

**BEFORE THE HEARINGS PANEL
APPOINTED BY THE QUEENSTOWN LAKES
DISTRICT COUNCIL**

UNDER	the Resource Management Act 1991 (RMA)
IN THE MATTER	of the Urban Intensification Variation to the Proposed Queenstown Lakes District Plan
AND	QUEENSTOWN AIRPORT CORPORATION LIMITED Submitter 822 Further Submitter 1355

**Summary of Evidence - Samantha Leeanne Kealey
on behalf of Queenstown Airport Corporation**

Dated: 26 August 2025

Introduction

1. My name is Samantha Leeanne Kealey. I am a Principal Planner at Town Planning Group (NZ) Limited.
2. I provided evidence in chief (**EiC**) dated 4 July 2025 in relation to a submission and further submissions made by Queenstown Airport Corporation Limited (**QAC**) on the Proposed Urban Intensification Variation (**UIV**). My qualifications, experience and confirmation of adherence with the Court's Code of Conduct are set out in my EiC. This brief provides a summary of the opinions expressed in my EiC, and briefly addresses the Council's rebuttal evidence and matters raised by other submitters during the course of the hearing.

Key Points from my EiC

3. The opinions I have expressed in my EiC have not changed. These are, in summary:
 - (a) Queenstown Airport is recognised as regionally and nationally significant infrastructure. The ORPS acknowledges that social and economic wellbeing depends on having adequate infrastructure, and that activities locating in proximity to infrastructure may lead to reverse sensitivity effects on that infrastructure. The functional needs of the Airport must be provided for, and the Airport must be protected by restricting activities that may result in reverse sensitivity effects. Infrastructure corridors – such as the land within the noise boundaries for Queenstown Airport – must be protected from activities that are incompatible with the effects of infrastructure (in this case, noise sensitive activities/ASAN), now and in the future.
 - (b) The plan architecture of the PDP as it relates to Queenstown Airport is what I describe as directive. Consistent with the ORPS, the strategic objectives and policies make it clear that airport operations are to be protected, given the regionally significant contribution the Airport makes to the prosperity and resilience of the District. The noise boundaries are to be maintained so that operations at Queenstown can continue and expand over time. At a methods level, where ASAN are not already enabled in a zone, protection of the Airport is achieved by prohibiting

them. Where ASAN are already enabled in a zone, protection is achieved by limiting the ability to increase or intensify the ASAN use, and to the degree that new ASAN uses are already enabled, requiring acoustic treatment to be fitted. The latter recognises historical zoning permissions, and balances these with the need to protect the Airport.

- (c) The Airport is not currently operating to the full capacity allowed by its noise boundaries and Aerodrome designation. The noise boundaries and designation allow for the reconfiguration of on-airport activities, which could include relocating noise producing activities (such as helicopters) to new locations within the Aerodrome designation, and growth in aircraft movements. This change in use is permitted, but it could lead to complaints from people impacted by noise from the change.
- (d) In terms of section 32 of the RMA, the benefits of protecting the regionally and nationally significant Airport infrastructure, by not enabling new or intensified noise sensitive activities within the Airport's noise boundaries, outweigh the costs of enabling such uses, as enablement increases the number of people exposed to noise and therefore the risk of opposition to or complaint about the Airport and complaints risk compromising the Airport's efficient and effective operation. The risk has been borne out at other airports; examples have been outlined in the EiC of Mr Day, whose evidence I accept and rely on.
- (e) While a number of submitters have sought a relaxation of the protection of the Airport by enablement of further ASAN within the noise boundaries, none have provided detail on any meaningful benefits would arise from the relief sought (e.g. the extent to which housing provision would be increased in accessible areas), as compared with the risk or potential cost to the Airport and wider community economic and social wellbeing if the Airport is compromised, or how the relief would better achieve the purpose of the UIV, as compared to the notified proposal.
- (f) The purpose of the UIV is to implement Policy 5 of the NPS-UD, and its broader directive to achieve a well-functioning urban environment.

Having read the section 32 documents, the council's and submitter evidence, and having considered the applicable policy framework and other required matters, it is my view that urban intensification in the district can be achieved in a manner that meets Policy 5 without providing for further (new or intensified) ASAN within the noise boundaries for Queenstown Airport. In my view, the most appropriate way to achieve the purpose of the Variation and the requirement, at a regional and district policy level, to protect Queenstown Airport, is to uphold the status quo rule regime that applies within the noise boundaries for Queenstown Airport, while enabling further intensification opportunities elsewhere in the urban environments of the district.

Clarification

4. There is one point made by Ms Bowbyes in her rebuttal evidence¹, where she queries a point made at para 81-82 of my EiC where I say that the degree to which the notified building heights in the BMUZ would enable ASAN within the OCB is unknown. I agree that this part of my EiC is not well expressed on this point and I wish to clarify it. The degree to which the notified BMUZ would enable ASAN within the OCB is not unknown, as Rule 16.4.19 is to be retained which would prohibit ASAN in this area (and which I support).
5. I note that at paragraph 112(d) of my EiC I have acknowledged Rule 16.4.19 that ASAN are prohibited in the OCB; the UIV does not amend this rule. I therefore wish to confirm that I have not overlooked Rule 16.4.19 in forming the opinions expressed in my evidence.
6. My primary concern with the notified BMUZ relates to the proposed building height increase (from 12m to 16.5m), and the risk that this may pose to safe aircraft operations, due to the presence of the Airport's Obstacle Limitation Surfaces over parts of the BMUZ.

¹ On Strategic, Arrowtown, Definitions and LDSRZ matters, dated 24 July 2025, at para 4.9

Significance of Queenstown Airport

7. QAC operates the *regionally* and *nationally significant* Queenstown Airport; it is critical infrastructure. As I have set out in my EiC and as is also set out in the evidence of Ms Brook, Queenstown Airport plays a major role in the economy, both currently and looking ahead, and is infrastructure that makes a significant contribution to the social and economic wellbeing of the local and wider community.
8. The Queenstown Airport is also a lifeline utility under the Civil Defence Emergency Management Act 2002 with QAC having duties under that Act, which are aimed at ensuring the wellbeing of people and the community is maintained during and after an emergency.
9. The on-going ability of Queenstown Airport to function efficiently and effectively is therefore of paramount importance.

Key Issues

10. The primary issues arising from the Variation as it relates to Queenstown Airport are potential adverse health and amenity effects for the community, and potential reverse sensitivity effects for Queenstown Airport that could compromise operations, if intensification is enabled around the Airport. These issues become relevant where submissions on the variation seek to enable or intensify ASAN within the Airport's noise boundaries. Additionally, safety issues may arise if obstacles associated with built form are allowed to encroach into the airspace around Queenstown Airport.
11. **ASAN** is defined in the PDP as "any residential activity, visitor accommodation activity, residential visitor accommodation activity, homestay activity, community activity and day care facility activity as defined in this District Plan including all outdoor spaces associated with any education activity. ASAN are not police stations, fire stations, courthouses, probation and detention centres, government and local government offices".
12. I do not consider retail shops, cafes, restaurants, bars, offices and other general businesses as ASAN, taking account of this definition. This is important to make clear as a number of submitters who seek that intensification is enabled within the OCB have focussed on residential intensification only, whereas Policy 5 of

the NPS-UD is broader than that, and addressed both housing and business use. The majority of business activities are not ASAN, as the definition clarifies.

13. My EiC sets out opinion that retaining the 'status quo' within the ANB and OCB is the most appropriate outcome for the UIV. My opinions are generally aligned with the Council's experts including Ms Bowbyes and Ms Frischnecht on all matters relating to the relief sought by other submitters.
14. In summary, I do not support any rezoning or provision changes where they would enable new or intensified ASAN to establish within the OCB or ANB. In my view, the most appropriate way to avoid or minimise reverse sensitivity effects on the Airport infrastructure, as the higher order policies require, is to limit the number of sensitive receivers/people exposed to aircraft noise. That is not to say that intensification is not appropriate outside the noise boundaries. I note in this regard that intensification is proposed in many areas elsewhere in the District, including in Frankton, outside the noise boundaries, in satisfaction of Policy 5 of the NPS-UD.
15. In my view, intensification within the Airport's noise boundaries is not necessary to achieve consistency with Policy 5, and consistency with the policy must be looked at on a District-wide scale; not a micro 'area-by-area' scale.
16. Further, in my view, the PDP's consistency with the NPS-UD must be assessed on the basis of consistency with the NPS-UD as a whole, not Policy 5 in isolation. This includes the overarching objective of the NP-US to achieve a well-functioning urban environment. This in my view necessarily requires infrastructure that can operate efficiently and effectively, without undue constraint or compromise.
17. Whilst mitigation measures, such as acoustic insulation, mechanical ventilation, insulation, and covenants have been discussed and proposed by some submitters, Mr Day and Ms Brook have addressed these extensively in their evidence, which I accept and rely on. I also note that what some submitters² overlook is that reliance on non-planning mechanisms like private covenants, can be ineffective, and give rise a time and cost burden to administer, which is inefficient.

² Per Ms Clouston's evidence for No.1 Hansen Road (766), City Impact Church (775) and Latitude 45 (768)

18. Acoustic insulation and mechanical ventilation are a means by which, and which have been applied, to deal with historical circumstances such as existing activities and planning permissions. The PDP recognises this. However, these measures have limitations and do not provide the most appropriate basis upon which to make forward looking land use planning decisions. Protection of the significant Airport infrastructure is best achieved by avoidance of new ASAN in higher aircraft noise areas, where possible. This is consistent with NSZ:6805 and the applicable higher order policy scheme. To hold a line now provides for better outcomes in the future and protects a core contributor to the Queenstown tourism and business sector.
19. Ms Clouston, who presented planning evidence for Latitude 45 Developments, No. 1 Hansen Road and City Impact Church, has provided a memorandum jointly with Ms Hill³ that clarifies the provisions that she recommends for the BMUZ. She recommends the deletion of the prohibited status for ASAN in the OCB and a new standard for mechanical ventilation with non-compliance considered as a non-complying activity. The framework provided in my opinion is not appropriate and could impact the effective and efficient operation of the Airport by increasing the potential for reverse sensitivity effects. It would not be the most appropriate way to achieve strategic objectives and policies of the PDP, nor the ORPS, PORPS and NPS-UD; it would not enable, but would rather be detrimental to, the wider community's economic and social wellbeing. It is also not clear what benefits, and the scale of any benefits, this relief would have. In my opinion, the potential costs of intensifying ASAN within the noise boundaries outweighs any possible benefits.
20. Ms Clouston and Ms Hill have also misunderstood the applicable policy, particularly around the expansion at paragraph 20, as Policy 4.2.2.14 of the PDP states *"Ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time"*. This policy supports the continued growth of the Airport within the allowances of its noise boundaries. In my view, the policy wording does not support the adoption of a static or 'frozen in time' assessment of airport presently. I therefore do not agree with the opinions Ms Clouston expresses in the memo, including on matters of policy interpretation.

³ Dated 22 August 2025

21. An important distinction regarding the LCSZ referred to by Ms Clouston and Ms Hil⁴ is that provision for ASAN within this area is historic (arising under the ODP), and ASAN are provided for on a limited basis. Within the LCSZ, there is an upper limit on the number of ASAN that can be established at 16, 18, 18B and 20 McBride Street and 1 Hansen Road otherwise a requirement that all ASAN are above ground floor level, with a 10m height limit for buildings. The provision for ASAN within this zone has been grandfathered in the PDP, but the provision been kept at ODP levels. The BMUZ regime that Ms Clouston is promoting would allow a much greater number of new, intensive ASAN, which would run counter to the scheme of the PDP and NZS:6805 (on which the PDP regime is predicated) and has the risk of adverse effects on health which are a relevant consideration under RMA s76(3), s32(2) and the stated purpose of sustainable management in section 5, as well as adverse amenity effects particularly when outdoors.
22. Protection of the Queenstown Airport is mandated by the PDP, RPS, and the NPS-UD in order to achieve a well-functioning urban environment that is integrated with infrastructure planning (Objective 6) as Queenstown Airport is nationally and regionally significant infrastructure.
23. Policy 3.3.6 and 3.3.24B of the PDP recognise this and provide for the Airport's protection whilst giving effect to the higher order strategic planning documents. The policy directives are implemented through the zone chapters of the PDP that prohibit or limit the establishment of new ASAN in proximity to Queenstown Airport, within the noise boundaries.
24. In order to enable a well-functioning environment and give effect to the NPS-UD, nationally significant infrastructure needs to be protected. Policy 4.3.2 of the ORPS recognises airports as nationally and regionally significant with Policy 4.3.5 requiring protection of such infrastructure, including protection infrastructure corridors such as the noise boundaries, from incompatible activities now and in the future.
25. The PORPS defines airports as nationally significant and specifically defines Queenstown airport and the associated navigation infrastructure as regionally significant. Policy EIT-INF-P15 of the PORPS requires protection of nationally

⁴ Paragraph 27-29 of the memorandum dated 22 August 2025

and regionally significant infrastructure and to avoid activities that may result in reverse sensitivity effects.

26. In my opinion, a well-functioning urban environment can be achieved by adopting the Council's proposal for the district and not intensifying ASAN within the airport noise boundaries. The UIV is seeking to amend a district plan – the "location" in the context of Policy 5 (b) is at a *district scale* (i.e. relates to the urban environment in the district), not at a micro-scale of the urban land around the airport, as Ms Clouston has approached it⁵, including the amended section 32 assessment provided in the legal memo by Ms Hill⁶.

The need for ASAN near the airport

27. The Housing Development Capacity Assessment 2021 stated the plan enabled capacity modelling has found that there are large amounts of zoned capacity for additional residential dwellings across the short, medium, and long term, including after taking into account infrastructure constraints. The Variation, while addressing heights and densities, would enable further additional capacity.
28. The UIV only addresses PDP zones, and there are a number of ODP zones which the Council's section 32 reporting indicates are accessible, in demand, and where intensification may be appropriate, for example the HDZ and PC50 Lakeview site in Queenstown, and outside the OCB in the RPZ and Frankton Flats zone. While I have not evaluated in any detail the appropriateness of intensification within these other areas, the Council's reporting suggests that other suitable options for intensification exist outside the airport noise boundaries, which would not run counter to the high level of protection afforded to the Airport by the regional and district policy, and which may satisfy Policy 5 of the NPS-UD. It would be inappropriate, and in my view shortsighted, to enable new or intensified ASAN within the OCB, absent a district wide assessment of how NPS-UD Policy 5 is best met, that includes all areas of the District, including the Operative District Plan zones.
29. The Council's reporting on the Variation acknowledges that there are possible constraints to the enablement of development that need to be taken account of when assessing areas suitable for rezoning or provision change. I agree with

⁵ Paragraph 26 of the memorandum dated 22 August 2025

⁶ Paragraph 48 to 50 of the memorandum dated 22 August 2025

this acknowledgement and am of the opinion that Queenstown Airport, being regionally significant infrastructure, must be afforded a high level of protection given its critical importance to the district and region. In my view, the UIV should not be a planning mechanism used to dilute the protection afforded to the Airport, by amending longstanding provisions or rezoning land within the ANB and OCB, absent a comprehensive analysis of what that could mean for the continued efficient and effective operations of Queenstown Airport and community economic and social wellbeing.

30. In my opinion the most appropriate option is to maintain the status quo for these areas.


Samantha Kealey
26 August 2025