

Queenstown Lakes District Proposed District Plan – Stage 1

Section 42A Hearing Report For Hearing commencing: 17 October 2016

Report dated: 23 September 2016

Report on submissions and further submissions
**Chapter 37- Designations
(Queenstown Airport and Wanaka Airports)**

File Reference: Chp.37S42A(Queenstown and Wanaka Airports)

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1. EXECUTIVE SUMMARY

- 1.1 A designation is a 'spot zoning' over a site or area that authorises the requiring authority's work and activities without the need to comply with the zone rules or obtain a land use consent. A requiring authority includes Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under the Resource Management Act 1991 (**RMA**). Conditions of the designation set parameters for which the activity can occur in accordance with the purpose of that designation.
- 1.2 The authority responsible for Designations #2 (Aerodrome Purposes) and #4 (Airport Approach and Land Use Controls) associated with the protection of Queenstown Airport operations is the Queenstown Airport Corporation (QAC).
- 1.3 Designations #64 (Aerodrome Purposes) and #65 (Airport Approach and Land Use Controls) relate to the operations of Wanaka Airport. The authority responsible for these two designations is the Queenstown Lakes District Council (**QLDC**). However, a Notice of Requirement (**NoR**) was lodged by QAC on QLDC's behalf. QAC undertake management operations for Wanaka Airport but do not have financial responsibility for the designation.
- 1.4 Pursuant to Clause 4 of the First Schedule of the RMA, QAC gave notice to roll over the designations at Queenstown and Wanaka Airports (on behalf of QLDC) with modifications. The modifications proposed are considered appropriate with the exception of Designation #64. In the case of Designation #64, I consider that the provision for future development at Wanaka Airport should be consistent with the Strategic Direction and Urban Growth chapters of the Proposed District Plan (**PDP**). Objectives within these chapters seek to retain rural amenity and the rural character of key entrances to Wanaka and avoid the fragmentation and disconnection of rural and urban land. In the absence of evidence which might address my reservations, I consider that the nature and scale of the proposed modifications to Designation #64 could potentially result in adverse effects on the surrounding rural environment in terms of adhoc development of rural land.
- 1.5 The changes I recommend to Designations #2, #4, #64 and #65 are shown in the revised chapter attached as **Appendix 1** (Revised Chapter) to this evidence. I consider that the revised chapter better meets the purpose of the Resource Management Act 1991 (**RMA**).

2. INTRODUCTION

2.1 My full name is Rebecca Dawn Holden. I have been employed by the QLDC since October 2014. During this time I have worked as both a Planner and Senior Planner within the Resource Consents Team and currently hold the position of Senior Planner within the Policy Team.

2.2 I have held my current role of Senior Planner (Policy) since August 2016. When I moved into this role, I became responsible for Chapter 37 – Designations of the Proposed District Plan, representing the territorial authority (the QLDC as the regulatory arm, as opposed to the requiring authority).

2.3 In 2004 I graduated from the University of Canterbury with a Bachelor of Arts (Hons) degree in Geography and Anthropology. Since 2005, I have been an Associate Member of the New Zealand Planning Institute primarily working in a Local Government context in both the United Kingdom and New Zealand where I have held a number of planning roles associated with monitoring and research, policy development and resource consent processing.

3. CODE OF CONDUCT

3.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

3.2 I am authorised to give this evidence on the QLDC's behalf.

4. SCOPE

4.1 My evidence relates to Chapter 37 (Designations) of the PDP. In particular, it focuses on Designations #2 (Aerodrome Purposes) and #64 (Aerodrome Purposes) at Queenstown and Wanaka airports, and related Designations #4 (Approach and Land Use Controls (transitional slopes and surfaces)) and #65

(Approach and Land Use Controls (transitional slopes and surfaces)) at each of these airports.

- 4.2 QAC (Queenstown Airport) and QLDC (Wanaka Airport) are the respective authorities responsible for these designations. Both authorities confirmed that these designations should be rolled over from the ODP to the PDP with modifications.
- 4.3 My evidence assesses the NoR for each designation, the modifications sought by QAC and QLDC and any submissions and further submissions on the designations. The recommended changes are shown within the Revised Chapter in **Appendix 1**.
- 4.4 The table in **Appendix 2** of this report outlines whether individual submissions are accepted, accepted in part, rejected, considered to be out of scope or transferred to another hearing stream.
- 4.5 This report does not address submissions that relate other designations in the PDP. These submissions have been addressed in the separate s42A reports on Chapter 37 Designations.
- 4.6 Submissions associated with other parts of the PDP that are out of scope of this chapter are transferred to the appropriate chapter and hearing.
- 4.7 I conclude this report with a recommendation for the Panel to consider on the requirements for Designations #2 (Aerodrome Purposes) and #4 (Approach and Land Use Controls (transitional slopes and surfaces)) at Queenstown, and Designations #64 (Aerodrome Purposes) and #65 (Approach and Land Use Controls (transitional slopes and surfaces)) at Wanaka airports.
- 4.8 For the designations at Queenstown Airport whereby QAC is the requiring authority, the recommendation provided to the Panel is made in accordance with s171(3) and (4) of the RMA. This requiring authority will then make a decision to accept or reject the Panel's recommendation pursuant to s172 of the RMA.
- 4.9 At Wanaka Airport, the requiring authority for Designations #64 (Aerodrome Purposes) and #65 (Approach and Land Use Controls (transitional slopes and

surfaces)) is QLDC. The Panel has delegated authority to make decisions on behalf of Council pursuant to s168A(4) of the RMA.

- 4.10** I have read and relied on the evidence of Dr Stephen Chiles, Acoustic Specialist prepared for the hearing on Chapter 36 – Noise as this relates to the requirement for cooling as well as heating for mechanical ventilation and acoustic insulation standards.

5. BACKGROUND – SCHEDULE 1 PROCESS FOR DESIGNATIONS

- 5.1** Section 168(1) and (2) of the RMA enables a Local Authority which has financial responsibility for a public work, or a requiring authority, to give notice in the prescribed form to a territorial authority of its requirement for a designation for a public work, or in respect of any land, water, subsoil, or airspace where restriction is necessary for the safe or efficient functioning or operation of a public work.
- 5.2** I note that the requiring authority for both Designations #64 (Aerodrome Purposes) and #65 (Approach and Land Use Controls (transitional slopes and surfaces)) at Wanaka Airport is the QLDC.
- 5.3** The requiring authority responsible for both Designation #2 (Aerodrome Purposes) and Designation #4 (Approach and Land Use Controls (transitional slopes and surfaces)) is QAC which was confirmed as a requiring authority on 1 September 1994 pursuant to s167 of the RMA.
- 5.4** Clause 4 of Schedule 1 of the RMA sets out the process for 'rolling over' existing designations in the ODP into the PDP. The PDP was notified on 26 August 2015. Before a Council publicly notifies a PDP, it is required to invite all requiring authorities who have designations within the district that have not lapsed, to give written notice stating whether they require the existing designations to be included in the PDP, with or without modification. Where modifications are required, the requiring authority is required to include in their notices, details of the modifications and the reason for them. Clause 4(6) of Schedule 1 of the RMA provides that a territorial authority may include, in its proposed plan, any requirement for a designation or existing designations that the territorial authority has responsibility for in its district.

- 5.5** Prior to the notification of the PDP, QAC advised the QLDC that it wanted to roll over existing Designations #2 and #4 at Queenstown Airport with modification. The QLDC also gave notice to roll over Designations #64 and #65 with modification at Wanaka Airport, in a notice prepared on behalf of the QLDC by QAC.
- 5.6** Clause 9(1) of the First Schedule provides that a territorial authority must make and notify its recommendation in respect of any designation (except a territorial authority designation) in a proposed plan to the appropriate authority in accordance with section 171 of the RMA. The Panel has been delegated the power to make this recommendation on behalf of the QLDC.
- 5.7** Clause 9(2) of the First Schedule provides that when a designation of a territorial authority is included in a proposed plan, that territorial authority must make a decision on that designation in accordance with section 168A(3) of the RMA. The Panel has been delegated the power to make this decision on behalf of the QLDC.
- 5.8** The following sections of this report assess the relief sought by submissions and further submissions for each designation. This report provides recommendations and reasons to the Panel on whether the relevant requirements should be confirmed, modified, withdrawn or conditions imposed.

6. ANALYSIS OF AMENDMENTS SOUGHT

Designation #2 (Aerodrome) – Queenstown Airport

- 6.1** Designation #2 within the ODP permits certain airport related activities and associated activities, as detailed in section 1.3 of the NoR pertaining to this designation.¹ This existing designation is subject to a number of conditions relating to building height and setback, and hours of operation. These conditions also prohibit non-airport related activities within the Aerodrome Purposes Designation.
- 6.2** To assist the Panel, the nature of the modifications proposed by QAC to Designation #2 can be summarised as follows:

¹ Attached as Appendix 3 to this evidence

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

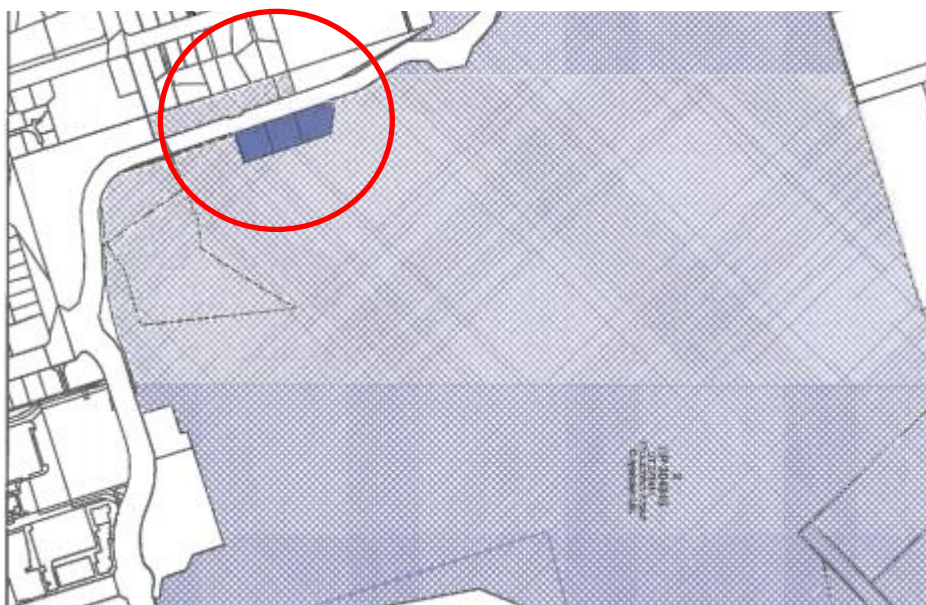


Figure 1: additional land to be included within Designation #2 depicted as the dark blue parcels

6.3 I understand that through the Plan Change 35 (**PC35**) proceedings, the conditions relating to the management and mitigation of aircraft noise associated with Designation #2 were confirmed by the Environment Court. These conditions were those notified within the PDP. A final decision is yet to be made on the location of the Air Noise Boundary Controls (**ANBC**) which formed part of Designation #3 in the ODP. Designation #3 (Air Noise Boundary Controls) has

been withdrawn from the PDP given the amendments made to Designation #2 which were confirmed by the Environment Court.

- 6.4** The modifications detailed at paragraph 6.2 above are not associated with aircraft noise mitigation and therefore do not relate to the Environment Court proceedings in respect of PC35.
- 6.5** I advise the Panel that QAC also formally withdrew the NoR to roll-over Designation #2 (Aerodrome Purposes Designation) (with modification) so far as it related to the land legally described as Lot 6 DP 340345 (Lot 6) prior to notification of the PDP. With respect to Lot 6, there are unresolved appeals before the Environment Court.
- 6.6** An assessment of the effects that these modifications will have on the environment is provided at Section 4 of the NoR (attached as **Appendix 3** to this report). I agree with the conclusions reached in this assessment, which I consider to be accurate and which have taken into consideration the effects on the environment of allowing the requirement while having regard to the relevant matters outlined in s171 of the RMA. As I consider the NoR to be comprehensive, I do not make any additional comments in my evidence.

Non-airport related activities

- 6.7** Remarkables Park Limited (**RPL**) (submitter 807) submitted on the PDP opposing a number of the modifications to Designation #2. Specifically, RPL request that the list of prohibited "non-airport related activities" within the airport designation be retained. Within the NoR, the rationale provided for removing the prohibited status of "non-airport related activities" is to provide clarity because "non-airport related activities" are not defined anywhere in the PDP.
- 6.8** Further, I understand that the Court of Appeal, in the case of *McElroy v Auckland International Airport Limited*,² found that the use of airports has changed and they now provide more than a take-off and landing facility. This acknowledgement supports the widening of the airport related activities permitted at the airport.
- 6.9** However, I note that some activities that occur at Queenstown Airport within the designation area are not airport related. These include activities associated with

² *McElroy v Auckland International Airport Limited* [2009] NZCA 621.

utilities (e.g. telecommunication masts) and services which pass through the site to serve other areas, as well as the New Zealand Meteorological Service's designation for an automatic weather station (Designation #230). Some of these activities have been included within the expanded list of permitted list of airport related activities discussed above. However, I note that others have not (such as the automatic weather station).

6.10 I agree that there is some uncertainty in relation to the phrase “non-airport related activities” given this is not defined anywhere in the PDP. However, in my view its inclusion is appropriate in that it ensures that any activity that is not associated with the operation of the airport is required to comply with the underlying zone standards. Additionally, I also form this view when taking into consideration the factors outlined within s171 of the RMA including: the relevant provisions of the ODP and PDP and that the designation is reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought (being to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise).

6.11 As such, I recommend to the Panel that the submission received from RPL (submitter 807), be accepted.

Lot 1 DP 472825

6.12 Part of the submission received from RPL states that Designation #2 should have been lifted from a piece of land legally described as Lot 1 DP 472825. The figure below shows the piece of land contained within Lot 1 DP 472825 being subject to Designation #2 in yellow lines.



Figure 2: Designation #2 covering part of Lot 1 DP 472825 (yellow lines)

- 6.13** Lot 1 DP 472825 was subject to resource consent RM130649, which approved a boundary adjustment between five lots owned by QAC and three pieces of land held in the ownership of Aviemore Corporation Limited (**ACL**).
- 6.14** I confirm that the legal description of this piece of land formed part of Designation #2 within the ODP (although I note that legal descriptions were out of date) and was included within Schedule 37.2 of the PDP when notified. However, I do note that it was not listed within Section 2 of the NoR sent by QAC in relation to the rollover of the designation, which identifies the legal descriptions of all land contained within Designation #2.
- 6.15** I have reviewed RM130649 and can advise the Panel it does not state that Designation #2 should be lifted from Lot 1 DP 472825. Further, Lot 1 DP 472825 appears to have been included within the PC35 proceedings and interim decision pertaining to Lot 6 (discussed above). Accordingly, i that Lot 1 DP 472825 may have been correctly listed in the PDP as being subject to Designation 2. However I advise the Panel to seek clarification on this matter from QAC

Building height and setback

- 6.16** RPL (submission 807) also seeks relief in relation to the changes within the conditions attached to Designation #2 associated with building height and setback. RPL oppose the building height increase from 9m to 15m as it does not consider it necessary for aerodrome uses, and consider the height to be

inconsistent with the maximum building height within the surrounding commercially zoned land.

- 6.17** The maximum height for buildings within the Remarkables Park Zone (**RPZ**) to the south of the airport varies between Activity Areas (**AA**) ranging between 7m and 21m. The AA directly adjoining Designation #2 is AA8 where the maximum building height is 18m. I consider the maximum height of 15m for buildings which are 'airport related' to be consistent with this adjoining zone to the south. This was addressed in the NoR for Designation #2. The NoR also makes an assessment of proposed designated building heights against the building height within other adjacent zones (RPZ and Frankton Flats (B) Zone) which range from 6.5m to 18.5m (depending on the distance from the State Highway). In the context of the surrounding zone provisions, the NoR concludes that the increased height is appropriate and is consistent with the provisions relating to adjoining zones. I concur with the conclusions reached within the NoR and agree that the increased height limit is reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought, particularly in terms of necessitating the expansion of landside activities such as the terminal building, as outlined within the 2037 Master Plan for the Queenstown Airport, pursuant to s171(1) of the RMA.
- 6.18** Additionally, the restrictions provided by the Civil Aviation Authority and those within Designation #4 relating to obstacle limitation surfaces (discussed further below) will also help manage the height of buildings located within the area designated for the purposes of 'Aerodrome'.
- 6.19** In terms of setback from boundaries, RPL oppose the reduced distance from 10m to 5m along boundaries adjoining residential activities or any public road, or 3m along any other boundary. RPL seeks the retention of the existing setback distance as they consider the proposed changes to be inconsistent with the Airport Mixed Use zone provisions. However, I have reviewed the notified provisions contained within Chapter 17 – Airport Mixed Use of the PDP and confirm to the Panel that the minimum setback requirement for buildings at Queenstown Airport (Section 17.5.2.1) correlate with the Condition 3 contained within Part D.1 of Chapter 37.
- 6.20** I consider the assessment provided at Section 4.7 of the NoR to be accurate. This assessment concludes that given the minimum setbacks required within

surrounding zones (e.g. 1.5m within the adjoining RPZ), the modification to Condition 3 is not anticipated to give rise to any adverse effects. Specifically, the NoR concludes that the modified setback condition is unlikely to result in built outcomes which are inconsistent with the required setback for the adjoining zones such as RPZ as well as the Airport Mixed Use zone.

Mechanical ventilation

- 6.21** A submission was received by D Jerram (submitter 79) in relation to condition D1.16 of Designation #2. This condition cross-references a provision within Chapter 36 – Noise of the PDP specifying a requirement for mechanical ventilation for heating purposes only. D Jerram seeks that these requirements provide for cooling as well as heating.
- 6.22** Although Designation #2 and associated conditions have been subject to scrutiny as part of the EC proceedings (in relation to noise), I note that the s 42A and reply evidence on Hearing Stream 5 of the PDP (Chapter 36 – Noise), was that due to the climatic conditions of the Queenstown Lakes District, cooling should be provided as part of any mechanical ventilation system. On the basis of submissions received on Chapter 36, changes were recommended by the Reporting Officer³ for the mechanical ventilation requirements to apply to cooling within the relevant provisions contained within Chapter 36.
- 6.23** As such, I recommend to the Panel that submission 79 is partly accepted in that condition 16 of Designation #2 is amended to refer to the requirement for cooling as well as heating in accordance with redrafted provision 36.6.3(iii) of the PDP.
- 6.24** I note that QAC (submitter 433) made a submission on the PDP supporting Chapter 37, requesting that Designation #2 be confirmed with minor amendments. These minor amendments relate to the correction of a reference within the PDP to the Chapter on Noise within the ODP. I recommend to the Panel that this minor amendment is partly accepted, noting the changes recommended on the basis of submission 79 and those made through the hearing proceedings on Chapter 36.

³ Paragraph 8.62 of s42A Hearing Report for Chapter 36 Noise found at:
<http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-5/Section-42A-Reports-and-Council-Expert-Evidence/QLDC-05-Chapter-36-Noise-Section-42A-report-Full-File.pdf>

- 6.25** I advise the Panel that Board of Airline Representatives New Zealand (**BARNZ**) (Further Submission 1077) requests that submission 79 be rejected by the Panel, reiterating the outcomes of the PC35 process, which reflect the noise mitigation obligations for QAC. However, as outlined above, given the Council's evidence relating to Chapter 36 – Noise of the PDP, I recommend to the Panel that the further submission received by BARNZ be rejected, and that the mechanical ventilation requirements associated with Designation #2 be aligned with the provisions within Chapter 36 - Noise.
- 6.26** I note that the submission received from BARNZ (submitter 271) also supports Designation #2 as notified given it reflects the outcomes resulting from the Environment Court proceedings relating to noise mitigation.
- 6.27** However, I note that further submissions were received from Remarkables Park Limited (**RPL**) (submitter 1117) and Queenstown Park Limited (**QPL**) (submitter 1097) who oppose the submission from BARNZ (submitter 271). RPL and QPL oppose all amendments to Designation #2 that seek to undermine or circumvent the PC35 and Lot 6 NoR proceedings before the Environment Court. As mentioned above, QAC withdrew the NoR pertaining to Lot 6 given the unresolved issues before the Environment Court. As such, it is my opinion that the Lot 6 proceedings are not relevant to the submission received from BARNZ (submitter 271). I further understand that the Council is not bound by the decision of the Environment Court on PC35. Therefore I recommend to the Panel that the further submissions received from both RPL (submitter 1117) and QPL (submitter 1097) are rejected.
- 6.28** I recommend to the Panel that the further submissions received from RPL (submitter 1117) and QPL (submitter 1097) opposing QAC (submitter 433) be rejected. QAC (submitter 433) seeks to correct references within the PDP and this has no bearing on the confirmed outcome of the PC35 proceedings.
- 6.29** I recommend to the Panel that the minor changes sought by QAC be confirmed as marked within the Revised Chapter attached as **Appendix 1**.

Designation #4 (Airport Approach and Land Use Controls) – Queenstown Airport

- 6.30** Designation #4 within the ODP provides for take-off climb and approach surfaces and transitional surfaces in relation to the runways at Queenstown Airport by

setting height and obstacle clearance restrictions to safeguard the efficient functioning of the Airport and protect people's safety.

- 6.31** QAC proposed minor modifications to the text within Designation #4 as outlined within the NoR and included within the PDP as notified. These modifications were to ensure a transparent intent and application of the obstacle limitation surfaces associated with Queenstown Airport. An assessment of the effects that the modification will have on the environment and the ways in which any adverse effects will be mitigated is included at Section 3 of the NoR.
- 6.32** I accept this assessment as being accurate and comprehensive therefore will not provide an additional assessment within my evidence except to advise the Panel on submissions received.
- 6.33** In describing the take-off climb and approach surfaces, Designation #4 within the ODP referred to a 75m strip to be applied for the purpose of setting the location of these surfaces. One of the modifications to the designation requested by QAC in the NoR was that the reference to the width of the take-off climb and approach surfaces and transitional surfaces within the text contained in conditions D.3 be amended from 75m to 150m to be consistent with Figure 1 Queenstown Airport: Airport Approach and Protection Measures, which shows where these transitional surfaces originate, being a point 150m either side of the main runway centre line.
- 6.34** I note that a submission was received from RPL (submitter 807) who opposes the widening of the strip width from 75m within the ODP to 150m. RPL is of the view that this amendment has implications for the RPZ in relation to the take off/climb approach slopes and other plans/controls within the RPZ. However, I note that the NoR pertaining to Designation #4 describes this modification as being a change required to correlate the text and the diagrams included in the ODP, which are apparently contradictory.
- 6.35** I can confirm to the Panel that within Designation #4, reference is made to a 75m strip which is for the purpose of setting the location of the obstacle limitation surfaces. According to the reasons for the changes described at Section 2.8 within the NoR,⁴ the relevant figure within the ODP (Figure 1 Queenstown Airport: Airport Approach and Protection Measures) shows the location of where these

⁴ Refer to the NoR for Designation #64 found within Appendix 3 to my evidence. :

transitional surfaces originate, being a point 150m either side of the main runway centreline. However, I do not have expertise to determine how the obstacle limitation surfaces have been calculated. As such, I consider it most appropriate for the Panel to seek further clarification from QAC in this regard.

- 6.36** Despite my uncertainty as to the figure, my view is that provided that the figure does depict the take-off climb and approach surfaces and transitional surfaces as being a point 150m either side of the main runway centreline then amending the text of the condition will not have a substantive effect on RPL. In such circumstances, my view is that RPL's submission should be rejected in relation to the stated width of the strip.
- 6.37** Additionally, the submission received from QAC (submitter 433) sought minor amendments be made to the NoR pertaining to Designation #4 to clarify that this designation also applies to the airspace surrounding the Queenstown Airport, not just the legal description of the land in which the buildings and runway physically occupy. Given Designation #4 relates to the obstacle limitation surfaces, as detailed in condition D.3, it is my recommendation to the Panel that these amendments are confirmed, which are marked within the Revised Chapter attached as **Appendix 1**.
- 6.38** The conclusions reached in my evidence provided above also relate to the further submissions received by QPL (submitter 1097) and RPL (submitter 1117) in respect of the submission from QAC (submitter 433).
- 6.39** My recommendation to the Panel is that Designation #4 be confirmed as outlined in the Revised Chapter attached as **Appendix 1**.

Designation #64 (Aerodrome) – Wanaka Airport

- 6.40** Designation #64 within the ODP permits certain airport related activities and associated activities pertaining to the Wanaka Airport designation. The authority responsible for this designation is QLDC.
- 6.41** Wanaka Airport is located between Wanaka and Luggate and is accessed from State Highway 6 (SH6) via Spitfire Lane. Spitfire Lane (a public road administered by Council, but used for internal access to buildings at the airport -

on QLDC land) is located on the southern side of the designated site and runs along the boundary in a roughly east to west direction of the designation (running parallel to SH6).

- 6.42** The purpose of this designation as stated within both the ODP and PDP is to protect the operational capability of Wanaka Airport, while at the same time minimising adverse environmental effects from aircraft noise.
- 6.43** The nature of activities covered by Designation #64 within the ODP include the following:
- a. aircraft operations, rotary wing aircraft operations, aircraft servicing, fuel storage and general aviation, navigational aids and lighting, aviation schools, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation; and
 - b. associated buildings and infrastructure, car parking, offices and cafeteria.
- 6.44** Other permitted activities listed relate to the details of the runway length and width, safety areas, apron areas, new passenger terminal and control tower, as well as alterations and realignments. The designation is subject to a number of conditions relating to building height and setback, hours of operation and aircraft noise.
- 6.45** Designation #64 within the PDP as notified includes a number of modifications proposed by QLDC as requiring authority, which I have summarised as follows:
- a. the extension of the area that Designation #64 occupies;
 - b. an expanded list of permitted activities to capture a wider range of activities described as airport related activities, that either currently occur at Wanaka Airport or will occur;
 - c. the removal of details that are no longer considered to be required such as runway lengths;
 - d. changes to conditions restricting building height which has increased from 9m to 10m;
 - e. changes to conditions relating to building setback which has decreased from 10m to 5m;
 - f. modification of conditions restricting the location and timing of development;

- g. removal of a condition requiring a lighting plan for operations during the hours of darkness; and
- h. other minor modifications to the text to improve clarity.

6.46 In most respects I agree with the assessment of effects on the environment that will result from the modifications to Designation #64, which has been provided within the NoR. I discuss below the matters where my opinion differs to the assessment within the NoR.

Operation During the Hours of Darkness

6.47 I note that the NoR removes a condition pertaining to airport operations during the hours of darkness. The relevant condition within the ODP states:

“The airport shall not be used for scheduled passenger services during the hours of darkness unless a suitable lighting plan is produced. No aircraft operations, other than emergency aircraft operations, shall occur between 10 pm and 7 am.”

6.48 The reasons pertaining to the removal of this condition and assessment of effects resulting from its removal are outlined at Sections 3.7 and 4.7 within the NoR. In summary, the NoR states that the reason for the removal of this condition is due to lighting for night being controlled by the Civil Aviation Authority (**CAA**) rules and regulations.

6.49 Although I agree with the assessment within the NoR in that it would be unnecessary for the Council to impose limits or controls on lighting during the hours of darkness as it relates to the safe and efficient operation of the aircraft movements, if these are already controlled by the CAA. I consider it appropriate to impose limits and controls on the hours of operation for scheduled passenger services given the rural zoning of the surrounding area. I recommend to the Panel that the condition in the ODP be modified to exclude reference to the production of a lighting plan given the reasons outlined above including the rules and regulations governed by the CAA for night flights, but that the conditions relating to the hours of operation remain. I have marked the proposed changes in the Revised Chapter attached as **Appendix 1**.

Permitted Activities

- 6.50** As mentioned above, the NoR pertaining to Designation #64 which was included as part of the PDP notification, expands the list of permitted activities in an attempt to capture a wider range of activities described as airport related that either currently occur at Wanaka Airport or will occur in the future.
- 6.51** My preliminary view is that the list of permitted activities could be rationalised to align better with the nature and scale of the existing designation.
- 6.52** The list of permitted activities contained in the NoR has been significantly expanded to include among other things: retail activities, restaurants and other food and beverage facilities, and industrial and commercial activities provided they are connected with an ancillary to the use of the airport. It is my view that these activities, unless appropriately managed and their effects mitigated, could result in adverse effects on the surrounding rural environment in terms of being incompatible with the surrounding rural character and landscape values, or resulting in adverse noise effects, increased vehicle movements, or reverse sensitivity effects.
- 6.53** Existing activities within the complex that have been approved either by resource consent or the NoR process include a café/museum, a brewery, commercial skydiving operation, scenic flights, flight training, and other associated aircraft-related activities. The built form comprises a number of buildings including aircraft hangars and offices. I note that resource consent RM130118 approved the operation of an import business from a hangar within the designated area which is unrelated to the purpose of the designation. Unlike Queenstown Airport, commercial passenger aircraft movements do not currently occur at Wanaka Airport.
- 6.54** Wanaka Airport is surrounded by rural production farm land and the underlying Zoning in the PDP is Rural. In comparison to the airport at Queenstown, Wanaka Airport is located some distance from the centre of Wanaka. Notwithstanding the underlying 'Rural' zoning of the site, I acknowledge that the Wanaka Airport site itself exhibits little rural character. Adjoining the site to the north-west along the Wanaka-Luggate Highway is a Rural Visitor subzone, although this site does not presently contain a visitor accommodation activity.

- 6.55** In my opinion, Designation #64 as included in the notified version of the PDP does not adequately address potential effects on the surrounding rural environment resulting from the permitted activities associated with the designation, such as (but not limited to) an increase in vehicle movements, car parking demand, noise, light spill, sewage disposal, outdoor storage of goods, and signage .
- 6.56** *Chapter 4 – Urban Development*⁵ of the PDP sets out the objectives and policies for managing the spatial(?) location and layout of urban development within the District. Specifically, Policy 4.2.6.1 seeks to limit the spatial growth of Wanaka so that the rural character of key entrances to the town is retained and protected. Further, this policy seeks to ensure that the distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity.
- 6.57** I note that the purpose of the underlying Rural zone is “to enable farming activities while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resource and rural amenity”. I consider the proposed list of permitted activities within the NoR for Designation #64 at Wanaka Airport to be more akin to an urban setting and these are not necessarily related to the core function of operating an aerodrome. The unrestrained scale of activities such as retail development and food and beverage facilities as requested could result in activities becoming established have a loose affiliation with the aerodrome.
- 6.58** I note that during the Rural Hearing held in May 2016, the Panel, QAC and the Council’s Reporting Officer⁶ have indicated that an Airport Mixed Use Zone may be more appropriate to better manage activities at Wanaka Airport. This issue has arisen because although the QLDC is the requiring authority, much of the development and activities at Wanaka Airport is undertaken by third parties who are not the requiring authority. The consequence is that these third parties need to apply for resource consent for buildings that accord with the purpose of the

⁵ Refer to Chapter 4 – Urban Development of the PDP and Council’s Right of Reply – Streams 01A and 01B dated 7 April 2017

⁶ Refer to Chapter 21 – Rural of the PDP and Council’s Right of Reply found at:

<http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-2/Councils-Right-of-Reply/QLDC-02-Rural-Chapter-21-Craig-Barr-Reply.pdf>

designation. The activity status of these land uses are usually Discretionary or Non Complying in terms of the underlying zoning of the site.

- 6.59** While this matter is not within the scope of the hearing on designations, it is relevant to note that the 'Wanaka Airport Zone' is likely to include a range of permitted activities that would mirror the proposed purpose and range of permitted activities provided for in the Designation #64.
- 6.60** I consider that extent of activities sought by way of Designation #64 may lead to the fragmentation of rural and urban land because Wanaka Airport is located approximately 12 kilometres from Wanaka Town Centre and 6 kilometres outside of the Urban Growth Boundary for Wanaka as identified in the PDP Planning Map 18. Hypothetically, if development was provided for to a scale such as Queenstown Airport, the airport's distance from Wanaka Town Centre could result in a disconnected and poorly coordinated infrastructure network, an outcome which Chapter 4 of the PDP seeks to avoid.
- 6.61** Pursuant to s168A of the RMA, consideration must be given to the effects on the environment of allowing the requirement having particular regard to the provisions of the OPD and PDP. I note that Policy 4.2.8.1⁷ of Chapter 4 of the PDP seeks to limit the spatial growth of Wanaka so that ad hoc development of rural land is avoided, and that development '*Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development*'. I consider that the effects on the environment of allowing the NoR for designation #64 as notified could have adverse effects on the character of the surrounding area that is contrary to Policy 4.2.8.1 outlined above.
- 6.62** In the submission received from QAC (submitter 433), it is noted that only the QLDC as requiring authority benefits from the purpose of designation #64 being 'Aerodrome Purposes'. However, taking into consideration the underlying zoning of the site and surrounding area, and subject to consideration of evidence which may convince me otherwise, my preliminary view is that the list of permitted activities could be rationalised to align better with the nature and scale of the existing designation.

⁷ Refer to Chapter 4 – Urban Development of the PDP and Council's Right of Reply – Streams 01A and 01B dated 7 April 2017 <http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/strategic-direction-urban-development-and-landscape-chapters-3-4-and-6/councils-right-of-reply-streams-01a-and-01b/>

- 6.63** I agree with QAC (submitter 433) to the extent that it is appropriate for Designation #64 to provide for a range of airport and airport related activities that would not otherwise be anticipated within other areas of the Rural Zone, but am not yet convinced that the nature and scale of permitted activities proposed is justified. As such, I consider that the activities are perhaps not as expansive as that requested. A marked up list is included in the revised chapter, attached at **Appendix 1**.
- 6.64** I note that Twenty24 Limited (submitter 5) opposes Designation #64 to the extent that “freight facilities” not associated with aerodrome purposes are a permitted activity within the notified designation. This submitter states that there is a shortage of hangars on the airfield, identifying an adverse effect of allowing other activities to occupy hangars rather than aircraft maintenance activities. A further submission was also received from Wanaka Hangar Services Limited (submitter 1210) which requests that submission 5 be rejected in terms of “freight facilities” not being permitted.
- 6.65** As outlined above, it is my view that the nature and scale of Wanaka Airport should be limited given its location and surrounding land uses. Listing “freight facilities” as a permitted activity within the designated area implies that this site is a transport hub whereby different modes of transport and transport networks join including aviation, rail and road. I consider that the potential effects of listing “freight facilities” as a permitted activity need to be more carefully assessed.
- 6.66** Accordingly, unless persuaded otherwise by evidence presented by other parties, my current recommendation to the Panel would be that submission 5 is accepted by excluding “freight facilities” from the list of permitted activities and subsequently that the further submission by Wanaka Hangar Services Limited (submitter 1210) be rejected. My recommended changes are included within the Revised Chapter attached as **Appendix 1**.
- 6.67** In the submission received from QAC (submitter 433), it is requested that Designation #64 be confirmed subject to a number of additional changes. These changes include references to Designation #65 (detailed below), minor typographical corrections, and changes in relation to the Wanaka Airport Liaison Committee (WALC) which QAC seeks to be removed and replaced. QAC is of the opinion that given the number and type of aircraft using Wanaka Airport, it would be more efficient and effective for all management and reporting requirements

relating to Wanaka Airport to be undertaken by Airport Management (being QAC on behalf of QLDC).

(a) .

6.68 I note that Jeremy Bell Investments Limited (Further Submission 1030) opposes many of the amendments sought by QAC in its submission particularly in relation to the removal of references to the WALC. This further submission states that this change places no mandatory requirement for this group to form or meet.

6.69 The WALC is comprised of mandatory membership from a mixture of organisations representing both commercial airline operators and community groups, including the QLDC and Wanaka Community Board, comprising those parties outlined in subparagraphs (a) – (f) of the NoR being:

- (b) an independent chair appointed by the airport operator;
- (c) the airport operator;
- (d) QLDC (as Consent Authority);
- (e) Wanaka Airport Users Group;
- (f) commercial airlines;
- (g) Airways Corporation; and
- (h) the Wanaka Community Board.

6.70 As such, the WALC represents all community interests. As outlined in further submission (1030), the relief sought by submission 433 (QAC) removes the requirement for this group to form and regularly meet. In this case, community interests would not be given a regular forum to be expressed, and management of the airport would not be as transparent. As such, I recommend to the Panel that this further submission (1030) be partly accepted in that a timeframe for regular meetings and a mandatory requirement to form be outlined within the conditions of Designation #64, as presently exists within the ODP.

6.71 I also note that further submissions were received from RPL (submitter 1117) and QPL (submitter 1097) who both oppose the submission from QAC (submitter 433). As I note earlier in my evidence, both of these further submissions oppose changes to the PDP that will circumvent the proceedings of Lot 6 associated with Designation #2. These further submissions do not relate to Designation #64 and as such, I recommend to the Panel that they be rejected in relation to this designation.

Designation #65 (Airport Approach and Land Use Controls) – Wanaka Airport

- 6.72** To ensure that obligations under the Civil Aviation Regulations can be met and to ensure a safe operational environment for aircraft approaching and departing Wanaka Airport is provided, Designation #65 has been rolled over from the ODP to the PDP.
- 6.73** QAC on behalf of QLDC (submitter 433) supports the contents of Designation #65 as notified within the PDP. However, QAC seek a number of minor amendments to provide clarity mainly in relation to typographical corrections (reference and title corrections). I recommend to the Panel that these minor amendments are accepted as marked and annotated in the Revised Chapter attached as **Appendix 1**.

7. CONCLUSION

- 7.1** On the basis of my analysis within this evidence, I recommend that the changes within the Revised Chapter attached as **Appendix 1** are accepted.
- 7.2** The changes will improve the clarity and administration of the Plan; contribute towards achieving the objectives of the Plan and Strategic Direction goals in an effective and efficient manner; and give effect to the purpose and principles of the RMA.



Rebecca Holden
Senior Planner
23 September 2016

Appendix 1. Recommended Revised Chapter

Appendix 1 applies to all three s42A reports for Chapter 37: Designations

Appendix 2. List of Submitters and Recommended Decisions

Appendix 2 applies to all three s42A reports for Chapter 37: Designations

Appendix 3. Notice of Requirements for Designations at Queenstown Airport

Information pertaining to Designations #2 (Aerodrome Purposes) and #4 (Airport Approach and Land Use Controls) at Queenstown Airport can be found [here](#)

Appendix 4. Notice of Requirements for Designations at Wanaka Airport

Information pertaining to Designations #64 (Aerodrome Purposes) and #65 (Airport Approach and Land Use Controls) at Wanaka Airport can be found [here](#):