dated 18 November 2016.

⁷ Paragraph 4.4, Statement of Evidence of John Kyle, Hearing Stream 1B, dated 29th February 2016.

- (d) The estimated total tourism spend facilitated by Queenstown Airport by 2037 is forecast to be between \$1.1bn and \$1.4bn.⁸ This number is likely to be significantly greater given the Airport's most recent growth protections.

3.6 Quite clearly, the role of Queenstown Airport in providing for economic and social wellbeing of the community, on a district, regional and national scale is significant both now and in to the future.

4. RELEVANT REGIONAL AND DISTRICT POLICY

4.1 For the convenience of the panel, I have attached as **Appendix C**, a copy of the relevant provisions referred to in the following discussion.

REGIONAL POLICY STATEMENT

Operative RPS

- 4.2 Chapter 9 of the Operative RPS addresses resource management issues relating to Otago's built environment.
- 4.3 In summary, Objective 9.4.2 seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of the region's people and communities.
- 4.4 Policy 9.5.2 seeks to promote and encourage efficiency in the development and use of infrastructure. This is proposed through encouraging development that maximises the use of existing infrastructure, promotes co-ordination amongst network utility operators, and avoids or mitigates the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.
- 4.5 Policy 9.5.3 is also of particular relevance. It seeks to promote and encourage the sustainable management of Otago's transport network.

⁸ Refer to paragraph 4.4, Statement of Evidence of John Kyle, Hearing Stream 1B, dated 29th February 2016.

This includes promoting the protection of transport infrastructure from the adverse effects of land use activities.

Proposed RPS

- 4.6 On 1st October 2016, the Otago Regional Council notified decisions on the Proposed RPS. The appeal period closes on 9th December 2016. The following discussion addresses the provisions of the Proposed RPS, as set out in the Regional Council's decision on submissions dated 1st October 2016.
- 4.7 Chapter 4 of the Proposed RPS seeks to ensure that Otago's communities are resilient, safe and healthy. Of particular relevance are Policies 4.3.1 and 4.3.2.
- 4.8 Policy 4.3.1 seeks to ensure the infrastructure is managed *"to achieve all of the following:*
- (a) *Maintaining or enhancing the health and safety of the community;*
 - (b) *Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative effects;*
 - (c) *Supporting economic, social and community activities;*
 - (d) *Improving efficiency of use of natural resources;*
 - (e) *Protecting infrastructure corridors for infrastructure needs, now and for the future;*
 - (f) *Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazards;*
 - (g) *Protecting the functional and operational requirements of lifeline utilities and essential or emergency services."*
- 4.9 Policy 4.3.2 is also a key policy as it seeks to *"recognise the national and regional significance of all of the following infrastructure:*

- (a) *Renewable electricity generation activities, where they supply the national electricity grid and local distribution network;*
- (b) *Electricity transmission infrastructure;*
- (c) *Telecommunication and radiocommunication facilities;*
- (d) *Roads classified as being of national or regional importance;*
- (e) *Ports and airports and associated navigation infrastructure;*
- (f) *Defence facilities*
- (g) *Structures for transport by rail.”*

4.10 Policy 4.3.4 is also of particular relevance to this hearing, as it seeks to “*Protect infrastructure of national or regional significance, by all of the following:*

- (a) *Restricting the establishment of activities that may result in reverse sensitivity effects;*
- (b) *Avoiding significant adverse effects on the functional needs of such infrastructure;*
- (c) *Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure;*
- (d) *Protecting infrastructure corridors from sensitive activities, now and for the future.”*

Operative and Proposed RPS Summary

4.11 The Operative and Proposed RPS include specific policy recognition of infrastructure such as Queenstown and Wanaka Airports and acknowledge their importance in providing for the social, economic and cultural wellbeing of people and communities.

4.12 Policies also seek to avoid the establishment of activities that may give rise to adverse reverse sensitivity effects on infrastructure.

PROPOSED DISTRICT PLAN

- 4.13 The purpose of Chapter 3 of the PDP is to set the over-arching strategic direction for the management of growth, land use and development in the Queenstown Lakes District.
- 4.14 Enhancing the mixed-use function of the Frankton commercial area is the focus of Objective 3.2.1.2⁹. Specifically, Objective 3.2.1.2 seeks to ensure that the mixed-use function of the Frankton commercial area is enhanced, with better transport and urban design integration between Remarkables Park, Queenstown Airport, Five Mile and Frankton Corner.
- 4.15 Policy 3.2.1.2.1 seeks to provide a planning framework for the Frankton commercial area that facilitates integrated development of various mixed use development nodes.
- 4.16 Policy 3.2.1.2.4 specifically recognises Queenstown Airport’s contribution to the prosperity and economic resilience of the District.
- 4.17 Objective 3.2.1.4 aims to ensure that the significant socioeconomic benefits of tourism activities across the District are provided for and enabled.
- 4.18 Policy 3.2.1.2.4 of the PDP seeks to “*recognise that Queenstown Airport makes an essential contribution to the prosperity and economic resilience of the District*”.¹⁰
- 4.19 The efficient and effective operation, maintenance, development and upgrading of the District’s existing infrastructure is the primary focus of Objective 3.2.8.1, as is the provision for new infrastructure which provides for community wellbeing. Policy 3.2.8.1.1 gives effect to this objective, by ensuring that the efficient and effective operation of infrastructure is safeguarded and not compromised by incompatible development.

⁹ QLDC Right of Reply for Chapter 3, dated 9 April 2016.

¹⁰ Policy 3.2.1.2.4 of the QLDC’s Right of Reply for Chapters 3 and 4 of the PDP, dated 9 April 2016.

SUMMARY OF PROPOSED DISTRICT PLAN PROVISIONS

- 4.20 The strategic provisions of the PDP recognise that Queenstown and Wanaka Airports are of a scale and significance to the District such that they warrant specific recognition in the PDP. This is acknowledged within the Council's right of reply for Hearing Stream 1B¹¹

5. CHAPTER 17 AIRPORT ZONE - QUEENSTOWN

RATIONALE FOR REZONING QUEENSTOWN AIRPORT

- 5.1 In my experience with airport planning, in recent decades the use of aerodromes or airports has evolved well beyond the provision of traditional 'runways and terminals'. Modern airports are highly sophisticated and dynamic land uses which legitimately encompass a broad range of activities in order to provide for the needs and demands of aircraft passengers, crew, ground staff, airport workers and those that meet and greet travelers.
- 5.2 Modern airports often also provide for a range of industrial or logistical land uses as such uses either provide direct servicing to the aviation industry, or feed directly off it.
- 5.3 Moreover, it is becoming increasingly important for airport operators to retain sufficient flexibility to properly enable forward planning and development necessary to respond to changing demands that arise at a modern airport.
- 5.4 Despite being a modern airport where passenger demand is outstripping airport capacity, Queenstown Airport is currently subject to an outdated and antiquated land use zone in the Operative Queenstown Lakes District Plan ("Operative District Plan").
- 5.5 Queenstown Airport is currently subject to two different land use zones. The airport terminal building area, car park, general aviation precinct and apron area are currently zoned for "Queenstown Airport Mixed Use

¹¹ Paragraph 4.5 of the QLDC's Right of Reply for Chapters 3 and 4 of the PDP, dated 9 April 2016.

Zone” purposes. Within this zone, many of the activities that would be expected to support a modern airport are discretionary¹², non-complying¹³ or even prohibited¹⁴ activities.

- 5.6 The remainder of Queenstown Airport is zoned Rural General. When visiting Queenstown Airport, it is evident that there is very little about the current land use activities being undertaken that make the operative Rural General zoning appropriate. Furthermore, “airports” are a discretionary activity in the Rural General zone. In my opinion, this represents a clear misalignment between the operative land use zoning and the activities actually occurring on the ground.

Proposed District Plan Zone

- 5.7 Under the PDP, all of the land currently owned by QAC and subject to the Aerodrome Purposes Designation is proposed to be zoned for “Airport Zone” purposes. Existing areas of Airport zoned land located along Lucas Place will also retain this land use zoning.
- 5.8 In my view, the PDP’s approach in this respect properly recognises that all of the airport (not only the terminal building area) is a significant facilitator of international, national and interregional transportation and that the airport is a generator of economic benefits which contribute to the prosperity and economic resilience of the District, and at a broader level, the nation.
- 5.9 Furthermore, I understand that the current land use zoning over Queenstown Airport has not been reviewed since the District Plan was made operative (in part) in October 2003. The zoning itself was first set down when the Operative District Plan was first notified in 1995. Since this time, there have been vast and fast moving changes in the aviation sector and Queenstown Airport has experienced a rapid period of growth. In my view, it is therefore appropriate to recognise and provide

¹² For example, industrial activities (Rule 6.2.3.3(ii) of the Operative Plan).

¹³ For example, conference facilities and commercial activities (Rule 6.2.3.4(i) and (ii) of the Operative Plan).

¹⁴ For example, visitor accommodation (Rule 6.2.3.5(ii) of the Operative Plan).

for this dynamic environment by way of specific land use zoning which facilitates the most appropriate use of airport land and ensures that the airport can accommodate all anticipated services and demands in the future within appropriate limits. The approach adopted is very similar to that adopted for a number of other key airports in New Zealand, including Auckland and Wellington.

- 5.10 The proposed extension to the Airport Zone will also overcome consenting inefficiencies created by a land use zone that does not reasonably anticipate or provide for the range of activities enabled by the designation. As the designation only enables projects or works carried out by the requiring authority, it will provide greater certainty of outcome for third parties who undertake airport related activities and cannot rely on the use of the designation.

AIRPORT AND AIRPORT RELATED ACTIVITIES – DEFINITION

- 5.11 The Airport Zone introduces two new definitions into the District Plan: Airport Activity – Queenstown Airport and Airport Related Activity – Queenstown Airport.
- 5.12 These definitions are important to the interpretation of the objectives, policies and rules contained in Chapter 17.

Airport Activity – Queenstown Airport

- 5.13 Queenstown Airport is currently designated for Aerodrome Purposes. A detailed overview of the Aerodrome Purposes Designation (Designation 2) is set out in my statement of evidence for Hearing Stream 7 (dated 6 October 2016). In summary, the stated purpose of the Aerodrome Purposes Designation is to:

“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.”

5.14 The following activities are proposed to be authorised by Conditions 1(a) to (c) of the Aerodrome Purposes Designation:¹⁵

- (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 fueling facilities, facilities for the handling and storage of hazardous substances, and associated offices.*

5.15 The notified definition of “Airport Activities – Queenstown Airport” accords with these elements of QAC’s designation.¹⁶

5.16 In my view, it is necessary for the zone to provide for the range of aviation operations that occur at Queenstown Airport. This definition is sufficiently comprehensive to cover those activities. Furthermore, it is important that there is consistency between the airport activities enabled by the zone and by the designation.

Airport related activities

5.17 Airport related activities are defined in the PDP as:

“... any ancillary activity or service that provides support to the airport. This includes, but is not limited to land transport activities, buildings and structures, servicing and infrastructure, police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose, retail and commercial services, industry and visitor accommodation associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses.”

¹⁵ As per QAC’s NOR to modify the Aerodrome Purposes Designation, dated 30 March 2015.

¹⁶ As proposed to be modified by the NOR described above.

- 5.18 As set out in my evidence relating to Hearing Stream 7 (Designations), in my view it is appropriate for modern airports to provide for a broad range of activities to support and complement airport operations.¹⁷
- 5.19 As noted in paragraphs 5.1 to 5.3, modern 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 travelers. They also need to be adaptable to respond to technological advances and growth in the aviation sector. Focus is also increasingly being placed on improving airport revenue to offset operational costs.
- 5.20 It is therefore necessary, in my opinion, for a broad range of activities to be enabled at Queenstown Airport, provided the activities are ancillary to or complement the primary purpose of the Airport.

QUEENSTOWN AIRPORT - OBJECTIVES AND POLICIES

Objective 17.2.1

- 5.21 Objective 17.2.1 of the PDP (as notified) acknowledges that Queenstown Airport comprises nationally significant infrastructure which generates economic, social and cultural benefits on both a regional and national scale. QAC filed a submission in support of this objective as notified.¹⁸
- 5.22 The section 42A reporting officer has recommended retaining Objective 17.2.1, subject to the following amendment:¹⁹

Queenstown Airport is recognised as nationally significant infrastructure and a generator of nationally and regionally significant economic, social and cultural benefits.

¹⁷ Paragraphs 4.14 to 4.18, Statement of Evidence of John Kyle, Hearing Stream 7, dated 7 October 2016.

¹⁸ Submission 433.69.

¹⁹ Refer to paragraphs 7.18 to 7.20 of the section 42A report for Chapter 17, dated 2 November 2016.

- 5.23 In my view, this objective assists in giving effect to Policy 4.3.1(c) and 4.3.2(e) of the Proposed RPS. The objective also gives effect to Objective 3.2.1.4 and Policy 3.2.1.2.4 of the PDP.

Policy 17.2.1.1

- 5.24 Policy 17.2.1.1 (as notified) provides the policy framework for enabling a broad range of airport activities at Queenstown Airport. Rule 17.4.1 further recognises that such activities are already common place at the airport and therefore provides for them as a permitted activity.
- 5.25 QAC filed submissions in support of the above-mentioned provisions as notified.²⁰
- 5.26 The section 42A reporting officer has recommended some drafting amendments to Policy 17.2.1.1. The section 42A reporting officer considers that these amendments improve clarity and do not change the intent of the policy.²¹ In my opinion, the notified policy provides greater clarity than that suggested by the section 42A reporting officer. Having said that, I suggest, the original policy should be refined to read:

Provide for those aviation activities ~~airport activities~~ necessary to enable Queenstown Airport to operate in a safe and efficient manner.

- 5.27 I consider that the above drafting is more appropriate as it uses terms defined in the PDP and removes the requirement for airport activities to be 'necessary' to enable the Airport to operate in a safe and efficient manner.

Policy 17.2.1.2

- 5.28 Policy 17.2.1.2 (as notified) seeks to provide for a range of airport related service, business, industrial and commercial activities to support or complement the functioning of Queenstown Airport. Associated Rule 17.4.1 is the corresponding method that gives effect to this policy.

²⁰ Submission 433.69.

²¹ Refer to paragraph 7.27 of the section 42A report for Chapter 17, dated 2 November 2016.

- 5.29 QAC filed a submission in support of the above-mentioned provisions.²² The section 42A reporting officer has recommended that these provisions be retained in the PDP as notified.
- 5.30 On a strict interpretation of the policy, I consider that Policy 17.3.1.2 could be interpreted as only enabling airport related service, business, industrial and commercial activities that supports or complements the functioning of Queenstown Airport. The definition of “airport related activity” is broader than just service, business, industrial and commercial activities however. For example, it also includes police stations, fire stations, medical facilities, educational facilities and visitor accommodation. I suspect it was not the intent of the Council to constrain this policy to the four activities listed. This is evident in my view, from the tenor of the section 32 evaluation and the range of activities that are permitted under Rule 17.4.1.
- 5.31 In my view, it would be more appropriate for Policy 17.2.1.2 to be drafted as follows:

Provide for a range of airport related ~~service, business, industrial and commercial activity~~ activities to support or complement the functioning of Queenstown Airport.

- 5.32 My redrafted policy directly addresses Rule 17.4.1.

Policy 17.2.1.3

- 5.33 Policy 17.2.1.3 (as notified) seeks to zone sufficient land to meet the foreseeable future requirements of activities that support or complement the functioning of Queenstown Airport.
- 5.34 QAC filed a further submission in support of this policy.²³ The section 42A reporting officer has recommended retaining this policy as notified.

²² Submission 433.69. I note no submission number has been allocated for QAC’s submission regarding the rules contained in Rule 17.4.

²³ Submission 433.69.

5.35 In my view, this policy is appropriate as it recognises that there is an increasingly limited land resource at Queenstown Airport. It also supports the rezoning of QAC's current landholdings from Rural General to Airport Zone purposes.

Policy 17.2.1.4

5.36 In response to a submission received by the Otago Regional Council, the section 42A reporting officer has recommended the inclusion of the following new policy (Policy 17.2.1.4):²⁴

Promote the use of walking, cycling and public transport services and infrastructure to support or complement the functioning of Queenstown Airport.

5.37 QAC lodged a further submission in support of Otago Regional Council's submission.²⁵ Whilst I agree that such a policy serves a broadly useful purpose, I suggest that Chapter 14²⁶ of the Operative Plan already seeks to achieve outcomes similar to those set out in the suggested policy. I also suggest that there are practical difficulties with implementing some elements of this policy. Most visitors to airports, particularly those travelling, or "meeters and greeters" will have a need to account for the conveyance of luggage, meaning that the practicality of cycling or walking is likely to be limiting. Of course, those that work at the airport might be encouraged to use such means to travel to and from work. However as currently drafted, I hold the view that Policy 17.2.1.4 has limited utility, and emulates matters already covered in Chapter 14 of the Operative Plan.

Objective 17.2.3 and Policies 17.2.3.1 and 17.2.3.2

5.38 Objective 17.2.3²⁷ and associated Policies 17.2.3.1²⁸ and 17.2.3.2²⁹ (as notified) are primarily concerned with providing for requirements of the

²⁴ Paragraphs 7.21 to 7.23 of the section 42A report for Chapter 17, dated 2 November 2016.

²⁵ Further submission 1340.32.

²⁶ Objective 6, Policy 6.1, Objective 7 and Policies 7.1 to 7.5 of the Operative Plan.

²⁷ Objective 17.2.3 states: Provision for the requirements of Queenstown and Wanaka Airports is balanced with achieving an acceptable level of amenity for those using the airports and those residing on neighbouring land.

Airport, whilst achieving an acceptable level of amenity for those people using or residing on neighbouring land.

- 5.39 QAC submitted in support of these provisions.³⁰ The section 42A reporting officer has recommended retaining the provisions as notified.
- 5.40 Objective 17.2.3 and the associated policies have regard to the matters set out in sections 7(b) and 7(c) of the Resource Management Act 1991 (“the Act”).

Policy 17.2.2.3

- 5.41 Policy 17.2.2.3 (as notified) seeks to avoid the establishment of activities that are incompatible with the ongoing operation and functioning of Queenstown Airport. I understand that Rules 17.4.2 and 17.4.3 to 17.4.9 (as notified) are the primary methods for achieving this policy.
- 5.42 QAC submitted in support of this policy.³¹ Subject to a minor amendment, the section 42A reporting officer has recommended retaining this policy.³²
- 5.43 This policy is appropriate as it establishes the policy necessary to guide methods for avoiding the adverse reverse sensitivity effects and the intensification of non-airport related activities that might compromise the limited land resource currently available at Queenstown Airport. The policy also gives effect to Policy 4.3.4 of the Proposed RPS and Policy 3.2.8.1.1 of the PDP.

RULES

- 5.44 Rule 17.4.1 (as notified) provides for airport, airport related and farming activities as a permitted activity.

²⁸ Policy 17.2.3.1 states: Maintain Queenstown Airport as a memorable and attractive gateway to the District.

²⁹ Policy 17.2.3.2 states: Manage adverse effects on amenity values arising from the on-going development, use and maintenance of Queenstown and Wanaka Airports

³⁰ Submission 433.69.

³¹ Submission 433.69.

³² Refer to paragraphs 7.35 to 7.48 of the section 42A report for Chapter 17, dated 2 November 2016.

- 5.45 Rules 17.4.3 to 17.4.9 (as notified) prohibit a range of activities that are considered incompatible with Airport Zones. These activities are generally consistent with the prohibited activities in the Operative Plan.³³
- 5.46 Any activity that is not permitted under Rule 17.4.1 or prohibited under Rules 17.4.3 to 17.4.9 is a restricted discretionary activity.
- 5.47 As described in paragraphs 5.11 to 5.16, I consider the range of activities provided for by the definition of airport and airport related activity to be appropriate. I also consider that it is appropriate to prohibit activities that are incompatible with airport activities, as described in paragraphs 5.38 to 5.40.
- 5.48 In the following section, I further elaborate on appropriateness of farming, buildings and visitor accommodation within the Airport Zone.

Farming

- 5.49 As notified, Rule 17.4.1 permits “farming activities”. Farming activities are defined in the PDP as “*the use of land and buildings for the primary purpose of the production of vegetative matters and/or commercial livestock” (my emphasis added).*
- 5.50 The grazing of animals and the keeping of livestock is an existing land use management practice that occurs within QAC’s current landholding, albeit to a very minor extent. On a strict interpretation, it is unlikely that these activities could be described as being for the primary purpose of producing vegetative matter or commercial livestock. I note however, that the PDP defines domestic livestock as follows:

“Means the keeping of livestock, excluding that which is for the purpose of commercial gain.

- *In all Zones, other than the Rural General, Rural Lifestyle and Rural Residential Zones, it is limited to 5 adult poultry, and does not include adult roosters; and*

³³ Rule 6.2.3.5(i), (iii), (vii), (viii), (ix) and (x) of the Operative District Plan.

- *In the Rural General, Rural Lifestyle and Rural Residential Zones it includes any number of livestock bred, reared and/or kept on a property in a Rural Zone for family consumption, as pets, or for hobby purposes and from which no financial gain is derived, except that in the Rural Residential Zone it is limited to only one adult rooster per site.*

Note: Domestic livestock not complying with this definition shall be deemed to be commercial livestock and a farming activity as defined by the Plan.

- 5.51 The grazing activities undertaken on QAC's landholdings are therefore deemed to be commercial livestock and a farming activity in accordance with this definition. QAC's existing 'farming' activities are therefore provided for by Rule 17.4.1. The subtle interlinkages between these definitions appears to have been missed by the section 42A reporting officer and demonstrates in my opinion, that the definition of farming activity could benefit from an advice note directing plan users to the definition of domestic livestock.
- 5.52 Despite the notified chapter providing for farming activities as a permitted activity, there does not appear to be any policy framework to support this activity status. In my view, either a new policy should be inserted into the PDP that addresses this issue, or alternatively, farming could be inserted into the definition of an "airport related activity" (and thus the relevant airport related activity policies would apply). While I acknowledge that the latter approach would constrain farming activities to those that are ancillary activity that supports the airport, based on my observations the land use activities occurring within the zone tend to be characterised by urban rather than rural land use activities on all landholdings other than those owned by QAC.

Buildings

- 5.53 Subject to compliance with the relevant zone standards, buildings are permitted in the Airport Zone under Rule 17.4.1 (as notified).
- 5.54 Following the hearing for the Aerodrome Purposes Designation (Hearing Stream 7), I recommended that some additional conditions be included in

Aerodrome Purposes Designation to address the potential effects arising from buildings developed on the designated land.

- 5.55 In reality, the bulk and location effects arising as a result of new buildings within the zone are the same whether they are undertaken by QAC as the requiring authority or by a third party. I therefore hold the view that the designation and zone provisions should be aligned in this regard. As a result, I therefore consider that buildings within the Airport Zone should require resource consent as a controlled activity. Matters of control would emulate those matters suggested to the Commissioner for Hearing Stream 7 (Designations) to manage the effects of buildings. I have included some suggested text in **Appendix B** attached.
- 5.56 I note that buildings in the Airport Zone are controlled under the Operative Plan³⁴. Therefore, this approach is no more onerous than the current situation.

Visitor Accommodation

- 5.57 In recent years, there has been a shift towards providing visitor accommodation at airports that are specifically directed at the needs of passengers and crew on early morning/late evening flights. As a result, a range of visitor accommodation options are now available at all of New Zealand's major international airports, including Christchurch, Wellington and Auckland. These are typically located on or within a short walking distance from the main airport campus. I understand that a new hotel currently under construction at Wellington Airport goes a step further, and will be integrated with the main terminal building.
- 5.58 Visitor accommodation within the Airport Zone is currently prohibited in the Operative Plan. I understand however, that expert opinions have evolved over the past decade with visitor accommodation now considered appropriate land uses in airport environments under a specific set of circumstances.

³⁴ Rule 6.2.3.2(i) of the Operative District Plan.

- 5.59 As described by Mr Day, in order to avoid the potential adverse amenity effects of guests staying at visitor accommodation located within the Airport Zone, the duration of stay would need to be restricted to a maximum of two nights. Mr Day also considers that any outdoor amenity space should be restricted and that any building containing visitor accommodation should achieve an indoor design sound level of 30dBA for all critical listening environments.
- 5.60 Based on the evidence of Ms Tregidga, I understand that there is a demand for short stay accommodation within close proximity to the airport. Specifically, during busy periods when flights are delayed and/or cancelled, it is often difficult for passengers to find overnight accommodation at short notice and within a reasonable price point. On occasions, this has resulted in QAC leaving the terminal open overnight to allow passengers to spend the night at the airport.
- 5.61 Taking into account the evidence of Mr Day and Ms Tregidga, I consider that it would be appropriate to provide for short stay visitor accommodation of up to three nights within the zone. In my opinion, this would appropriately constrain the duration that visitors/guests are exposed to the effects of aircraft noise, whilst also addressing the shortage of accommodation.
- 5.62 I therefore propose that in addition to the notified acoustic treatment requirements for visitor accommodation, the following additional development standards should be applied:

Rule 17.5.7.3 The maximum length of stay for any visitor / guest shall be three nights;

17.5.7.4 No outdoor amenity spaces shall be provided.

QUEENSTOWN AIRPORT - DEVELOPMENT STANDARDS

- 5.63 Rule 17. 5 (as notified) sets out the development standards for the zone (insofar as it relates to Queenstown Airport). These standards place restrictions on the scale and intensity of activities within the zone.

Built Form Standards

- 5.64 As noted previously, the Airport Zone has not been properly reviewed since 1995. In the intervening period, changes to the surrounding land use zones have occurred (including Frankton Flats A, Frankton Flats B and Remarkables Park) which have resulted in inconsistencies in the built form anticipated at the Airport and in the surrounding zones. Attached as **Appendix D** is a table which compares the built form outcomes (in terms of height and setback) for the different land use zones across Frankton Flats. This is the same table as was presented at Hearing Stream 7.
- 5.65 In my view, the proposed amendments to the built form standards will create greater consistency between the various land use zones on Frankton Flats and will also provide for the efficient use of what is an increasingly limited land resource at Queenstown Airport. Edge effects will be appropriately managed by requiring buildings to obtain consent to a controlled activity, with the matters of control being those shown in **Appendix B** attached.
- 5.66 I therefore support the proposed amendments to the built form standards (Rules 17.5.1 to 17.5.4 as notified).

Building Design and Glare

- 5.67 Rule 17.5.5 (as notified) relates to the exterior colour of landside buildings. Rules 17.5.5.2 and 17.5.5.3 relate to lighting.
- 5.68 I do not have any issue with these rules in principle and note they are similar to the operative zone provisions³⁵. The matters of discretion however, do not appear to relate to the effects of the development standard being breached. I have suggested three new matters of discretion, as set out in **Appendix B** attached, to address this issue.

³⁵ Development Standard 6.2.5.2 (ii) of the Operative District Plan

Maximum Noise – Land Based Activity

- 5.69 As notified, there is a duplication in the PDP noise standards for Queenstown Airport. Specifically, noise is addressed in Rule 17.5.6 of Chapter 17 (as notified) as well as Rules 36.5.2 and 36.5.5 of Chapter 36 (as notified). QAC filed submissions with respect to this matter, seeking that the Chapter 17 provisions be retained and relocated to Chapter 36.³⁶ QAC also sought to rectify the inconsistencies between the two sets of noise rules.
- 5.70 On review of the Right of Reply for Chapter 36 (dated 22 September 2016), I note that:
- (a) Rule 36.5.15 is akin to Rule 17.5.6.1³⁷;
 - (b) Proposed Rule 36.3.2.8 is the same as Rule 17.5.6.2; and,
 - (c) Proposed Rule 36.5.13 is the same as Rule 17.5.6.3.
- 5.71 With respect to Rule 36.5.15 (of the Right of Reply) and Rule 17.5.6.1, I understand that there are currently two sets of limits for noise received in the Residential and Rural Zone. This is best demonstrated by Tables 1 and 2 below.

Table 1: Zone noise is received in and the associated noise limits (Rules 36.5.1 and 36.5.2 of the Chapter 36 Right of Reply).

Zone sound is received in	Assessment Location	Time	Noise limits
Rural Zone	Any point within the notional boundary of a residential unit.	0800h to 2000h	50dB L _{Aeq} (15mins)
		2000h to 0800h	40L _{Aeq} (15mins)
Low Density Residential Zone	Any point within the site.	0800h to 2000h	50dB L _{Aeq} (15mins)
		2000h to 0800h	40L _{Aeq} (15mins)

³⁶ Submission 433.71 and 433.113.

³⁷ Chapter 17 applies a L_{AFmax} of 70dB whereas Chapter 36 applies a L_{AFmax} of 75dB.

Table 2: Noise limits for land based activities at Queenstown Airport (Rule 36.5.15 of the Right of Reply for Queenstown Airport).

Zone sound is received in	Assessment Location	Time	Noise limits
Sound from the Airport Zone received in the Residential, Remarkables Park and Rural Zone, excluding sound from aircraft operations.	At any point within the Residential Zone and at any point with the notional boundary in the Rural Zone.	0800h to 2000h	50dB L _{Aeq} (15mins)
		2000h to 0800h	40L _{Aeq} (15mins)

- 5.72 Therefore, despite the receiving zone being the same (i.e. the Rural or Residential Zone), a 5dB L_{Aeq} difference applies depending on the source of the noise generating activity. Different nighttime/daytime hours also apply.
- 5.73 As described by Mr Day³⁸, the residential areas surrounding the airport and/or town center zones already experience a heightened level of noise when compared to more remote residential areas. It is therefore appropriate, in Mr Day's opinion, for a higher noise limit to apply.
- 5.74 With respect to the daytime/nighttime hours specified in Rule 36.5.15, in Mr Day's opinion, the extended timeframes are consistent with those set out in the adjacent Remarkables Park Zone and more accurately reflect the operational hours of Queenstown Airport.
- 5.75 On the basis of Mr Day's evidence, I agree that it is appropriate for different noise limits and nighttime/daytime hours to apply at Queenstown Airport. I agree with the noise limits proposed in Chapter 36³⁹ and agree with the recommendation of the section 42A reporting officer that Rule 17.5.6 can and should be deleted.

³⁸ Paragraph 28, Statement of Evidence of Mr Day, Hearing Stream 8, dated 18 November 2016.

³⁹ QLDC's Right of Reply for Chapter 36, dated 22 September 2016.

- 5.76 For completeness, I note that an assessment location noise received in the Remarkables Park Zone appears to have been omitted from Rule 36.5.15 (of the Right of Reply) and should be included.

NON-REGULATORY METHODS

- 5.77 Section 17.3 of the PDP relates to non-regulatory methods. Specifically, it promotes good urban design practices and sets out that QAC will adopt best practice urban design principles. Ms Tregidga has provided an update with respect to the development of these principles.
- 5.78 In my view, the use of urban design principles as a non-regulatory tool is appropriate as it will encourage QAC (as the primary landowner in the zone) to undertake development in a coordinated and considered manner. This is consistent with the QAC's goal to provide a visitor experience that is memorable for many years to come. Furthermore, the non-statutory approach is appropriate, as it recognises that changes in the aviation sector may necessitate changes to the guidelines in a way that is more agile than if they were included in the District Plan

6. CHAPTER 17 AIRPORT ZONE - WANAKA AIRPORT

DEVELOPMENT OF THE WANAKA AIRPORT ZONE

- 6.1 Wanaka Airport is currently zoned for Rural General purposes under the Operative Plan.
- 6.2 My colleague, Ms Kirsty O'Sullivan, has previously presented evidence with respect to the consenting inefficiencies that arise as a result of this land use zoning and has presented examples of land use activities that are wholly consistent with what might be expected at the airport requiring resource consent for a discretionary or even non-complying activity.⁴⁰ Ms O'Sullivan also provided examples of activities that had been authorised at Wanaka Airport under section 176A of the Act, despite the activities not being undertaken by or on behalf of the requiring authority.

⁴⁰ Refer to paragraphs 5.1 to 5.14 of the Statement of Evidence of Kirsty O'Sullivan for Hearing Stream 2, dated 20 April 2016.

- 6.3 Under the PDP, Wanaka Airport remains zoned for Rural purposes. As such, QAC filed a submission with respect to this matter, seeking that a bespoke set of planning provisions be inserted into the PDP that better recognises and provides for Wanaka Airport.⁴¹
- 6.4 On 23 May 2016, Ms Wolt and my colleague, Ms O’Sullivan, presented evidence regarding the resource management regime proposed for Wanaka Airport.
- 6.5 Following the close of the hearing, a Minute was issued by the Hearings Panel⁴², directing that QAC’s submissions concerning this matter be transferred to Hearing Stream 7 (now referred to as Hearing Stream 8). The Minute set out that QAC should provide the Panel with a fully drafted set of provisions (objectives, policies and rules) for its consideration. The Panel also advised that it expects that the provisions will have been discussed with the Council prior to the hearing, with a view to reaching agreement between the QAC and Council experts.
- 6.6 As noted by the section 42A reporting officer⁴³, QAC’s and QLDC’s planning experts have been working together to prepare a draft set of provisions specifically relating to Wanaka Airport. The extent to which agreement has been reached is evidenced by the scale of changes set out in **Appendix B** of my evidence.
- 6.7 There appears to be general agreement between experts that the current land use management approach at Wanaka is inappropriate. I therefore do not address the merits of providing for Wanaka Airport as part of the broader Airport Zone, but take it as accepted. My evidence therefore focuses on the specific drafting of the provisions proposed by the section 42A reporting officer.

⁴¹ Submission 433.83, 433.84 and 433.87.

⁴² Dated 16th June 2016.

⁴³ Refer to paragraph 10.5 of the section 42A report for Chapter 17, dated 2 November 2016.

SIGNIFICANCE OF WANAKA AIRPORT

- 6.8 As described by Ms Tregidga, Wanaka Airport provides a supplementary and complementary service to Queenstown Airport. It is a hub for general aviation in the District and while not currently used for scheduled aircraft operations, the airport has the appropriate infrastructure in place to accommodate such aircraft activity in the future.
- 6.9 With respect to the policy framework for Wanaka Airport, I note that the Airport is considered regionally significant infrastructure under Policy 4.3.2 of the Proposed RPS. Wanaka Airport is also defined as “regionally significant infrastructure” in the PDP. The section 42A reporting officer for Chapters 3 and 4 even states, when considering the appropriateness or otherwise of defining Wanaka Airport as regionally significant infrastructure, that *“The Queenstown and Wanaka Airports are of such a scale and significance to tourism (a major economic generator for the Otago region), that they are regionally significant.”*⁴⁴

AIRPORT AND AIRPORT RELATED ACTIVITIES – DEFINITIONS

- 6.10 QAC filed a submission seeking to include two new definitions in the PDP to provide for airport and airport related activities at Wanaka Airport.⁴⁵

Airport Activity – Wanaka Airport

- 6.11 As is the case for Queenstown, the definition of “Airport Activity – Wanaka Airport” generally accords with conditions (a) to (c) of the Aerodrome Purposes Designation (Designation 64 - Wanaka Airport). In my assessment, the definition is sufficiently comprehensive to cater for the range of airport activities currently, or likely to be carried out at Wanaka Airport.
- 6.12 Specifically, Airport Activity is defined as follows:⁴⁶

⁴⁴ Paragraph 4.5 of the QLDC’s Right of Reply for Chapters 3 and 4, dated April 2016.

⁴⁵ Submission 433.10 and 433.14.

⁴⁶ Section 42A reporting officers recommended drafting.

Means land used wholly or partly for the landing, departure, and surface movement of aircraft, including but not limited to:

- (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.*
- (b) Runways, taxiways, aprons, and other aircraft movement or safety areas.*
- (c) Terminal buildings, hangars, air traffic control facilities, flight information services, navigation and safety aids, rescue facilities, lighting, car parking, maintenance and service facilities, catering facilities, quarantine and incineration facilities, medical facilities, fuel storage and fuelling facilities, and associated offices.*

Airport related activities

- 6.13 The section 42A reporting officer has recommended that airport related activities be defined as follows:

Means any retail activity, cafes and other food and beverage facilities, administrative offices, industrial and commercial activities, provided they are ancillary to the use of the Airport. Also includes aviation schools, space research and associated activities, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation. Also includes Temporary Activities associated with Air Shows, Conferences and Meetings, and rental vehicles, valet activities, and public transport facilities. Includes Military Training Operations. Also includes grazing and the keeping of livestock for land management purposes.

- 6.14 As discussed in the context of Queenstown Airport, I consider that it is appropriate for modern airports to provide for a broad range of activity to support and complement airport operations. I acknowledge however, that the section 42A reporting officer has expressed concerns about non-airport related activities establishing at Wanaka Airport. I accept that such an outcome should be dissuaded. However, I do not agree with the method by which the section 42A reporting officer seeks to do so. I

address this matter further in paragraph 6.24 below. However, in order to address the concerns raised, I recommend the following further refinements to the definition:

Means any ancillary activity or service that provides support to the airport. This includes, ~~Means any ancillary~~ retail activity, cafes and other food and beverage facilities, administrative offices, freight facilities, industrial and commercial activities, ~~provided they are ancillary to the use of the Airport.~~ Also includes aviation schools, space research and associated activities, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation. Also includes Temporary Activities associated with Air Shows, Conferences and Meetings, and rental vehicles, valet activities, and public transport facilities. Includes Military Training Operations. ~~Also includes grazing and the keeping of livestock for land management purposes.~~ Also includes farming.

OBJECTIVES AND POLICIES – WANAKA AIRPORT

Proposed Objective 17.2.2

- 6.15 The section 42A reporting officer has recommended the following new objective:

At Wanaka Airport, Airport Activities and Airport Related Activities support the essential functioning of aviation activities.

- 6.16 In my view, this objective is problematic for a number of reasons, including:

- (a) It is not clear how the “essential functioning” of an aviation activity is measured.
- (b) The term “aviation activity” is not defined in the PDP. I note that the section 42A reporting officer has suggested the removal of this term from Policy 17.2.1.1, however has opted to use it in this objective for reasons unknown.
- (c) Arguably, few activities at Wanaka may be considered “essential”. This sets an inappropriately high threshold.

6.17 Wanaka Airport is an existing physical resource that contributes to the social and economic wellbeing of the community. I therefore consider that this objective should properly recognise this and be enabling in nature. I therefore propose the following alternative drafting for Objective 17.2.2:

Social and economic wellbeing is supported by enabling airport and airport related activities at Wanaka Airport.

6.18 In my opinion, when this objective is interpreted in the light of my refined drafting of “airport related activities”, the environmental outcomes sought by the section 42A reporting officer will be achieved.

Proposed Policy 17.2.2.1

6.19 To enable airport activities at Wanaka Airport, the section 42A reporting officer has recommended the following new policy:

Airport Activities which are core to the safe and efficient operation of Wanaka Airport are enabled and provided for.

6.20 In my view, it is not clear from this policy or the methods that follow, who or what determines an activity to be ‘core’ to the safe and efficient operation of the Airport.

6.21 I understand that a large majority of the activities undertaken at Wanaka Airport comprise aviation related recreational/tourism activities. A number of the hangars are also in private ownership/tenancy and are used by recreational aviation enthusiasts. The use of Wanaka Airport for these activities is arguably not “core” for the safe and efficient operation of the Airport. In my view, this policy should be redrafted to be more enabling towards the airport activities that occur, or may occur in the future. I recommend the following alternative drafting of Policy 17.2.2.1:

Provide for airport activities to enable Wanaka Airport to operate in a safe and efficient manner.

Proposed Policies 17.2.2.2 and 17.2.2.3

6.22 To regulate the nature and scale of airport related activities at Wanaka Airport, the section 42A reporting officer has recommended the following new policies:

Policy 17.2.2.2

Ensure land uses including Airport Related Activities have a legitimate relationship with Airport Activities and are only allowed where they are of a size (either individually or cumulatively) that

- a. is ancillary to and support part of the operation of an Airport Activity; and*
- b. do not adversely affect the key local service and employment function of Wanaka Town Centre or other commercially zoned areas within the District.*

Policy 17.2.2.3

Only allow retail and food and beverage facilities which are designed and operated and of a nature, scale and intensity to service visitors, passengers or workers engaged in or associated with Airport Activities or Airport Related Activities within the Wanaka Airport zone, and are unlikely to attract significant patronage outside of this purpose.

Policy 17.2.2.4

Ensure buildings and activities are adequately serviced with a water supply for fire-fighting purposes as well as provision of potable water, sewage treatment and disposal.

6.23 The section 42A reporting officer considers that a degree of control is required over the activities at Wanaka Airport in order to avoid adverse effects on the limited land resource. The section 42A reporting officer is also concerned about the potential effects on the viability of the Wanaka town and surrounding commercial areas.⁴⁷

⁴⁷ Refer to paragraph 10.22 of the section 42A report for Chapter 17, dated 2 November 2016.

6.24 As described in paragraph 6.14, my recommended amendments to the definition of “airport related activity” will serve to limit activities to those that are ancillary to the Airport. While the term “ancillary” is not defined in the PDP, the Oxford Dictionary defines this term as “providing the necessary support to the primary activities or operation of an organization, system.” In the light of this, I consider that the section 42A reporting officer’s policies relating the airport related activities can be appropriately consolidated as follows:

Policy 17.2.2.2

Enable a range of airport related activities provided they are ancillary to the use of the Airport, and avoid those activities that are not.

Policy 17.2.2.3

Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Wanaka Airport.

PROPOSED RULES – WANAKA AIRPORT

6.25 The section 42A reporting officer has proposed the following general rule structure for activities at Wanaka Airport:

- (a) Airport and Airport Related Activities (excluding buildings) are permitted under Rules 17.4.11 and 17.4.12;
- (b) Buildings for Airport and Airport Related Activities are controlled under Rule 17.4.13;
- (c) Signage is permitted under Rule 17.4.14;
- (d) Community Activities, limited to police stations, fire stations, medical facilities and aviation schools (provided they serve an aviation purpose) are discretionary under Rule 17.4.15;
- (e) Wholesaling of Commercial Storage Activities are non-complying under Rule 17.4.16;

- (f) Forestry, Factory Farming, Mining, activities requiring an Offensive Trade License, Residential Activity, Community Activities (except those provided for above) and Day Care facilities are prohibited.
- (g) Any activity not expressly listed in the activity table is non-complying under Rule 17.4.10.

6.26 I am not sure that there is scope to include Airport and Airport Related Activities as permitted activities, noting that QAC's submission only sought to make such activities controlled. If scope is available to make these activities permitted, I would support this approach and note that it is consistent with the approach applied at Queenstown Airport.

6.27 In the following section, I further elaborate on some of the section 42A reporting officer's recommended methods relating to buildings, community activities, wholesaling and commercial storage activities.

Buildings

6.28 The section 42A reporting officer has recommended that buildings should be a controlled activity under Rule 17.4.13.

6.29 A controlled activity status for buildings is appropriate in my opinion, as it provides the Council with a degree of control and input in to the built form outcomes, particularly along the zone interface. It would be appropriate however, to make the matters of control consistent with those set out for Queenstown Airport, with amendments as necessary to recognise the more rural setting of Wanaka Airport. I have provided suggested drafting of these provisions in **Appendix B** attached.

Community Activities

6.30 With respect to Rule 17.4.15, I do not consider that it is appropriate to make community activities, limited to police stations, fire stations, medical facilities and aviation schools a discretionary activity. These activities are provided for, directly or indirectly, via the definition of airport and airport related activity (provided they are ancillary to the primary airport activity).

In my view, these activities are legitimately expected or anticipated at airports. For example, it is common and in some cases, mandatory to have police stationed at airports (to work in with customs), to provide airport rescue fire services, search and rescue facilities and aviation schools. I also note that Rule 17.4.15 is inconsistent with and contradicts Rules 17.4.11 and 17.4.12, and will give rise to ambiguity when administering the PDP.

6.31 In my view, Rule 17.4.15 should therefore be deleted.

Wholesaling or Commercial Activities

6.32 It is unclear to me why the section 42A reporting officer has singled out “wholesaling or commercial storage activities” as a non-complying activity under Rule 17.4.16. I note that in accordance with Rule 17.4.10, any activity not expressly listed in the table is, by default, a non-complying activity.

6.33 QAC’s proposed definition of “airport activity” originally made reference to ‘freight facilities’. The section 42A reporting officer does not appear to support the provision for such activities at Wanaka Airport.

6.34 In my view, freight facilities would be an appropriate activity at Wanaka Airport provided the goods were being conveyed by air. Furthermore, airports by their very nature are a form of transportation hub which facilitate the movement of people and goods. I therefore consider that such an activity is appropriate at Wanaka Airport and have recommended that it be included in the definition of airport related activity.

Prohibited Activities

6.35 Rules 17.4.17 to 17.4.23 set out a range of activities that the section 42A reporting officer considers should be prohibited at Wanaka Airport.

6.36 I have no concerns with residential, community or day care facilities being prohibited and note that this approach is consistent with Plan Change 26, which prohibited all new activities sensitive to aircraft noise (“ASAN”) within the Outer Control Boundary (“OCB”) at Wanaka Airport. In my view,

it would be more appropriate if this rule was amended to reflect the drafting established via Plan Change 26. I have provided suggested drafting to reflect this in **Appendix B** attached.

- 6.37 With respect to Rules 17.4.17 to 17.4.20, I am unsure whether there is scope to make these changes. Notwithstanding this, prohibiting these activities is unlikely to give rise to adverse operational impacts at Wanaka Airport.

WANAKA AIRPORT – DEVELOPMENT STANDARDS

- 6.38 The section 42A reporting officer's recommended development standards for Wanaka Airport are set out in Rules 17.5.10 to 17.5.15.

Setback and Height

- 6.39 I understand that the development standards relating to building setback and height are consistent with the corresponding designation conditions. The recommended matters of discretion (should these conditions be exceeded) focus on the effects at the zone interface.
- 6.40 In addition to the section 42A reporting officer's recommendations, I consider that it would be appropriate for a new matter of discretion to be included in this standard that allows decision makers to consider the positive economic, social and/or cultural effects of a setback and/or height limit exceedance. In my view, this will allow for a balanced consideration of both the positive and adverse effects arising from an exceeding development.

Maximum Ground Floor Areas

- 6.41 Mr Heath has presented evidence regarding non-aviation commercial activity at Wanaka Airport. In his evidence, Mr Heath sets out that the provision for non-aviation commercial (retail and office) activity should be limited to a maximum of 1000m² gross floor area across the entire zone, with any individual tenancy capped at 100m². No analysis is provided as to how these values were derived and how they relate to the current development footprint at Wanaka. It is also not clear what is meant by the

term “non-aviation” in this context as it is not a term that is defined in the PDP.

- 6.42 The section 42A reporting officer appears to have relied on Mr Heath’s evidence when drafting proposed Rules 17.5.13 and 17.5.14. Specially, the rules seek to restrict the maximum GFA for cafes, other food and beverage facilities, retail activities and office activities to 100m² per tenancy, with a maximum GFA across the entire zone of 1000m². As noted above, Mr Heath’s evidence relates to “non-aviation commercial” activity. I am therefore unsure whether any evidential basis exists for the limits specified in Rules 17.5.13 and 17.5.14 as the activities controlled by the “airport related activities”.
- 6.43 In the light of the changes I suggest to the definition above, the fact that Wanaka Airport is land constrained and is located some distance from the town itself, I see no need for the limit setting proposed within the report.

Hours of Operation

- 6.44 The section 42A reporting officer has recommended that the hours of operation for activities at Wanaka Airport be restricted between the hours of 0600 and 2200.
- 6.45 In my view, these restrictions are inappropriate as they do not take into consideration those activities that may need to occur overnight in order to allow airport or airport related activities to recommence in the morning. For example, aircraft repair and servicing. In my view, the effects of activities occurring overnight are appropriately managed by the various zone standards proposed at Wanaka Airport (for example, lighting).

Airshows

- 6.46 Airshows (i.e. the gathering of people to watch an aeronautical show) are included in the definition of “Airport Related Activity”. As these events tend to attract large numbers of people, it is appropriate in my opinion to place controls on the duration and reporting requirements for such activities to ensure that any temporary effects are appropriately managed.

6.47 Attached in **Appendix B** is a set of provisions that I consider appropriately manage the temporary effects associated with airshows. When preparing these provisions, I have been cognisant of the operational requirements of Warbirds over Wanaka and also how airshows are managed at other airports, such as Ardmore Airport in Auckland.

CONSEQUENTIAL AMENDMENTS

6.48 I have undertaken a review of the wider PDP and any consequential amendments that may be required to accommodate Wanaka Airport as part of the Airport Zone.

6.49 I address each briefly below.

Subdivision

6.50 Under Rule 27.5.6⁴⁸ of the PDP, subdivision is a restricted discretionary activity at Queenstown Airport. No minimum allotment size applies. QAC filed a submission in support of this rule.⁴⁹

6.51 Under Rule 27.5.10, subdivision within the Rural Zone is a discretionary activity. Again, no minimum allotment size applies. QAC did not file submissions with respect to Rule 27.5.10 and how it relates to Wanaka Airport.

6.52 In order to accommodate Wanaka Airport as part of the Airport Zone, consequential amendments will be required for both of these rules. To assist the Panel, I have set out these amendments in **Appendix B** attached.

Noise

6.53 Under Rule 36.5.3⁵⁰, there are no noise limits within the Queenstown Airport Zone.

⁴⁸ QLDC's Right of Reply for Chapter 27, dated 26 August 2016.

⁴⁹ Submission 433.95.

⁵⁰ QLDC Right of Reply for Chapter 36, dated 22 September 2016.

- 6.54 Rule 36.5.1 specifies the maximum noise limits to be received within the Rural Zone. The assessment location is defined as “any point within the notional boundary of a residential unit”.
- 6.55 QAC’s submission relating to Wanaka Airport did not address noise limits at the Airport. I understand that, for reasons relating to scope, the notified noise limits for the Rural Zone must continue to apply (in effect) at Wanaka Airport.
- 6.56 In practice, Rule 36.5.1 (as described in paragraph 6.54) would never be triggered within the Wanaka Airport Zone as there are no residential units from which to assess the noise. Therefore, retaining the Rural Zone noise limits for Wanaka Airport means that, in effect, there are no noise limits for activities within the Zone (in terms of the noise received by other activities within the Zone). This is consistent with how noise generated and measured within the Zone is addressed at Queenstown Airport. I therefore consider that the same noise rule should apply at Queenstown and Wanaka Airport. I have set the necessary amendment out in **Appendix B** attached.
- 6.57 In my view, Rule 36.5.3 is therefore the only noise provision contained in Chapter 36 that requires a consequential amendment to accommodate Wanaka Airport.

7. DISTRICT WIDE PROVISIONS QUEENSTOWN AND WANAKA AIRPORT

- 7.1 The section 42A reporting officer has recommended a number of changes to the district wide provisions in Chapter 17.
- 7.2 I understand that Ms O’Sullivan has previously identified issues with the interaction between Chapters 17 and 30 and the need for Airport Activities to be expressly excluded from the provisions of Chapter 30.⁵¹

⁵¹ Paragraphs 3.4 to 3.9, State of Evidence of Kirsty O’Sullivan, Hearing Stream 5, dated 2 September 2016.

This was also addressed by Ms O'Sullivan at a high level during Hearing Stream 2 with regards to Wanaka Airport.⁵²

- 7.3 The section 42A reporting officer has recommended the inclusion of a new rule, specifically Rule 17.3.2.6 which sets out that the rules contained in Chapter 17 prevail over those found in Chapter 30 (insofar as they relate to Airport Activities).
- 7.4 In my view, this clarification note is appropriate and will avoid potential consenting inefficiencies and inconsistencies in the future. This rule requires further amendment however, to ensure that the provisions contained in Chapter 30 do not inadvertently capture Airport Activities at Wanaka Airport. This is set out in **Appendix B**.

8. CHAPTER 15 LOCAL SHOPPING CENTRE ZONE – FRANKTON

- 8.1 The purpose of the Local Shopping Centre Zone is to enable small scale commercial and business activities on discrete pockets of land that are accessible to residential areas and people in transit.
- 8.2 The Local Shopping Centre Zone at Frankton is located within the PC35 OCB. QAC therefore filed submissions with this respect to this zone, seeking the inclusion of new policies and methods relating to activities sensitive to aircraft noise.⁵³
- 8.3 The history of PC35 and the associated Notice of Requirement (“NoR”) is set out in my statement of evidence relating to Hearing Stream 1B, dated 29th February 2016.
- 8.4 In summary, I note that within the Low Density Residential Zone, PC35 established a requirement for all new buildings and/or alterations to existing buildings containing ASAN to provide mechanical ventilation of Critical Listening Environments to achieve an Indoor Design Sound Level

⁵² Paragraphs 3.4, 3.5, 3.7 and 6.1, Statement of Evidence of Kirsty O'Sullivan, Hearing Stream 2, dated 20 April 2016.

⁵³ Submissions 433.61-433.67.

of 40dB Ldn, based on 2037 Noise Contours.⁵⁴ This requirement only applies to those sites located within the OCB.

8.5 The section 42A reporting officer has recommended rejecting all of QAC submissions.⁵⁵ It appears that these recommendations have been based on the expert evidence of Dr Chiles who states that:

- (a) The sound insulation requirements notified in Rule 15.5.3 are significantly more stringent than the sound insulation requirements under PC35 for airport noise; and,
- (b) In the vast majority of the zone, no sound insulation or ventilation is required for airport noise. Dr Chiles suggests that this is because the zone is at the periphery of the OCB and exposed to less than 57dB Ldn airport noise.

8.6 With respect to Dr Chiles comments, regarding acoustic insulation, Mr Day has confirmed that the proposed acoustic insulation rules are more stringent than the sound insulation requirements under PC35 for airport noise.⁵⁶ I therefore consider that in principle, Rule 15.5.3 adequately addresses the potential reverse sensitivity effects arising as a result of aircraft noise.

8.7 With respect to mechanical ventilation, Ms O'Sullivan recommended a revised set of mechanical ventilation requirements in response to expert mechanical ventilation advice.⁵⁷ As noted by Mr Day, the mechanical ventilation requirements proposed during Hearing Stream 5 are "superior and a more practical set of provisions". In my view, these mechanical ventilation requirements should be applied to the Frankton Local Shopping Centre Zone. I therefore suggest that a new rule be inserted in to Chapter 15 which achieves this outcome. I have also recommended

⁵⁴ Refer to Rule 7.5.5.3 (vi)(a) and (b) of the PC35 Environment Court confirmed provisions attached as **Appendix D**.

⁵⁵ Refer to section 11 of the section 42A report for Chapter 15, dated 2 November 2016.

⁵⁶ Paragraph 34, Statement of Evidence of Chris Day, Hearing Stream 8, dated 18 November 2016.

⁵⁷ Appendix D, Statement of Evidence of Kirsty O'Sullivan, Hearing Stream 5, dated 2 September 2016.

that a non-complying activity status be applied as this is consistent with the approach applied via PC35.

- 8.8 Attached as **Appendix B** is the drafting that I recommend to address this matter. A further section 32AA evaluation to address these matter is also attached as **Appendix A**.
- 8.9 For completeness, with respect to Dr Chiles conclusions in paragraph 15.1, I consider that Dr Chiles has oversimplified the PC35 policy framework.
- 8.10 In summary, compliance with the PC35 mechanical ventilation requirements is demonstrated by either providing mechanical ventilation in accordance with the requirements described in Table 5 of Chapter 36 (now Rule 36.6.3) or by providing a certificate from an appropriately qualified acoustics expert that states that the proposed construction will achieve the required design standard with the windows open.
- 8.11 The test for compliance with the PC35 requirements is therefore whether the building is constructed in accordance with Table 5 of Chapter 36 or whether an acoustic certificate is provided. It is not, as suggested by Dr Chiles, whether an area will be exposed to less than 57dB Ldn of aircraft noise.

9. CONCLUSION

- 9.1 Queenstown and Wanaka Airports comprise regionally significant infrastructure which plays a critical role in providing for the economic and social wellbeing of the Queenstown Lakes District.
- 9.2 The operative land use zoning for both Queenstown and Wanaka Airports does not have regard to their significance as strategic transportation hubs and facilitators of economic activity. Furthermore, the Operative Plan provisions do not recognise that airports are dynamic environments that need to be able to respond quickly to growth and changes in the aviation sector.

- 9.3 In my view, it is necessary and appropriate that the Airport Zone enable Queenstown and Wanaka Airports to continue to operate and evolve as modern airports. While the notified PDP largely achieves this outcome for Queenstown Airport, a similar framework is currently lacking for Wanaka Airport.
- 9.4 With further amendments to the notified Chapter 17 provisions, I consider that the Airport Zone will give vent to the various, relevant higher order objectives and policies that apply.

J Kyle

18 November 2016



APPENDIX A

s32AA

CHAPTER 15 – LOCAL SHOPPING CENTRE ZONE - AMENDMENTS AND SECTION 32AA EVALUATION

Proposed provisions set out in the section 42A report dated 2 November 2016	Amendments recommended by John Kyle on 18 November 2016	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective		
<p>Policy 15.2.3.2</p> <p>Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to:</p> <p>a. limit the impact of noise generated within the Zone on occupants; <u>and, where relevant</u></p> <p>b. <u>limit the reverse sensitivity effects on Queenstown Airport for buildings within the Queenstown Airport Outer Control Boundary.</u></p>	<p>No further amendments required.</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ The policy framework is not consistent with that established under PC35, however the higher order PC35 related provisions will continue to apply within all areas of the outer control boundary. ➤ The proposed method that seeks to implement this policy is more stringent than the equivalent PC35 requirements. The environmental outcomes sought from QAC’s original submissions will therefore be achieved by these policies. 		
	<p>Amend Ruled 15.5.3 and insert the following new Rule 15.5.4 as shown below.</p> <p>Rule 15.5.4 Acoustic insulation in the Frankton Local Shopping Centre Zone</p> <p>a) <u>A mechanical ventilation system shall be installed for all critical listening environments in accordance with Rule 36.6.3 in Chapter 36.</u></p> <p>b) <u>All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_{tr} determined in accordance with ISO 10140 and ISO 717-1.</u></p>	<ul style="list-style-type: none"> ➤ Based on evidence presented by Mr Scott Roberts regarding the mechanical ventilation requirements of the PDP (Hearing Stream 5), I understand that the mechanical requirements specified in Table 6 of Chapter 36 are practically difficult to implement and expensive to operate. ➤ Under PC35, non-compliance with the mechanical ventilation requirements results in a non-complying activity status. Applying a similar approach within the Frankton Local Shopping Centre Zone would be appropriate and an effective means of ensuring that Queenstown Airport is protected from reverse sensitivity effects. 		
		<p>Environmental, Cultural, Economic, Social and Cultural Benefits</p> <ul style="list-style-type: none"> ➤ The rule will ensure that the amenity values of residents within the OCB is protected against the effects of aircraft noise as well as noise arising from other activities within the zone. ➤ The rule will ensure the operation of Queenstown Airport is not affected by reverse-sensitivity issues and will consequently provide for the on-going operation of the airport. This will result in a positive economic benefit brought to the Region by the Airport. ➤ The requirement for mechanical ventilation will ensure that fresh air can be circulated within critical listening environments without the need to open windows (and thus 	<p>Environmental, Economic, Social and Cultural Costs</p> <ul style="list-style-type: none"> ➤ The rule will require all critical listening environments, whether considered ASAN or otherwise, to be acoustically insulated and mechanically ventilated. This will incur costs for property owners/developers. ➤ The rule is inconsistent with the framework established for surrounding zones under PC35. 	<p>Effectiveness & Efficiency</p> <ul style="list-style-type: none"> ➤ The rule is an effective way to manage activity sensitive to aircraft noise in the OCB (to ensure reverse sensitivity issues do not arise), while at the same time, also addressing potential noise and amenity effects arising from activities undertaken within the zone. ➤ The rule provides an appropriate land use management approach for land that was not subject to PC35, but is located within the OCB.

increasing exposure to aircraft noise).

- The rule will ensure that the mechanical ventilation requirements are practicality achievable and cost efficient to operate.
-

CHAPTER 17 – AIRPORT MIXED USE ZONE - AMENDMENTS AND SECTION 32AA EVALUATION

Proposed provisions set out in the <u>section 42A</u> report dated 2 November 2016	Amendments recommended by John Kyle on 18 November 2016	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective
<p>Zone Purpose</p> <p>.....</p> <p><u>Wanaka Airport is Regionally Significant Infrastructure to the District and is an important commercial and recreational aviation hub for the Upper Clutha. Wanaka Airport has capacity for commercial passenger flights and flights through until 10pm at night and, as such, the Airport may one day accommodate scheduled and chartered air transport services.</u></p> <p>.....</p> <p><u>The objective and provisions for Queenstown Airport promote a wide range of activities and reflect the location of Queenstown Airport within the Queenstown Urban Growth Boundary. The objectives and provisions for Wanaka Airport reflect the more remote location of Wanaka Airport outside of the Wanaka Urban Growth Boundary, and seek to avoid adverse effects from inappropriate commercial activities locating at the Airport. The strategic importance to the District of both airports and the finite nature of the land resource for both airports is also recognised in the Airport Zone provisions.</u></p>	<p>Amend the Zone Purpose, as set out in the section 42A report, as follows:</p> <p>Zone Purpose</p> <p>.....</p> <p>Wanaka Airport is Regionally Significant Infrastructure to the District and is an important commercial and recreational aviation hub for the Upper Clutha. Wanaka Airport has capacity for commercial passenger flights and flights through until 10pm at night and, as such, the Airport may one day accommodate scheduled and chartered air transport services.</p> <p>....</p> <p>The objective and provisions for Queenstown Airport promote a wide range of activities and reflect the location of Queenstown Airport within the Queenstown Urban Growth Boundary. The objectives and provisions for Wanaka Airport reflect the more remote location of Wanaka Airport outside of the Wanaka Urban Growth Boundary, and seek to avoid adverse effects from inappropriate commercial activities locating at the Airport. The strategic importance to the District of both airports and the finite nature of the land resource for both airports is also recognised in the Airport Zone provisions.</p>	<ul style="list-style-type: none"> ➤ The amendments consolidate the zone purpose description. ➤ The removal of references to commercial passenger flights is superfluous as the nature of these activities is captured by references to scheduled air transport services. ➤ The permitted hours of aircraft operations is a designation matter that may be subject to future NOR processes. This may include changes to the operational hours. To update the zone purpose to reflect such changes would necessitate a plan change which is inefficient. ➤ It is appropriate for a zone purpose statement to provide a high-level overview without focussing on specific effects.
<p>Objective 17.3.1</p> <p>Queenstown Airport is recognised as <u>nationally significant infrastructure</u> and a generator of nationally and regionally significant economic, social and cultural benefits.</p>	<p>No further amendments proposed.</p> <p>(Note numbering update required)</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reason set out paragraph 5.23 of my evidence and for the reasons described in paragraphs 7.18 to 7.20 of the section 42A report, I consider that the recommended amendments to Objective 17.2.1 are appropriate.
<p>Policy 17.3.1.1</p> <p><u>Airport activities are enabled, provided</u> Provide for those aviation activities necessary to enable Queenstown Airport <u>can</u> to operate in a safe and efficient manner.</p>	<p>Amend Policy 17.3.1.1 as follows:</p> <p>Policy 17.3.1.1</p> <p><u>Provide for those aviation activities</u> airport activities necessary to enable Queenstown Airport to operate in a safe and efficient manner.</p>	<ul style="list-style-type: none"> ➤ “Aviation activities” is not defined in the PDP. It is therefore appropriate to use the term “Airport Activities”. ➤ The proposed amendments are for clarification and do not alter the intended outcome of the policy. ➤ For the reason set out paragraphs 5.27 of my evidence, I consider that the recommended amendments to Policy 17.2.1.1 are appropriate.
<p>Policy 17.3.1.2</p> <p>Provide for a range of airport related service, business, industrial and commercial activity to support or complement the functioning of Queenstown Airport.</p>	<p>Amend Policy 17.3.1.2 as follows:</p> <p>Policy 17.3.1.2</p> <p>Provide for a range of airport related service, business, industrial and commercial activity <u>activities</u> to support or complement the functioning of Queenstown Airport.</p>	<ul style="list-style-type: none"> ➤ Business, industrial and commercial activities are all “airport related” activities. The proposed amendments therefore consolidate the policy, and are consistent with the language used elsewhere within the zone. ➤ Refer to paragraphs 5.30 to 5.31 of my evidence.
<p>Policy 17.2.1.3</p> <p>Zone sufficient land to meet the foreseeable future requirements of activities that support or complement the functioning of Queenstown Airport.</p>	<p>No further amendments proposed.</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reason set out paragraph 5.35 of my evidence and for the reasons described in paragraphs 7.29 to 7.34 of the section 42A report, I consider that Policy 17.2.1.3 is appropriate.

Policy 17.2.1.4

Promote the use of walking, cycling and public transport services and infrastructure to support or complement the functioning of Queenstown Airport.

Delete Policy 17.2.1.4 of the section 42A report.

- No section 32AA evaluation required as the policy was not included in the originally notified PDP.
- For completeness, however, the policy is ineffective as it does not take into consideration the practical difficulties of promoting walking and cycling at an airport, where passengers will often have luggage in tow.
- The policy is inefficient as it seeks to achieve outcomes that are addressed in Section 14 (Transportation) of the Operative District Plan.
- For the above reasons and those set out in paragraphs 5.36 to 5.37 of my evidence, I do not consider that Policy 17.2.1.4, as proposed in the section 42A report, is appropriate.

Objective – 17.2.2

At Wanaka Airport, Airport Activities and Airport Related Activities support the essential functioning of aviation activities.

Amend Objective 17.2.2 of the section 42A report as follows.

Policy 17.2.2.1

Airport Activities which are core to the safe and efficient operation of Wanaka Airport are enabled and provided for.

~~At Wanaka Airport, Airport Activities and Airport Related Activities support the essential functioning of aviation activities. Airport and airport related activities that support the social and economic wellbeing of the District are enabled at Wanaka Airport.~~

Amend Policy 17.2.2.1 of the section 42A report as follows:

Policy 17.2.2.2

Ensure land uses including Airport Related Activities have a legitimate relationship with Airport Activities and are only allowed where they are of a size (either individually or cumulatively) that:

~~Airport Activities which are core to the safe and efficient operation of Wanaka Airport are enabled and provided for. Provide for airport activities to enable Wanaka Airport to operate in a safe and efficient manner.~~

Delete Policies 17.2.2.3 and 17.2.2.4 of the section 42A report and replace with the following new policies:

a. is ancillary to and support part of the operation of an Airport Activity; and

b. do not adversely affect the key local service and employment function of Wanaka Town Centre or other commercially zoned areas within the District.

Policy 17.2.2.2

Enable a range of airport related activities provided they are ancillary to the use of the Airport.

Policy 17.2.2.3

Only allow retail and food and beverage facilities which are designed and operated and of a nature, scale and intensity to service visitors, passengers or workers engaged in or associated with Airport Activities or Airport Related Activities within the Wanaka Airport zone, and are unlikely to attract significant patronage outside of this purpose.

Policy 17.2.2.3

Avoid the establishment of activities that are incompatible with the ongoing operation and functioning of Wanaka Airport.

Policy 17.2.2.4

Ensure buildings and activities are adequately serviced with a water supply for fire-fighting purposes as well as provision of potable water, sewage treatment and disposal.

- The proposed objective is appropriate as it acknowledges the importance of Wanaka Airport and its contribution to the social and economic wellbeing of the community.
- The objective recognises and provides for Wanaka Airport as an important physical resource (section 7(b)).
- The objective gives effect to RPS Objective 9.7.2 and policy 9.5.2 and the objectives and policies of Goal 3.2.8 of the Strategic Directions chapter of the PDP (as drafted in the Council's Right of Reply dated 7 April 2016).
- The objective and policies establish the policy framework for enabling activities Wanaka Airport.
- The objectives and policies give effect to Policy 3.2.8.1.1 of the Strategic Directions chapter of the PDP (as drafted in the Council's Right of Reply dated 7 April 2016).

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
<ul style="list-style-type: none"> ➤ Policies 17.2.2.1 and 17.2.2.2 ensure that existing and future airport activities and associated infrastructure are recognised and provided for within the PDP. ➤ The policies provide certainty that airport and airport related activities can be undertaken by parties who cannot rely upon the designation. ➤ Modern airports demand a diverse range of activities. Policy 17.2.2.1 recognises this through establishing the framework for this occur. ➤ Policy 17.2.2.3 protects Wanaka Airport from potential reverse sensitivity effects. The policy also protects the airport from incompatible activities that may 	<ul style="list-style-type: none"> ➤ The policies provide the framework for non-complying and prohibited activities at Wanaka Airport. ➤ Costs and uncertainty for non-airport related activities that wish to establish at the airport. ➤ Provision for airport related activities have the potential to draw commercial/retail opportunities from commercial centres. The requirement for such activities to be ancillary to the use of the airport will restrict this from occurring. 	<ul style="list-style-type: none"> ➤ The policies are efficient as they provide greater certainty for applicants wishing to establish activities at Wanaka Airport that are wholly consistent with the designation. ➤ The policies are effective at achieving the objective as they provide for the ongoing using and operation of Wanaka Airport, without undue regulation. ➤ The proposed policies are effective and efficient as they provide a clear dissuasion against establishing activities that may adversely impact the safe and efficient operation of Wanaka Airport. ➤ The policies will be effective at achieving the

		adversely impact on the limited land resource at Wanaka Airport.	objective as they provide for those airport and airport related activities that contribute towards its successful functioning.
17.2.23 Objective	No further amendments proposed.		
Provision for the requirements of Queenstown and Wanaka Airports is balanced with achieving an acceptable level of amenity for those using the airports and for those residing on neighbouring land.		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ It is appropriate that to activities enabled at Wanaka Airport have defined limits. ➤ This objective, along the associated provisions which will seek to avoid, remedy or mitigate any adverse effects on the surrounding rural environment and is consistent with section 5 of the Act. ➤ Requiring the management of amenity effects will ensure that consideration is given to rural context within which Wanaka Airport is located and is consistent with section 7(c). ➤ The amendment is efficient and effective as it provides for the management of effects arising from the operation and use of Queenstown and Wanaka Airport. ➤ For the reasons set out in paragraph 5.40 of my evidence, I consider the objective to be appropriate. 	
Policy 17.2.2.17.2.3.1	No further amendments proposed.		
Maintain Queenstown Airport as a memorable and attractive gateway to the District.		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reason set out paragraph in 5.40 of my evidence, I consider that Policy 17.2.3.1 is appropriate. 	
Policy 17.2.2.17.2.3.2	No further amendments proposed.		
Manage adverse effects on amenity values arising from the on-going development, use and maintenance of Queenstown and Wanaka Airports.		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reasons set out paragraph in 5.40 of my evidence, I consider that Policy 17.2.3.1 is appropriate. 	
Policy 17.2.23.3	Relocate to Policy 17.2.1.4. No further amendments proposed.		
Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Queenstown Airport		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reason set out paragraph 5.43 of my evidence and for the reasons described in paragraphs 7.35 to 7.37 of the section 42A report, I consider that the recommended amendments to Policy 17.2.3.3 of are appropriate. 	
Clarification 17.3.2.3	No further amendments proposed. (Note numbering update required)		
Rules 17.4.1 to 17.4.9 and the standards contained in Table 2 apply to Queenstown Airport. Rules 17.4.10 to 17.4.23 and the standards contained in Table 3 apply to Wanaka Airport.		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ This new provision is necessary to ensure the correct development standards are applied to each Airport applied. ➤ For the reasons set out paragraphs 7.1 to 7.4 of my evidence and for the reasons described in paragraph 7.51 of the section 42A report, I consider that the recommended inclusion of Clarification 17.3.2.3 is appropriate. 	
Clarification 17.3.2.4	No further amendments proposed.		
In addition to these rules, any person wishing to undertake an activity within the Aerodrome Purposes designation at Queenstown or Wanaka Airport must obtain the written approval of the requiring authority, in accordance with section 176 of the Resource Management Act 1991.		<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ While this clarification note states what is required under section 176 of the Act in any case, the requirement is often overlooked by resource consent applicants in practice. For the Airport Zone however, I note that most of the land is owned by the respective requiring authorities, therefore this clarification note may be unnecessary. 	

General Rules 17.3.2.6

For Airport Activities at Queenstown Airport, including the Queenstown Airport Corporation as Network Utility Operator, the Airport Zone (Chapter 17) shall prevail over the Energy and Utilities Chapter (Chapter 30).

Amend Rule 17.3.2.6 of the section 42A report as follows:

For Airport Activities at Queenstown and Wanaka Airport, including the Queenstown Airport Corporation as Network Utility Operator, the Airport Zone (Chapter 17) shall prevail over the Energy and Utilities Chapter (Chapter 30).

- It is appropriate to clarify that the Chapter 17 provisions relating to airport and airport related activities at Queenstown and Wanaka Airports prevail over more generalised rules contained the Chapter 30 Energy and Utilities.
- The consequential amendment is necessary to ensure consistent administration of the rules relating to Queenstown and Wanaka Airport and to ensure that the Objectives 17.2.1 and 17.2.2 are achieved.
- The matter of clarification is necessary to ensure the provisions relating to Queenstown and Wanaka Airport are consistently administered and to ensure that consenting inefficiencies do not arise from the potential duplication of rules in the Airport Mixed Use Zone and Energy and Utilities Chapters.
- If the consequential amendment is not made as shown here or in Rule 30.3.3.4 of Chapter 30, some of the Chapter 17 provisions may be negated by Chapter 30 provisions, which would be inefficient and would not be effective at providing for existing (and regionally significant) infrastructure, in accordance with section 7(b) of the Act.

Rule 17.4.1

Any airport activity or airport related activity Airport Activity – Queenstown Airport, Airport Related Activity – Queenstown Airport or farming activity that which complies with all the relevant standards in Table 2 rules in section 17.5 shall be a Permitted Activity.

No further amendments proposed.

- No section 32AA evaluation required.
- For the reasons set out paragraphs 5.44 to 5.62 of my evidence, I consider that the activities provided for by Rule 17.4.1 is appropriate.
- Consideration should be given to inserting farming activities in to the definition of “airport related activity” for reasons set out in paragraphs 5.49.to 5.52 of my evidence.

Insert a new Rule 17.4.2 as follows:

Buildings, except security fencing greater than 2m high which shall not be subject to this rule and is permitted.

Control is reserved to all of the following:

- whether building form, colour and texture are used to reduce the apparent height and bulk of large buildings when viewed from adjoining sites;
- whether there will be a consistency of building materials and colours between buildings;
- when located near the boundary of the zone, whether the building aligns with other buildings on the site (existing or potential) or on the relevant adjoining site;
- whether any proposed landscape treatment is in scale with the proposed development, providing for the visual softening of large buildings and the screening of parking, loading and storage areas, while recognising operational requirements of airside facilities;
- whether the proposed plantings are to be placed to that they do not obstruct views of outstanding natural landscapes and/or features.

Activity Status: Controlled

- In response changes made to the designation, it is appropriate for buildings to be a controlled activity at Queenstown Airport.
- The proposed new rule will better align the activities enabled by the Aerodrome Purposes Designation and Airport Zone provisions.
- Requiring resource consent as a controlled activity is consistent with the Operative Airport Mixed Use Zone approach.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
<ul style="list-style-type: none"> ➤ The Consent Authority will retain a degree of control over the built form outcomes at Queenstown Airport. ➤ The matters of control will ensure that the potential bulk, form and location effects, particularly at the zone interface, will be appropriately managed. 	<ul style="list-style-type: none"> ➤ Additional consent costs associated with new buildings. The controlled activity status provides certainty however, that resource consent will granted within appropriate limits. 	<ul style="list-style-type: none"> ➤ The new rule is effective at achieving Objective 17.2.3 and Policy 17.2.3.2 as it provides for consideration of bulk, form and location effects, particularly at the zone interface.

Insert a new Rule 17.4.3 and 17.4.4 as follows:

Rule 17.4.3 Signage

- a. Advertising or promotional signage located greater than 20m from the zone boundary.
- b. Signage to be viewed by persons within the zone and not directed at persons outside the zone.
- c. Instruction or directional signage.

Note: for all other signs, Section 18 – Signs of the Operative District Plan apply.

Activity Status: Permitted

Rule 17.4.4 Signage

Signage on building roofs.

Activity Status: Non Complying

- As notified, the development standard relating to signage read like a rule. These amendments therefore seek to recast the standard as a rule.
- The amendments do not change the intent or outcome of the development standard.

Rule 17.4.2

~~Any non-airport related activity which is Activities not listed in Rules 17.4.3 to 17.4.9 as Prohibited,~~ with Council's discretion restricted to:

Discretion is restricted to all of the following:

- Design, external appearance and siting of buildings and structures;
- Traffic generation, vehicle parking, site access and servicing, including provision for an integrated transport assessment;
- Landscaping and screening of any outdoor storage;

The extent to which the activity benefits from an Airport location.

No further amendments proposed.
(Note numbering requires updating)

- No section 32AA evaluation required.

Rule 17.4.3 Forestry

Rule 17.4.4 Factory Farming

Rule 17.4.5 Mining

Rule 17.4.6 Any activity requiring an Offensive Trade Licence under the Health Act

Rule 17.4.7 Residential Activities

Rule 17.4.8 Community Activities

Rule 17.4.9 Day Care Facilities

No further amendments proposed.
(Note numbering requires updating)

- No Section 32AA evaluation required.
- For the reasons set out in paragraphs 5.41 to 5.43 of my evidence, I consider that these rules are appropriate.

Rule 17.5.10

Any activity not listed in Rules 17.4.11 to 17.4.23.

Activity Status: NC

No further amendments proposed.
(Note numbering requires updating).

- No section 32AA evaluation required.

Rule 17.4.11

Any Airport Activity – Wanaka Airport that complies with the relevant standards in Table 3.

Activity Status: P

Rule 17.4.12

Merge and amend Rules 17.4.11 to 17.4.12 as follows:

Rule 17.4.14

Any Airport Activity – Wanaka Airport, Airport Related Activity – Wanaka (excluding buildings) that complies with the relevant standards in Table 3.

- No further section 32AA evaluation required. The amendments are not substantive.

Airport Related Activity – Wanaka Airport that complies with the relevant standards in Table 3.

Activity Status: P

Rule 17.4.13

Buildings for Airport or Airport Related Activities

Except security fencing greater than 2m high which shall not be subject to this rule and is permitted.

Control is reserved to all of the following:

- Design and appearance;
- The effects on visual amenity when viewed from the zone boundary;
- The purpose of the building and the operational requirements of the activity it contains.
- Provision for firefighting;
- Wastewater;
- Stormwater;
- Water Supply.

Amend Rule 17.4.13 as follows:

~~Rule 17.4.14~~ **Rule 17.4.15**

Buildings for Airport or Airport Related Activities

Except security fencing greater than 2m high which shall not be subject to this rule and is permitted.

Control is reserved to all of the following:

- ~~Design and appearance;~~
- ~~The effects on visual amenity when viewed from the zone boundary;~~
- The purpose of the building and the operational requirements of the activity it contains.
- ~~Provision for firefighting;~~
- ~~Wastewater;~~
- ~~Stormwater;~~
- ~~Water Supply;~~
- whether building form, colour and texture are used to reduce the apparent height and bulk of large buildings when viewed from adjoining sites;
- whether there will be a consistency of building materials and colours between buildings;
- when located near the boundary of the zone, whether the building aligns with other buildings on the site (existing or potential);
- whether any proposed landscape treatment is in scale with the proposed development, providing for the visual softening of large buildings and the screening of parking, loading and storage areas when viewed from adjoining sites;
- whether the proposed plantings are to be placed so that they do not obstruct views of outstanding natural landscapes and/or features when viewed from adjoining sites;
- The number, location and formation of car parks.
- The location and formation of site access to ensure that the safety and functionality of adjacent roading networks is maintained.
- The design and location of new buildings and structures located to the north of the runway to the extent that the built form should be clustered together to maintain, as far as reasonably practicable, clear view shafts from State Highway 6 towards the north.
- Provision for firefighting, wastewater, stormwater and water supply.

- No further section 32AA evaluation required. The amendments further build on those proposed in the section 42A report, but are more focussed on addressing relevant effects and provide greater certainty of outcome.
- The proposed amendments also align the matters of control with those at Queenstown Airport and ensure that effects, particularly at the zone interface, are appropriated managed.
- Refer to paragraph 6.29 of my evidence.

<p>Rule 17.4.14</p> <p><u>Instructional or directional signage</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • <u>Dimensions of signage</u> • <u>Location of signage</u> 	<p>Amend Rule 17.4.14 as follows:</p> <p>Rule 17.4.14 Rule 17.4.16</p> <p><u>Instructional or directional signage or signage directed at persons within the zone.</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Dimensions of signage • Location of signage <p>Note: for all other signs, Section 18 – Signs of the Operative District Plan apply.</p>	<ul style="list-style-type: none"> ➤ Signage is common place at airports and can be considered an ‘airport related activity’. This rule will allow for internally facing signage to be established, while maintaining the Rural signage rules along the zone boundary. ➤ The proposed amendments are to ensure that the signage rules better align with those at Queenstown Airport. 						
<p>Rule 17.4.21 Residential Activity</p> <p>Rule 17.4.22 Community Activity</p> <p>Rule 17.4.23 Day Care Facilities</p>	<p>Delete Rules 17.4.21 to 17.4.23 and insert the following new rule to address activity sensitive to aircraft noise.</p> <p><u>New Activity Sensitive to Aircraft Noise and Building Platforms for Activity Sensitive to Aircraft Noise within the Outer Control Boundary - Wanaka Airport.</u></p> <p><u>Any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except for police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose).</u></p>	<ul style="list-style-type: none"> ➤ It is appropriate to transfer existing provisions pertaining to PC26 into the Airport Zone (insofar as it relates to Wanaka Airport). ➤ Minor amendments have been made to the rule however to ensure that emergency services and flight schools can establish / continue to operate at Wanaka Airport provided they serve an aviation purpose. ➤ Such facilities are currently provided for in the Aerodrome Purposes Designation. <table border="1" data-bbox="1721 798 2721 924"> <thead> <tr> <th data-bbox="1721 798 2077 924">Environmental, Cultural, Economic, Social and Cultural Benefits</th> <th data-bbox="2077 798 2404 924">Environmental, Economic, Social and Cultural Costs</th> <th data-bbox="2404 798 2721 924">Effectiveness & Efficiency</th> </tr> </thead> <tbody> <tr> <td data-bbox="1721 924 2077 1207"> <ul style="list-style-type: none"> ➤ Wanaka Airport will be protected from potential reverse sensitivity effects. </td> <td data-bbox="2077 924 2404 1207"> <ul style="list-style-type: none"> ➤ Costs associated with not been able to establish activity sensitive to aircraft noise within the zone. This is consistent with the Operative District Plan approach however. </td> <td data-bbox="2404 924 2721 1207"> <ul style="list-style-type: none"> ➤ The rule is effective at achieving policy 17.2.2.3 by prohibiting incompatible activities within the zone. ➤ The rule is efficient as it is consistent with PC26. </td> </tr> </tbody> </table>	Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency	<ul style="list-style-type: none"> ➤ Wanaka Airport will be protected from potential reverse sensitivity effects. 	<ul style="list-style-type: none"> ➤ Costs associated with not been able to establish activity sensitive to aircraft noise within the zone. This is consistent with the Operative District Plan approach however. 	<ul style="list-style-type: none"> ➤ The rule is effective at achieving policy 17.2.2.3 by prohibiting incompatible activities within the zone. ➤ The rule is efficient as it is consistent with PC26.
Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency						
<ul style="list-style-type: none"> ➤ Wanaka Airport will be protected from potential reverse sensitivity effects. 	<ul style="list-style-type: none"> ➤ Costs associated with not been able to establish activity sensitive to aircraft noise within the zone. This is consistent with the Operative District Plan approach however. 	<ul style="list-style-type: none"> ➤ The rule is effective at achieving policy 17.2.2.3 by prohibiting incompatible activities within the zone. ➤ The rule is efficient as it is consistent with PC26. 						
<p>Rule 17.4.15</p> <p><u>Community Activities limited to police stations, fire stations, medical facilities and aviation schools (provided they serve an aviation related purpose).</u></p>	<p>Delete Rule 17.4.15</p>	<ul style="list-style-type: none"> ➤ For the reasons set out in paragraphs 6.30 to 6.31 of my evidence, I do not consider that Rule 17.4.15 is appropriate. 						
<p>Rule 17.4.16 Wholesaling or Commercial Storage Activity</p>	<p>Delete Rule 17.4.15</p>	<ul style="list-style-type: none"> ➤ For the reasons set out in paragraphs 6.32 to 3.64f my evidence, I do not consider that Rule 17.4.16 is appropriate. 						
<p>Rule 17.4.17 Forestry</p> <p>Rule 17.4.18 Factory Farming</p> <p>Rule 17.4.19 Mining</p> <p>Rule 17.4.20 Any activity requiring an Offensive Trade Licence under the Health Act 1956</p>	<p>Delete Rules 17.4.17 to 17.4.20.</p>	<ul style="list-style-type: none"> ➤ As set out in paragraphs 6.32 to 6.34 of my evidence, I am uncertain if there is scope to insert these rules in the PDP as prohibited activities. I therefore recommend they be deleted and a non-complying activity status should prevail, as per the notified rural zoning. 						
<p>Rule 17.6.1</p> <p>Maximum Building Coverage</p>	<p>No further amendments proposed.</p> <p>(Note numbering requires updating)</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reasons set out paragraphs 5.64 to 5.66 of my evidence and for the reasons described in paragraph 7.53 of the section 42A report, I consider that Rule 17.6.1 is appropriate. 						

<p>Rule 17.6.2 Minimum Buildings Setback</p>	<p>No further amendments proposed. (Note numbering requires updating)</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reasons set out paragraphs 5.64 to 5.66 of my evidence and for the reasons described in paragraphs 7.55 to 7.56 of the section 42A report, I consider that Rule 17.6.2 is appropriate. 						
<p>Rule 17.6.3 Maximum Building Height</p>	<p>No further amendments proposed. (Note numbering requires updating)</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reasons set out paragraphs 5.64 to 5.66 of my evidence and for the reasons described in paragraphs 7.60 to 7.62 of the section 42A report, I consider that Rule 17.6.2 is appropriate. 						
<p>Rule 17.5.4 Landscaping</p>	<p>No further amendments proposed. (Note numbering requires updating)</p>	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ For the reasons set out paragraphs 5.64 to 5.66 of my evidence and for the reasons described in paragraphs 7.64 to 7.69 of the section 42A report, I consider that Rule 17.6.2 is appropriate. 						
<p>Rule 17.6.5 Building Design and Glare</p> <p>17.6.5.1 The exterior of buildings situated within the landside area at Queenstown Airport shall be designed so that roof and wall colours are limited to a maximum reflectivity of 36%, except where:</p> <p>d. Trims, highlights and signage totalling up to 10% of the façade area may exceed this level and be of contrasting colour.</p> <p>17.6.5.2 Any landside activity which requires the lighting of outdoor areas shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any adjacent Residential Zone</p> <p>17.5.5.3 <u>All fixed exterior lighting on buildings associated with Airport Related Activities shall be directed away from adjacent sites and roads.</u></p> <p>*Discretion is <u>restricted to all of the following:</u></p> <ul style="list-style-type: none"> • limited to the extent of adverse effects from lighting on Residential Activities. <u>And</u> • The extent to which the lighting is required for operational purposes. 	<p>Amend Rule 17.6.5 of the section 42A report as follows:</p> <p>Rule 17.6.5/17.5.5 Building Design and Glare</p> <p>17.6.5.117.5.5.1 The exterior of buildings situated within the landside area at Queenstown Airport shall be designed so that roof and wall colours are limited to a maximum reflectivity of 36%, except where:</p> <p>a. Trims, highlights and signage totalling up to 10% of the façade area may exceed this level and be of contrasting colour.</p> <p>17.6.5.217.5.5.2 Any landside activity which requires the lighting of outdoor areas shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any adjacent Residential Zone</p> <p>17.5.5.3 All fixed exterior lighting on buildings associated with Airport Related Activities shall be directed away from adjacent sites and roads.</p> <p>*Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The extent of adverse effects from lighting on Residential Activities • The extent to which the lighting is required for operational purposes. • <u>The effects on urban design outcomes;</u> • <u>Visual effects;</u> • <u>The purpose of the building and the operational requirements of the activity it contains.</u> 	<ul style="list-style-type: none"> ➤ No section 32AA evaluation required. ➤ As set out in paragraph 5.68 of my evidence, the matters of discretion do not address the effects of the development standard being breached. <table border="1" data-bbox="1721 798 2721 924"> <thead> <tr> <th data-bbox="1721 798 2047 924">Environmental, Cultural, Economic, Social and Cultural Benefits</th> <th data-bbox="2047 798 2404 924">Environmental, Economic, Social and Cultural Costs</th> <th data-bbox="2404 798 2721 924">Effectiveness & Efficiency</th> </tr> </thead> <tbody> <tr> <td data-bbox="1721 924 2047 1558"> <ul style="list-style-type: none"> ➤ The new matters of discretion will ensure that visual and urban design effects are taken in to consideration when assessing buildings that do not comply with specified colour schemes. </td> <td data-bbox="2047 924 2404 1558"></td> <td data-bbox="2404 924 2721 1558"> <ul style="list-style-type: none"> ➤ These matters are effective in achieving the Objective 17.2.2 and Policy 17.2.3.2 as they seek to ensure that a consideration is given to the amenity outcomes. ➤ The new matters of discretion will give rise to consenting efficiencies, through provide of clear matters of discretion should a development breach the standards specified. </td> </tr> </tbody> </table>	Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency	<ul style="list-style-type: none"> ➤ The new matters of discretion will ensure that visual and urban design effects are taken in to consideration when assessing buildings that do not comply with specified colour schemes. 		<ul style="list-style-type: none"> ➤ These matters are effective in achieving the Objective 17.2.2 and Policy 17.2.3.2 as they seek to ensure that a consideration is given to the amenity outcomes. ➤ The new matters of discretion will give rise to consenting efficiencies, through provide of clear matters of discretion should a development breach the standards specified.
Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency						
<ul style="list-style-type: none"> ➤ The new matters of discretion will ensure that visual and urban design effects are taken in to consideration when assessing buildings that do not comply with specified colour schemes. 		<ul style="list-style-type: none"> ➤ These matters are effective in achieving the Objective 17.2.2 and Policy 17.2.3.2 as they seek to ensure that a consideration is given to the amenity outcomes. ➤ The new matters of discretion will give rise to consenting efficiencies, through provide of clear matters of discretion should a development breach the standards specified. 						

Rule 17.5.6

Maximum Noise – Land Based Activities

17.5.6.1 Sound from land based activities 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 Residential Zone, the notional boundary in the Rural Zone, or at any point within Activity Areas 1, 3, 4, 6 and 8 of the Remarkables Park Zone. On any site within the zone, land based activities shall be conducted such that the following noise levels are not exceeded at any adjacent Zone boundary:

- e. Daytime (0700 to 2200 hrs) 55 dB LAeq(15 min)
- f. Night-time (2200 to 0700 hrs) 45 dB LAeq(15 min) 70 dB LA_{Fmax}

17.5.6.2 The noise limits in (a) shall not apply to any aircraft noise activities subject to the Queenstown Airport noise provisions managed through Designation 2.

17.5.6.3 The noise limits in (a) shall not apply to construction noise which shall be assessed in accordance with NZS6803:1999 “Acoustics – Construction Noise”.

*Discretion is limited to the extent of effects of noise generated on adjoining zones.

No further amendments required.

- No further section 32AA evaluation required.
- All matters set out in Rule 17.5.6 (as notified) have been incorporated in to Chapter 36.

Rule 17.5.5

Hazardous Substances

No further amendments proposed.
(Note numbering requires updating)

- No section 32AA evaluation required.
- The storage and use of hazardous substances is an inherent part of aviation activities. The storage and use of these substances is controlled by HSNO.
- Fuel storage facilities are provided for as part of the designation and thus an airport related activity. It is appropriate to require such activities to be managed in accordance with the HSNO regulations.

Rule 17.5.8

Visitor Accommodation– Queenstown Airport

17.5.87.1

Within the Air Noise Boundary (ANB) – New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 adhering to the sound insulation requirements in Table 1 of Appendix 13 Table 4 of Chapter 36 of the Operative this District Plan and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 Table 5 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction can achieve the Indoor Design Sound Level with the windows open.

17.5.87.2

Between the Outer Control Boundary (OCB) and the ANB - New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 2 of Appendix 13 Table 5 of Chapter 36 of the Operative this District Plan or by submitting a certificate to Council from a person suitably qualified in

Amend Rule 17.5.8 as follows:

17.5.87.1

Within the Air Noise Boundary (ANB) – New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 adhering to the sound insulation requirements in Table 1 of Appendix 13 Table 4 of Chapter 36 of the Operative this District Plan and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 Table 5 Rule 36.6.3 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction can achieve the Indoor Design Sound Level with the windows open.

17.5.87.2

Between the Outer Control Boundary (OCB) and the ANB - New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 2 of Appendix 13 Table 5 Rule 36.6.3 of Chapter 36 of the Operative this District Plan or by submitting a certificate to Council from a person

- In recent years, there has been a shift towards providing for visitor accommodation at airports.
- For the reasons set out in paragraphs 5.57 to 5.63 of evidence, I consider that the amendments to this rule are appropriate to ensure that adverse reverse sensitivity effects on Queenstown Airport are avoided, in accordance with Policy 17.2.1.5.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
<ul style="list-style-type: none"> ➤ The amendments will ensure that the amenity values and health and safety of guests is maintained by limiting the duration of stay and removing the requirement for outdoor amenity space. ➤ The amendments will ensure that Queenstown Airport remains protected from reverse sensitivity effects. 	<ul style="list-style-type: none"> ➤ Economic effects for visitor accommodation providers arising from the limited duration of stay. 	<ul style="list-style-type: none"> ➤ The amendments are effective as they provide for the for the short term stay demands of passengers and crew, but do not allow for long term occupation or the creation of outdoor facilities, therefore minimising exposure to the potential adverse effects arising from aircraft noise.

acoustics stating that the proposed construction can achieve the Indoor Design Sound Level with the windows open.

suitably qualified in acoustics stating that the proposed construction can achieve the Indoor Design Sound Level with the windows open.

17.5.7.3

The maximum length of stay for any visitor / guest shall be three nights;

17.5.7.4

No outdoor amenity space shall be provided.

Rule 15.5.98

Transportation

No amendments required.

➤ No further section 32AA evaluation required.

Rule 17.5.10

Minimum Building Setback

- a. The setback from all zone boundaries shall be 5m.
- b. The setback from the eastern side of the centreline of the main runway (as at 2013) shall be 217 metres.
- c. The setback from the western side of the centre line of the main runway (as at 2013) shall be 124 metres.
- d. The setback from any public road shall be 5m.

Except no setbacks shall apply to security fencing greater than 2m in height.

Discretion is restricted to the following (where relevant):

- For non-compliances with (a) or (d) only, the visual effects of the bulk and location when viewed from the boundary of the zone or adjacent public roads.
- For non-compliances with (b) or (c) only, the effects on the current and future operation of the Airport.
- For all non-compliances, the purpose of the building and the operational requirements of the activity it contains.

Amend Rule 17.5.10 as follows:

17.5.109

Minimum Building Setback

- a. The setback from all zone boundaries shall be 5m.
- b. The setback from the eastern side of the centreline of the main runway (as at 2013) shall be 217 metres.
- c. The setback from the western side of the centre line of the main runway (as at 2013) shall be 124 metres.
- d. The setback from any public road shall be 5m.

Except no setbacks shall apply to security fencing greater than 2m in height.

Discretion is restricted to the following (where relevant):

- For non-compliances with (a) or (d) only, the visual effects of the bulk and location when viewed from the boundary of the zone or adjacent public roads.
- For non-compliances with (b) or (c) only, the effects on the current and future operation of the Airport.
- For all non-compliances, the purpose of the building and the operational requirements of the activity it contains.
- The positive economic, social and/or cultural effects that may be generated from the proposed activity.

- The setback standards are derived from and are consistent with conditions for permitted activities in the Aerodrome Purposes designation.
- A new setback standard from roads has been included to ensure consistency with the remaining sections of the PDP. The 5m setback distance is derived from QAC's submission which seeks at 5m setback from all surrounding zone boundaries.
- The standards the most appropriate way of balancing the outcomes sought by Objective 17.2.2 and 17.2.3 and implement Policy 17.2.3.2.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
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- The new matter of discretion has been included to ensure that the wider benefits of a proposal can be weighed up against the effects of breaching the setback.
- N/A
- The new matter of discretion is effective and directly effects to imperatives of Objective 17.2.2.

Rule 17.5.11

Maximum Building Height

The maximum height of all buildings shall be 10m.

Except this limit shall not apply to control towers, lighting towers or navigation and communication masts and aerals which are not subject to a height limit.

Discretion is restricted to all of the following:

- Visual effects of the bulk and location non-compliance when viewed from the boundary of the zone.

The purpose of the building and the operational requirements of the activity it contains.

Amend Rule 17.5.11 as follows:

Rule 17.5.110

Maximum Building Height

The maximum height of all buildings shall be 10m.

Except this limit shall not apply to control towers, lighting towers or navigation and communication masts and aerals which are not subject to a height limit.

Discretion is restricted to all of the following:

- Visual effects of the bulk and location non-compliance when viewed from the boundary of the zone.
- The purpose of the building and the operational requirements of the activity it contains.

- The height limits are consistent with the height limits derived from and are contained in the Aerodrome Purposes Designation at Wanaka Airport.
- The standards are efficient and effective at providing for a built form that is within the parameters of what can reasonably be expected to occur on site.
- The standards are the most appropriate way of balancing the outcomes sought by Objective 17.2.2 and 17.2.3 and implement Policy 17.2.3.2.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
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- The new matter of discretion has been included to ensure that the wider benefits of a
- N/A
- The new matter of discretion is effective and directly effects to

- The positive economic, social and/or cultural effects that may be generated from the proposed activity.

proposal can be weighed up against the effects of breaching the setback.

imperatives of Objective 17.2.2.

Rule 17.5.12

Glare

All lighting shall:

- ensure that direct or indirect illumination does not exceed 3 lux spill of light at any adjacent site.
- be directed away from adjoining sites and roads;
- not be directed upwards.

Amend Rule 17.5.12 as follows:

Rule 17.5.1211

Glare

Within all landside areas, All lighting shall:

- ensure that direct or indirect illumination does not exceed 3 lux spill of light at any adjacent site.
- be directed away from adjoining sites and roads;
- not be directed upwards.

- The revised wording/structure is to bring the standard in line with the drafting approach used at Queenstown Airport.
- It is not appropriate to impose this rule on airside facilities (although the requiring authority will likely undertake any airside lighting work under its designation, rather than the Airport zoning, in any case).

Rule 17.5.13 Identified Airport Related Activities Maximum Gross Floor Area

Rule 17.5.14 Identified Airport Related Activities Maximum Gross Floor Area

Rule 17.5.15 Hours of Operative for Airport Related Activities

Delete Rules 17.5.13 and 17.5.15 of the section 42A report.

- For the reasons set out in paragraphs 6.41 to 6.43 of my evidence, I do not consider that proposed Rules 17.5.13 and 17.5.14 are appropriate.
- With respect to Rule 17.5.15, this rule is inappropriate as it does not take into consideration those activities that may need to occur overnight in order to allow airport or airport related activities to recommence in the morning. For example, aircraft repair and servicing.
- The effects of activities occurring overnight are appropriately managed through noise and lighting requirements.

Insert the following new rule:

Rule 17.5.11

Air shows

- The air show (including set up, flying programmed and pack down) shall be limited to 12 days inclusive;
- The flying programme for the air show shall be limited to a period of not more than four days;
- The hours permitted for the air show shall be between 0600 and 2000;
- The air show operator shall submit to the Council, no later than 30 working days prior to the air show taking place, a report detailing the noise and environmental aspects of the air show. The Council may request changes to the air show to avoid unreasonable noise exposure on the community. Comments are to be provided by the Council within 10 working days of receipt of the air show programme.
- The relevant noise standards for the Zone shall not apply to the air show.

Discretion is restricted to the following:

- Adverse amenity effects for surrounding landowners;
- Measures to avoid, remedy or mitigate the adverse amenity effects;
- The positive economic, social and/or cultural effects that may be generated from the proposed activity.

- Airshows such as Warbirds over Wanaka currently take place at Wanaka Airport every two years.
- Warbirds over Wanaka draws a large number of tourists to the District.
- Providing for airshows such as Warbirds over Wanaka will give effect to Objective 17.2.3 and will ensure that the effects on the amenity of surrounding residents is appropriately managed.

Environmental, Cultural, Economic, Social and Cultural Benefits

Environmental, Economic, Social and Cultural Costs

Effectiveness & Efficiency

- The proposed new rule will legitimise existing airshows which provide economic benefits to the District.
- Conditions (a) and (b) will provide certainty to surrounding neighbours as to the duration of the show, including set up and pack down.
- Conditions (c) to (d) will ensure amenity and transportation effects will be appropriately managed for the duration of the show, whilst recognising their temporary nature.

- Noise and amenity effects on surrounding neighbours. These effects are existing however, and will be temporary in nature.

- The proposed new rule is effective at providing for airport related activities at Wanaka Airport.
- The rule is efficient as it avoids unnecessary consenting requirements, within defined limits.

DEFINITIONS

Airport Related Activity – Queenstown Airport

Means an ancillary activity or service that provides support to the airport. This includes, but is not limited to, land transport activities, buildings and structures, signage, servicing and infrastructure, police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose, retail and commercial services, industry and visitor accommodation associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses. Also includes farming activities.

- The inclusion of signage is not a substantive change. Signage is reasonably anticipated, as evidenced by Rule 17.5.9 as notified.
- The amendment to the definition is required to account for the issues raised in paragraph 5.49 to 5.52 of my evidence.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
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- | | | |
|---|--|---|
| <ul style="list-style-type: none"> ➤ The amendments legitimise existing farming practices at Queenstown Airport. | | <ul style="list-style-type: none"> ➤ The amendments are effective at implementing Policy 17.2.1.2 as they provide for land management activities that support the functioning of Queenstown Airport. |
|---|--|---|

Projected Annual Aircraft Noise Contour (AANC)

Means the Projected Annual Aircraft Noise Contours calculated as specified by the Aerodrome Purposes Designation 2, Condition 14 16.

- Amendments have been recommended to Designation 2 during Hearing Stream 7. This definition therefore requires amendment to ensure the condition reference is accurate.

Aircraft

No further section 32AA evaluation required.

- I support the amendments to the definitions.

Aircraft Operations

Activity Sensitive to Aircraft Noise (ASAN)

Airport Activity – Queenstown Airport

Hangar

Landside

Outer Control Boundary Wanaka

Remotely Piloted Aircraft

Airport Related Activity – Wanaka Airport

Means any retail activity, cafes and other food and beverage facilities, administrative offices, industrial and commercial activities, provided they are ancillary to the use of the Airport. Also includes aviation schools, space research and associated activities, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation. Also includes Temporary Activities associated with Air Shows, Conferences and Meetings, and rental vehicles, valet activities, and public transport facilities. Includes Military Training Operations. Also includes grazing and the keeping of livestock for land management purposes.

Amend the definition as follows:

Airport Related Activity – Wanaka Airport

Means any ancillary activity or service that provides support to the airport. This includes, ~~Means any~~ retail activity, cafes and other food and beverage facilities, administrative offices, freight facilities, industrial and commercial activities, ~~provided they are ancillary to the use of the Airport.~~ Also includes aviation schools, space research and associated activities, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation. Also includes Temporary Activities associated with Air Shows, Conferences and Meetings, and rental vehicles, valet activities, and public transport facilities. Includes Military Training Operations. ~~Also includes grazing and the keeping of livestock for land management purposes.~~ Also includes farming activities.

- The amendments to the definition appropriately constrain airport related activities to those that are ancillary to the use of the airport.
- The amendments will ensure that the incompatible activities do not occur at Wanaka Airport.

Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Cultural, Economic, Social and Cultural Benefits
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- | | | |
|--|-----|---|
| <ul style="list-style-type: none"> ➤ The amendments provide certainty as to the types of activities that can establish at Wanaka Airport. | N/A | <ul style="list-style-type: none"> ➤ The amendments to the definition will ensure that the land resource at Wanaka Airport is used efficiently and only for those activities that rely on an airport location. |
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CHAPTER 35 CONSEQUENTIAL AMENDMENT

Rule 36.5.3 Zone sound received in: Queenstown Airport Mixed Use Zone	Rule 36.5.3 Zone sound received in: Queenstown Airport Mixed Use Zone	<ul style="list-style-type: none">➤ The noise chapter will need to be updated accordingly to reflect the Airport Mixed Use Zone at Wanaka Airport.➤ Refer to paragraphs 6.53 to 6.57 of my evidence.
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CHAPTER 27 CONSEQUENTIAL AMENDMENT

Right of Reply Subdivision Rule 27.5.6 All urban subdivision activities, unless otherwise state, within the following zones: 9. Queenstown Airport Mixed Use Zone	Rule 27.5.6 All urban subdivision activities, unless otherwise state, within the following zones: 9. Queenstown Airport Mixed Use Zone – <u>Queenstown</u>	<ul style="list-style-type: none">➤ The consequential amendments to Chapter 27 are required to ensure that subdivision is appropriately provided for at Wanaka Airport.➤ Refer to paragraphs 6.50 to 6.52 of my evidence.
Rule 25.5.10 All subdivision activities in the Rural General, Gibbston Character Zones, with the exception of unit title, strata title or cross leas subdivision undertaken in Accordance with Rule 27.5.5.	Rule 25.5.10 All subdivision activities in the Rural General and Gibbston Character Zones <u>and Airport Zone – Wanaka</u> , with the exception of unit title, strata title or cross leas subdivision undertaken in Accordance with Rule 27.5.5.	



APPENDIX B

Airport Mixed Use Zone Provisions and
Local Shopping Centre Zone provisions

~~QUEENSTOWN AIRPORT MIXED USE~~ ZONE 17

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to s42A report, dated 2 November 2016.

John Kyle's recommended changes to the section 42A report version of the chapter are shown in red underlined text for additions and ~~strikethrough text~~ for deletions. Blue text shows where it has been recommended to revert back to the notified drafting.

17 ~~Queenstown Airport Mixed Use~~ Zone

17.1 Zone Purpose

The purpose the Airport Zone is to provide for a range of airport and airport related activities at Queenstown and Wanaka Airports and to recognise the unique role of the airports in providing for the social and economic wellbeing of the community.

Queenstown Airport provides facilities for the transportation of people and freight and is a key asset to the District in terms of supporting the tourism industry and the needs of local and business travellers. ~~Queenstown~~ The Airport acts as an important gateway into the District and facilitates access and economic activity in the local and broader regional economies.

~~Queenstown~~ The Airport's main function is for domestic and international scheduled passenger movements as well as freight. ~~The Queenstown~~ Airport is recognised as a nationally significant asset in the light of its significant contribution to the tourism industry. Queenstown Airport also provides facilities and infrastructure for helicopter, flightseeing and general aviation operations. It is also a critical provider of emergency services and is a lifeline utility under the Civil Defence Emergency Management Act 2002.

International tourism is New Zealand's largest foreign exchange earner and the Queenstown Lakes District tourism industry is heavily reliant on air transport. Queenstown Airport ~~The airport~~ is a significant source of employment for the District.

Wanaka Airport is Regionally Significant Infrastructure to the District and is an important commercial and recreational aviation hub for the Upper Clutha. Wanaka Airport has capacity for ~~commercial passenger flights and flights through until 10pm at night and, as such, the Airport may one day accommodate~~ scheduled and chartered air transport services.

The ~~Airport Mixed Use~~ Zone applies to all land used for airport and airport-related activities at Queenstown and Wanaka Airports. The Zone rules apply a range of performance standards to manage the effects of land uses carried out at the Airports on amenity values.

The objective and provisions for Queenstown Airport promote a wide range of activities and reflect the location of Queenstown Airport within the Queenstown Urban Growth Boundary. The objectives and provisions for Wanaka Airport reflect the more remote location of Wanaka Airport outside of the Wanaka Urban Growth Boundary. ~~and seek to avoid adverse effects from inappropriate commercial activities locating at the Airport.~~ The strategic importance to the District of both airports and the finite nature of the land resource for both airports is also recognised in the Airport Zone provisions.

17.32 Objectives and Policies

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~~17.3.1.17.2.1~~ **Objective – Queenstown Airport is recognised as nationally significant infrastructure and a generator of nationally and regionally significant economic, social and cultural benefits.**

Policies

~~17.3.1.1 17.2.1.1~~ ~~Airport activities are enabled, provided~~ Provide for those aviation activities ~~airport activities necessary to enable~~ Queenstown Airport ~~can to~~ operate in a safe and efficient manner.

~~17.3.1.2 17.2.1.2~~ Provide for a range of airport related ~~service, business, industrial and commercial activity activities~~ to support or complement the functioning of Queenstown Airport.

17.2.1.3 Zone sufficient land to meet the foreseeable future requirements of activities that support or complement the functioning of Queenstown Airport.

~~17.2.1.4~~ ~~Promote the use of walking, cycling and public transport services and infrastructure to support or complement the functioning of Queenstown Airport.~~

~~17.2.1.5~~ ~~Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Queenstown Airport.~~

~~17.2.2~~ **Objective – At Wanaka Airport, Airport Activities and Airport Related Activities support the essential functioning of aviation activities. Social and economic wellbeing is supported by enabling airport and airport related activities at Wanaka Airport.**

Policies

~~17.2.2.1~~ ~~Airport Activities which are core to the safe and efficient operation of Wanaka Airport are enabled and provided for. Provide for airport activities to enable Wanaka Airport to operate in a safe and efficient manner.~~

~~17.2.2.2~~ ~~Enable a range of airport related activities provided they are ancillary to the use of the Airport and avoid those activities that are not.~~

~~17.2.2.3~~ ~~Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Wanaka Airport.~~

~~17.2.2.2~~ ~~Ensure land uses including Airport Related Activities have a legitimate relationship with Airport Activities and are only allowed where they are of a size (either individually or cumulatively) that:~~

~~a. is ancillary to and support part of the operation of an Airport Activity; and~~

~~b. do not adversely affect the key local service and employment function of Wanaka Town Centre or other commercially zoned areas within the District.~~

~~17.2.2.3~~ ~~Only allow retail and food and beverage facilities which are designed and operated and of a nature, scale and intensity to service visitors, passengers or workers engaged in or associated with Airport Activities or Airport Related Activities within the Wanaka Airport zone, and are unlikely to attract significant patronage outside of this purpose.~~

~~17.2.2.4~~ ~~Ensure buildings and activities are adequately serviced with a water supply for fire-fighting purposes as well as provision of potable water, sewage treatment and disposal.~~

17.2.23 **Objective – Provision for the requirements of Queenstown and Wanaka Airports is balanced with achieving an acceptable level of amenity for those using the airports and for those residing on neighbouring land.**

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Policies

~~17.2.2.1~~17.2.3.1 Maintain Queenstown Airport as a memorable and attractive gateway to the District.

~~17.2.2.2~~17.2.3.2 Manage adverse effects on amenity values arising from the on-going development, use and maintenance of Queenstown and Wanaka Airports.

~~17.2.2.3~~17.2.3.3 ~~Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Queenstown Airport.~~

17.4 17.3 Other Provisions and Rules

~~17.4.1~~17.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	24 Signs (18 Operative DP)
25 Earthworks (22 Operative DP)	27 Subdivision 26 Historic Heritage	28 Natural Hazards 27 Subdivision
29 Transport (ODP) 28 Natural Hazards	30 Utilities and Renewable Energy 29 Transport (14 Operative)	31 Hazardous Substances (ODP) 30 Energy and Utilities
35 Temporary Activities and Relocated Buildings 31 Hazardous Substances (16 Operative)	36 Noise 32 Protected Trees	37 Designations 35 Temporary Activities and Relocated Buildings
Planning Maps 36 Noise	37 Designations	Planning Maps

~~17.4.2~~17.3.2 District Wide Clarification

Advice Notes:

~~17.3.2.1~~ A permitted activity must comply with all the rules listed in the activity and standards tables.

~~17.3.2.1~~17.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

~~17.3.2.3~~ Rules 17.4.1 to 17.4.9~~12~~ and the standards contained in Table 2 apply to Queenstown Airport. Rules 17.4.10 to 17.4.23~~16~~ and the standards contained in Table 3 apply to Wanaka Airport.

~~17.3.2.4~~ In addition to these rules, any person wishing to undertake an activity within the Aerodrome Purposes designation at Queenstown or Wanaka Airport must obtain the written approval of the requiring authority, in accordance with section 176 of the Resource Management Act 1991.

~~17.3.2.3~~17.3.2.5 The following abbreviations are used within this Chapter.

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P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

General Rules:

17.3.2.6 For Airport Activities at Queenstown and Wanaka Airports, including the Queenstown Airport Corporation as Network Utility Operator, the Airport Zone (Chapter 17) shall prevail over the Energy and Utilities Chapter (Chapter 30).

17.54 Rules - Activities

Table 1 - Activities located in the Queenstown Airport Mixed Use Zone		Activity Status
Queenstown Airport		
17.4.1	Any airport activity or airport related activity Airport Activity – Queenstown Airport, Airport Related Activity – Queenstown Airport or farming activity that which complies with all the relevant standards in Table 2 rules in section 17.5 shall be a Permitted Activity.	P
17.4.2	<p><u>Buildings, except security fencing greater than 2m high which shall not be subject to this rule and is permitted.</u></p> <p><u>Control is reserved to all of the following:</u></p> <ul style="list-style-type: none"> <u>whether building form, colour and texture are used to reduce the apparent height and bulk of large buildings when viewed from adjoining sites;</u> <u>whether there will be a consistency of building materials and colours between buildings;</u> <u>when located near the boundary of the zone, whether the building aligns with other buildings on the site (existing or potential) or on the relevant adjoining site;</u> <u>whether any proposed landscape treatment is in scale with the proposed development, providing for the visual softening of large buildings and the screening of parking, loading and storage areas, while recognising operational requirements of airside facilities;</u> <u>whether the proposed plantings are to be placed to that they do not obstruct views of outstanding natural landscapes and/or features.</u> 	C
17.4.3	<u>Signage</u>	P

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Table 1 - Activities located in the Queenstown Airport Mixed Use Zone		Activity Status
	<p>a. <u>Advertising or promotional signage located greater than 20m from the zone boundary.</u></p> <p>b. <u>Signage to be viewed by persons within the zone and not directed at persons outside the zone.</u></p> <p>c. <u>Instruction or directional signage.</u></p> <p><u>Note: for all other signs, Section 18 – Signs of the Operative District Plan apply.</u></p>	
<u>17.4.4</u>	<p><u>Signage</u></p> <p><u>Signage on the roof of buildings.</u></p>	<u>NC</u>
<u>17.4.25</u>	<p>Any non-airport related activity which is Activities not listed in Rules 17.4.31 to 17.4.912 as Prohibited, with Council's discretion restricted to:</p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • Design, external appearance and siting of buildings and structures; • Traffic generation, vehicle parking, site access and servicing, including provision for an integrated transport assessment; • Landscaping and screening of any outdoor storage; • The extent to which the activity benefits from an Airport location. 	RD
17.4.3 <u>17.4.6</u>	Forestry	PR
17.4.4 <u>17.4.7</u>	Factory Farming	PR
17.4.5 <u>17.4.8</u>	Mining	PR
17.4.6 <u>17.4.9</u>	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR
17.4.7 <u>17.4.10</u>	Residential Activities	PR
17.4.8 <u>17.4.11</u>	Community Activities (excluding police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose)	PR
17.4.9 <u>17.4.12</u>	Day Care Facilities	PR
<u>Wanaka Airport</u>		
17.4.10 <u>17.4.13</u>	Any activity not listed in Rules 17.4.14 to 17.4.23 <u>17.4.14 to 17.4.2316</u>	<u>NC</u>

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Table 1 - Activities located in the Queenstown Airport Mixed Use Zone		Activity Status
17.4.11 17.4.14	Any Airport Activity – Wanaka Airport, <u>Airport Related Activity – Wanaka Airport (excluding buildings) or farming activity that complies with the relevant standards in Table 3.</u>	<u>P</u>
17.4.12	Airport Related Activity – Wanaka Airport that complies with the relevant standards in Table 3.	<u>P</u>
17.4.1317.4.15	<p><u>Buildings for Airport or Airport Related Activities</u></p> <p><u>Except security fencing greater than 2m high which shall not be subject to this rule and is permitted.</u></p> <p><u>Control is reserved to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Design and appearance:</u> • <u>The effects on visual amenity when viewed from the zone boundary;</u> • <u>The purpose of the building and the operational requirements of the activity it contains.</u> • <u>Provision for firefighting;</u> • <u>Wastewater;</u> • <u>Stormwater;</u> • <u>Water Supply.</u> • <u>whether building form, colour and texture are used to reduce the apparent height and bulk of large buildings when viewed from adjoining sites;</u> • <u>whether there will be a consistency of building materials and colours between buildings;</u> • <u>when located near the boundary of the zone, whether the building aligns with other buildings on the site (existing or potential);</u> • <u>whether any proposed landscape treatment is in scale with the proposed development, providing for the visual softening of large buildings and the screening of parking, loading and storage areas when viewed from adjoining sites;</u> • <u>whether the proposed plantings are to be placed so that they do not obstruct views of outstanding natural landscapes and/or features when viewed from adjoining sites;</u> 	<u>C</u>

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Table 1 - Activities located in the Queenstown Airport Mixed Use Zone		Activity Status
	<ul style="list-style-type: none"> <u>The number, location and formation of car parks.</u> <u>The location and formation of site access to ensure that the safety and functionality of adjacent roading networks is maintained.</u> <u>The design and location of new buildings and structures located to the north of the runway to the extent that the built form should be clustered together to maintain, as far as reasonably practicable, clear view shafts from State Highway 6 towards the north.</u> <u>Provision for firefighting, wastewater, stormwater and water supply.</u> 	
<u>17.4.14</u> <u>17.4.16</u>	<p><u>Instructional or directional signage or signage directed at persons within the zone.</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> <u>Dimensions of signage</u> <u>Location of signage</u> <p><u>Note: for all other signs, Section 18 – Signs of the Operative District Plan apply.</u></p>	<u>C</u>
<u>17.4.17</u>	<p><u>New Activity Sensitive to Aircraft Noise and Building Platforms for Activity Sensitive to Aircraft Noise within the Outer Control Boundary - Wanaka Airport.</u></p> <p><u>Any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except for police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose).</u></p>	<u>PR</u>
<u>17.4.15</u>	<u>Community Activities limited to police stations, fire stations, medical facilities and aviation schools (provided they serve an aviation related purpose).</u>	<u>D</u>
<u>17.4.16</u>	<u>Wholesaling or Commercial Storage Activity</u>	<u>NG</u>
<u>17.4.17</u>	<u>Forestry</u>	<u>PR</u>
<u>17.4.18</u>	<u>Factory Farming</u>	<u>PR</u>
<u>17.4.19</u>	<u>Mining</u>	<u>PR</u>
<u>17.4.20</u>	<u>Any activity requiring an Offensive Trade Licence under the Health Act 1956</u>	<u>PR</u>

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Table 1 - Activities located in the Queenstown Airport Mixed Use Zone		Activity Status
<u>17.4.21</u>	<u>Residential Activity</u>	<u>PR</u>
<u>17.4.22</u>	<u>Community Activities (excluding those identified in Rule 17.4.15)</u>	<u>PR</u>
<u>17.4.23</u>	<u>Day Care Facilities</u>	<u>PR</u>

17.65 Rules - Standards

Table 2 Standards for activities located in the Queenstown Airport Mixed Use Zone		Non-compliance status:
17.6.1 <u>17.5.1</u>	<p>Maximum Building Coverage</p> <p>75% of the site area</p> <p>Discretion is restricted to all of the following: *Discretion is limited to consideration of</p> <ul style="list-style-type: none"> • <u>T</u>he effects on urban design outcomes, and • <u>T</u>he positive economic, social and/or cultural effects that may be generated from the proposed activity. 	RD
17.6.2 <u>17.5.2</u>	<p>Minimum Buildings Setback</p> <p>17.6.2.1<u>17.5.2.1</u></p> <p>For all buildings at Queenstown Airport:</p> <p>a. Where the site adjoins the Residential Zone the setback shall be 5m.</p> <p>b. The setback for<u>from</u> all other zones shall be 3m.</p> <p>c. The setback from any public road shall be 5m.</p> <p>17.5.2.1<u>Except:</u> Security fencing around the perimeter of Queenstown Airport and jet blast fences are not subject to the building setback standards in (a) above.</p> <p>Discretion is restricted to all of the following: *Discretion is limited to consideration of</p> <ul style="list-style-type: none"> • <u>T</u>he effects on urban design outcomes, and • <u>T</u>he positive economic, social and/or cultural effects that may be generated from the proposed activity. 	RD

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Table 2 Standards for activities located in the Queenstown Airport Mixed Use Zone		Non-compliance status:
17.6.317.5.3	<p>Maximum Building Height</p> <p>The maximum building height of all buildings <u>within the Queenstown Airport Zone</u> within the Zone is 15m. The limit specified above shall not apply to control towers, lighting towers, hangars or meteorological, navigation or communication masts and aerials which shall not be subject to a height limit.</p> <p><u>Discretion is restricted to all of the following:</u> *Discretion is limited to consideration of</p> <ul style="list-style-type: none"> • The effects on urban design outcomes, and • Visual effects, • The positive economic, social and/or cultural effects that may be generated from the proposed activity. 	RD
17.6.417.5.4	<p>Landscaping</p> <p>At Queenstown Airport, those properties fronting Lucas Place and Hawthorn Drive to the west of Copper Beech Ave shall provide and maintain a landscape strip extending the full length of the road boundary, except across vehicle and pedestrian entranceways. The strip shall be not less than 1m deep and shall have an average depth of 3m over its entire length.</p> <p><u>Discretion is restricted to all of the following:</u> *Discretion is limited to consideration of</p> <ul style="list-style-type: none"> • The effects on urban design <u>outcomes and the visual landscape</u> effects of reduction in landscaping, and • The functional and operational requirements of the site. 	RD
17.6.517.5.5	<p>Building Design and Glare</p> <p>17.6.5.117.5.5.1</p> <p><u>The exterior of B</u>buildings situated within the landside area at Queenstown Airport shall be designed so that roof and wall colours are limited to a maximum reflectivity of 36%, except where:</p> <p>a Trims, highlights and signage totalling up to 10% of the façade area may exceed this level and be of contrasting colour.</p> <p>17.6.5.217.5.5.2</p>	RD

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Table 2 Standards for activities located in the Queenstown Airport Mixed-Use Zone	Non-compliance status:
<p>Any landside activity which requires the lighting of outdoor areas shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any adjacent Residential Zone</p> <p><u>17.5.5.3 All fixed exterior lighting on buildings associated with Airport Related Activities shall be directed away from adjacent sites and roads.</u></p> <p>*Discretion is <u>restricted to all of the following:</u></p> <ul style="list-style-type: none"> • limited to the extent of adverse effects from lighting on Residential Activities. And • The extent to which the lighting is required for operational purposes. • <u>The effects on urban design outcomes;</u> • <u>Visual effects;</u> • <u>The purpose of the building and the operational requirements of the activity it contains.</u> 	
<p>17.5.6</p> <p>Maximum Noise – Land Based Activities</p> <p>17.5.6.1 Sound from land based activities 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 Residential Zone, the notional boundary in the Rural Zone, or at any point within Activity Areas 1, 3, 4, 6 and 8 of the Remarkables Park Zone. On any site within the zone, land based activities shall be conducted such that the following noise levels are not exceeded at any adjacent Zone boundary:</p> <p style="margin-left: 40px;">a. Daytime (0700 to 2200 hrs) 55 dB $L_{Aeq(15min)}$</p> <p style="margin-left: 40px;">b. Night-time (2200 to 0700 hrs) 45 dB $L_{Aeq(15min)}$ 70 dB L_{AFmax}</p> <p>17.5.6.2 The noise limits in (a) shall not apply to any aircraft noise activities subject to the Queenstown Airport noise provisions managed through Designation 2.</p> <p>17.5.6.3 The noise limits in (a) shall not apply to construction noise which shall be assessed in accordance with</p>	RD

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Table 2 Standards for activities located in the Queenstown Airport Mixed Use Zone		Non-compliance status:
	<p>NZS6803:1999 “Acoustics Construction Noise”.</p> <p>*Discretion is limited to the extent of effects of noise generated on adjoining zones.</p>	
17.5.7 17.5.6	<p>Hazardous Substances</p> <p>Hazardous substances must be used, stored and transported in accordance with the HSNO regulations and any CAA requirements (NB Chapter 16 Hazardous Substances of the Operative District Plan does not apply to the Airport Mixed Use Zone).</p>	NG
17.5.8 17.5.7	<p>Visitor Accommodation– Queenstown Airport</p> <p>17.5.8.1 Within the Air Noise Boundary (ANB) – New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 adhering to the sound insulation requirements in Table 1 of Appendix 13 <u>Table 4 of Chapter 36 of the Operative this District Plan</u> and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 <u>Table 5 Rule 36.6.3 of Chapter 36</u>, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction can achieve the Indoor Design Sound Level with the windows open.</p> <p>17.5.8.2 Between the Outer Control Boundary (OCB) and the ANB - New buildings and alterations and additions to existing buildings containing Visitor Accommodation 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 2 of Appendix 13 <u>Table 5 Rule 36.6.3 of Chapter 36 of the Operative this District Plan</u> or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction can</p>	NC

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Table 2 Standards for activities located in the Queenstown Airport Mixed-Use Zone		Non-compliance status:
	<p>achieve the Indoor Design Sound Level with the windows open.</p> <p>17.5.7.3 The maximum length of stay for any visitor / guest shall be three nights;</p> <p>17.5.7.4 No outdoor amenity space shall be provided.</p>	
17.5.9 17.5.8	<p>Transportation</p> <p>17.5.9.1 Loading and Access</p> <p>Loading and Access shall comply with the requirements specified in Section 14 Transport of the Operative District Plan.</p> <p>17.5.9.2 Minimum Car Parking</p> <p>Activities undertaken within or in association with the airport terminal facility are exempt from complying with any minimum parking requirement. Except for those activities undertaken within or in association with the airport terminal facility, on-site car parking shall comply with the car parking requirements specified in Section 14 of the Operative District Plan.</p>	
17.5.9	<p><u>Signs</u></p> <p>17.5.109.1 For a Any advertising or promotional signage shall not be located within 20m of the zone boundary, whether it is affixed to a building or freestanding the rules in Section 18 – Signs of the Operative District Plan apply.</p> <p>17.5.109.2 For signage to be viewed by persons within the zone at not directed at persons outside the site, no limits apply.</p> <p>17.5.109.3 There are no restrictions on the dimensions or location of instructional and directional signage.</p> <p>No signage shall be permitted on building roofs.</p>	

Table 3 Standards for activities located in the Wanaka Airport Zone	Non-compliance status:

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<p><u>17.5.1017.5.9</u></p>	<p>Minimum Building Setback</p> <p>a. <u>The setback from all zone boundaries shall be 5m.</u></p> <p>b. <u>The setback from the eastern side of the centreline of the main runway (as at 2013) shall</u></p> <p>c. <u>be 217 metres.</u></p> <p>d. <u>The setback from the western side of the centre line of the main runway (as at 2013) shall be 124 metres.</u></p> <p>e. <u>The setback from any public road shall be 5m.</u></p> <p><u>Except no setbacks shall apply to security fencing greater than 2m in height.</u></p> <p><u>Discretion is restricted to the following (where relevant):</u></p> <ul style="list-style-type: none"> • <u>For non-compliances with (a) or (d) only, the visual effects of the bulk and location when viewed from the boundary of the zone or adjacent public roads.</u> • <u>For non-compliances with (b) or (c) only, the effects on the current and future operation of the Airport.</u> • <u>For all non-compliances, the purpose of the building and the operational requirements of the activity it contains.</u> • <u>The positive economic, social and/or cultural effects that may be generated from the proposed activity.</u> 	<p>RD</p>
<p><u>17.5.1117.5.10</u></p>	<p>Maximum Building Height</p> <p><u>The maximum height of all buildings shall be 10m.</u></p> <p><u>Except this limit shall not apply to control towers, lighting towers or navigation and communication masts and aerals which are not subject to a height limit.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Visual effects of the bulk and location non-compliance when viewed from the boundary of the zone.</u> • <u>The purpose of the building and the operational requirements of the activity it contains.</u> • <u>The positive economic, social and/or cultural effects that may be generated from the proposed activity.</u> 	<p>RD</p>

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<p><u>17.5.12</u> <u>17.5.11</u></p>	<p>Glare</p> <p><u>Within all landside areas, A</u>all lighting shall:</p> <p><u>a.</u> ensure that direct or indirect illumination does not exceed 3 lux spill of light at any adjacent site.</p> <p><u>b.</u> be directed away from adjoining sites and roads;</p> <p><u>c.</u> not be directed upwards.</p>	<p>NC</p>
<p><u>17.5.13</u> <u>12</u></p>	<p>Identified Airport Related Activities – Maximum Gross Floor Area</p> <p>The following activities shall not exceed 100m² in Gross Floor Area as part of any single activity:</p> <p>a. cafes and other food and beverage facilities;</p> <p>b. retail activities;</p> <p>c. offices.</p>	<p><u>D</u></p>
<p><u>17.5.14</u></p>	<p>Identified Airport Related Activities – Maximum Total Gross Floor Area</p> <p>The maximum Gross Floor Area of the following activities shall not exceed 1000m² over the zone, irrespective of any site, tenancy or lease arrangement within the zone:</p> <p>a. cafes and other food and beverage facilities;</p> <p>b. retail activities;</p> <p>c. offices.</p>	<p>NC</p>
<p><u>17.5.15</u></p>	<p>Hours of Operation for Airport Related Activities</p> <p>The hours of operation for the following Airport Related Activities shall be undertaken between 6.00 am and 10.00 pm:</p> <p>a. cafes and other food and beverage facilities;</p> <p>b. retail activities;</p>	<p>NC</p>

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<p><u>17.5.12</u></p>	<p><u>Air shows</u></p> <ol style="list-style-type: none"> a. <u>The air show (including set up, flying programmed and pack down) shall be limited to 12 days inclusive;</u> b. <u>The flying programme for the air show shall be limited to a period of not more than five days;</u> c. <u>The hours permitted for the air show shall between 0600 and 2000;</u> d. <u>The air show operator shall submit to the Council, no later than 30 working days prior to the air show taking place, a report detailing the noise and environmental aspects of the air show. The Council may request changes to the air show to avoid unreasonable noise exposure on the community. Comments are to be provided by the Council within 10 working days of receipt of the air show programme.</u> e. <u>The relevant noise standards for the Zone shall not apply to the air show.</u> <p><u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>Adverse amenity effects for surrounding landowners;</u> • <u>Measures to avoid, remedy or mitigate the adverse amenity effects;</u> • <u>The positive economic, social and/or cultural effects that may be generated from the proposed activity.</u> 	<p><u>RD</u></p>
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17.76 Non-Notification of Applications

~~17.7.1~~ 17.6.1 Except as provided for by the Act, ~~a~~ All applications for controlled or restricted discretionary activities or discretionary activities will be considered without shall not require public notification or the need to obtain the written consent of other persons and shall not be notified or limited notified. ~~approval of or serve notice on affected persons.~~

Except the following:

Rule 17.5.10 Minimum Building Setback – Wanaka Airport

Rule 17.5.11 Maximum Building Height – Wanaka Airport

17.87 Non Regulatory Methods

~~17.8.1~~ 17.7.1 Council will use advocacy to promote good urban design and form at in the Queenstown Airport Mixed Use Zone.

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~~17.8.2~~17.7.2 As the major requiring authority in the Queenstown Airport Mixed Use Airport Zones at Queenstown, the Queenstown Airport Corporation will adopt best practice urban design and urban design led principles at Queenstown Airport.

~~17.8.3~~17.7.3 The Queenstown Airport Corporation shall prepare an urban design guideline for the Queenstown Airport ~~Mixed Use Zone~~. The urban design guideline shall promote a built form and character which maintains the Airport and its surrounds as an attractive gateway to the district.

Note: Recommended amendments to definitions relevant to the activities within Chapter 17.

Aircraft	Means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth. <u>Excludes remotely piloted aircraft that weigh less than 15 kilograms.</u>
Aircraft Operations	Includes the operation of aircraft during landing, take-off and taxiing but excludes: <ul style="list-style-type: none"> - Aircraft operating in an emergency - Aircraft using the Airport as an alternative to landing at a scheduled airport; - Military aircraft movements; and - Engine testing
Activity Sensitive To Aircraft Noise (ASAN)	Means any residential activity, visitor accommodation activity, community activity and day care facility activity as defined in this District Plan including all outdoor spaces associated with any educational facility, but excludes activity in police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
Activity Sensitive To Aircraft Noise (ASAN) Wanaka	Means any residential activity, visitor accommodation activity, community activity and day care facility activity, but excludes activity in police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
Air Noise Boundary	Means a boundary, the location of which is based on predicted day/night sound levels of Ldn 65 dBA from future airport operations. The location of the boundary is shown on the District Plan Maps.
Airport Activity Queenstown Airport =	Means land used wholly or partly for the landing, departure, and surface movement of aircraft, including but not limited to: <ul style="list-style-type: none"> (a) aircraft operations, private aircraft traffic, domestic and international aircraft traffic, rotary wing operations, aircraft servicing, general

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	<p>aviation, airport or aircraft training facilities and associated offices.</p> <p>(b) Runways, taxiways, aprons, and other aircraft movement areas.</p> <p>(c) Terminal buildings, hangars, control towers, <u>air traffic control facilities, flight information services, navigation and safety aids,</u> 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.</p>
<p><u>Airport Activity – Wanaka Airport</u></p>	<p>Means land used wholly or partly for the landing, departure, and surface movement of aircraft, including but not limited to:</p> <p>(a) <u>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.</u></p> <p>(b) <u>Runways, taxiways, aprons, and other aircraft movement or safety areas.</u></p> <p>(c) <u>Terminal buildings, hangars, air traffic control facilities, flight information services, navigation and safety aids, rescue facilities, lighting, car parking, maintenance and service facilities, catering facilities, quarantine and incineration facilities, medical facilities, fuel storage and fuelling facilities, and associated offices.</u></p>
<p><u>Airport Related Activity – Queenstown Airport</u></p>	<p>Means an ancillary activity or service that provides support to the airport. This includes, but is not limited to, land transport activities, buildings and structures, <u>signage,</u> servicing and infrastructure, police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose, retail and commercial services, industry and visitor accommodation associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses. <u>Also includes farming activities.</u></p>
<p><u>Airport Related Activity – Wanaka Airport</u></p>	<p><u>Means any ancillary activity or service that provides support to the airport. This includes, Means-any</u> retail activity, cafes and other food and beverage facilities, <u>administrative offices, freight facilities, industrial and commercial activities,</u> provided they are ancillary to the</p>

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	<u>use of the Airport</u> . Also includes aviation schools, space research and associated activities, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation. Also includes Temporary Activities associated with Air Shows, Conferences and Meetings, and rental vehicles, valet activities, and public transport facilities. Includes Military Training Operations. Also includes grazing and the keeping of livestock for land management purposes.
Hangar	<u>Means</u> a structure used to store aircraft, including for the maintenance, servicing and/or repair purposes.
Landside	Means that an area of an airport and buildings to which the public has unrestricted access.
Outer Control Boundary (OCB) Wanaka	Means a boundary, as shown on the District Plan Maps <u>18A</u> , the location of which is based on the predicted day/night sound levels of 55 dBA Ldn from airport operations in 2036.
Projected Annual Aircraft Noise Contour (AANC)	Means the Projected Annual Aircraft Noise Contours calculated as specified by the Aerodrome Purposes Designation 2, Condition 44 <u>16</u> .
<u>Remotely Piloted Aircraft</u>	<u>Means an unmanned aircraft that is piloted from a remote station.</u>
Wholesaling (Three Parks, and Industrial B and Airport Mixed Use Zones)	Means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers.

Note: Consequential amendments to Chapter 27 (right of reply version).

Rule 27.5.6

All urban subdivision activities, unless otherwise state, within the following zones:

9. ~~Queenstown~~-Airport ~~Mixed Use~~ Zone – Queenstown

Rule 25.5.10

All subdivision activities in the Rural General ~~and~~ Gibbston Character Zones and Airport Zone – Wanaka, with the exception of unit title, strata title or cross leas subdivision undertaken in Accordance with Rule 27.5.5.

Note: Consequential amendments to Chapter 36 (right of reply version).

Rule 36.5.3

Zone sound received in: ~~Queenstown~~-Airport ~~Mixed Use~~ Zone

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to s42A report, dated 2 November 2016.

John Kyle's recommended changes to the section 42A report version of the chapter are shown in red underlined text for additions and ~~strikethrough text~~ for deletions. Blue text shows where it has been recommended to revert back to the notified drafting.

15 Local Shopping Centres

Local Shopping Centres: Albert Town, Arrowtown, Fernhill, Frankton, Hawea, Sunshine Bay and Wanaka

15.1 Zone Purpose

The **Local Shopping Centre Zone** enables small scale commercial and business activities in discrete pockets of land that are accessible to residential areas and people in transit.

The zone seeks to reduce the necessity for people to travel longer distances to town centres to purchase convenience goods and access services. Due to the nature of the Zone's locations in predominantly residential environments, Zone standards limit the potential adverse effects on residential amenity and discourage the establishment of inappropriate activities. Visitor accommodation and residential activities are provided for in the Zone, adding to the vibrancy and viability of the Zone, whilst contributing to the diversity of housing options enabled by the District Plan.

15.2 Objectives and Policies

15.2.1 Objective – ~~Enable a~~ A range of activities to occur in the Local Shopping Centre Zone to meet the day to day needs of the community and ensure that they are of a limited scale that supplements the function of town centres.

Policies

15.2.1.1 Provide for a diverse range of activities that meet the needs of the local community, enable local employment opportunities and assist with enabling the economic viability of local shopping centres.

15.2.1.2 Ensure that local shopping centres remain at a small scale that does not undermine the role and function of town centres.

15.2.1.3 Enable residential and visitor accommodation activities, but limit their establishment to above ground floor level to ensure that the integrity of activities occurring at street level is maintained, and that the core commercial function of the local shopping centres is not eroded.

15.2.1.4 Avoid individual retail activities exceeding 300m² gross floor area and individual office activities exceeding 200m² gross floor area that would adversely affect the:

- a. retention and establishment of a mix of activities within the local shopping centre;

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- b. role and function of town centres and commercial zones that provide for large scale retailing; and
- c. safe and efficient operation of the transport network.

15.2.1.5 Restrict identified retail activities to ensure that the role and function of town centres as the District's principal centres of retailing activity is not threatened.

15.2.2 **Objective – Buildings respond to the existing character, quality and amenity values of their neighbourhood setting.**

Policies

15.2.2.1 Control the height, scale, appearance and location of buildings in order to achieve a built form that complements the existing patterns of development and is consistent with established amenity values.

15.2.2.2 Ensure that development generally comprises a scale that is commensurate with the receiving built environment.

15.2.2.3 Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.

15.2.2.4 Place specific controls on the bulk and location of buildings on sites adjoining Residential-zoned properties to ensure that an appropriate standard of residential amenity is maintained.

15.2.2.5 Control the design and appearance of verandas so they integrate well with the buildings they are attached to, and complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles, while providing appropriate cover for pedestrians.

15.2.2.6 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity values.

15.2.3 **Objective – ~~Appropriate limits are placed on activities to minimise a~~Adverse environmental effects received both within and beyond the zone are minimised.**

Policies

15.2.3.1 Provide appropriate noise limits to control adverse noise effects generated by activities occurring within the Local Shopping Centre Zone and received by nearby properties.

15.2.3.2 Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to:

- a. limit the impact of noise generated within the Zone on occupants; and, where relevant
- b. limit the reverse sensitivity effects on Queenstown Airport for buildings within the Queenstown Airport Outer Control Boundary.

15.2.3.3 Ensure that the location and direction of lights does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on the night sky.

15.2.3.4 Avoid the establishment of activities that are not consistent with established amenity values, cause inappropriate environmental effects, or are more appropriately located in other zones.

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15.2.3.5 For development of the site(s) at 1 Hansen Road, between Hansen Road and the Frankton Cemetery (as shown on Planning Maps 31, 31a and 33), in addition to other Zone-wide requirements:

- a. Ensure that development is undertaken in an integrated manner, having particular regard to ensuring the safe and efficient operation of the transport network.
- b. Implement specific controls to limit effects on the historic values of the neighbouring cemetery.

15.3 Other Provisions and Rules

15.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as ~~Operative District Plan (ODP)~~operative.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative DP)	25 Earthworks (22 Operative DP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 Operative DP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 Operative DP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

15.3.2 Clarification

Advice Notes

15.3.2.1 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.

15.3.2.2 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

15.3.2.3 The following abbreviations are used within this Chapter.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

15.4 Rules - Activities

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	Activities located in the Local Shopping Centre Zone	Activity status
15.4.1	Activities which are not listed in this table and comply with all standards	P
15.4.2	<p>Verandas, in respect of:</p> <ul style="list-style-type: none"> • Design; • Materials; • External appearance; and • The impact on, and relationship to, adjoining verandas; and • <u>The enabling of unobstructed kerbside movements of high-sided vehicles.</u> 	C
15.4.3	<p>15.4.3.1 Buildings:</p> <p>*Discretion is restricted to consideration of all of the following: external appearance, materials, sign platform, lighting, impact on the street, and natural hazards to ensure that:</p> <ul style="list-style-type: none"> • <u>External appearance, including materials, glazing treatment vertical and horizontal emphasis and the location of storage;</u> • <u>Signage platforms;</u> • <u>Lighting;</u> • <u>The impact of the building on the streetscape, compatibility with adjoining buildings and contribution to an integrated built form;</u> • The design of the building blends well with and contributes to an integrated built form; • The external appearance of the building is sympathetic to the surrounding natural and built environment; • The detail of the facade is sympathetic to other buildings in the vicinity, having regard to; building materials, glazing treatment, symmetry, external appearance, vertical and horizontal emphasis and storage; • Where residential units are proposed as part of a development, the extent to which open space is provided on site, provision of of open space either through private open space or communal open space, or a combination thereof; and • Where a site is subject to any Natural hazards and where the proposal to results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses including considering the nature and degree of risk the hazard(s) pose to people and property, whether the 	RD*

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	Activities located in the Local Shopping Centre Zone	Activity status
	<p>proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated.¹</p> <p><u>Assessment Matters relating to natural hazards:</u></p> <ul style="list-style-type: none"> • <u>the nature and degree of risk the hazard(s) pose to people and property;</u> • <u>whether the proposal will alter the risk to any site; and</u> • <u>whether such risk can be avoided or sufficiently reduced.</u> <p>15.4.3.2 Development of 1 Hansen Road only:</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <p>a. Applications for buildings shall be accompanied by a Spatial Layout Plan for the entire part of this site, which is zoned Local Shopping Centre, showing:</p> <ul style="list-style-type: none"> (i) The location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery; (ii) Proposed building locations and parking areas; (iii) Concept landscape design treatment; (iv) Detailed landscaping plan addressing the interface between development and the Frankton Cemetery for the purpose of managing effects on the amenity and historic values in and around the cemetery; and (v) Three waters infrastructure. <p>Note: where relevant, applications may rely upon an approved Spatial Layout Plan submitted as part of a prior application for this site.</p> <p>*Discretion is restricted to consideration of all of the following in addition to the matters in Rule 15.4.3.1 above:</p> <ul style="list-style-type: none"> • historic heritage and the amenity values of the Frankton Cemetery; 	

¹ Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

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	Activities located in the Local Shopping Centre Zone	Activity status
	<ul style="list-style-type: none"> • the safe and efficient operation of the transport network; • pedestrian/cycling connectivity and safety; • amenity values; and • three waters infrastructure. 	
15.4.4	<p>Visitor Accommodation</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The location, provision, and screening of access and parking, traffic generation, and Travel Demand Management; • Landscaping; • The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses; • The location and screening of bus and car parking from public places; and • Where the site adjoins a residential zone: <ul style="list-style-type: none"> - Noise generation and methods of mitigation; and - Hours of operation of ancillary activities. 	RD*
15.4.5	<p>Licensed Premises</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <p>a) to any person who is residing (permanently or temporarily) on the premises; and/or</p> <p>b) to any person who is present on the premises for the purpose of dining up until 12am.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The scale of the activity; • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues; • Hours of operation; and • Any relevant Council alcohol policy or bylaw. 	RD*
<u>15.4.6</u>	<u>Appliance Stores, Electronic and Electrical Goods Stores, Fashion Stores, Furniture and Floor Covering Stores</u>	<u>NC</u>

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	Activities located in the Local Shopping Centre Zone	Activity status
<p>15.4.6</p> <p><u>15.4.7</u></p>	Industrial Activities not otherwise provided for in this Table	NC
<p>15.4.7</p> <p><u>15.4.8</u></p>	Factory Farming	PR
<p>15.4.8</p> <p><u>15.4.9</u></p>	Forestry Activities	PR
<p>15.4.9</p> <p><u>15.4.10</u></p>	Mining Activities	PR
<p>15.4.10</p> <p><u>15.4.11</u></p>	Airport	PR
<p>15.4.11</p> <p><u>15.4.12</u></p>	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

15.5 Rules - Standards

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	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
15.5.1	<p>Building Coverage</p> <p>Maximum building coverage - 75%.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The effects on the quality of the overall streetscape; and • The ability to meet outdoor storage requirements. <p>Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) the maximum building coverage shall be 50% with discretion restricted to the above matters and:</p> <ul style="list-style-type: none"> • The traffic effects of additional building coverage, <u>including the effects on the State Highway</u>, particularly with <u>particular</u> regard to the intersection between Hansen Road and State Highway 6. 	RD*
15.5.2	<p>Setbacks and Sunlight Access – sites adjoining any Residential zone, Township Zone or public open space</p> <p>a) Buildings shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 3m above any Residential Zone or Township Zone boundary.</p> <p>b) Where the site adjoins any Residential zone, Township Zone or public open space the setback shall be not less than 3m.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The visual effects of the height, scale, location and appearance of the building, in terms of <ul style="list-style-type: none"> - Dominance; - Loss of privacy on adjoining properties; and - Any resultant shading effects. 	RD*
15.5.3	<p>Acoustic insulation (excluding the Frankton Local Shopping Centre Zone)</p> <p>a) A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36</p> <p>b) All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_{tr} determined in accordance with ISO 10140 and ISO 717-1.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; • the extent of insulation proposed; and 	RD*

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	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
	<ul style="list-style-type: none"> whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site. 	
<u>15.5.4</u>	<p><u>Acoustic insulation in the Frankton Local Shopping Centre Zone</u></p> <p><u>a) A mechanical ventilation system shall be installed for all critical listening environments in accordance with Rule 36.6.3 in Chapter 36.</u></p> <p><u>b) All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_r determined in accordance with ISO 10140 and ISO 717-1.</u></p>	<u>NC</u>
<u>15.5.4</u>	<p>Development of 1 Hansen Road</p> <p>The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <p>(a) The total gross floor area dedicated to retail uses shall not exceed 4000m², with no individual tenancy larger than 700m² and no more than 40 retail tenancies across the site in total;</p> <p>(b) The total gross floor area dedicated to office uses shall not exceed 3000m²;</p> <p>(c) No retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred;</p> <p>(d) The total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units;</p> <p>(e) There shall be no vehicle access directly onto the State Highway;</p> <p>(f) Buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and</p> <p>(g) Buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery.</p>	D
<u>15.5.5</u>	<p>Residential and Visitor Accommodation Activities</p> <p>All residential and visitor accommodation activities shall be restricted to first floor level or above.</p>	NC
<u>15.5.6</u>	<p>Building Height</p> <p>a) For the Local Shopping Centre Zone located at Albert Town, Arrowtown, Fernhill, Hawea, Sunshine Bay and Wanaka the maximum building height shall be 7m.</p> <p>b) For all other areas in the Local Shopping Centre Zone the maximum building height shall be 10m.</p>	NC

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	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
<p>15.5.7</p> <hr/> <p>15.5.8</p>	<p>Noise</p> <p>a) Sound* from activities shall not exceed the following noise limits at any point within any other site in this zone:</p> <ul style="list-style-type: none"> • Daytime (0800 to 2200 hrs) 60 dB LAeq(15 min) • night-time (2200 to 0800 hrs) 50 dB LAeq(15 min) • night-time (2200 to 0800 hrs) 75 dB LAFmax <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999. • The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan. • The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport. <p>b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.</p>	<p>NC</p>
<p>15.5.8</p> <hr/> <p>15.5.9</p>	<p>Glare</p> <p>a) All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p>b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is in any Residential zone or Township Zone measured at any point more than 2m inside the boundary of the adjoining property.</p> <p>d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.</p>	<p>NC</p>

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	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
<u>15.5.9</u>	Retail and Office activities:	NC
15.5.10	<p>a. <u>Retail activities shall not exceed 300m² gross floor area</u></p> <p>b. <u>Office activities shall not exceed 200m² gross floor area</u></p>	

15.6 Non-Notification of Applications

15.6.1 Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified.

15.6.2 The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified:

15.6.2.1 Buildings (Rule 15.4.3).

15.6.2.2 Building coverage, except for applications to exceed permitted building coverage between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) with any notification limited to road controlling authority.

15.6.3 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

15.6.3.1 Setbacks and sunlight access – sites adjoining any Residential zone, Township Zone or public open space.



APPENDIX C

Policy Documents

Operative Regional Policy Statement for Otago

Queenstown Airport is recognised in the explanation to issue 9.3.3¹ of the RPS as one of the region's major airports.

Objective/Policy #	Objective Policy Detail
Objective 9.4.1	To promote the sustainable management of Otago's built environment in order to: (a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and (b) Provide for amenity values, and (c) Conserve and enhance environmental and landscape quality; and (d) Recognise and protect heritage values.
Objective 9.4.2	To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.
Objective 9.4.3	To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources
Policy 9.5.2	To promote and encourage efficiency in the development and use of Otago's infrastructure through: (a) Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and (b) Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and (c) Encouraging a reduction in the use of non-renewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and (d) Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.
Policy 9.5.3	To promote and encourage the sustainable management of Otago's transport network through: (a) Promoting the use of fuel efficient modes of transport; and (b) Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and (c) Promoting a safer transport system; and

¹ Issue 9.3.3, page 123 of the Operative Regional Policy Statement for Otago 1998.

Objective/Policy #	Objective Policy Detail
	(d) Promoting the protection of transport infrastructure from the adverse effects of landuse activities and natural hazards.
Policy 9.5.5	<p>To maintain and, where practicable, enhance the quality of life for people and communities within Otago’s built environment through:</p> <ul style="list-style-type: none"> (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and (b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago’s natural and physical resources; and (c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.

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Objective/Policy #	Objective Policy Detail
Objective 4.3.5	Infrastructure is managed and developed in a sustainable way.
Policy 4.3.1 – Managing infrastructure activities	<p>Manage infrastructure activities, to achieve all of the following:</p> <ul style="list-style-type: none"> (a) Maintaining or enhancing the health and safety of the community; (b) Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative adverse effects on natural and physical resources; (c) Supporting economic, social and community activities; (d) Improving efficiency of use of natural resources; (e) Protecting infrastructure corridors for infrastructure needs, now and for the future; (f) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; (g) Protecting the functional and operational requirements of lifeline utilities and essential or emergency services.
Policy 4.3.2 – Nationally and regionally significant infrastructure	<p>Recognise the national and regional significance of all of the following infrastructure:</p> <ul style="list-style-type: none"> (a) Renewable electricity generation activities, where they supply the national electricity grid and local distribution network; (b) Electricity transmission infrastructure; (c) Telecommunication and radiocommunication facilities; (d) Roads classified as being of national or regional importance; (e) Ports and airports and associated navigation infrastructure; (f) Defence facilities (g) Structures for transport by rail.
Policy 4.3.3 – Adverse effects of nationally and regionally significant infrastructure	<p>Minimise adverse effects from infrastructure that has national or regional significance, by all of the following:</p> <ul style="list-style-type: none"> (a) Giving preference to avoiding their location in all of the following: <ul style="list-style-type: none"> (i) Areas of significant indigenous vegetation and significant habitats of indigenous fauna; (ii) Outstanding natural features, landscapes and seascapes; (iii) Areas of outstanding natural character; (iv) Outstanding water bodies or wetlands; (v) Places or areas containing significant historic heritage;

Objective/Policy #	Objective Policy Detail
	<ul style="list-style-type: none"> (b) Where it is not possible to avoid locating in the areas listed in a) above, avoiding significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; (c) Avoiding, remedying or mitigating other adverse effects; (d) Considering offsetting for residual adverse effects on indigenous biological diversity.
Policy 4.3.4 – Protecting nationally and regionally significant infrastructure	<p>Protect infrastructure of national or regional significance, by all of the following:</p> <ul style="list-style-type: none"> (a) Restricting the establishment of activities that may result in reverse sensitivity effects; (b) Avoiding significant adverse effects on the functional needs of such infrastructure; (c) Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure; (d) Protecting infrastructure corridors from sensitive activities, now and for the future.
Objective 4.5	Urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments
Policy 4.5.7 - Integrating infrastructure with land use	<p>Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:</p> <ul style="list-style-type: none"> (a) Recognising the functional needs of infrastructure of regional or national importance; (b) Locating and designing infrastructure to take into account all of the following: <ul style="list-style-type: none"> i. Actual and reasonably foreseeable land use change; ii. The current population and projected demographic changes; iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; iv. Natural and physical resource constraints; v. Effects on the values of natural and physical resources; vi. Co-dependence with other infrastructure; vii. The effects of climate change on the long term viability of that infrastructure; viii. Natural hazard risk. (c) Locating growth and development: <ul style="list-style-type: none"> i. Within areas that have sufficient infrastructure capacity; or ii. Where infrastructure services can be upgraded or extended efficiently and effectively; (d) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.

Proposed District Plan Provisions

Objective/Policy #	Objective Policy Detail
Objective 3.2.1.2	The key mixed use function of the Frankton commercial area, is enhanced, with better transport and urban design integration between Remarkables Park, Queenstown Airport, Five Mile and Frankton Corner.
Policy 3.2.1.2.1	Provide a planning framework for the Frankton commercial area that facilitates the integrated development of the various mixed use development nodes.
Objective 3.2.1.4	Enhance and sustain the key local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka central business areas town centres and Frankton.
Policy 3.2.1.2.4	Recognise that Queenstown Airport makes an essential contribution to the prosperity and economic resilience of the District.
Objective 3.2.8.1	Maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District's existing infrastructure and the provision of new infrastructure to provide for community wellbeing.
Policy 3.2.8.1.1	Ensure that the efficient and effective operation of infrastructure is safeguarded and not compromised by incompatible development.
Objective 4.2.5	Maintain and promote the efficient operation of Queenstown Airport and set appropriate noise limits in order to protect airport operations and to manage the adverse effects of aircraft noise on any Activity Sensitive to Aircraft Noise.



APPENDIX D

Bulk Form Standards

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
Remarkables Park¹	Activity Area 1	Buildings which meet the site standards (including height): Controlled ²	Building Zone Standard: 7m	No setback requirements Assessment Matter 12.11.6(c) Streetscape requires a minimum setback of 1.5m to be provided from the road boundary to foundation line of buildings.
	Activity Area 2		Building Zone Standard: 7m to 10m	
	Activity Area 3	Buildings which fail to meet the site standard but comply with the height zone standard: Restricted Discretionary ³	Building Site Standard: 15m Building Zone Standard: 21m	
	Activity Area 4		Building Site Standard: 12m Building Zone Standard: 18m	
	Activity Area 5	Buildings which fail to meet the zone standards: Non complying ⁴	Building Site Standard: 12m Building Zone Standard: 18m	
	Activity Area 6		Building Site Standard: 12m Building Zone Standard: 18m	
	Activity Area 7		Building Site Standard: 15m Building Zone Standard: 18 to 21m	
	Activity Area 8		Building Site Standard: 9m Building Zone Standard: 18m	

¹ Refer to Site Standard 12.11.5.1(iii) and Zone Standard 12.11.5.2(ii) for the height requirements of all Activity Areas in the Remarkables Park Zone.

² Rule 12.11.3.2 of the Operative District Plan. Note that in accordance with Rule 12.11.4, applications for controlled activities may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

³ Rule 12.11.3.3 (ii) of the Operative District Plan. Note that in accordance with Rule 12.11.4, applications for controlled activities may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

⁴ Rule 12.11.3.4 (ii) of the Operative District Plan.

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
Rural Zone	East and north-east of Airport	Within existing Building Platform: Controlled ⁵	Operative District Plan Building Zone Standard: 8m ⁷	Operative District Plan Internal Boundaries: 15m ⁸ Road: 20m ⁹
	North west of Airport	Other Buildings: Discretionary ⁶	Building Line Restriction: the building line restriction located to the west of the airport extends over the Queenstown Airport Runway End Safety Area Development (RESA). The establishment of any built structures over the RESA is highly unlikely.	
			Proposed District Plan Buildings: 8m ¹⁰ Farm Building: 10m ¹¹	Proposed District Plan Internal Boundaries: 15m ¹² Road Boundary: 20m ¹³
Industrial Zone	North east of the airport.	Controlled ¹⁴	Building Site Standard: 6m ¹⁵	No setback requirements of relevance.

⁵ Rule 5.3.3.2(i) of the Operative District Plan or Proposed Rule 21.4.7 of the Proposed District Plan as notified. Note that in accordance with Rule 5.3.4, applications for controlled activities (under the Operative District Plan only) may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

⁶ Rule 5.3.3.3 of the Operative District Plan or Proposed Rule 21.4.10 of the Proposed District Plan as notified.

⁷ Zone Standard 5.3.5.2(i)(a) of the Operative District Plan. Non-compliance results in a non-complying activity status under Rule 5.3.3.4.

⁸ Site Standard 5.3.5.1(vi)(a) of the Operative District Plan. Non-compliance results in a discretionary activity under Rule 5.3.3.3(xi).

⁹ Zone Standard 5.3.5.2(ii) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 5.3.3.4.

¹⁰ Proposed Standard 21.5.17 as notified. Non-compliance results in a restricted discretionary activity.

¹¹ Proposed Standard 21.5.20 as notified. Non-compliance results in a restricted discretionary activity.

¹² Proposed Standard 21.5.1 as notified. Non-compliance results in a restricted discretionary activity.

¹³ Proposed Standard 21.5.2 as notified. Non-compliance results in a restricted discretionary activity.

¹⁴ Rule 11.3.3.2(i) of the Operative District Plan. Note that in accordance with Rule 11.2.4, applications for controlled activities and discretionary activities relating to building height may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

¹⁵ Site Standard 11.3.5.1(vi) of the Operative District Plan. Non-compliance results in a discretionary activity under Rule 11.3.3.3.

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
Frankton Flats B	Activity Area C1	Restricted Discretionary ¹⁶	Building Zone Standard: 6.5-18.5m ¹⁷ (Note: height depends on distance from Activity Area A)	Road 8 and Grant Road: no setback ¹⁸ All other Street Boundaries: 3m Side/Rear Boundaries: no setback.
	Activity Area C2	Restricted Discretionary ¹⁹	Building Zone Standard: 6.5-18.5m ²⁰ (Note: height depends on distance from Activity Area A)	Roads: at least 2m and no more than 5m ²¹ Queenstown Events Centre: 5m Side/Rear Boundaries: not setback
	Activity Area D	Controlled ²²	Building Zone Standard: 10m ²³	Road Boundaries: 5m ²⁴ Side/Rear Boundaries: no setback Rural Zone: 5m
	Activity Area E1	Controlled ²⁵	Building Zone Standard: 12m ²⁶	Road Boundaries: 5m ²⁷ Side/Rear Boundaries: no setback

¹⁶ Rule 12.20.3.3 of the Operative District Plan.

¹⁷ Zone Standard 12.20.6.2(i) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 12.20.3.5.

¹⁸ Site Standard 12.20.6.1(i) of the Operative District Plan. Non-compliance results in a restricted discretionary activity status under Rule 12.20.6.1.

¹⁹ Rule 12.20.3.3 of the Operative District Plan.

²⁰ Zone Standard 12.20.6.2(vii) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 12.20.3.5.

²¹ Site Standard 12.20.6.1(iv) of the Operative District Plan. Non-compliance results in a restricted discretionary activity status under Rule 12.20.6.1.

²² Rule 12.20.3.2 of the Operative District Plan. Note that in accordance with Rule 12.20.5, applications for controlled activities may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

²³ Zone Standard 12.20.6.2(xvii) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 12.20.3.5.

²⁴ Site Standard 12.20.6.1(xxi) of the Operative District Plan. Non-compliance results in a restricted discretionary activity status under Rule 12.20.6.1.

²⁵ Rule 12.20.3.2 of the Operative District Plan. Note that in accordance with Rule 12.20.5, applications for controlled activities may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

²⁶ Zone Standard 12.20.6.2(xvii) of the Operative District Plan. Non-compliance results in a no-complying activity under Rule 12.20.3.5.

²⁷ Site Standard 12.20.6.1(xxi) of the Operative District Plan. Non-compliance results in a restricted discretionary activity status under Rule 12.20.6.1.

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
	Activity Area E2	Restricted Discretionary ²⁸	Building Zone Standard: 6.5m-12m ²⁹	EAR: greater than 1.5m but less than 7m ³⁰ Other Road Boundaries: 2m Side/rear Boundaries: no setback
Frankton Flats A	North of Airport	Restricted Discretionary ³¹	Building Zone Standard: 9m (up to 5% of the area of the site may have a maximum height of 12m more than 100m from the State Highway) ³²	Internal Boundary: 10m ³³ State Highway 6: 50m Grant Road: 4m
Designation 29 Queenstown Events Centre, Aquatic Centre	North west of airport	N/A	Operative Designation Buildings: no height limit specified other than requirement not to penetrate the Queenstown Airport OLS ³⁴ . Temporary Buildings and Structures: 10m subject to compliance with OLS requirements ³⁵	Operative Designation State Highway 6: 50m for temporary buildings and structures ³⁶
			Proposed Modifications to Designation Buildings within Central Development Area: 18m ³⁷ Floodlights: 21m ³⁸	Proposed Modifications to Designation Buildings within Central Development Area from Roads: 5m ⁴⁰

²⁸ Rule 12.20.3.3 of the Operative District Plan.

²⁹ Zone Standard 12.20.6.2(xi) of the Operative District Plan. Non-compliance results in a no-complying activity under Rule 12.20.3.5.

³⁰ Site Standard 12.20.6.1(xi)(a) to (c) of the Operative District Plan. Non-compliance results in a restricted discretionary activity status under Rule 12.20.6.1.

³¹ Rule 12.18.3.3(i) of the Operative District Plan. Applications may be considered without the need to obtain written approval of affected persons and need not be notified.

³² Zone Standard 12.18.5.2(iv) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 12.18.3.4(viii).

³³ Site Standard 12.18.5.1(ii) of the Operative District Plan. Non-compliance results in a discretionary activity under Rule 12.18.3.3.

³⁴ Designation 29 Condition 13 of the Operative District Plan

³⁵ Designation 29 Condition 19(f) and (g) of the Operative District Plan

³⁶ Designation 29 Condition 19(d) of the Operative District Plan

³⁷ Proposed Modifications to Designation 29 Condition 10(a)

³⁸ Proposed Modifications to Designation 29 Condition 12(a)

⁴⁰ Proposed Modifications to Designation 29 Condition 10(b).

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
			Buildings within Wider Grounds: 8m ³⁹	Floodlights from State Highway 6 and 6A: 20m ⁴¹ Floodlights from Roads: 5m ⁴² Buildings within Wider Grounds Area from Roads: 5m ⁴³ Buildings within Wider Grounds Areas from SH6 and SH6A: 20m ⁴⁴
Low Density Residential	West of airport	Residential buildings: permitted ⁴⁵	Operative District Plan Building Zone Standard: 8m ⁴⁷	Operative District Plan⁴⁸ Road Boundaries: 4.5m Internal Boundaries: Front site 4.5m and all other setbacks 2m
		Non Residential buildings: controlled ⁴⁶		
		Permitted ⁴⁹	Proposed District Plan Building Standard: 8m ⁵⁰	Proposed District Plan⁵¹ Road Boundaries: 4.5m Side/rear boundary: 2m

³⁹ Proposed Modifications to Designation 29 Condition 11(a)

⁴¹ Proposed Modifications to Designation 29 Condition 12(b).

⁴² Proposed Modifications to Designation 29 Condition 12(c).

⁴³ Proposed Modifications to Designation 29 Condition 11(c).

⁴⁴ Proposed Modifications to Designation 29 Condition 11(b).

⁴⁵ Rule 7.5.3.1 of the Operative District Plan.

⁴⁶ Rule 7.5.3.2(ii) of the Operative District Plan. Note that in accordance with Rule 7.5.4, applications for controlled activities may be considered without the need to obtain written approval of affected persons and need not be notified unless special circumstances exist.

⁴⁷ Zone Standard 7.5.5.3 (v) and Zone Standard 7.5.6.3(iii) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 7.5.3.5.

⁴⁸ Site Standard 7.5.5.2(iii) of the Operative District Plan. Non-compliance results in a discretionary activity under Rule 7.6.3.3.

⁴⁹ Rule 7.4.9 of the Proposed District Plan as notified

⁵⁰ Proposed Standard 7.5.1 as notified. Non-compliance results in a non-complying activity status.

⁵¹ Proposed Standard 7.5.9 as notified. Non-compliance results in a discretionary activity status.

Zone	Location	Activity Status for Building	Height Restrictions	Setbacks
Airport Mixed Use Zone	Operative District Plan South to south west of Airport	Controlled ⁵²	Operative District Plan Building Zone Standard: 9m ⁵³	Operative District Plan⁵⁴ Zone boundary: 10m Road: 6m
	Proposed District Plan Covers approximately the full designation extent	Permitted ⁵⁵	Proposed District Plan Building Standard: 15m ⁵⁶	Proposed District Plan⁵⁷ Residential Zones: 5m All other zones: 3m

⁵² Rule 6.2.3.2 of the Operative District Plan.

⁵³ Zone Standard 6.2.5.2(i) of the Operative District Plan. Non-compliance results in a non-complying activity under Rule 6.2.3.4.

⁵⁴ Site Standard 6.2.5.1(ii) of the Operative District Plan. Non-compliance results in a discretionary activity under Rule 6.2.3.3. Discretion is restricted to the matter specified in the standard not complied with and the extent to which the activity is depended on an airport location.

⁵⁵ Rule 17.4.1 of the Proposed District Plan as notified.

⁵⁶ Proposed Standard 17.5.3 as notified. Non-compliance results in a restricted discretionary activity.

⁵⁷ Proposed Standard 17.5.2 as notified. Non-compliance in a restricted discretionary activity.