

FORM 5

**SUBMISSION ON PUBLICLY NOTIFIED QUEENSTOWN LAKES  
PROPOSED DISTRICT PLAN STAGE 3**

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Clause 6 of Schedule 1, Resource Management Act 1991

**To:** Queenstown Lakes District Council  
Private Bag 50072  
**QUEENSTOWN 9348**

**Submission on:** Queenstown Lakes Proposed District Plan (Stage 3)

**Name:** **Queenstown Airport Corporation (QAC)**

1. This is a submission on Stage 3 of the Queenstown Lakes Proposed District Plan (Proposed Plan).
2. QAC could not gain an advantage in trade competition through this submission.
3. The specific provisions of the Proposed Plan that QAC's submission relates to are:
  - Chapter 18A General Industrial Zone
  - Variation to Chapters 7, 9 and 16 Glare
  - Variation to Chapter 30 Energy and Utilities
  - Chapter 39 Wahi Tupuna
  - Residential Design Guide
  - Business Mixed Use Design Guide
4. **QAC's submission is:**

**Queenstown Airport Corporation**

  - 4.1 Queenstown Airport is owned and operated by QAC, which is a network utility operator and requiring authority under the Resource Management Act 1991 ("the Act" or "the RMA"). QAC is also a lifeline utility under the Civil Defence Emergency Management Act 2002 and is considered an 'Airport Authority' under the Airport Authorities Act 1966 (AAA). It is required under the AAA to operate and manage its airports as commercial undertakings, including carrying out improvements where necessary.

- 4.2 QAC also has an obligation as a Council Controlled Trading Organisation (CCTO) to support QLDC in providing good quality local infrastructure that is appropriate to meet current and anticipated future needs and circumstances.
- 4.3 QAC was incorporated in 1988 and since then has been responsible for the management and development of Queenstown Airport, striving to deliver an operationally safe and efficient airport with world-class facilities and an outstanding customer experience that reflects the best of the region.
- 4.4 In 2009, QAC was engaged by QLDC to manage Wanaka Airport's day to day operations. After a public consultation period in 2017, QLDC granted QAC a 100 year lease for the management, planning and future development of Wanaka Airport, which commenced on 1 April 2018.
- 4.5 QAC also provides property maintenance services at Glenorchy Airstrip on QLDC's behalf. In 2018, QLDC and QAC agreed in principle that, subject to agreeing appropriate terms, QAC would provide a broader range of management services at the airstrip. QAC is a founding member of the Glenorchy Airstrip Consultative Governance Committee.
- 4.6 Providing for the safe and efficient operation of the airport is one of QAC's key responsibilities. With this responsibility comes an obligation to actively monitor proposed and existing land use activities within the area to ensure that the operational requirements of the airport remain suitably protected and provided for.

#### **Queenstown Airport**

- 4.7 Queenstown Airport is part of a national network of critical infrastructure assets which connect residents and visitors to the Southern Lakes region. QAC is responsible for managing these strategic assets on behalf of its two shareholders to ensure they are financially viable and sustainable, generate appropriate returns on assets, and contribute to the region's economic development and the wellbeing of its communities.
- 4.8 With a rich heritage dating from 1935, Queenstown Airport is today New Zealand's fourth busiest airport. The airport is a strategic national and regional asset which contributes to the vibrancy and prosperity of New Zealand's economy, its tourism sector and the regional communities served by the airport. It is as important as other critical infrastructure, including roading, telecommunications cables and piping for essential services. More than 60 businesses and 700 people work across the airport precinct providing a broad range of services.
- 4.9 The airport provides a domestic and international entry point to Queenstown, one of the world's premium visitor destinations, and direct access to the Southern Lakes region which

is home to some of New Zealand's most iconic scenery and experiences. Between 35-45% of all arrivals to the region come by air, supporting the economy and the needs of local residents, businesses and visitors.

- 4.10 Residents and visitors, domestic and international alike, have access to daily air services to/from Auckland, Wellington and Christchurch, as well as direct trans-Tasman services to east coast Australia through the ports of Brisbane, Coolangatta, Sydney and Melbourne. Auckland and Sydney airports are the major international hub airports for long-haul travel.
- 4.11 Queenstown Airport is also a base for various general aviation activities, including flightseeing and other commercial operations, search and rescue, life flights and other emergency services. It is New Zealand's busiest helicopter port and a popular choice for private jet customers who reside in or visit the region.
- 4.12 Queenstown Airport is the subject to two designations in the Proposed Queenstown Lakes District Plan, namely:
- 4.12.1 Designation 2 – Aerodrome Purposes: The purpose of this designation is to protect the operational capability of the Airport, while at the same time minimising adverse environmental effects from aircraft noise on the community at least to year 2037; and,
- 4.12.2 Designation 4 – The Approach and Land Use Control (transitional slopes and surfaces): The purpose of this designation is to provide obstacle limitation surfaces around the Airport to ensure the safe operation of aircraft approaching and departing the Airport.
- 4.13 QAC owns a total of 152.5 hectares of land in and around Queenstown Airport.

### **Wanaka Airport**

- 4.14 Wanaka Airport is a general aviation airport with nearly 300 people working across approximately 20 businesses. These include flightseeing, flight training, helicopter maintenance, skydiving, private recreational aviation and attractions.
- 4.15 Since 1988, Wanaka Airport has been the home of the Warbirds over Wanaka air show. In 2015, the airport joined a select group of NASA global test sites for its scientific space balloon programme.
- 4.16 QLDC is the requiring authority for Wanaka Airport. Wanaka Airport is the subject of two designations as follows:

4.16.1 Designation 64 – Aerodrome Purposes: The purpose of this designation is to protect the operational capability of the Airport, while at the same time minimising adverse effects from aircraft noise; and,

4.16.2 Designation 65 – Approach and Land Use Controls: the purpose of this designation is to define essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances.

4.17 QAC owns a total of approximately 282 hectares of land in and around Wanaka Airport.

#### **Queenstown and Wanaka Airport Master Plans**

4.18 QAC is conscious of the need to manage future airport growth in a manner that is consistent with its sustainability framework and that adheres to its guiding principles of sustainable, adaptable, affordable and memorable.

4.19 QAC's ongoing work with, and support of, the communities across the Southern Lakes region is underpinned by a mindfulness of its social licence to operate and a commitment to social, economic and environmental sustainability through the Company's sustainability framework which guides its thinking in this space. QAC is committed to being a good neighbour and working with others to align long-term planning initiatives, address destination infrastructure constraints and find solutions to local social issues.

4.20 As a public air transport infrastructure business, QAC intends to continue its long-term planning and appropriately invest in infrastructure to maintain the highest levels of safety, efficiency and customer service. QAC's long-term planning is also necessary to future proof the airport infrastructure.

4.21 As a responsible airport operator, QAC regularly updates its demand forecasts to ensure that it is adaptable to changes in its business environment and remains aligned to the growth forecasts underpinning QLDC's local and district-wide spatial planning processes, and does not seek to outpace the natural demand for air services to the region. The long-term planning work began for Queenstown Airport in 2016, and to date, has included community and stakeholder engagement on master plan options and consultation on proposed changes to noise boundaries. This work is currently on hold pending the results of QLDC's economic and social impact assessment relating to possible airport development scenarios, and the Regional Spatial Planning being undertaken by QLDC in partnership with government and Ngai Tahu.

4.22 Similarly, long term planning work for Wanaka Airport is on hold while QLDC investigates the economic and social impact of the District's airports and the Regional Spatial Planning being undertaken by QLDC in partnership with government and Ngai Tahu.

### **NZ Standard and Plan Change 35**

- 4.23 In 2008, QAC promulgated Plan Change 35 (PC35). The purpose of PC35 was to put in place an appropriate management regime for land use around Queenstown Airport while providing for the predicted ongoing growth of the Airport. Accordingly, the Plan Change updated the Airport's noise boundaries (Air Noise Boundary (ANB) and Outer Control Boundary (OCB)) to provide for predicted growth in airport operations to 2037 and amended various zone provisions relating to land within those updated boundaries likely to be affected by increased airport noise.
- 4.24 The foundation of the approach adopted in PC35 was the New Zealand Standard for airport noise management and land use planning (the NZ Standard or NZS6805). This Standard is recognised as the key guiding document for managing aircraft noise at New Zealand airports. The NZ Standard establishes maximum acceptable levels of aircraft noise exposure around airports for the protection of community health and amenity values, whilst recognising the need to operate an airport efficiently.
- 4.25 As the primary guiding document for the management of aircraft noise and land use planning in New Zealand, QAC submits that it is imperative that the Proposed Plan upholds the approach used in the NZ Standard and PC35. This approach has been largely accepted by QLDC during Stages 1 and 2 of the Proposed Plan review.
- 4.26 The General Industrial Zone is the only Stage 3 land use zone located within aircraft noise boundaries at Queenstown Airport. Consistent with the NZ Standard and PC35, the planning framework within the General Industrial Zone should:
- 4.26.1 Establish a strong objective and policy dissuasion against the establishment of new Activities Sensitive to Aircraft Noise (ASAN) with the ANB and OCB at Queenstown Airport;
  - 4.26.2 Prohibit any new ASAN within the ANB and OCB;
  - 4.26.3 For alterations or additions to existing buildings containing ASAN, require mechanical ventilation or Critical Listening Environments for sites located within the OCB, to achieve an Indoor Sound Level of 40dB Ldn, based on the 2037 noise contours. For completeness, QAC understands that there are no existing lawfully established ASAN located within the ANB and General Industrial Zone. Accordingly, it is not necessary for this method to apply to the ANB.
- 4.27 The notified General Industrial Zone does not implement the above planning framework. QAC submits that further amendments are required, including the addition of a new objective and two associated policies in order to uphold the recommendations of the NZ Standard and PC35.

- 4.28 The drafting style of the relevant aircraft noise management methods within Chapter 18A also departs from the drafting style adopted elsewhere in Stage 1 of the Proposed Plan review. QAC is concerned that this inconsistency could result in different interpretations and application of the relevant planning methods. QAC submits that the structure of the relevant planning methods should be applied consistently throughout the Proposed Plan.

**Aircraft operations and associated incompatible activities**

- 4.29 While industrial and service land use activities are generally an appropriate activity adjacent to airports, QAC is concerned about the potential breadth of scope afforded to these activities within the Glenda Drive General Industrial Zone.
- 4.30 Incompatible land use activities have the potential to give rise to significant adverse effects on aircraft operations at Queenstown Airport. Safety is paramount, therefore QAC seeks to actively discourage activities from establishing that could give rise to adverse safety effects, particularly with respect to aircraft operations.
- 4.31 There is currently a degree of acceptance with the General Industrial Zone provisions<sup>1</sup> that industrial and service activities will be incompatible with and have an effect on adjacent or nearby non-industrial zones. The provisions<sup>2</sup> that seek to manage the effects of industrial and service activities then focus on the management of effects to address amenity of other zones. QAC is concerned that the focus of these provisions is too narrow and does not address the potential adverse effects of industrial and service activities on the safe operation and functioning of Queenstown Airport.
- 4.32 QAC is also concerned that some of the activities enabled within the zone are counter to best practice land use management surrounding airports. The Civil Aviation Authority produces guidance material<sup>3</sup> regarding the land use activities at or near Aerodromes. Within this guidance document, a number of land use activities are identified as being generally incompatible with airports (for example, refuse dumps and landfills). While QAC understands that some of these activities may already present within the Queenstown Airport environs, the District Plan needs to avoid enabling activities that may further exacerbate the effects of associated with those activities.
- 4.33 Accordingly, QAC submits that further drafting amendments are required to ensure that the adverse effects of industrial and service activities on aircraft operations is accounted for within the objectives and policies of the General Industrial Zone. Further amendments

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<sup>1</sup> Proposed Policy 18A.2.1.4.

<sup>2</sup> Proposed Objective 18A.2.4 and associated proposed policies 18A.2.4.1-2).

<sup>3</sup> [https://www.aviation.govt.nz/assets/airspace-and-aerodromes/guidance\\_material\\_land-use-aerodromes.pdf](https://www.aviation.govt.nz/assets/airspace-and-aerodromes/guidance_material_land-use-aerodromes.pdf)

are also required to the planning methods to ensure alignment with best practice land use management surrounding Airports.

#### **Rezoning of QAC's Rural Zoned Land**

- 4.34 QAC owns a 3.27 hectare parcel of land at 27 Lucas Place (Lot 2 DP 472825). As shown in **Annexure B**, this land is subject to three land use zones:
- 4.34.1 Frankton Flats B (Activity Area E1) Zone;
  - 4.34.2 General Industrial Zone; and,
  - 4.34.3 Rural Zone.
- 4.35 QAC has an appeal filed with respect to the Stage 1 Rural zoning of this land and seeks that it be rezoned for Airport Purposes.
- 4.36 The split zoning of this site does not reflect the legal boundaries of the site and has the potential to adversely impact QAC's ability to develop the site in a comprehensive and integrated manner. Such development and use could arbitrarily be subject to three different planning regimes for the same activity. In some instances, those activities could be prohibited while in others, it is not. This is inefficient and could result in multiple consenting requirements for the same activity.
- 4.37 To address this issue, QAC submits that either:
- 4.37.1 the area of General Industrial zoned land shown in **Annexure B** be rezoned Airport Zone. Such zoning would be consistent with that proposed by QAC as part of its Stage 1 appeal for the land located immediately south of the site; or,
  - 4.37.2 the area of General Industrial zoned land shown in **Annexure B** be rezoned Frankton Flats B (Activity Area E1) zone. Such zoning would be consistent with the land use zoning immediately west of the site; or,
  - 4.37.3 the area of General Industrial zoned land shown in **Annexure B** be rezoned Rural zone as per the Stage 1 Decision zoning for the land immediately south of the site. This is QAC's least preferred option; or,
  - 4.37.4 similar or like relief that achieves the same planning framework of either the Airport, Frankton Flats or Rural zone.
- 4.38 It is also noted that on close inspection of the online mapping tool, the General Industrial Zone boundaries extend somewhat arbitrarily beyond the legal parcel boundaries. While QAC acknowledges QLDC's disclaimer regarding accuracy of zone boundaries on the

online mapping tool, QAC submits that zone boundaries should align where possible to legal boundaries.

#### **Obstacle Limitation Surface – Queenstown Airport**

- 4.39 As noted earlier, QAC holds an “Approach and Land Use Control” designation for Queenstown Airport. The purpose of this designation is to provide obstacle limitation surfaces around the Airport to ensure the safe operation of aircraft approaching and departing the Airport. This is achieved by means of height controls based on a series of geometric surfaces projecting up from the edges of the strips which surround the runways. The designation seeks to prevent objects such as structures and trees from penetrating these surfaces in areas critical to operational safety and efficiency.
- 4.40 In accordance with section 176 of the Act, the designations should be sufficient to control the extension of buildings and structures into these surfaces. QAC’s experience dictates however, that the statutory obligations to obtain QAC’s approval under section 176 of the Act is often overlooked when considering applications for resource consent.
- 4.41 QAC therefore submits that it would be prudent to include a new advice note into the proposed General Industrial Zone chapter which draws plan users’ attention to the requirements inherent in the designation.
- 4.42 In addition, QAC submits that the height limits within the zone should align with the restrictions imposed by the designation. In this regard, the section 32 evaluation contains no assessment of the effects of increasing the permitted building height limit from 6m to 10m or any evaluation of the costs or benefits to aircraft operations from making this change. In the absence of this information, QAC opposed the proposed 10m height limit and submits that the operative 6m height limit should be retained.

#### **Lighting and Glare**

- 4.43 Inappropriately managed lighting in close proximity to Queenstown Airport has the potential to give rise to adverse lighting and glare effects, particularly for pilots on approach or departure from Queenstown Airport. This includes lighting that may mimic airfield lighting.
- 4.44 QAC supports the inclusion of lighting and glare standards that seek to manage these effects. This includes standards that encourage the downward focus of lighting in surrounding zones. Where lighting and glare standards are breached, QAC submits that a new matter of discretion is required to ensure the effects of the breach on aircraft operations can be considered. This is necessary as the existing reference within the matters of discretion to “the transportation network” does not, by definition, capture aircraft operations.



- 4.45 QAC also submits that a new standard should be introduced with respect to the General Industrial zone that avoids the potential mimicking of airfield lights.

### **Variation to Chapter 30 Energy and Utilities**

#### Rule 30.3.3.5

- 4.46 Amendments are proposed to address the interplay of Chapter 30 Energy and Utilities with other chapters of the Proposed Plan. Specifically, airports and approach control services are provided for in Chapter 17 Airports (where they are established at Queenstown or Wanaka Airport) and roading is provided for in Chapter 29 Transport. Rule 30.3.3.3 of the Stage 1 decisions version of Chapter 30 however, states that:

*“The rules contained in this Chapter take precedence over any other rules that may apply to energy and utilities in the District Plan, unless specifically stated to the contrary and with the exception of:*

- a. 25 Earthworks*
- b. Historic Heritage.”*

- 4.47 An unintended consequence of this statement is that rules relating to airports, approach control services and roading could be captured by the provisions within Chapter 30, despite having their own consenting regime under Chapters 17 and 29. The proposed variation seeks to address the potential duplication of consenting requirements through the introduction of new Rules 30.3.3.4 and 30.3.3.5.
- 4.48 In so far as it relates to Airport Activities (as defined), QAC supports, in principle, the proposed introduction of Rule 30.3.3.5, which seeks to address this duplication of control. QAC submits however, that further amendments are required in order to ensure that this outcome is achieved.
- 4.49 As notified, Rule 30.3.3.5 states:
- Airports and approach control services are defined as utilities. However, the rules in this Chapter do not apply to Airport Activities within the Airport Zone (Chapter 17). Airport Activities within the Airport Zone are managed in Chapter 17.*
- 4.50 While this rule clarifies the relationship between Chapters 17 and 30 insofar as it relates to Airport Activities, it does not address the potential duplication of controls relating to Airport Related Activities, which form part of the wider ambit of the airport network utility operation and are therefore also utilities, by definition. Accordingly, Airport Related Activities could be inadvertently captured by various rules within Chapter 30, for example, Rules 30.5.1.1, 30.5.1.3 and 30.5.1.8.

- 4.51 To address this potential duplication of control, QAC submits that Rule 30.3.3.5 should be amended to clarify that Airport and Airport Related Activities within the Airport Zone are managed by Chapter 17.
- 4.52 Chapter 17 of the Proposed Plan manages Airport and Airport Related Activities in a comprehensive manner at Queenstown and Wanaka Airports. The terms Airport Activity and Airport Related Activity are not used elsewhere in the Plan and are therefore specific to these airports.
- 4.53 As Rule 30.3.3.5 makes specific reference to Chapter 17 only, the breadth of its application is limited and will not give rise to unintended District Wide effects.
- 4.54 As a further consequential change, QAC submits that the definition of Airport Related Activity should be amended to remove limb c. servicing and infrastructure. This will ensure that remainder of utilities remain subject to the provisions contained with Chapter 30.

#### Open Water Bodies

- 4.55 The variation to Chapter 30 Energy and Utilities introduces new provisions relating to the management of water throughout the District.
- 4.56 QAC considers that it is appropriate to establish an efficient consenting regime for the water, wastewater and stormwater infrastructure throughout the District. In doing so however, it is also important to ensure that the effects of such activities are appropriately managed.
- 4.57 QAC is concerned that some of the proposed amendments to Chapter 30 may enable the establishment of new artificial water bodies surrounding Queenstown and Wanaka Airports. Open waterbodies are a bird attractant and if established within close proximity to Queenstown or Wanaka Airports (or the associated flight paths), could pose a potential safety risk to aircraft operations.
- 4.58 QAC therefore submits that further amendments are required to rules within Chapter 30 to ensure that the establishment of open water bodies, water courses and channels is appropriately managed to avoid giving rise to such effects.

#### **Chapter 39 Wāhi Tūpuna**

- 4.59 QAC supports the identification, mapping and protection of Wāhi Tūpuna areas throughout the district and considers that Chapter 39 assists with the implementation of the strategic direction of Chapter 5 of the Proposed Plan. QAC understands that the whole of the district is of particular value to Manawhenua.

- 4.60 From an implementation perspective, QAC seeks clarification regarding the application of Schedule 39.6, particularly with regard to the “not mapped” areas contained in the schedule.
- 4.61 As currently drafted, it is not clear whether reference to Wāhi Tūpuna areas throughout the Plan is reference to mapped areas only, scheduled areas only, or a combination of the two. This distinction is important, as without clarification, it is difficult to interpret and apply many of the proposed changes arising from the introduction of Chapter 39 and the associated variations.
- 4.62 For example, Schedule 39.6 currently makes reference to three “not mapped” areas. These are described as the “Te Kirikiri – area around Frankton”, “Tahūna – area around central Queenstown” or the “Take Kārara – wider Wānaka area”. While QAC does not anticipate that it is the intent of the earthwork variation to capture all earthworks within the three described areas, without clarification it could be interpreted that the permitted earthwork volume is 10 cubic metres<sup>4</sup>. Similarly, earthworks that “modify” these areas could also be captured by a restricted discretionary activity status.<sup>5</sup>
- 4.63 QAC submits that further clarification is required around the interpretation and application of the “not mapped” Wāhi Tūpuna areas.

#### **Residential Zone and Business Mixed Use Zone Design Guidelines**

- 4.64 QAC welcomes the introduction of design guidelines throughout the Residential and Business Mixed Use zones. Such guidelines will provide enhanced urban design outcomes for the District and will contribute towards creating a happy and healthy living environment for our communities.
- 4.65 QAC has reviewed the design guidelines and notes that both documents include guidance around suggested plant species to use when undertaking development within the Residential or Business Mixed Use zones. QAC has reviewed the list and identified that the following species are bird attractants and therefore pose a potential safety risk to aircraft operations if planted within close proximity to the Queenstown Airport environs (including flight paths):
- 4.65.1 Lemonwood (tarata)
  - 4.65.2 Ornamental Pear
  - 4.65.3 Copper Beech
  - 4.65.4 Marble Leaf

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<sup>4</sup> Proposed Rule 25.4.2.

<sup>5</sup> Proposed Rule 25.4.5.

- 4.66 While the design guidelines are non-statutory, they will be used to inform and guide future development with the Residential and Business Mixed Use zones surrounding the airport. Given the potential for the above species to increase bird presence in areas where aircraft are on approach or departure, QAC submits that the above species should be removed from the suggested list of species.

#### **Relationship between the Operative District Plan and Proposed District Plan**

- 4.67 Section 3 of the section 32 report for Chapter 18A General Industrial Zone addresses the interplay of the Operative and District Plans. Paragraph 3.3 expressly makes reference to “the table below”, however there is no table attached.
- 4.68 Via the Stage 1 appeal process, QAC understood that the strategic chapters of the Proposed Plan, being Chapters 3 to 6, are intended to apply to all of the District. This is set out in QLDC Practice Note 2/219 and has been further confirmed in legal submissions on Strategic Topic 1: A Resilient Economy.<sup>6</sup>
- 4.69 The section 32 report for the General Industrial Zone states, at paragraph 3.6:

*“All land that is not subject to Stages 1-3 of the District Plan Review currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified, land that has been withdrawn from the District Plan review (i.e. the land subject to Plan Changes 46- Ballantyne Road Industrial and Residential extensions, 50- Queenstown Town Centre extension and 1 – Peninsula Bay North) and the Frankton Flats B Special Zone and the Remarkables Park Special Zone. All Volume B land is subject to the ODP.”*

- 4.70 The last sentence of this statement is contrary to QLDC’s legal submissions and practice note. While QAC anticipates that this is in error, QAC submits that clarification is required to confirm whether Chapters 3 to 6 of the Proposed Plan apply to all Volume B land.

#### **Conclusion**

- 4.71 In addition to the above, various other amendments, as detailed in **Annexure A**, are required to ensure that Queenstown and Wanaka Airport are appropriately recognised and provided for in the Proposed Plan.
- 4.72 QAC considers that in the absence of amendments to the Proposed Plan to address and give effect to the above submission points and those set out in **Annexure A**:
- 4.72.1 The Proposed Plan will not promote the sustainable management or efficient use and development of natural and physical resources. The Proposed Plan is not the most appropriate way to achieve the purpose of the RMA, particularly when having

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<sup>6</sup> Refer paragraph 2, supplementary legal submissions for Queenstown Lakes District Council Regarding the use of section 293, dated 12 September 2019.

regard to the efficiency and effectiveness of the provisions relative to other means;

4.72.2 The Proposed Plan does not appropriately fulfil the requirements of section 32 of the RMA, particularly in terms of evaluation of the costs of implementing the provisions under section 32(2)(a), and

4.72.3 The Proposed Plan does not represent sound resource management practice, particularly with respect to planning for Airports in the Queenstown Lakes District.

4.73 QAC's submission points are addressed in further detail and additional points are made, in **Annexure A**, which is attached to and forms part of this submission.

5. **QAC seeks the following decision from the local authority:**

5.1 The submission points contained in Section 4 above and **Annexures A and B** which are attached to and form part of this submission be accepted, or that the Proposed Plan be amended in a similar or such other way as may be appropriate to address QAC's submission points; and,

5.2 Any consequential changes, amendments or decisions that may be required to give effect to the matters raised in QAC's submission.

6. **QAC wishes to be heard in support of its submission.**

7. **If others make a similar submission, QAC would be prepared to consider presenting a joint case with them at any hearing.**

Signature:



**Rachel Tregidga**

General Manager Property and Planning  
Queenstown Airport Corporation

Date: 18 November 2019

**Contact Details**

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**Note to person making submission**

If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## **Annexure A**

Queenstown Airport Corporation's submission points

Provision	Position	Reason	Relief Sought
<b>General Industrial Zone</b>			
<b>18A.1 Purpose</b>	Oppose in part	Refer to paragraphs 4.29 to 4.33 of QAC's covering submission.	Amend the Purpose Statement to acknowledge the proximity of Queenstown Airport to the Glenda Drive General Industrial Zone and the need to manage activities that could impact on aircraft operations.
<b>Policy 18A.2.3.4</b> Control activities and development by applying sound insulation ventilation standards or other appropriate mitigation to ensure they are not significantly adversely affected by Industrial and Service activities or by airport noise.	Oppose	Refer to paragraphs 4.23 to 4.28 of QAC's covering submission.	<p>Amend Policy 18A.2.3.4 as follows:</p> <p><i>Control activities and development by applying sound insulation ventilation standards or other appropriate mitigation to ensure they are not significantly adversely affected by Industrial and Service activities <del>or by airport noise</del>.</i></p> <p>Insert the following new objective and associated policies (derived from ODP Section 11.1.3 Objective 4 and Policies 4.1 and 4.2):</p> <p><u><i>Objective 18A.2.5: Business and industrial areas in proximity to Queenstown Airport to managed to ensure that the operations of the airport are not adversely affected by Activities Sensitive to Aircraft Noise.</i></u></p> <p><u><i>Policy 18A.5.1: Prohibit the location of any new Activity Sensitive to Aircraft Noise on industrial land within the Air Noise Boundary or Outer Control Boundary for Queenstown Airport.</i></u></p> <p><u><i>Policy 18A.5.2: Require as necessary mechanical ventilation for any alternations or additions to Critical Listening Environments within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary.</i></u></p>



Provision	Position	Reason	Relief Sought
Objective 18A.2.4  Activities and development within the Zone are undertaken in a way that does not adversely affect the amenity of other zones.	Oppose in part	Refer to paragraphs 4.29 to 4.33 of QAC's covering submission.	Amend Objective 18A.2.4 as follows:  <i>Activities and development within the Zone are undertaken in a way that does not adversely affect the amenity of other zones, or the functioning of Queenstown Airport.</i>  Insert a new policy as follow:  <i>Manage glare and dust effects and discourage refuse activities within the zone to avoid adverse effects on aircraft operations at Queenstown Airport.</i>
<b>18A.3.2 Interpreting and Applying the Rules</b>	Oppose	Refer to paragraphs 4.39 to 4.42 of QAC's covering submission.	Insert a new clause 18A.3.2.5 as follows:  <i>Obstacle limitation surfaces at Queenstown or Wanaka Airport: Any person wishing to undertake an activity that will penetrate the designated Airport Approach and Land Use Controls obstacle limitation surfaces at Queenstown or Wanaka Airport must first obtain the written approval of the relevant requiring authority, in accordance with section 176 of the Resource Management Act 1991.</i>
<b>Rule 18A.4.5</b>  Buildings: RD  Discretion is restricted to:  a. external appearance....  <b>Rule 18A.4.6</b>  Any alteration and additions to existing building that contain an Activity Sensitive to Aircraft Noise.....	Support in part	Refer to paragraphs 4.23 to 4.28 of QAC's covering submission.	Amend Rule 18A.4.5 as follows:  <i>Rule 18A.4.5</i>  <i>Buildings: RD</i>  <i>Discretion is restricted to:</i>  <i>a. external appearance....</i>  <i>.....</i>  <i>k. the design, construction, orientation and location of the alterations or additions to achieve adequate indoor sound insulation from aircraft noise within</i>

Provision	Position	Reason	Relief Sought
			<p><i><u>the Queenstown Airport Air Noise Boundary or Outer Control Boundary.</u></i></p> <p>Delete Rule 18A.4.6 and replace with proposed new standard 18A.5.10 as follows:</p> <p><i><u>Rule 18A.5.10</u></i></p> <p><i><u>Buildings within the Outer Control Boundary</u></i></p> <p><i><u>a. Buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours.</u></i></p> <p><i><u>b. Compliance between the Outer Control Boundary (OCB) and the Air Noise Boundary (ANB)</u></i></p> <p><i><u>Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</u></i></p>
<p><b>Rule 18A.4.10</b></p> <p>Any activity requiring an Offensive Trade Licence under the Health Act 1956 other than the “collection and storage of used bottles for sale” and “refuse collection and disposal” (as listed in that Act)</p> <p>Activity Status: NC</p>	<p>Oppose</p>	<p>Refer to paragraphs 4.29 to 4.33 of QAC’s covering submission.</p>	<p>Amend Rule 18A.4.10 as follows:</p> <p><i>Any activity requiring an Offensive Trade Licence under the Health Act 1956 other than the “collection and storage of used bottles for sale” and <del>“refuse collection and disposal”</del> (as listed in that Act)</i></p>

Provision	Position	Reason	Relief Sought
<p><b>Rule 18A.4.13</b></p> <p>Activities Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary or the Queenstown Airport Air Noise Boundary</p> <p>Activity Status: PR</p>	Support	Refer to paragraphs 4.23 to 4.28 of QAC's covering submission.	Retain rule as notified.
<p><b>18A.5.5 Building Height</b></p> <p>Maximum building height of 10m except where specified in Rule 18A.5.6</p> <p>Non-compliance status: NC</p>	Oppose	Refer to paragraphs 4.39 to 4.42 of QAC's covering submission.	<p>Retain the Operative District Plan height of 6m by amending Standard 18A.5.5 as follows:</p> <p><i>Maximum building height of <del>10m</del> <u>6m</u> except where specified in Rule 18A.5.6</i></p>
<p><b>Rule 18A.5.7 Glare</b></p>	Oppose	Refer to paragraphs 4.43 to 4.45 of QAC's covering submission.	<p>Amend Rule 18A.5.7(d) as follows:</p> <p><i>a. all exterior lighting, other than footpaths or pedestrian link amenity lighting, installed on sites or buildings within the zone, shall be directed away from adjacent sites, roads, <u>flight paths</u> and public places, and so as to limit the effects on the night sky.</i></p> <p><i>b. ....</i></p> <p><i>d. <u>Lighting shall not mimic a design or form that resembles or conflicts with aircraft operations at Queenstown Airport.</u></i></p> <p>Amend the matter of discretion as follows:</p> <p><i><u>Effects of lighting and glare on amenity values, the transportation network, <b>aircraft operations</b> and the night sky.</u></i></p>

Provision	Position	Reason	Relief Sought
<p><b>Rule 18A.6.2.1</b></p> <p>Additions and alterations to buildings within the Outer Control Boundary – Queenstown Airport</p>	Support	Refer to paragraphs 4.23 to 4.28 of QAC’s covering submission.	Retain the clause as notified.
<b>Rezoning</b>		Refer to paragraphs 4.34 to 4.38 of QAC’s covering submission.	<p>Rezone the area of Industrial Zone land shown in Attachment B to Airport Zone (Stage 1 Decision) or include new provisions in the General Industrial Zone specific to this land that achieves similar or like relief; or,</p> <p>Rezone the area Industrial Zone land shown in Attachment B to Frankton Flats B (Activity Area E1) zone or including new provisions in the General Industrial Zone specific to this land that achieves similar or like relief; or,</p> <p>QAC’s least preferred option is to rezone this land Rural (as per the Stage 1 Decisions relief for the adjacent land).</p>
<b>Variation to Chapter 7, 8, 9, 15 Glare</b>			
<p><b>Rule 7.5.13 Glare</b></p> <p><b>Rule 8.5.11 Glare</b></p> <p><b>Rule 9.5.10 Glare</b></p> <p><b>Rule 15.5.9 Glare</b></p> <p>Non-compliance status: <u>NC RD</u></p> <p>Discretion is restricted to:</p> <p>a. <u>Effects of lighting and glare on amenity values, the transportation network and the night sky.</u></p>	Oppose	Refer to paragraphs 4.43 to 4.45 of QAC’s covering submission.	<p>Amend the matters of discretion as follows:</p> <p>a. <u>Effects of lighting and glare on amenity values, the transportation network, <b>aircraft operations</b> and the night sky.</u></p>

Provision	Position	Reason	Relief Sought
<b>Variation to Chapter 30 Energy and Utilities</b>			
<p><b>30.3.3 Interpreting and Applying the Rules</b></p> <p><b>Rule 30.3.3.1</b></p> <p>A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules unless any of the exceptions set out in Rule 30.3.3.3 apply.</p>	Support	Refer to paragraphs 4.46 to 4.54 of QAC's covering submission.	Retain as notified.
<p><b>Rule 30.3.3.5</b></p> <p>Airports and approach control services are defined as utilities. However, the rules in this Chapter do not apply to Airport Activities within the Airport Zone (Chapter 17). Airport Activities within the Airport Zone are managed in Chapter 17.</p>	Support in part Oppose in part	Refer to paragraphs 4.46 to 4.54 of QAC's covering submission.	Amend as follows:  <i><del>Airports and approach control services are defined as utilities. However,</del>The rules in this Chapter do not apply to Airport Activities <u>and Airport Related Activities</u> within the Airport Zone (Chapter 17). Airport Activities <u>and Airport Related Activities</u> within the Airport Zone are managed <del>in</del> <u>by</u> Chapter 17..</i>
<p><b>Rule 30.5.1.5</b></p> <p>Water and irrigation races, drains, channels and underground pipes for water and irrigation.</p>	Oppose	Refer to paragraph 4.45 to 4.58 of QAC's covering submission	Amend Rule 30.5.1.5 as follows:  <i><del>Except where captured by Rule 30.5.1.1, w</del>Water and irrigation races, drains, channels and underground pipes for water and irrigation.</i>  Insert new Rule 30.5.1.11 as follows:  <i><u>Water and irrigation races, drains and channels located beneath the Aircraft Approach and Land Use Controls Designation at for Queenstown or Wanaka Airports.</u></i>

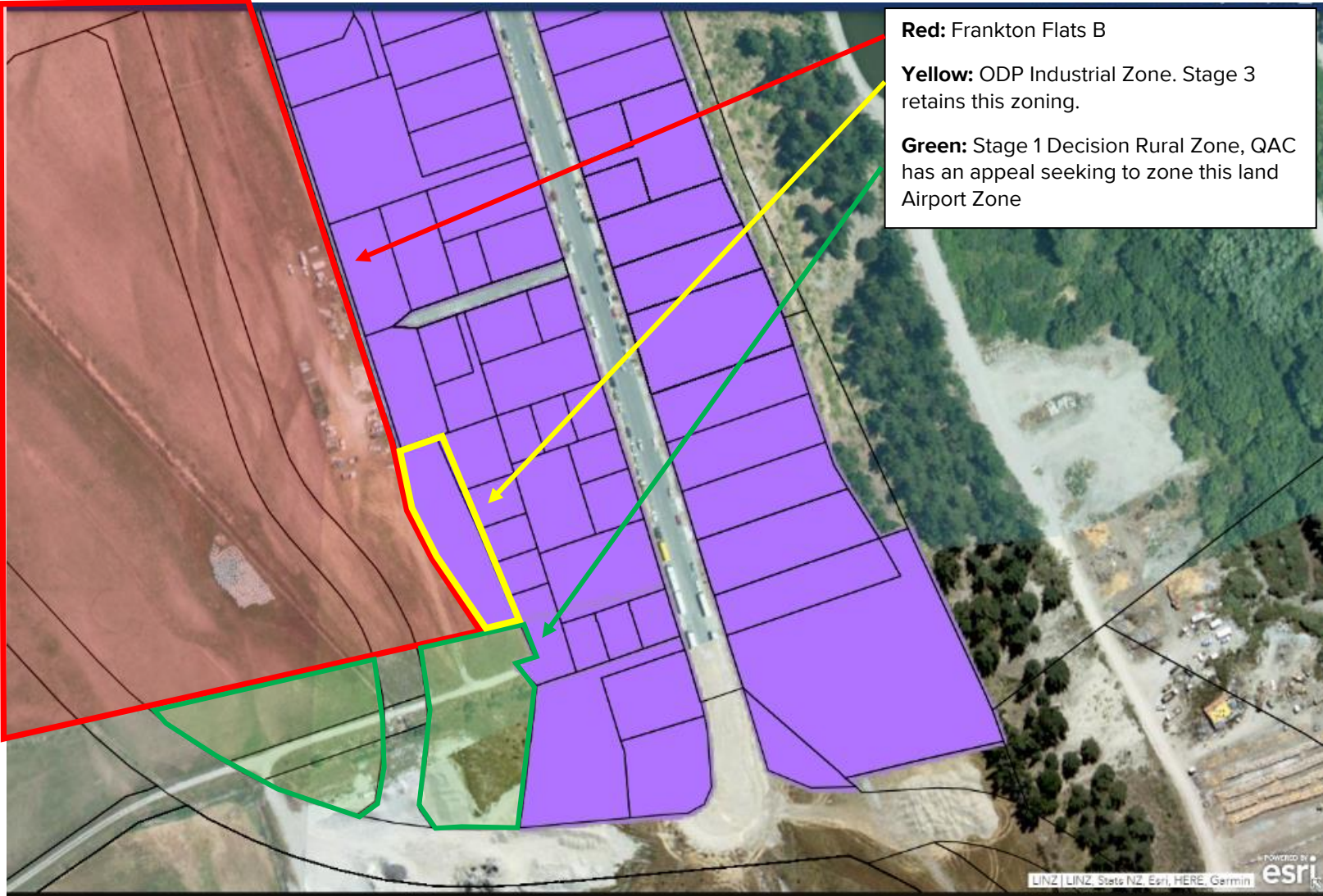
Provision	Position	Reason	Relief Sought
			<p><i>Activity Status: RD</i></p> <p><i>Discretion is restricted to:</i></p> <p>a. <i>Adverse effects on aircraft operations at Queenstown or Wanaka Airports.</i></p>
Rule 30.5.1.10 Stormwater detention / retention ponds or stormwater wetlands	Oppose	Refer to paragraphs 4.45 to 4.58 of QAC's covering submission.	<p>Amend Rule 30.5.1.10 as follows:</p> <p><i>Stormwater detention / retention ponds or stormwater wetlands</i></p> <p><i>Activity Status: <del>RD</del></i></p> <p><i>Control is reserve to:</i></p> <p><i>Discretion is restricted to:</i></p> <p>a. <i>Effects on the use of open space;</i></p> <p>b. <i>Provision of safe access for maintenance;</i></p> <p>c. <i>Effects on health and safety</i></p> <p>d. <i>Landscaping-;</i></p> <p>e. <i>Adverse effects on aircraft operations at Queenstown or Wanaka Airports.</i></p>
<b>Chapter 39 Wāhi Tūpuna</b>			
<p><b>Schedule 39.6 Wāhi Tūpuna</b></p> <p>No mapped areas</p> <p>Take Kārara – wider Wānaka Area</p> <p>Te Kirikiri – area around Frankton</p>	Oppose	Refer to paragraphs 4.59 to 4.63 QAC's covering submission.	<p>Provide further clarification around the application of provisions to the “not mapped” areas; and,</p> <p>Delete “the not mapped” areas from Schedule 39.6.</p>

Provision	Position	Reason	Relief Sought
<p><b>Rule 25.4.5 Earthworks</b></p> <p><b>25.4.5.1</b> that modify, damage or destroy a wāhi tapu, wāhi tūpuna or other site of significance to Māori</p> <p><b>Activity Status:</b> RD</p> <p>Discretion is restricted to:</p> <p>a. effects on cultural values of Manawhenua</p>	Oppose	Refer to paragraphs 4.59 to 4.63 QAC's covering submission.	<p>Amend Rule 25.4.5.1 as follows:</p> <p><b><i>Rule 25.4.5 Earthworks</i></b></p> <p><b><i>25.4.5.1</i></b> that modify, damage or destroy a wāhi tapu, <u>mapped</u> wāhi tūpuna or other site of significance to Māori</p>
<p><b>Rule 25.5.2 Maximum Volumes</b></p> <p>Wāhi Tūpuna areas</p> <p>Maximum Total Volume: 10m<sup>3</sup></p>		Refer to paragraphs 4.59 to 4.63 QAC's covering submission.	<p>Amend Rule 25.5.2 as follows:</p> <p><u>Mapped</u> Wāhi Tūpuna areas</p>

## **Annexure B**

Map





**Red:** Frankton Flats B

**Yellow:** ODP Industrial Zone. Stage 3 retains this zoning.

**Green:** Stage 1 Decision Rural Zone, QAC has an appeal seeking to zone this land Airport Zone

FORM 5

**SUBMISSION ON PUBLICLY NOTIFIED QUEENSTOWN LAKES  
PROPOSED DISTRICT PLAN STAGE 3B**

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Clause 6 of Schedule 1, Resource Management Act 1991

**To:** Queenstown Lakes District Council  
Private Bag 50072  
**QUEENSTOWN 9348**

**Submission on:** Queenstown Lakes Proposed District Plan (Stage 3B)

**Name:** Queenstown Airport Corporation (QAC)

1. This is a submission on Stage 3B of the Queenstown Lakes Proposed District Plan (Proposed Plan).
2. QAC could not gain an advantage in trade competition through this submission.
3. The specific provisions of the Proposed Plan that QAC's submission relates to is the proposed rezoning of the Windermere Rural Visitor Zone to Rural Zone.
4. **QAC's submission is:**  
**Queenstown Airport Corporation**
  - 4.1 Queenstown Airport is owned and operated by QAC, which is a network utility operator and requiring authority under the Resource Management Act 1991 ("the Act" or "the RMA"). QAC is also a lifeline utility under the Civil Defence Emergency Management Act 2002 and is considered an 'Airport Authority' under the Airport Authorities Act 1966 (AAA). It is required under the AAA to operate and manage its airports as commercial undertakings, including carrying out improvements where necessary.
  - 4.2 QAC also has an obligation as a Council Controlled Trading Organisation (CCTO) to support QLDC in providing good quality local infrastructure that is appropriate to meet current and anticipated future needs and circumstances.
  - 4.3 QAC was incorporated in 1988 and since then has been responsible for the management and development of Queenstown Airport, striving to deliver an operationally safe and

efficient airport with world-class facilities and an outstanding customer experience that reflects the best of the region.

4.4 In 2009, QAC was engaged by QLDC to manage Wanaka Airport's day to day operations. After a public consultation period in 2017, QLDC granted QAC a 100 year lease for the management, planning and future development of Wanaka Airport, which commenced on 1 April 2018.

4.5 QAC also provides property maintenance services at Glenorchy Airstrip on QLDC's behalf. In 2018, QLDC and QAC agreed in principle that, subject to agreeing appropriate terms, QAC would provide a broader range of management services at the airstrip. QAC is a founding member of the Glenorchy Airstrip Consultative Governance Committee.

### **Wanaka Airport**

4.6 Wanaka Airport is a general aviation airport with nearly 300 people working across approximately 20 businesses. These include flightseeing, flight training, helicopter maintenance, skydiving, private recreational aviation and attractions.

4.7 Since 1988, Wanaka Airport has been the home of the Warbirds over Wanaka air show. In 2015, the airport joined a select group of NASA global test sites for its scientific space balloon programme.

4.8 QLDC is the requiring authority for Wanaka Airport. Wanaka Airport is the subject of two designations as follows:

4.8.1 Designation 64 – Aerodrome Purposes: The purpose of this designation is to protect the operational capability of the Airport, while at the same time minimising adverse effects from aircraft noise; and,

4.8.2 Designation 65 – Approach and Land Use Controls: the purpose of this designation is to define essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances.

4.9 QAC owns a total of approximately 282 hectares of land in and around Wanaka Airport.

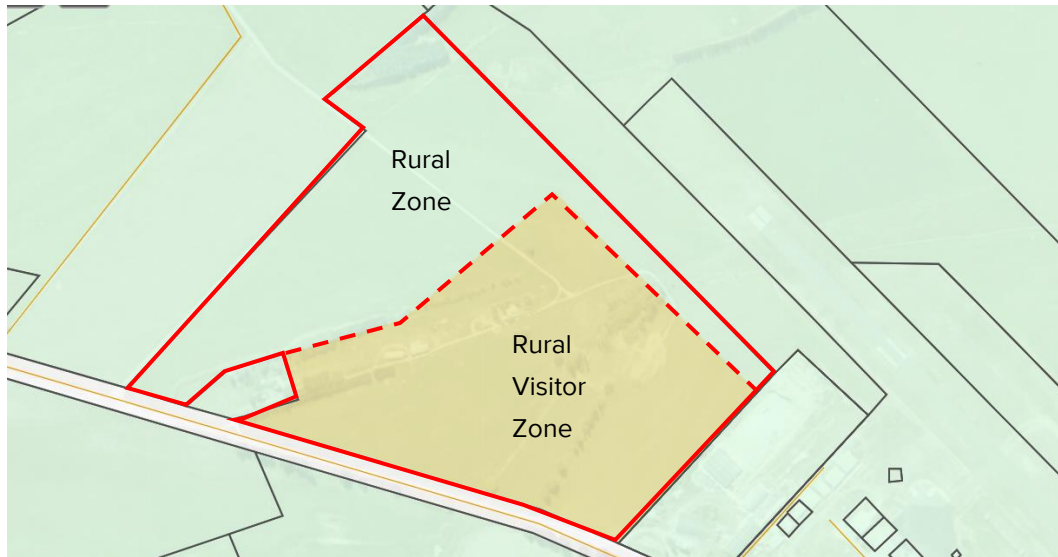
### **Wanaka Airport Master Planning process**

4.10 QAC is conscious of the need to manage future airport growth in a manner that is consistent with its sustainability framework and that adheres to its guiding principles of sustainable, adaptable, affordable and memorable.

- 4.11 QAC's ongoing work with, and support of, the communities across the Southern Lakes region is underpinned by a mindfulness of its social licence to operate and a commitment to social, economic and environmental sustainability through the Company's sustainability framework which guides its thinking in this space. QAC is committed to being a good neighbour and working with others to align long-term planning initiatives, address destination infrastructure constraints and find solutions to local social issues.
- 4.12 As a public air transport infrastructure business, QAC intends to continue its long-term planning and appropriately invest in infrastructure to maintain the highest levels of safety, efficiency and customer service. QAC's long-term planning is also necessary to future proof the airport infrastructure.
- 4.13 As a responsible airport operator, QAC regularly updates its demand forecasts to ensure that it is adaptable to changes in its business environment and remains aligned to the growth forecasts underpinning QLDC's local and district-wide spatial planning processes, and does not seek to outpace the natural demand for air services to the region. The long-term planning work for Wanaka Airport has however, been placed on hold while QLDC investigates the economic and social impact of the District's airports and the Regional Spatial Planning being undertaken by QLDC in partnership with government and Ngai Tahu.

#### **Rezoning of QAC's Rural Zoned Land**

- 4.14 QAC owns a 43 hectare parcel of land located at 827 Wanaka-Luggate Highway (Lot 1, DP 368240). Under the Operative District Plan, the site is currently split zone as shown in Figure 1 below.



- 4.15 As part of Stage 3B of the Proposed Plan, the Rural Visitor Zone portion of the site is proposed to be rezoned to Rural Zone.
- 4.16 QAC submits that the proposed rezoning of its Rural Visitor Zone landholdings does not recognise that:
- 4.16.1 there is an existing shortfall of available land on the southern side of the runway for general aviation purposes (and all associated and ancillary activities); and,
  - 4.16.2 following Regional Spatial Planning, Wanaka Airport may need to be expanded into the future to accommodate scheduled domestic aircraft (and all associated and ancillary activities); and,
  - 4.16.3 the airport obtained the landholding on the basis of the existing Rural Visitor Zoning and its associated development rights. The costs of the downzoning, including on the airport's development potential and use of this land have not been adequately evaluated under section 32 of the RMA.
- 4.17 To address this issue, QAC submits that either:
- 4.17.1 the area of Rural Visitor Zoned land shown in Figure 1 be rezoned Airport Zone; or,
  - 4.17.2 as a lesser preferred option, the operative Rural Visitor Zone land be retained.
- 4.18 QAC considers that in the absence of amendments to the Proposed Plan to address and give effect to the above submission points:

- 4.18.1 The Proposed Plan will not promote the sustainable management or efficient use and development of natural and physical resources. The Proposed Plan is not the most appropriate way to achieve the purpose of the RMA, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;
- 4.18.2 The Proposed Plan does not appropriately fulfil the requirements of section 32 of the RMA, particularly in terms of evaluation of the costs of implementing the provisions or the potential benefits of an alternative zoning under section 32; and
- 4.18.3 The Proposed Plan does not represent sound resource management practice, particularly with respect to planning for Wanaka Airport in the Queenstown Lakes District.

5. **QAC seeks the following decision from the local authority:**

- 5.1 The submission points contained in Section 4 above be accepted, or that the Proposed Plan be amended in a similar or such other way as may be appropriate or necessary to address the intent of QAC's submission; and,
- 5.2 Any consequential changes, amendments or decisions that may be required to give effect to the matters raised in QAC's submission.

6. **QAC wishes to be heard in support of its submission.**

7. **If others make a similar submission, QAC would be prepared to consider presenting a joint case with them at any hearing.**

Signature:



**Rachel Tregidga**

General Manager Property and Planning  
Queenstown Airport Corporation

Date: 29 November 2019

**Contact Details**

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[claire.hunter@mitchelldaysh.co.nz](mailto:claire.hunter@mitchelldaysh.co.nz)

### **Note to person making submission**

If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.