

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 3 (Strategic Direction), Chapter 4 (Urban Development) and Chapter 6 (Landscape)

SUMMARY OF EVIDENCE OF KIRSTY O’SULLIVAN

(16 March 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 Partnerships
Level 2, 286 Princes Street
PO Box 489
Dunedin
Kirsty O’Sullivan
Phone: 03 477 7884
Email: kos@mitchellpartnerships.co.nz

1. INTRODUCTION

Qualifications and Experience

- 1.1 My name is Kirsty O'Sullivan. I am a Senior Resource Management Consultant with the firm Mitchell Partnerships Limited.
- 1.2 In preparing this evidence, I have reviewed the Proposed Plan submissions, further submissions, and other relevant information that has been provided by the Council in relation to this matter, including the section 42A reports.
- 1.3 I have read and agree to comply with the Environment Court's Code of Conduct for Expert Witnesses contained in the Practice Note 2014. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 1.4 In this statement of evidence, I address the following matters:
- The policy framework provided for regionally significant infrastructure (Chapter 3);
 - The integration of Plan Change 35 (PC35) into the Proposed Plan (Chapter 4);
 - The recognition of functional and locational constraints of infrastructure (Chapter 6);
- 1.5 Attached as Appendix A of this summary is a marked suite of amendments that I consider are necessary to the provisions of Chapters 3, 4 and 6 to ensure that the strategic policy framework for regionally significant infrastructure and the provisions of PC35 are appropriately incorporated into the Proposed Plan.
- 1.6 Attached as Appendix B is a further assessment of the amendments sought under section 32AA of the Resource Management Act 1991 (the Act).

2. POLICY FRAMEWORK FOR REGIONALLY SIGNIFICANT INFRASTRUCTURE

- 2.1 The purpose of the Strategic Directions chapter¹ is to set the overarching direction for the management of growth, land use and development in a manner that ensures sustainable management of the District's special qualities.
- 2.2 The section 42A report author (herein referred to as the "Council Officer") further reinforces the role of this chapter, noting that it "sets the scene" and "seeks to provide a high level policy framework that responds to all the major resource management issues of the District"². The Council Officer further comments that the Strategic Directions chapter sits over the other strategic chapters of the Proposed Plan (Chapters 4, 5 and 6) as well as the Proposed Plan as a whole³. It is therefore apparent that the Strategic Directions chapter is critical in establishing the policy framework for the remainder of the Proposed Plan.
- 2.3 Given the overarching strategic role of this chapter, I consider that further amendments, as detailed in my evidence in chief, are required to ensure that the Proposed Plan adequately recognises and provides for regionally significant infrastructure at this fundamental strategic level. I consider that in the absence of such recognition, the Proposed Plan lacks the objective and policy framework to support the infrastructure related provisions in the more specific 'lower order' chapters that follow. In my opinion, the lower order provisions are therefore inherently difficult to justify in terms of section 32(1) without the amendments sought.
- 2.4 Furthermore, the section 42A report states that:

"The Strategic Direction chapter brings together each of the issues identified above and provides a policy framework that is particularly directed towards significant plan change or resource consent applications (discretionary or non-complying) in the District. In addition to being utilised in the assessment of resource consent applications, it also provides a strategic context for the consideration of any proposed plan changes and designations".

¹ As described in Section 3.1 Purpose of the Proposed Plan.

² Paragraph 1.1, page 2 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

³ Paragraph 8.4, page 13 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

2.5 On the basis of the above statement, when decision makers are called upon to assess the merits of a particular activity, an assessment of the activity under the Strategic Directions provisions will ensue. In my opinion, limited regard has been given to properly acknowledging regional and/or national benefits that can often accrue by enabling the further development of infrastructure. This has the potential to skew the assessment of such proposals under the provisions of the Plan. It is therefore important for the Proposed Plan provisions to recognise that a balance is sometimes necessary between achieving environmental outcomes, and properly recognising the need for people and communities to provide for their social and economic wellbeing.

3 FUNCTIONAL AND LOCATIONAL CONSTRAINTS OF INFRASTRUCTURE

3.1 Proposed Goal 3.2.5 and the associated objectives and policies seek to ensure that the District's distinct landscapes are protected from inappropriate development. Chapter 6 of the Proposed Plan provides further guidance and direction as to how this goal is to be achieved.

3.2 QAC sought the inclusion of new provisions in Chapters 3 and 6 which recognise that there are sometimes operational, technical or safety related requirements for infrastructure to be located within an ONF, ONL or a Rural Landscape.

3.3 With respect to Chapter 3, in my opinion, the provisions set out under Goal 3.2.5 do not contemplate that there may be operational, technical, functional and safety related requirements of infrastructure that may necessitate infrastructure being located within Outstanding Natural Landscapes (ONLs) and Outstanding Natural Features (ONFs). This is evidenced by the drafting of Objective 3.2.5.1 which seeks to:

Protect the quality of the Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.

3.4 In my opinion, this objective should seek to protect the quality of ONL's and ONFs from inappropriate subdivision, use and development. Without this qualifying statement (which is consistent with section 6(b) of the Act), this objective could effectively curtail all activity within ONL. I do not consider that this outcome has been adequately evaluated under section 32 of the Act, nor does it appear to be

the intent of the Council Officer given that subsequent provisions in the Proposed Plan do provide for some development within such landscapes.

- 3.5 With respect to Chapter 6, the Council Officer has acknowledged QAC's concerns and considers that it is appropriate to acknowledge the importance of the contribution that regionally significant infrastructure makes to the social and economic wellbeing and health and safety of the District⁴, and that such infrastructure is likely to be affected by constraints which limit the feasibility of alternative locations. The Council Officer has therefore recommended the inclusion of a new policy as follows:

Regionally significant infrastructure shall be located to avoid degradation of the landscape, while acknowledging location constraints.

- 3.6 While in principle, I agree with the commentary of the Council Officer, I do not consider that the new policy appropriately addresses the issue raised by QAC. I consider the words "while acknowledging location constraints" to be vague and their intent is unclear. I query, to what end and extent are locational constraints to be acknowledged?

- 3.7 As set out in QAC's submission, the functional, technical, operational and safety related constraints often influence the location of important infrastructure, such as airports. Given the lack of suitable alternative locations, there may be circumstances where the regionally and/or nationally significant benefits of enabling an activity need to be balanced against the adverse effects of a particular location. The RESA extension is an example of such a proposal.

- 3.8 While I acknowledge that it is appropriate for infrastructure occupying sensitive locations to be located and designed, as far as reasonably practicable, to minimise the potential for adverse effects on the particular landscape character and/or the visual amenity values inherent at the site, the Council Officer's proposed policy does not recognise or provide for circumstances such as the RESA extension.

- 3.9 In light of the above, I support the provisions proposed by QAC.

⁴ Paragraph 9.28, page 11 of the section 42A Hearing Report for Chapter 6 of the Proposed Plan

4. URBAN DEVELOPMENT CHAPTER

- 4.1 The purpose of the Urban Development chapter is to set out the objectives and policies for managing the spatial location and layout of urban development⁵.
- 4.2 QAC made a number of submissions on this chapter which largely sought to ensure that the urban development provisions established under PC35 be transferred into the Proposed Plan without substantive amendment. This is further discussed in the evidence of Mr Kyle.
- 4.3 The marked up changes that I consider are necessary to the Urban Development chapter in order to incorporate the higher order strategic provisions of PC35 are attached as Appendix A. For ease of reference, I have also noted which provision of PC35 the amendments implement.
- 4.4 With respect to the Urban Development chapter, I note that for the most part, the provisions of PC35 have been omitted from the chapter in their entirety. I consider this approach is not the most appropriate approach in terms of section 32 and refer to the evidence of Mr Kyle as to the purpose, intent and importance of the PC35 provisions in providing for the ongoing growth of the Airport and protecting it from reverse sensitivity effects.
- 4.5 I note that where the provisions of PC35 have been incorporated in the Proposed Plan, their form varies, and at times, takes the form of the PC35 provision verbatim⁶, whereas other times the provisions have been substantively redrafted⁷.

⁵ As described in Section 4.1 Purpose of the Proposed Plan.

⁶ Such as Policy 4.2.2.4 which seeks to "Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee", as per Policy 7.3, Section 4.9.3 of Plan Change 35.

⁷ Policy 4.2.3.8 aims to ensure that "*Land use within the Air Noise Boundary or Outer Control Boundary of the Queenstown Airport is managed to prohibit or limit the establishment of Activities Sensitive to Aircraft Noise*".

Policy 4.2.4.3 seeks to "*Protect the Queenstown airport from reverse sensitivity effects, and maintain residential amenity, through managing the effects of aircraft noise within critical listening environments of new or altered buildings within the Air Noise Boundary or Outer Control Boundary*".

- 4.6 As set out in my full brief of evidence, the Proposed Plan essentially tries to condense the two objectives and eight policies from PC35 relating to urban development into three policies. I consider that this approach is an oversimplification of the land use management approach described by Mr Kyle, and fails to implement the purpose and intent of PC35.
- 4.7 I do not agree with this approach and consider it will not ensure Airport growth is appropriately provided for and reverse sensitivity effects avoided, as intended by PC35.
- 4.8 I am concerned that the partial inclusion of the PC35 provisions could result in an incomplete and/or inadequate higher order planning framework meaning the inclusion of provisions in later chapters, including some of the rules inherent in PC35 to protect the Airport from reverse sensitivity effects, cannot be justified in terms of section 32.

Conclusions

- 4.9 The Strategic Directions, Urban Development and Landscape chapters are critical in providing the policy framework for the subsequent chapters of the Proposed Plan. It is therefore important in my view that these chapters appropriately recognise and provide for significant infrastructure, particularly where it is of regional importance, and provide sufficient grounding, in terms of section 32, for the lower order policies and methods that will follow.
- 4.10 Of particular concern with the Proposed Plan is the limited recognition afforded to infrastructure within the Strategic Directions chapter, including airports, and their role in providing for the social and economic wellbeing of the community. This general lack of recognition has filtered into Chapters 4 and 6 of the Proposed Plan.
- 4.11 Accordingly, to ensure that infrastructure providers such as designated airports can continue to meet the demand the its services as the District continues to grow, I consider the amendments detailed in my evidence and in QAC's submissions are necessary and the most appropriate for ensuring that infrastructure, as an important physical resource for the District, is appropriately recognised and provided for in the Proposed Plan. This will also ensure that the

Airport, as significant regional infrastructure is adequately protected from potential reverse sensitivity effects.

Kirsty O'Sullivan

16 March 2016

Appendix A

STRATEGIC DIRECTION 3

3 Strategic Direction

Note: Changes recommended to the notified Strategic Direction provisions of the Proposed Plan.

Green underlines and ~~strikeouts~~ show changes recommended by the section 42A report dated 19th February 2016.

Red underlines and ~~strikeouts~~ show changes recommended by Kirsty O'Sullivan, Mitchell Partnerships Limited.

3.1 Purpose

This chapter sets out the over-arching strategic direction for the management of growth, land use and development in a manner that ensures sustainable management of the Queenstown Lakes District's special qualities:

- Dramatic alpine landscapes free of inappropriate development
- Clean air and pristine water
- Vibrant and compact town centres
- Compact and connected settlements that encourage public transport, biking and walking
- Diverse, resilient, inclusive and connected communities
- A district providing a variety of lifestyle choices
- An innovative and diversifying economy based around a strong visitor industry
- A unique and distinctive heritage
- Distinctive Ngai Tahu values, rights and interests

This direction is provided through a set of Strategic Goals, Objectives and Policies which provide the direction for the more detailed provisions related to zones and specific topics contained elsewhere in the District Plan.

3.2 Goals, Objectives and Policies

3.2.1 Goal - Develop a prosperous, resilient and equitable economy.

3.2.1.1 **Objective** - Recognise, develop and sustain the Queenstown and Wanaka ~~central business areas town centres~~ as the hubs of New Zealand's premier alpine resorts and the District's economy.

Policies

- 3.2.1.1.1 Provide a planning framework for the Queenstown and Wanaka ~~central business areas town centres~~ that enables quality development and enhancement of the centres as the key commercial, civic and cultural hubs of the District, building on their existing functions and strengths.
- 3.2.1.1.2 Avoid commercial rezoning that could fundamentally undermine the role of the Queenstown and Wanaka ~~central business areas town centres~~ as the primary focus for the District's economic activity.

STRATEGIC DIRECTION 3

3.2.1.1.3 Promote growth in the visitor industry and encourage investment in lifting the scope and quality of attractions, facilities and services within the Queenstown and Wanaka ~~central-business-areas-town centres~~.

3.2.1.2 ~~Objective - Recognise and provide for -develop, sustain and integrate the key mixed use function of the wider Frankton commercial area, comprising Remarkables Park, Queenstown Airport and Five Mile.~~

3.2.1.2.1 ~~Provide a planning framework for the wider Frankton commercial area that facilitates the integrated development of the various mixed use development nodes.~~

3.2.1.2.2 ~~Avoid additional commercial rezoning that will undermine the function and viability of the Frankton commercial area, or which will undermine increasing integration between the nodes in the area.~~

3.2.1.3 **Objective** - Recognise, develop 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 in the District~~.

Policies

3.2.1.3.1 Avoid commercial rezoning that would ~~fundamentally~~ undermine the key local service and employment function role that the ~~larger-urban~~ centres outside of the Queenstown, ~~and~~ Wanaka ~~central-business-areas-town centres and Frankton~~ fulfil.

3.2.1.3.2 Reinforce and support the role that township commercial precincts and local shopping centres fulfil in serving local needs.

3.2.1.3.3 Avoid non-industrial activities ~~not related to or supporting industrial activities~~ occurring within areas zoned for Industrial activities.

3.2.1.4 **Objective** – Recognise and provide for the significant socioeconomic benefits of tourism ~~activities across the District~~.

Policies

3.2.1.4.1 ~~Enable the use and development of natural and physical resources for tourism activity where adverse effects are avoided, remedied or mitigated.~~

3.2.1.5 **Objective** - Enable the development of innovative and sustainable enterprises that contribute to diversification of the District's economic base and create employment opportunities.

Policies

3.2.1.5.1 Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.

3.2.1.5.2 Encourage economic activity to adapt to and recognise opportunities and risks associated with climate change and energy and fuel pressures.

3.2.1.6 **Objective** - Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided ~~a sensitive approach is taken to adverse effects on~~ rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are ~~avoided, remedied or mitigated~~.

3.2.1.7 **Objective** - Maintain and promote the efficient operation of the District's infrastructure, including designated Airports, key roading and communication technology networks.

Commented [K01]: Refer to Section 2.32 to 2.37 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016, for reasons for the proposed amendments to Objective 3.2.1.2 and associated Policies 3.2.1.2.1 to 3.2.1.2.3.

STRATEGIC DIRECTION 3

Policies

- 3.2.1.7.1 Recognise that infrastructure, including the district's airports, makes an essential contribution to the prosperity and economic resilience of the District.
- 3.2.1.7.2 Ensure that the efficient and effective operation of infrastructure, including the district's airports, is safeguarded and not compromised, now or into the future, by incompatible development.
- 3.2.1.7.3 To recognise that Queenstown Airport is an essential lifeline utility.

Commented [K02]: Refer to Section 2.1 to 2.17 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016, for reasons for this change.

3.2.2 Goal - The strategic and integrated management of urban growth

3.2.2.1 Objective - Ensure urban development occurs in a logical manner:

- to promote a compact, well designed and integrated urban form;
- to manage the cost of Council infrastructure; and
- to protect the District's rural landscapes from sporadic and sprawling development.

Policies

- 3.2.2.1.1 ~~Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Arrowtown and Wanaka.~~
- 3.2.2.1.2 ~~Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs.~~
- 3.2.2.1.3 ~~Manage the form of urban development within the UGBs ensuring:~~
 - ~~Connectivity and integration with existing urban development;~~
 - ~~Sustainable provision of Council infrastructure; and~~
 - ~~Facilitation of an efficient transport network, with particular regard to integration with public and active transport systems~~
- 3.2.2.1.4 ~~Encourage a higher density of residential development in locations close to town centres, local shopping zones, activity centres, public transport routes and non-vehicular trails.~~
- 3.2.2.1.5 ~~Ensure UGBs contain sufficient suitably zoned land to provide for future growth and a diversity of housing choice.~~
- 3.2.2.1.6 ~~Ensure that zoning enables effective market competition through distribution of potential housing supply across a large number and range of ownerships, to reduce the incentive for land banking in order to address housing supply and affordability.~~
- 3.2.2.1.7 ~~That further urban development of the District's small rural settlements be located within and immediately adjoining those settlements.~~

3.2.2.2 Objective - Manage development in areas affected by natural hazards.

Policies

- 3.2.2.2.1 Ensure a balanced approach between enabling higher density development within the District's scarce urban land resource and addressing the risks posed by natural hazards to life and property.

STRATEGIC DIRECTION 3

3.2.3 Goal - A quality built environment taking into account the character of individual communities

3.2.3.1 Objective - Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.

Policies

- 3.2.3.1.1 Ensure development responds to the character of its site, the street, open space and surrounding area, whilst acknowledging the necessity of increased densities and some change in character in certain locations.
- 3.2.3.1.2 That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
- 3.2.3.1.3 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.

3.2.3.2 Objective - Protect the District's cultural heritage values and ensure development is sympathetic to them.

Policies

- 3.2.3.2.1 Identify heritage items and ensure they are protected from inappropriate development.

3.2.4 Goal - The protection of our natural environment and ecosystems

3.2.4.1 Objective - ~~Promote development and activities that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems. Ensure that development and activities maintain indigenous biodiversity, and sustain or enhance the life-supporting capacity of air, water, soil and ecosystems.~~

3.2.4.2 Objective - Protect areas with significant Nature Conservation Values.

Policies

- 3.2.4.2.1 Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, referred to as Significant Natural Areas on the District Plan maps and ensure their protection.
- 3.2.4.2.2 ~~Where adverse effects on nature conservation values cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative.~~

3.2.4.3 Objective - Maintain or enhance the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities.

Policies

- 3.2.4.3.1 That development does not adversely affect the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities

3.2.4.4 Objective – Avoid ~~the spread of wilding~~ exotic vegetation ~~with the potential to spread and naturalise to protect nature conservation values.~~

Policies

- 3.2.4.4.1 ~~That Prohibit~~ the planting of identified exotic vegetation with the potential to spread and naturalise. ~~is banned.~~

3.2.4.5 Objective - Preserve or enhance the natural character of the beds and margins of the District's lakes, rivers and wetlands.

STRATEGIC DIRECTION 3

Policies

- 3.2.4.5.1 That subdivision and / or development which may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins be carefully managed so that life-supporting capacity and natural character is maintained or enhanced.

- 3.2.4.6 Objective** - Maintain or enhance the water quality and function of our lakes, rivers and wetlands..

Policies

- 3.2.4.6.1 That subdivision and / or development be designed so as to avoid adverse effects on the water quality of lakes, rivers and wetlands in the District.

- 3.2.4.7 Objective** - Facilitate public access to the natural environment.

Policies

- 3.2.4.7.1 Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.

- 3.2.4.8 Objective** - Respond positively to Climate Change.

Policies

- 3.2.4.8.1 Concentrate development within existing urban areas, promoting higher density development that is more energy efficient and supports public transport, to limit increases in greenhouse gas emissions in the District.

- 3.2.5 Goal** - Our distinctive landscapes are protected from inappropriate development.

- 3.2.5.1 Objective** - Protect the ~~natural-character~~ quality of ~~the~~ Outstanding Natural Landscapes and Outstanding Natural Features from ~~inappropriate~~ subdivision, use and development.

Policies

- ~~3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.~~

- ~~**3.2.5.2 Objective** - Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes. Maintain and enhance the landscape character of the Rural Landscape Classification, whilst acknowledging the potential for managed and low impact change.~~

Policies

- ~~3.2.5.2.1 Identify the district's Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.~~

- 3.2.5.3 Objective** - Direct new ~~urban~~ subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.

Policies

- ~~3.2.5.3.1 Direct urban development to be within Urban Growth Boundaries (UGB's) where these apply, or within the existing rural townships.~~

Commented [K03]: Refer to Section 2.18 to 2.24 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016, for reasons for this change.

STRATEGIC DIRECTION 3

3.2.5.4 Objective - Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.

Policies

3.2.5.4.1 Give careful consideration to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas.

3.2.5.4.2 Provide for rural living opportunities in appropriate locations.

3.2.5.5 Objective - Recognise that agricultural land use is fundamental to the character of our landscapes.

Policies

3.2.5.5.1 Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values.

3.2.5.5.2 Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated.

3.2.6 Goal - Enable a safe and healthy community that is strong, diverse and inclusive for all people.

3.2.6.1 Objective - [Provide Enable](#) access to housing that is more affordable.

Policies

3.2.6.1.1 [Provide Enable](#) opportunities for low and moderate income Households to live in the District in a range of accommodation appropriate for their needs.

3.2.6.1.2 In applying plan provisions, have regard to the extent to which minimum site size, density, height, building coverage and other controls influence Residential Activity affordability.

3.2.6.2 Objective - Ensure a mix of housing opportunities.

Policies

3.2.6.2.1 Promote mixed densities of housing in new and existing urban communities.

3.2.6.2.2 Enable high density housing adjacent or close to the larger commercial centres in the District.

3.2.6.2.3 Explore and encourage innovative approaches to design to [Provide help enable](#) access to affordable housing.

3.2.6.3 Objective - Provide a high quality network of open spaces and community facilities.

Policies

3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.

3.2.6.3.2 That open spaces and community facilities are located and designed to be desirable, safe, accessible places.

3.2.6.4 Objective - Ensure planning and development maximises opportunities to create safe and healthy communities through subdivision and building design.

STRATEGIC DIRECTION 3

Policies

3.2.6.4.1 Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting “Crime Prevention Through Environmental Design”.

3.2.6.4.2 Ensure Council-led and private design and development of public spaces and built development maximises the opportunity for recreational and commuting walking and cycling.

3.2.7 Goal - Council will act in accordance with the principles of the Treaty of Waitangi and in partnership with Ngai Tahu.

3.2.7.1 Objective – Recognise and provide for Protect Ngai Tahu values, rights and interests, including taonga species and habitats, and wahi tupuna.

3.2.7.2 Objective – Enable the expression of kaitiakitanga by providing for meaningful collaboration with Ngai Tahu in resource management decision making and implementation.

3.2.8 Goal – Provide for the ongoing operation and growth of regionally significant infrastructure

3.2.8.1 Objective – Recognise that the functional or operational requirements of regionally or nationally significant infrastructure can necessitate a particular location.

Policies

3.2.8.1.1 Enable the continued operation, maintenance and upgrading of regionally and nationally significant infrastructure and associated activities.

3.2.8.1.1 Where practicable, mitigate the impacts of regionally and nationally significant infrastructure on outstanding natural landscapes and outstanding natural features.

Commented [K04]: Refer to Section 2.01 to section 2.24 of the brief of evidence of Kirsty O’Sullivan, dated 29 February 2016, for reasons for the new provisions.

URBAN DEVELOPMENT 4

4 URBAN DEVELOPMENT

Note: Changes recommended to the notified Urban Development provisions of the Proposed Plan.

Green underlines and ~~strikeouts~~ show changes recommended by the section 42A report dated 19th February 2016.

Red underlines and ~~strikeouts~~ show changes recommended by Kirsty O'Sullivan, Mitchell Partnerships Limited.

4.1 Purpose

The purpose of this Chapter is to set out the objectives and policies for managing the spatial location and layout of urban development within the District. This chapter forms part of the strategic intentions of this District Plan and will guide planning and decision making for the District's major urban settlements and smaller urban townships. This chapter does not address site or location specific physical aspects of urban development (such as built form) - reference to zone and District wide chapters is required for these matters.

The District experiences considerable growth pressures. Urban growth within the District occurs within an environment that is revered for its natural amenity values, and the District relies, in large part for its social and economic wellbeing on the quality of the landscape, open spaces and environmental image. If not properly controlled, urban growth can result in adverse effects on the quality of the built environment, with flow on effects to the impression and enjoyment of the District by residents and visitors. Uncontrolled urban development can result in the fragmentation of rural land; and poses risks of urban sprawl, disconnected urban settlements and a poorly coordinated infrastructure network. The roading network of the District is under some pressure and more low density residential development located remote from employment and service centres has the potential to exacerbate such problems.

Queenstown Airport is a significant asset to the region and has been established at its current location in Queenstown since 1936. Since then the Airport has faced pressure from urban development. It is essential that such development is managed in a way that protects the current and future ability of the Airport to operate efficiently. It is also reasonable that noise boundaries are established for aircraft operations at the Airport in order to appropriately mitigate adverse effects on any Activity Sensitive to Aircraft Noise in the surrounding environment.

The objectives and policies for Urban Development provide a framework for a managed approach to urban development that utilises land and resources in an efficient manner, and preserves and enhances natural amenity values. The approach seeks to achieve integration between land use, transportation, services, open space networks, community facilities and education; and increases the viability and vibrancy of urban areas.

Urban Growth Boundaries are established for the key urban centres of Queenstown, Wanaka and Arrowtown, providing a tool to manage anticipated growth while protecting the individual roles, heritage and character of these areas. Specific policy is provided for these areas, including provision for increased density to contribute to a more compact and connected urban form.

4.2 Objectives and Policies

4.2.1 Objective - Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Policies

4.2.1.1 Land within ~~and adjacent to~~ the major urban settlements will provide the focus for urban development, with a lesser extent accommodated within smaller rural townships.

Commented [KO1]: This text is consistent with the explanation and reasons for adoption set out in Section 4.9.3. It has been consolidated to enable better integration into the Proposed Plan.

URBAN DEVELOPMENT 4

- 4.2.1.2 Urban development is integrated with existing public infrastructure, and is designed and located in a manner consistent with the capacity of existing networks.
- 4.2.1.3 Encourage a higher density of residential development in locations that have convenient access to public transport routes, cycleways or are in close proximity to community and education facilities.
- 4.2.1.4 Development enhances connections to public recreation facilities, reserves, open space and active transport networks.
- 4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements.
- 4.2.1.6 Avoid sporadic urban development that would adversely affect the natural environment, rural amenity or landscape values; or compromise the viability of a nearby township.
- 4.2.1.7 Urban development is located so as to maintains the productive potential and soil resource of rural land.

4.2.2 **Objective - Urban Growth Boundaries are established as a tool to manage the growth of major centres within distinct and defensible urban edges.**

Policies

- 4.2.2.1 Urban Growth Boundaries define the limits of urban growth, ensuring that urban development is contained within those identified boundaries, and urban development is avoided outside of those identified boundaries.
- 4.2.2.2 Urban Growth Boundaries are of a scale and form which is consistent with the anticipated demand for urban development over the planning period, and the appropriateness of the land to accommodate growth.
- 4.2.2.3 Within Urban Growth Boundaries, land is allocated into various zones which are reflective of the appropriate land use.
- 4.2.2.4 Not all land within Urban Growth Boundaries will be suitable for urban development or intensification, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards or within close proximity to airports. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.
- 4.2.2.5 Urban Growth Boundaries may need to be reviewed and amended over time to address changing community needs.

4.2.3 **Objective – Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.**

Policies

- 4.2.3.1 Provide for a compact urban form that utilises land and infrastructure in an efficient and sustainable manner, ensuring:
- connectivity and integration;
 - the sustainable use of public infrastructure;
 - convenient linkages to the public and active transport network; and
 - housing development does not compromise opportunities for commercial or community facilities in close proximity to centres.

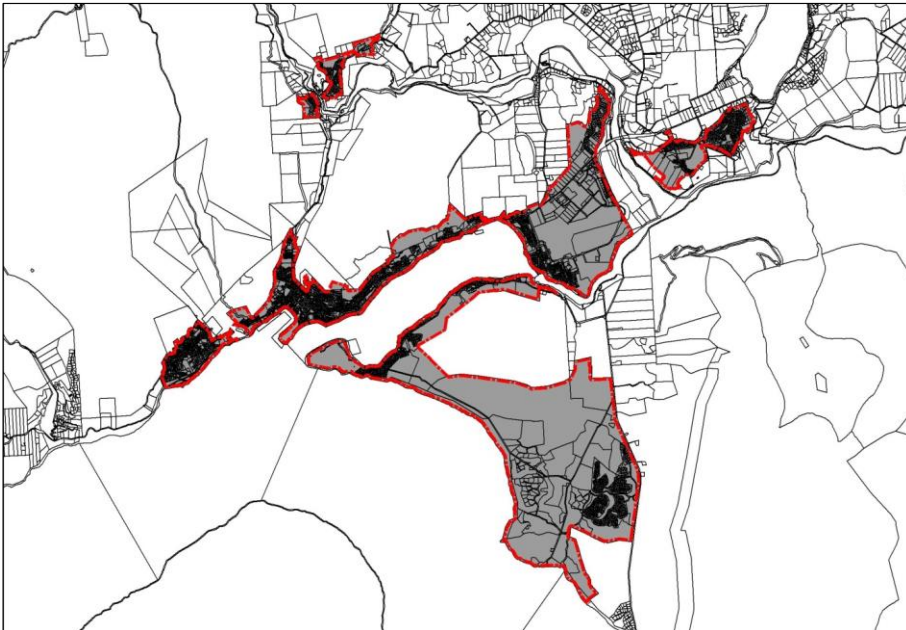
Commented [K02]: Reasoning for the proposed amendments is set out in the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

URBAN DEVELOPMENT 4

- 4.2.3.2 Enable an increased density of residential development in close proximity to town centres, public transport routes, community and education facilities.
- 4.2.3.3 ~~Low density development does not compromise opportunities for future urban development~~
- 4.2.3.4 Urban development occurs in locations that are adequately serviced by existing public infrastructure, or where infrastructure can be efficiently upgraded.
- 4.2.3.5 For urban centres where Urban Growth Boundaries apply, new public infrastructure networks are limited exclusively to land within defined Urban Growth Boundaries.
- 4.2.3.6 Development improves connections to recreational and community facilities, and enhances the amenity and vibrancy of urban areas.
- 4.2.3.7 The edges of Urban Growth Boundaries are managed to provide a sensitive transition to rural areas.
- 4.2.3.8 Land use within the Air Noise Boundary or Outer Control Boundary of the Queenstown Airport is managed to prohibit or limit the establishment of Activities Sensitive to Aircraft Noise.

Queenstown

- 4.2.4 **Objective - Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.**



Policies

- 4.2.4.1 Limit the spatial growth of Queenstown so that:
- the natural environment is protected from encroachment by urban development
 - sprawling of residential settlements into rural areas is avoided

URBAN DEVELOPMENT 4

- residential settlements become better connected through the coordinated delivery of infrastructure and community facilities
- transport networks are integrated and the viability of public and active transport is improved
- the provision of infrastructure occurs in a logical and sequenced manner
- the role of Queenstown Town Centre as a key tourism and employment hub is strengthened
- the role of Frankton in providing local commercial and industrial services is strengthened

4.2.4.2 Ensure that development within the Queenstown Urban Growth Boundary:

- Provides a diverse supply of residential development to cater for the needs of residents and visitors
- Provides increased density in locations close to key public transport routes and with convenient access to the Queenstown Town Centre
- Provides an urban form that is sympathetic to the natural setting and enhances the quality of the built environment
- Provides infill development as a means to address future housing demand
- Provides a range of urban land uses that cater for the foreseeable needs of the community
- Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development
- Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities
- Does not diminish the qualities of significant landscape features

4.2.4.3 ~~Protect the Queenstown airport from reverse sensitivity effects, and maintain residential amenity, through managing the effects of aircraft noise within critical listening environments of new or altered buildings within the Air Noise Boundary or Outer Control Boundary.~~

4.2.4.4 ~~Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.~~

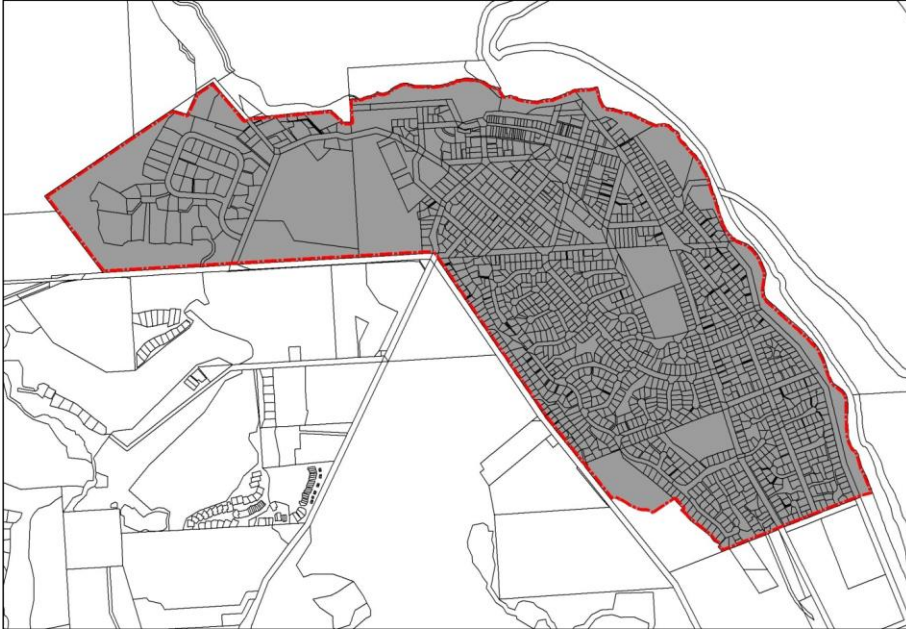
Arrowtown

4.2.5 **Objective - Manage the scale and location of urban growth in the Arrowtown Urban Growth Boundary.**

Commented [K03]: Reasoning for the proposed deletion is set out in section 3.8 to 3.15 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

Commented [K04]: This policy is consistent with Policy 7.3, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35. It should be relocated however, as it gives effect to proposed Objective 7, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

URBAN DEVELOPMENT 4



Policies

4.2.5.1 Limit the spatial growth of Arrowtown so that:

- Adverse effects of development outside the Arrowtown Urban Growth Boundary are avoided.
- the character and identity of the settlement, and its setting within the landscape is preserved or enhanced.

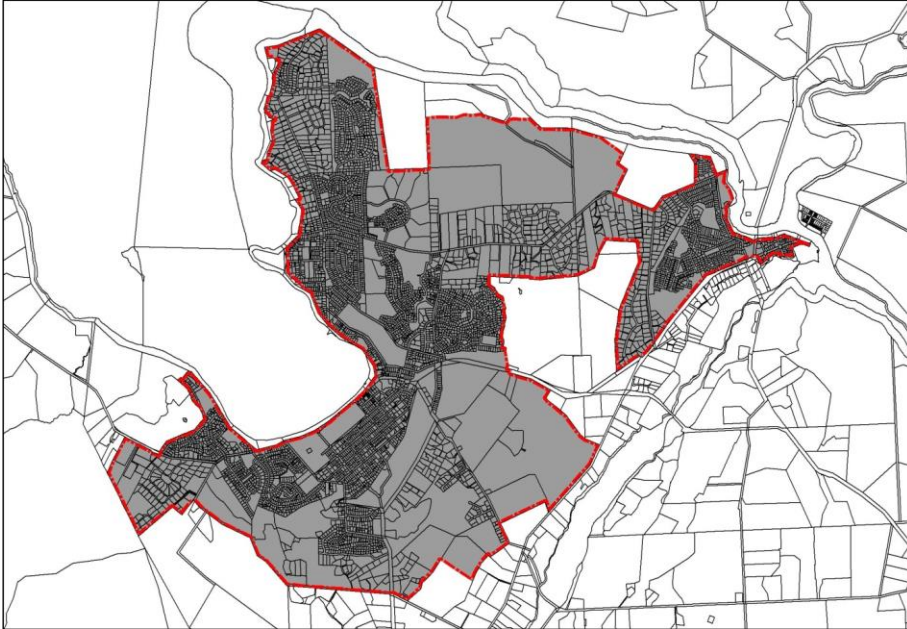
4.2.5.2 Ensure that development within the Arrowtown Urban Growth Boundary provides:

- an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility in accordance with the *Arrowtown Design Guidelines 2006* (and any adopted updates).
- opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth Boundary.
- a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown
- for Feehley's Hill and land along the margins of Bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource.
- ~~To recognise~~ the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural General land

Wanaka

4.2.6 **Objective - Manage the scale and location of urban growth in the Wanaka Urban Growth Boundary.**

URBAN DEVELOPMENT 4



Policies

4.2.6.1 Limit the spatial growth of Wanaka so that:

- The rural character of key entrances to the town is retained and protected, as provided by the natural boundaries of the Clutha River and Cardrona River
- A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity
- Ad hoc development of rural land is avoided
- Outstanding Natural Landscapes and Outstanding Natural Features are protected from encroachment by urban development

4.2.6.2 Ensure that development within the Wanaka Urban Growth Boundary:

- Supports increased density through greenfield and infill development, in appropriate locations, to avoid sprawling into surrounding rural areas
- Provides a sensitive transition to rural land at the edge of the Urban Growth Boundaries through the use of: appropriate zoning and density controls; setbacks to maintain amenity and open space; and design standards that limit the visual prominence of buildings
- Facilitates a diversity of housing supply to accommodate future growth in permanent residents and visitors
- Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development
- Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities
- Does not diminish the qualities of significant landscape features

URBAN DEVELOPMENT 4

- Rural land outside of the Urban Growth Boundary is not developed until further investigations indicate that more land is needed to meet demand.

4.2.7 Objective - 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.

Commented [K05]: Reasoning for the proposed new provisions is set out in the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

4.2.7.1 To ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.

Commented [K06]: This objective is consistent with Objective 7, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.7.2 To manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries whilst at the same time providing for the efficient operation of Queenstown Airport.

Commented [K07]: This policy is consistent with Policy 7.1, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.7.3 To manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.

Commented [K08]: This policy is consistent with Policy 7.2, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.8 Objective - Manage urban growth issues on land in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.

Commented [K09]: This policy is consistent with Policy 7.3, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.8.1 To protect the airport from reverse sensitivity effects of Activity Sensitive to Aircraft Noise.

Commented [K010]: This objective is consistent with Objective 8, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.8.2 To prohibit all new Activity Sensitive to Aircraft Noise within the Rural, and Industrial Zones located within the Outer Control Boundary at Queenstown Airport and to limit such uses in the Frankton Flats (A) Zone.

Commented [K011]: This policy is consistent with Policy 8.1, Section 4.9.3 and Objective 5, Section 7.2 of the Operative Plan, as amended by Plan Change 35.

4.2.8.3 To prohibit all Residential, Visitor Accommodation and Community Activities within that part of the Remarkables Park Zone within the 2037 60dB Noise Contour at Queenstown Airport.

Commented [K012]: This policy is consistent with Policy 8.2, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.8.4 To ensure that Critical Listening Environments of all new and alterations and additions to existing buildings containing Residential, Educational Facilities and Visitor Accommodation in the Remarkables Park Zone in the areas identified in Figure 2 – Airport Measures in the District Planning Maps achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.

Commented [K013]: This policy is consistent with Policy 8.3, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

4.2.8.5 To ensure that any Critical Listening Environments of all new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise located in the existing Residential zones, and the Frankton Flats (A) Zone within the Queenstown Airport Outer Control Boundary are designed and built to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.

Commented [K014]: This policy is consistent with Policy 8.4, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

Commented [K015]: This policy is consistent with Policy 8.5, Section 4.9.3 of the Operative Plan, as amended by Plan Change 35.

LANDSCAPE 6

6 Landscape

Note: Changes recommended to the notified Urban Development provisions of the Proposed Plan.

Green underlines and ~~strikeouts~~ show changes recommended by the section 42A report dated 19th February 2016.

Red underlines and ~~strikeouts~~ show changes recommended by Kirsty O'Sullivan, Mitchell Partnerships Limited.

6.1 Purpose

The purpose of this chapter is to recognise the landscape as a significant resource to the District and region. This resource requires protection from inappropriate activities that could degrade its qualities, character and values.

Landscapes have been categorised to provide certainty of their importance to the District, to align with regional and national legislation and to provide decision makers with a basis to consider the appropriateness of activities when having regard to the RMA, in particular, Outstanding Natural Features and Landscapes as matters of national importance.

6.2 Values

The District's landscapes are of significant value to the people who live in, work in or visit the District. The District relies in a large part for its social and economic wellbeing on the quality of the landscape, open spaces and environmental image.

The landscapes consist of a variety of landforms created by uplift and glaciations, which include mountains, ice-sculpted rock, scree slopes, moraine, fans, a variety of confined and braided river systems, valley floors and lake basins. These distinct landforms remain easily legible and strong features of the present landscape.

Indigenous vegetation also contributes to the quality of the District's landscapes. Whilst much of the original vegetation has been modified, the colour and texture of indigenous vegetation within these landforms contribute to the distinctive identity of the District's landscapes.

The open character of productive farmland is a key element of the landscape character which can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.

Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.

While acknowledging these rural areas have established housing, a substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural lifestyle living development has a finite capacity if the District's distinctive rural landscape values are to be sustained.

The lakes and rivers both on their own and, when viewed as part of the distinctive landscape, are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. They are nationally and internationally recognised as part of the reason for the District's importance as a visitor destination, as well as one of the reasons for residents to belong to the area. Managing the landscape and recreational values on the surface of lakes and rivers is an important District Plan function.

LANDSCAPE 6

Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.

It is acknowledged that at times infrastructure has a functional, operational, technical or safety related requirement to be located or established at a certain site or in a certain area. In these situations, infrastructure shall be located and designed to minimise, in so far as practicable, and without impacting the operational, technical or safety requirements of the infrastructure, the potential for adverse effects on the particular landscape character and/or visual amenity values inherent at the site.

Commented [K01]: Reasoning for the proposed additional text is set out in section 2.18 to 2.22 and 4.1 to 4.8 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

6.3 Objectives and Policies

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

Policies

6.3.1.1 ~~Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps.~~

6.3.1.2 Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps and classify the Rural Zoned landscapes in the District as:

- Outstanding Natural Feature (ONF)
- Outstanding Natural Landscape (ONL)
- Rural Landscape Classification (RLC)

6.3.1.2 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases.

6.3.1.3 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.

6.3.1.4 Avoid urban subdivision and development in the Rural Zones.

6.3.1.5 Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate change.

6.3.1.6 When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes.

6.3.1.7 ~~Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or the night sky.~~

6.3.1.8 Ensure the District's distinctive landscapes are not degraded by forestry and timber harvesting activities.

Commented [K02]: Reasoning for the proposed deletion is set out in section 4.9 to 4.11 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

LANDSCAPE 6

6.3.1.9 Recognise that low-intensity pastoral farming on large landholdings contributes to the District's landscape character.

6.3.1.10 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.

6.3.1.11 Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including Tōpuni.

6.3.1.12 Infrastructure within the Outstanding Natural Landscapes or Outstanding Natural Features or Rural Landscapes shall be acknowledged as appropriate development where there is an operational, technical or safety related requirement for that location.

Commented [K03]: Reasoning for the proposed additional text is set out in section 2.18 to 2.22 and 4.1 to 4.8 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

Policies

6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.

6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.

6.3.2.3 Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.

6.3.2.4 Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.

6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.

6.3.3 Objective - Protect, maintain or enhance the district's Outstanding Natural Features (ONF).

Policies

6.3.3.1 Avoid subdivision and development on Outstanding Natural Features that does not protect, maintain or enhance Outstanding Natural Features.

6.3.3.2 Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Landscapes adjacent to Outstanding Natural Features would not degrade the landscape quality, character and visual amenity of Outstanding Natural Features.

6.3.3.3 Where there is an operational, technical or safety related requirement for infrastructure to be located within an Outstanding Natural Feature, the adverse effects of the infrastructure on the important qualities of the Outstanding Natural Feature should be mitigated as far as practicable.

Commented [K04]: Reasoning for the proposed additional text is set out in section 2.18 to 2.22 and 4.1 to 4.8 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

6.3.4 Objective - Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).

LANDSCAPE 6

Policies

- 6.3.4.1 Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.
- 6.3.4.2 Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.
- 6.3.4.3 Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.
- 6.3.4.4 The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.
- 6.3.4.5 Where there is an operational, technical or safety related requirement for infrastructure proposal to be located within an Outstanding Natural Landscape, the adverse effects of the infrastructure on the important qualities of the Outstanding Natural Landscape should be mitigated as far as practicable.
- 6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).**

Commented [K05]: Reasoning for the proposed additional text is set out in section 2.18 to 2.22 and 4.1 to 4.8 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

Policies

- 6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.
- 6.3.5.2 Avoid adverse effects from subdivision and development that are:
- Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
 - Visible from public roads.
- 6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.
- 6.3.5.4 Encourage any landscaping to be sustainable and consistent with the established character of the area.
- 6.3.5.5 Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.
- 6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.
- 6.3.5.7 Where there is an operational, technical or safety related requirement for infrastructure proposal to be located within a Rural Landscape, the adverse effects of the infrastructure on the important qualities of the Rural Landscape should be mitigated as far as practicable.

Commented [K06]: Reasoning for the proposed additional text is set out in section 2.18 to 2.22 and 4.1 to 4.8 of the brief of evidence of Kirsty O'Sullivan, dated 29 February 2016.

LANDSCAPE 6

6.3.6 Objective - Protect, maintain or enhance the landscape quality, character and visual amenity provided by the lakes and rivers and their margins from the adverse effects of structures and activities.

Policies

- 6.3.6.1 Control the location, intensity and scale of buildings, jetties, moorings and utility structures on the surface and margins of water bodies and ensure these structures maintain or enhance the landscape quality, character and amenity values.
- 6.3.6.2 Recognise the character of the Frankton Arm including the established jetties and provide for these on the basis that the visual qualities of the District's distinctive landscapes are maintained and enhanced.
- 6.3.6.3 Recognise the urban character of Queenstown Bay and provide for structures and facilities providing they protect, maintain or enhance the appreciation of the District's distinct landscapes.

6.3.7 Objective - Recognise and protect indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District's landscapes.

Policies

- 6.3.7.1 Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.
- 6.3.7.2 Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.

6.3.8 Objective - Recognise the dependence of tourism on the District's landscapes.

Policies

- 6.3.8.1 Acknowledge the contribution tourism infrastructure makes to the economic and recreational values of the District.
- 6.3.8.2 Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.
- 6.3.8.3 Exclude identified Ski Area Sub Zones from the landscape categories and full assessment of the landscape provisions while controlling the impact of the ski field structures and activities on the wider environment.
- 6.3.8.4 Provide a separate regulatory regime for the Gibbston Valley, identified as the Gibbston Character Zone, in recognition of its contribution to tourism and viticulture while controlling the impact of buildings, earthworks and non-viticulture related activities on the wider environment.

6.4 Rules

6.4.1 Application of the landscape provisions

- 6.4.1.1 The term 'subdivision and development' includes subdivision, identification of building platforms, any buildings and associated activities such as roading, earthworks, lighting, landscaping, planting and boundary fencing and access / gateway structures.

LANDSCAPE 6

- 6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.
- 6.4.1.3 The landscape categories do not apply to the following within the Rural Zones:
- a. Ski Area Activities within the Ski Area Sub Zones.
 - b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
 - c. The Gibbston Character Zone.
 - d. The Rural Lifestyle Zone.
 - e. The Rural Residential Zone.
- 6.4.1.4 The landscape categories apply to lakes and rivers. Except where otherwise stated or shown on the Planning Maps, lakes and rivers are categorised as outstanding natural landscapes.
- 6.4.1.5 Where a utility is to be located within the Rural Zone and requires resource consent as a discretionary activity, the objectives and policies of the landscape chapter are applicable.

Appendix B

CHAPTER 3 – STRATEGIC DIRECTIONS - AMENDMENTS AND SECTION 32AA ASSESSMENT

Proposed Provisions (as per the Section 42A report, dated 19 th February 2016)	Amended Provisions (deleted text struck through added text underlined)	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective		
<p>Objective 3.2.1.2 Recognise and provide for, develop, sustain and integrate the key mixed use function of the wider Frankton commercial area, comprising Remarkables Park, Queenstown Airport and Five Mile.</p> <p>Policy 3.2.1.2.1 Provide a planning framework for the wider Frankton commercial area that facilitates the integrated development of the various mixed use development nodes.</p> <p>Policy 3.2.1.2.1 Recognise and provide for the varying complementary functions and characteristics of the various mixed use development nodes within the Frankton commercial area.</p> <p>Policy 3.2.1.2.3 Avoid additional commercial rezoning that will undermine the function and viability of the Frankton commercial area, or which will undermine increasing integration between the nodes in the area.</p>	<p>Objective 3.2.1.1 Recognise and provide for, develop, sustain and integrate the key mixed use function of the wider Frankton commercial area, comprising Remarkables Park, Queenstown Airport and Five Mile.</p> <p>Policy 3.2.1.2.1 Provide a planning framework for the wider Frankton commercial area that facilitates the integrated development of the various mixed use development nodes.</p> <p>Policy 3.2.1.2.1 Recognise and provide for the varying complementary functions and characteristics of the various mixed use development nodes within the Frankton commercial area.</p> <p>Policy 3.2.1.2.3 Avoid additional commercial rezoning that will undermine the function and viability of the Frankton commercial area, or which will undermine increasing integration between the nodes in the area.</p>	<ul style="list-style-type: none"> The amended drafting to Objective 3.2.1.1 provides greater certainty for plan uses while maintaining recognition of the economic importance of the Frankton commercial area. It also recognises that the nature and scale of activities occurring at Queenstown Airport are distinctly different and at times, incompatible with more sensitive activities occurring within adjacent mixed use zones so integration may not always be achievable or appropriate. Section 7(b) of the Act requires particular regard to be had to the efficient use and development of natural and physical resources. The objective provides an appropriate means for achieving this outcome, with the Frankton commercial area comprising an existing physical resource. The provisions that precede Policy 3.2.1.2.3 seek to facilitate and provide for the varying complementary functions and characteristics of the mixed use development nodes within the Frankton commercial area. Further commercial rezoning of land within Frankton may also serve to achieve this outcome. Policy 3.2.1.2.3 is therefore counter to the outcomes of the policies that precede it and is inappropriate as it does not achieve the outcome of the objective. 		
		Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
		<ul style="list-style-type: none"> Enabling the economic growth of Queenstown Airport without inappropriate restrictions due to seeking to “integrate” potentially incompatible development will contribute to ongoing social and economic wellbeing of the community. The deletion of Policy 3.2.1.2.3 will provide opportunities for commercial rezoning, which will result in potential economic and social benefits and employment opportunities. 	<ul style="list-style-type: none"> The use of the term “avoid” in Policy 3.2.1.2.3 could effectively act as a prohibition for certain activities. As currently drafted, Policy 3.2.1.2.3 could conceivably curtail any commercial rezoning anywhere in the District. 	<ul style="list-style-type: none"> The amendments to the policy are more efficient as they reduce ambiguity in drafting and interpretation.
<p>Objective 3.2.1.7 Maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District’s infrastructure, including designated Airports, key roading and communication technology networks.</p> <p>Policy 3.2.1.7.1 Safeguard the efficient and effective operation of regionally significant</p>	<p>Objective 3.2.1.7 Maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District’s infrastructure, including designated Airports, key roading and communication technology networks.</p> <p>Policy 3.2.1.7.1 Safeguard the efficient and effective operation of regionally significant</p>	<p>General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective</p>		
		<ul style="list-style-type: none"> The Strategic Directions chapter fails to recognise the role of infrastructure in supporting the communities social and economic wellbeing. The “cluster” of objectives within which the provisions are located appears to be focused on a “prosperous, resilient and equitable economy”. The objective and attendant policy do not achieve this outcome. In my opinion, the amendments to this objective are appropriate and achieve the purpose of the Act, as it recognises infrastructure as a physical resource that regard must be given to in accordance with section 7(b). 		
		Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency

<p>infrastructure from new incompatible activities.</p>	<p>infrastructure from new incompatible activities.</p> <p><u>Recognise that infrastructure, including the district's airports, makes an essential contribution to the prosperity and economic resilience of the District.</u></p> <p><u>Policy 3.2.1.7.2</u> <u>Ensure that the efficient and effective operation of infrastructure, including the district's airports, is safeguarded and not compromised, now or into the future, by incompatible development.</u></p> <p><u>Policy 3.2.1.7.3</u> <u>To recognise that Queenstown Airport is an essential lifeline utility.</u></p>	<ul style="list-style-type: none"> • The new policies recognise the importance of infrastructure as a strategic matter. • The policies recognise the contribution that infrastructure makes to the economic wellbeing of the community. This is consistent with the overarching "Goal" within which these provisions are located. It also serves to achieve Objectives 3.2.1.1 as without supporting infrastructure such as the Airport, it would be difficult to "develop and sustain" Queenstown and Wanaka as a premier alpine resort. • With respect to Queenstown Airport, the airport serves as an important link to the economies of Queenstown and facilitates tourism spending (VA) of between \$592m and \$638m, sustaining between 14,855 and 15,948 jobs.¹ • Policy 3.2.1.7.2 also serves to achieve the Goal 3.2.8, as proposed by QAC, which seeks to providing for the ongoing operation and growth of regionally significant infrastructure. • Tourism is a crucially important industry to the New Zealand economy as a whole. It is evident that the ongoing ability of Queenstown Airport to function and grow is essential to the tourism industry, both regionally and nationally. • The policies recognise airports (and potentially other infrastructure) as lifeline assets that require protection and provide for the social wellbeing and health and safety of the 	<ul style="list-style-type: none"> • I do not consider there to be any costs associated with the proposed policies. The intent of these policies is similar to those found in other chapters in the Proposed Plan, however it elevates the provisions to a strategic level. 	<ul style="list-style-type: none"> • The new policies acknowledge the strategic significance of infrastructure and provide an effective policy framework for the lower order chapters of the plan. • The proposed policies are more effective at achieving the overall goal within which the provisions are located.
---	---	--	--	--

¹ Market Economics Report titled "Queenstown Airport: Mixed Use Zone, Economic Assessment November 2014".

		community. This also achieves Objective 3.2.3.		
Objective 3.2.5.1 Protect the quality of the Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.	Objective 3.2.5.1 Protect the of—Outstanding Natural Landscapes and Outstanding Natural Features from <u>inappropriate</u> subdivision, use and development.	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective		
		<ul style="list-style-type: none"> The strategic provisions do not currently recognise that the operational, technical, functional and safety related requirements of infrastructure may necessitate a particular location. The higher order landscape provisions may have a trumping effect. As currently drafted, the presumption is that no development will be appropriate in ONLs and ONFs. The amendments to the objective are necessary to provide the framework for the lower order chapters of the Proposed Plan. The amendments are consistent with section 6(b) which seeks to protect outstanding natural features and landscapes from inappropriate subdivision, use and development. 		
		Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
	<u>Goal 3.2.8 – Provide for the ongoing operation and growth of regionally significant infrastructure</u>	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective		
	Objective 3.2.8.1 <u>Recognise that the functional or operational requirements of regionally or nationally significant infrastructure can necessitate a particular location.</u>	<ul style="list-style-type: none"> There are currently no provisions in the Strategic Directions chapter that adequately provide for the ongoing development and use of infrastructure. It is difficult to justify lower order chapters that when there are no objectives or policies the recognise or provide for the locational constraints of infrastructure in the strategic chapters. The objective recognises and provides for the airport as a physical resource now and for future generations. The proposed objective provides for the use and development of regionally significant infrastructure, which is a physical resource under section 7(b). 		
	Policy 3.2.8.1.1 <u>Enable the continued operation, maintenance and upgrading or regionally and nationally significant infrastructure and associated activities.</u>	Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
	Policy 3.2.8.1.1 <u>Where practicable, mitigate the impacts of regionally and nationally significant infrastructure on outstanding natural landscapes and outstanding natural features.</u>	<ul style="list-style-type: none"> The policies recognise and provide for the ongoing growth and development of regionally significant infrastructure. Tourism is a crucially important industry to the New Zealand economy as a whole. Queenstown Airport serves as an important link to the economies of Queenstown and facilitates tourism spending (VA) of between \$592m and \$638m², sustaining between 14,855 and 15,948 jobs. It is evident that the on-going ability of Queenstown 	<ul style="list-style-type: none"> The provisions may result in some development within ONLs and ONFs, however the effects of these will be mitigated where practicable. 	<ul style="list-style-type: none"> The new policies acknowledge the strategic significance of infrastructure and provide an effective policy framework for the lower order chapters of the plan. The proposed policies are effective at achieving the objective and its overarching goal.

² Market Economics Report titled “Queenstown Airport: Mixed Use Zone, Economic Assessment November 2014”.

		<p>Airport to function and grow is essential to the tourism industry, both regionally and nationally.</p> <ul style="list-style-type: none"> • These provisions provide the policy framework for the subsequent provisions of the Proposed Plan that recognise the functional and operational requirements of regionally significant infrastructure and their need to expand in response to the rapid growth being experienced in the District. 		
--	--	--	--	--

CHAPTER 4 – URBAN DEVELOPMENT - AMENDMENTS AND SECTION 32AA ASSESSMENT

Proposed Provisions	Amended Provisions (deleted text struck through added text underlined)	General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective		
<p>Policy 4.2.2.4</p> <p>Not all land within Urban Growth Boundaries will be suitable for urban development, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.</p>	<p>Policy 4.2.2.4</p> <p>Not all land within Urban Growth Boundaries will be suitable for urban development <u>or intensification</u>, such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards <u>or within close proximity to airports</u>. The form and location of urban development shall take account of site specific features or constraints to protect public health and safety.</p>	<ul style="list-style-type: none"> • No recommendation was made respect to QAC’s submission on this policy. • The amendments specifically identify areas within which urban development or intensification may not be appropriate in all locations. 		
		Environmental, Cultural, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Effectiveness & Efficiency
		<ul style="list-style-type: none"> • The amendments recognise that reverse sensitivity effects can occur within close proximity to airport. 	<ul style="list-style-type: none"> • There is a potential cost for developers wanting to intensify land uses within close proximity to the Airport. When read with subsequent provisions of the plan (relating to PC35), it becomes apparent however, that some intensification is appropriate, such as development of activities that are not noise sensitive. 	<ul style="list-style-type: none"> • The objective that this policy gives effect to states that “Urban Growth Boundaries are established as tool to manage the growth of major centres within distinct and defensible urban edges”. • The amended policy is effective as it provides a guide around where future development or intensification may not be appropriate.
	<p><u>Objective 4.2.7</u> <u>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.</u></p> <p><u>Policy 4.2.7.1</u> <u>To ensure appropriate noise boundaries are established and maintained to enable</u></p>	<p>General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective</p>		
		<ul style="list-style-type: none"> • This objective seeks the continued operation of Queenstown Airport in association with managed noise limits. The noise limits have been generated using projected future aircraft operations at Queenstown Airport. • The continued and future operation of Queenstown Airport is consistent with sustaining the potential of a physical resource (the Airport) to meet the reasonably foreseeable needs of future generations • The noise limits are set both to enable the on-going operation of the Airport and to manage the adverse effects of noise on the environment. Associated policies and rules ensure any adverse effects are avoided or mitigated, as required by section 5(2)c of the Act. • The wording of each objective and its attendant policies and rules have been thoroughly evaluated by the Environment Court. 		

	<p><u>operations at Queenstown Airport to continue and to expand over time.</u></p> <p><u>Policy 4.2.7.2</u></p> <p><u>To manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries whilst at the same time providing for the efficient operation of Queenstown Airport.</u></p> <p><u>Policy 4.2.7.3</u></p> <p><u>To manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.</u></p>	<ul style="list-style-type: none"> The Queenstown Airport Corporation have already commenced with noise mitigation works on those properties likely to be affected by aircraft noise. The Environment Court confirmed provisions (as shown here) are the most appropriate way to ensure that Queenstown Airport, as resource under section 7(b), is adequately protected against reverse sensitivity effects. 		
		<p>Environmental, Cultural, Economic, Social and Cultural Benefits</p> <ul style="list-style-type: none"> The policies promote the use of noise boundaries, which is an already accepted method of setting aircraft noise limits in the Queenstown Lakes District. The noise boundaries clearly identify those areas that may be affected by aircraft noise. The policies promote management of the adverse effects of aircraft noise within the noise boundaries, which is beneficial for the health and welfare of the community by ensuring activity sensitive to aircraft noise is appropriately located and/or insulated to mitigate the effects of aircraft noise. The policies provide for on-going operation and future predicted growth and expansion of the Airport, which will result in an increased economic benefit brought to the Region by the Airport. As set out by a 2014 Market Economics³, Queenstown Airport is experiencing rapid passenger growth, with passenger numbers projected to rise from 1.25m the year ending June 2014 to 1.78m by 2025 and 2.57m by 2037. Based on Ministry of Business, Innovation and Employment tourism forecasts and passenger growth rates, total tourism spending is projected to increase by between 3.4 and 3.9 percent per annum. This is expected to take the total tourism 	<p>Environmental, Economic, Social and Cultural Costs</p> <ul style="list-style-type: none"> The policies seek to impose a management regime that may restrict the ability to establish new activities sensitive to aircraft noise within the noise boundaries. There will be costs for some landowners included in the new, extended boundaries i.e. construction costs to achieve certain acoustic and insulation standards in new homes or alterations to existing residential dwellings. In managing the adverse effects QAC will offer to fund noise mitigation works on existing properties affected by the ANB. This incurs construction and instalment costs for QAC. 	<p>Effectiveness & Efficiency</p> <ul style="list-style-type: none"> The noise boundaries are an efficient and effective tool to identify the locations where the effects of aircraft noise need to be managed, which is in line with the aim of the objective. The wording each policy has been thoroughly evaluated by the Environment Court. The Queenstown Airport Corporation has already commenced with noise mitigation works on those properties likely to be affected by aircraft noise. The policies have already been found to be the most efficient and effective at achieving the objective. It would therefore be efficient to include these in the Proposed Plan. To not include these provisions would be inefficient, particularly in light of the extensive public process that has already occurred. The policies effectively implement the current provisions of Plan Change 35, which have full legal effect.

³ Market Economics Report titled "Queenstown Airport: Mixed Use Zone, Economic Assessment November 2014".

		<p>spending facilitated by Queenstown Airport to between \$1.1bn and \$1.4bn.</p> <ul style="list-style-type: none"> QAC will offer to fund the sound insulation building works over time to existing properties within the certain noise boundaries as part of a package to be developed in consultation with the affected property owners. 		
	<p><u>Objective 4.2.8</u> <u>Manage urban growth issues on land in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.</u></p> <p><u>Policy 4.2.8.1</u> <u>To protect the airport from reverse sensitivity effects of Activity Sensitive to Aircraft Noise.</u></p>	<p>General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective</p>		
	<p><u>Policy 4.2.8.2</u> <u>To prohibit all new Activity Sensitive to Aircraft Noise within the Rural, and Industrial Zones located within the Outer Control Boundary at Queenstown Airport and to limit such uses in the Frankton Flats (A) Zone.</u></p> <p><u>Policy 4.2.8.3</u> <u>To prohibit all Residential, Visitor Accommodation and Community Activities within that part of the Remarkables Park Zone within the 2037 60dB Noise Contour at Queenstown Airport.</u></p> <p><u>Policy 4.2.8.4</u> <u>To ensure that Critical Listening Environments of all new and alterations and additions to existing buildings containing Residential, Educational Facilities and Visitor Accommodation in the Remarkables Park Zone in the areas identified in Figure 2 – Airport Measures in the District Planning Maps achieve an Indoor Design Sound</u></p>	<ul style="list-style-type: none"> This objective is intended to sustain the potential of the Airport to meet the reasonably foreseeable needs of future generations through ensuring only appropriate development takes place in the immediate vicinity of the Airport and avoiding the potential for reverse sensitivity effects that would compromise Airport operations. This objective also works to avoid adverse effects of the Airport on the built environment and ensure the well-being of the local community. The wording of each objective and its attendant policies and rules have been thoroughly evaluated by the Environment Court. The Environment Court confirmed provisions (as shown here) are the most appropriate to ensure that Queenstown Airport is adequately protected against reverse sensitivity effects. 	<p>Environmental, Cultural, Economic, Social and Cultural Benefits</p>	<p>Effectiveness & Efficiency</p>
	<ul style="list-style-type: none"> The policies will ensure that inappropriate development within the Airport noise boundaries will be avoided or mitigated, which will ensure the health and welfare of the community is protected. The policies provide guidance for people considering plan changes within the Airport boundaries. The policies and methods 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 noise boundaries clearly identify those areas that may be affected by aircraft noise. 	<p>Environmental, Economic, Social and Cultural Costs</p> <ul style="list-style-type: none"> The policies may restrict the ability to establish new activities sensitive to aircraft noise within the noise boundaries. The policies will require that any new development or alteration or extension of an activity sensitive to aircraft noise in the Residential Zone must be acoustically insulated to an appropriate standard at the developer/property owners cost. Within the OCB, the policies establish a framework that prohibits activities sensitive to aircraft noise within the Rural Zone and Industrial Zone. The policies also establish a framework for limiting some activities sensitive to aircraft noise within the Frankton Flats Zone. 		

	<p><u>Level of 40 dB Ldn, based on the 2037 Noise Contours.</u></p> <p><u>Policy 4.2.8.5</u></p> <p><u>To ensure that any Critical Listening Environments of all new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise located in the existing Residential zones, and the Frankton Flats (A) Zone within the Queenstown Airport Outer Control Boundary are designed and built to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.</u></p>	<ul style="list-style-type: none"> The policies will serve to protect the health and wellbeing of the community by protecting the community from the adverse effects of aircraft noise. 		
--	--	--	--	--

CHAPTER 6 – LANDSCAPE - AMENDMENTS AND SECTION 32AA ASSESSMENT

<p>Policy 6.3.1.7</p> <p>Ensure that the location and direction of lights avoids degradation of the night sky, landscape character and sense of remoteness where it is an important part of that character.</p>	<p>Policy 6.3.1.7</p> <p>Ensure that the location and direction of lights avoids degradation of the night sky, landscape character and sense of remoteness where it is an important part of that character.</p>	<p>General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective</p>		
		<ul style="list-style-type: none"> The original drafting of Policy 6.3.1.7 has the potential to ‘prohibit’ or ‘not allow’ regionally significant infrastructure, such as navigational lights, within ONLs. The proposed changes to the policy are inappropriate and would conflict with objectives seeking to provide for the locational constraints of regionally significant infrastructure. The nature of the changes recommended in the section 42A report appear to extend beyond the scope of the relief sought by the submitters with respect to this policy. 		
		<p>Environmental, Cultural, Economic, Social and Cultural Benefits</p>	<p>Environmental, Economic, Social and Cultural Costs</p>	<p>Effectiveness & Efficiency</p>
		<ul style="list-style-type: none"> Removing this policy from the higher order chapter will ensure that the policy framework in the lower order chapters is not unduly constrained by this policy. Removing this policy will ensure that at a strategic level, QAC will not be constrained in its provision of, for example, navigation lighting within certain landscapes. 	<ul style="list-style-type: none"> The recommended changes to the notified policy have the potential to ‘prohibit’ or ‘not allow’ regionally significant infrastructure, such as navigational lights, within ONLs. This may limit the ability of infrastructure operators to provide for the reasonably foreseeable needs of the community. 	<ul style="list-style-type: none"> The policy conflicts with provisions seeking to provide for the locational constraints of regionally significant infrastructure, creating ambiguity in their application.
<p>Policy 6.3.1.12</p> <p>Regionally significant infrastructure shall be located to avoid degradation of the</p>	<p>Policy 6.3.1.12</p> <p>Regionally significant infrastructure shall be located to avoid degradation of the</p>	<p>General Comments and the appropriateness of achieving the purpose of the Act / purpose of the Objective</p>		

<p>landscape, while acknowledging location constraints.</p> <p>landscape, while acknowledging location constraints.</p> <p><u>Infrastructure within the Outstanding Natural Landscapes or Outstanding Natural Features or Rural Landscapes shall be acknowledged as appropriate development where there is an operational, technical or safety related requirement for that location.</u></p> <p><u>Policy 6.3.3.3</u> Where there is an operational, technical or safety related requirement for infrastructure to be located within an Outstanding Natural Feature, the adverse effects of the infrastructure on the important qualities of the Outstanding Natural Feature should be mitigated as far as practicable.</p> <p><u>Policy 6.3.4.5</u> Where there is an operational, technical or safety related requirement for infrastructure proposal to be located within an Outstanding Natural Landscape, the adverse effects of the infrastructure on the important qualities of the Outstanding Natural Landscape should be mitigated as far as practicable.</p> <p><u>Policy 6.3.5.7</u> Where there is an operational, technical or safety related requirement for infrastructure proposal to be located within a Rural Landscape, the adverse effects of the infrastructure on the important qualities of the Rural Landscape should be mitigated as far as practicable.</p>	<ul style="list-style-type: none"> The words “while acknowledging location constraints” are vague and their intent is unclear. To what end and extent are locational constraints to be acknowledged? While it is appropriate for infrastructure occupying sensitive locations to be located and designed, as far as reasonably practicable, to minimise the potential for adverse effects on the particular landscape character and/or the visual amenity values inherent at the site, there may be circumstances where the regionally and/or nationally significant benefits of enabling an activity need to be balanced against the adverse effects of a particular location. The use of the term ‘avoid’ may inadvertently prohibit infrastructure from locating in such environments despite functional or locational constraints. The new policies are appropriate at achieving their respective objectives as they guidance around the circumstances when development may be considered appropriate. 		
	<p>Environmental, Cultural, Economic, Social and Cultural Benefits</p> <ul style="list-style-type: none"> The proposed new policies provide for the operational, technical and safety related constraints of infrastructure. This will ensure that infrastructure providers, such as QAC, can continue to meet their operational and safety requirements, and in turn, provide for the social and economic wellbeing of the community. Deleting the originally drafted Policy 6.3.1.12 will ensure infrastructure is not inadvertently prohibited from locating in ONLs and ONFs due to the use of the term ‘avoid’. The policies achieve a balance between providing for infrastructure, while mitigating their effects as far as reasonable practicable on the qualities and values held for the particular landscape within which they are located. 	<p>Environmental, Economic, Social and Cultural Costs</p> <ul style="list-style-type: none"> Infrastructure may be able to locate within ONLs and ONFs (albeit within suitable limits). 	<p>Effectiveness & Efficiency</p> <ul style="list-style-type: none"> Objective 6.3.1 (as amended) seeks to protect ONFs, ONLs and Rural Landscapes from inappropriate subdivision and development. The policies are effective at achieving this overarching landscape objective as they provide guidance around the circumstances when development may be considered appropriate. Similarly, the policies are effective at achieving their respective objectives as they also provide guidance around when subdivision and development may be appropriate. Overall, the policies are appropriate in achieving their respective objectives.