

# **Wellington City Proposed District Plan**

## **Hearing Stream 6 – Airport Zone**

### **Section 42A of the Resource Management Act 1991**

## Document Information

<b>REPORT FOR:</b>	<b>Independent Hearings Commissioners:</b> Trevor Robinson (Chair) David McMahon Liz Burge Robert Schofield
<b>SUBJECT:</b>	<b>Wellington City Proposed District Plan – Part 3- Area Specific Matters – Airport Zone</b>
<b>PREPARED BY:</b>	Joe Jeffries
<b>REPORT DATED:</b>	19 January 2024
<b>DATE OF HEARING:</b>	20 February 2024

## Executive Summary

1. This report considers and makes recommendations in response to submissions received by Wellington City Council in relation to the Airport Zone of the Wellington City Proposed District Plan.
2. Eight submitters collectively made 119 submission points in relation to the Airport Zone. Additionally, seven submitters made 125 further submission points. No submitters opposed the Airport Zone as a special purpose zone chapter in the Plan. Submission points were generally focused on the clarity and function of specific zone provisions.
3. I consider that the following matters are the key issues in contention for the Airport Zone:
  - a. Whether “Airport Activities” and “Airport Related Activities” should be addressed separately or merged through the definitions, policies and rule framework.
  - b. The relationship between the Zone provisions and associated designations.
  - c. The overlap between rules and standards.
  - d. The general clarity of the zone provisions.
  - e. Managing potential conflict between activities within the airport zone and surrounding areas.
4. Appendix A of this report sets out my recommended amendments to the Airport Zone and associated definitions in full, with underline and strikethrough. Appendix B of this report lists my recommendations on all relevant submission points and whether they should be accepted, accepted in part or rejected.
5. In summary, I recommend amendments to the following Airport Zone provisions:
  - a. The introduction text;
  - b. Objectives AIRPZ-O1, AIRPZ-O3, and AIRPZ-O4;
  - c. Policies AIRPZ-P3, AIRPZ-P4, and AIRPZ-P5;
  - d. Rules AIRPZ-R1, AIRPZ-R2, AIRPZ-R3, AIRPZ-R4; and
  - e. Standards, AIRPZ-S1, AIRPZ-S2, AIRPZ-S3.
6. I also recommend inserting the following new provisions:
  - a. A new rule for maintenance and repairs of buildings and structures;
  - b. A new rule for demolition or removal of buildings and structures; and
  - c. A new standard AIRPZ-S4 for access restrictions.
7. I recommend retaining AIRPZ-O2, AIRPZ-O5, AIRPZ-O6, AIRPZ-P1, and AIRPZ-P2 as notified.
8. Finally, I recommend amending the *Airport Related Activities* definition, and deleting the *Obstacle Surface Limitation* definition.
9. In my opinion these amendments, set out in Appendix A, are the most appropriate way to achieve the objectives of the Plan compared to the notified provisions. I consider that these amendments:
  - a. Provide greater consistency with the wider PDP.
  - b. Provide greater clarity and concision, reduce unnecessary duplication and complexity.
  - c. Remove unnecessary duplication of designation conditions.

- d. Provide a clearer distinction and remove the overlap between the land use activity rules, the building and structure activity rule, and the standards.
  - e. Ensure that the assessment criteria for the standards specifically relate to the effects being managed by the standard.
  - f. More appropriately manage potential conflict between activities within the airport zone and surrounding areas.
10. As set out in the Section 32AA evaluation included in this report, the proposed objectives and associated provisions, along with any recommended amendments, are considered to be the most appropriate means to:
- a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
  - b. Achieve the relevant objectives of the Proposed District Plan, in respect to the proposed provisions.

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## Interpretation

**Table 1: Abbreviations**

<b>Abbreviation</b>	<b>Means</b>
the Act / the RMA	Resource Management Act 1991
the Council/WCC	Wellington City Council
the Operative Plan/ODP	Operative Wellington City District Plan
the Proposed Plan/PDP	Proposed Wellington City District Plan
GWRC	Greater Wellington Regional Council
NPS	National Policy Statement
NPS-UD	National Policy Statement on Urban Development 2020
RPS	Wellington Regional Policy Statement 2013
S32	Section 32 of the Resource Management Act 1991
S32AA	Section 32AA of the Resource Management Act 1991

**Table 2: Abbreviations of Submitters' Names**

<b>Abbreviation</b>	<b>Means</b>
BARNZ	Board of Airline Representatives New Zealand
The Fuel Companies	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)
WIAL	Wellington International Airport Limited



## 1.0 Introduction

### 1.1 Purpose

1. This report is prepared under section 42A of the Resource Management Act 1991 (the **RMA**) to:
  - a. Assist the Hearings Panel in their role as Independent Commissioners in making their decisions on the submissions and further submissions on the Wellington City Proposed District Plan (the **PDP**); and
  - b. Provide submitters with information on how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.

### 1.2 Scope

2. This report considers submissions received by the Council in relation to the relevant objectives, policies, rules, definitions and maps as they apply to the Airport Zone (AIRPZ).
3. This report:
  - c. Discusses general issues;
  - d. Considers the original and further submissions received;
  - e. Makes recommendations as to whether those submissions should be accepted or rejected; and
  - f. Concludes with a recommendation for any consequential changes to the plan provisions or maps based on the assessment and evaluation contained in the report.
4. This report is intended to be read in conjunction with the Section 42A Assessment Report: Part A – Overview, which sets out the statutory context, background information and administrative matters pertaining to the District Plan review and the PDP.
5. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

### 1.3 Author and Qualifications

6. My full name is Joe Jeffries. I am a Principal Planning Advisor in the District Plan Team at Wellington City Council (the **Council**).
7. My role in preparing this report is that of an expert in planning.
8. I hold the qualifications of Master of Planning Practice from the University of Auckland and Bachelor of Arts from the University of Otago. I am an Intermediate Member of the New Zealand Planning Institute.
9. I have 12 years of experience in planning and resource management roles in Local Government and as a consultant. I have provided evidence as an expert planning witness on behalf of councils,

central government, and private sector clients throughout New Zealand.

10. I joined WCC as a Principal Planner in 2023. In this role I have presented expert evidence on behalf of WCC on the Urban Development and Freshwater topics for the Greater Wellington RPS Proposed Change 1 hearings.
11. I am also the s42A reporting officer for the Corrections Zone.
12. Prior to my current position I was employed as a planning consultant with Barker and Associates between 2021 and 2023. In that role:
  - g. I provided expert evidence on behalf of Kāinga Ora on the Proposed Selwyn District Plan on the natural hazards, commercial and mixed use, residential zones, and rezoning topics.
  - h. I presented a joint case of expert evidence on behalf of six major commercial property funds on the Wellington City Proposed District Plan (PDP), and on Hutt City Council's intensification plan change PC56.
  - i. I was the project manager for the preparation of the Napier Hastings Future Development Strategy.
13. I was employed as a Senior Policy Planner at Hutt City Council (HCC) between 2017 and 2021. I was HCC's lead planner on Plan Change 43 – a full review of the Residential Chapter of the District Plan. This included preparing the s42a report, acting as the reporting planner through the hearings, and leading Environment Court mediation for Council. I also worked on the early stages of the development of the Hutt City District Plan Review including the response to the National Policy Statement on Urban Development 2020 (NPS-UD).
14. I worked as a Policy Planner for Auckland Council between 2012 and 2017. In this position, I gave evidence as an expert witness on the Auckland Unitary Plan on the Precincts and Rural Urban Boundary topics.

#### **1.4 Code of Conduct**

15. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court which came into effect on 1 January 2023. I have complied with the Code of Conduct when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
16. Other than when I state that I am relying on the evidence or advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
17. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.

#### **1.5 Key resource management issues in contention**

18. No submitters opposed the Airport Zone as a special purpose zone chapter in the Plan. Submission points were generally focused on the clarity and function of specific Zone provisions.
19. I consider that the following matters are the key issues in contention in the chapter:
  - a. Whether “Airport Activities” and “Airport Related Activities” should be addressed separately or merged through the definitions, policies and rule framework.
  - b. The relationship between the Zone provisions and associated designations.
  - c. The overlap between rules and standards.
  - d. The general clarity of the zone provisions.
  - e. Managing potential conflict between activities within the airport zone and surrounding areas.

## 1.6 Procedural Matters

20. The WIAL submission included a full amended Airport Zone attached to the submission as Annexure B. Annexure B provided no tracked changes of the amendments sought by WIAL and provided no specific reasons for each of the specific changes sought to the zone provisions.
21. The summary of submissions did not pick up the individual changes to the Airport Zone provisions sought by WIAL through Annexure B, as these were untracked so unclear in their intent. Instead, the summary of submissions applied a single submission point number (406.543) to the entirety of Annexure B. As such, there are a number of requested amendments to specific provisions discussed in this report that do not have a unique submission point number.
22. On 17 October 2023 WIAL provided a tracked change version of their requested Airport Zone provisions which were set out in Annexure B of their submission. This is provided at Appendix C of this report.
23. I met with representatives of WIAL on 25 October 2023 to seek clarification on the specific changes to the Airport Zone provisions sought through their submission. They confirmed that the reasons for the changes were set out in the cover letter of their submission including:
  - a. To ensure that the zone operates independently of the associated designations.
  - b. To amend the definition of Airport Purpose and Airport Related to reflect the activities that can be reasonably anticipated at the airport.
  - c. To remove the overlap between rules and standards that relate to “activities” and “buildings and structures”.
24. In assessing the specific amendments to the Airport Zone provisions sought by WIAL it was not always obvious which justification applied to which amendment. Despite this lack of clarity from the WIAL submission I have made my best attempt to assess these requested amendments on their merits.
25. I carried out a site visit of the airport on 15 November 2023.
26. There are no other procedural matters to note.

## 2.0 Background and Statutory Considerations

### 2.1 Resource Management Act 1991

27. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- Section 74 Matters to be considered by territorial authority; and
  - Section 75 Contents of district plans.
28. As set out in the Section 32 Evaluation Report Part 1 – Context to Evaluation and Strategic Objectives, there are a number of higher order planning documents and strategic plans that provide direction and guidance regarding the preparation and content of the PDP. These documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are discussed in detail within the Airport Zone Section 32 Evaluation Report.

### 2.2 Schedule 1 and the Intensification Streamlined Planning Process (ISPP)

29. As detailed in the section 42A Overview Report prepared and considered by the Panel in Hearing Stream 1, the Council has chosen to use two plan review processes:
- d. The ISPP under Part 6 of Schedule 1 of the RMA for the intensification planning instrument (IPI). There are no appeal rights on ISPP provisions.
  - e. For all other PDP provisions and content, the standard Part 1 of Schedule 1 process of the RMA is used. Part 1 Schedule 1 provisions can be appealed.
30. The Airport Zone chapter has been notified using the standard RMA Part One, Schedule 1 process (P1 Sch1).

### 2.3 Section 32AA

31. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the*

*decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

32. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is included following the assessment and recommendations in relation to the relief sought in submissions of this report, as required by s32AA(1)(d)(ii).

33. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach have not been re-evaluated, as have any amendments that do not materially alter the policy approach in the PDP.

## **2.4 Trade Competition**

34. Trade competition is not considered relevant to the provisions of the PDP relating to this topic.

35. There are no known trade competition issues raised within the submissions.

## **3.0 Consideration of Submissions and Further Submissions**

### **3.1 Overview**

36. Eight submitters collectively made 119 submission points in relation to the Airport Zone. Additionally, seven submitters made 125 further submission points.

#### **Report Structure**

37. Submissions on this topic raised a number of issues that have been categorised in accordance with the general structure of PDP chapters as follows:

- Airport Zone – Introduction and general submissions
- Airport Zone – Objectives
- Airport Zone – Policies
- Airport Zone – Rules
- Airport Zone – Standards

38. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.

39. Recommended amendments are contained in the following appendices:

- a. Appendix A – Recommended Amendments to the Airport Zone provisions.
  - b. Appendix B – Recommended Responses to Submissions and Further Submissions on the Airport Zone.
40. The following evaluation should be read in conjunction with the relevant summaries of submissions and further submissions, along with the full submissions. Where there is agreement with the relief sought and the rationale for that relief, this is noted in the assessment section of the report, with the associated recommendation provided in the summary of submission table in Appendix B. Where a further evaluation of the relief sought in a submission(s) has been undertaken, the evaluation and recommendations are set out in the body of this report. A marked-up version of the Airport Zone with recommended amendments in response to submissions is included as Appendix A.
41. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1 and in the associated section 42A report.

## 3.2 Airport Zone - General Submissions

### 3.2.1 General Points on the chapter as a whole

#### Matters raised by submitters

42. Z Energy [361.130] seeks to retain the Airport Zone chapter as notified.
43. Taranaki Whānui ki te Upoko o te Ika [389.112 (opposed by Te Rūnanga o Toa Rangatira FS138.58)] seeks to amend the Airport Zone chapter to include "Taranaki Whānui hold ahi kā and primary mana whenua status in Wellington City".
44. Waka Kotahi [370.429 (supported by WIAL FS36.232 and Guardians of the Bays Inc FS44.56) seeks that Airport activities should be explicit about the goal of providing integrated public transport to and from the airport.
45. Wellington International Airport Limited (WIAL) [406.543 (supported by Z Energy Limited FS33.1, FS33.3, FS33.4, FS33.6, Board of Airline Representatives New Zealand FS139.158 and opposed by Guardians of the Bays Inc FS44.63)] seeks to make substantial changes to the Airport Zone provisions as set out in Annexure B of their submission and Appendix C of this report.
46. WIAL [406.9 (supported by BARNZ FS139.9)] seeks that all unnecessary duplication be removed and each chapter focus on managing the effects that specifically relate to that chapter and are not otherwise managed by the underlying zone rules.
47. WIAL [406.542 (opposed by Guardians of the Bays Inc FS44.62, supported by Board of Airline Representatives of New Zealand Inc FS139.157, and Z Energy Limited FS33.2, FS33.5 and FS33.7)] seeks that the Airport Zone chapter is amended to remove the overlap between rules and standards that relate to "activities" and "buildings and structures".
48. WIAL [406.540 and 406.541 (opposed by Guardians of the Bays Inc FS44.60 and FS44.61 and supported by Board of Airline Representatives of New Zealand Inc FS139.155 and FS139.156)] seeks that the Airport Zone operates independently of the WIAL designation. According to WIAL:

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Where designation conditions are "replicated" as rules or standards within the Zone,  
Proposed Wellington City District Plan

the further nuancing (and in some cases, deletion) of those provisions is required in order to ensure the controls are appropriate and enforceable, particularly with respect to the management of aircraft noise effects.

49. WIAL [406.11 (supported by Airways Corporation of New Zealand Limited FS105.1 and BARNZ FS139.11)] seeks that a bespoke framework should be established for certain activities located within a fixed distance of the Airport including artificial waterbodies, sewage treatment and disposal, to ensure a consenting pathway is available that requires consideration of potential increase in bird strike risk. According to WIAL this could be achieved by a “narrowly framed restricted discretionary activity that restricts discretion to the potential effects of aircraft safety, including the potential risk of bird strike.”
50. WIAL seeks that the Airport Zone within the Coastal Environment at Lyall Bay and Evans Bay is removed [406.21 (opposed by Guardians of the Bays Inc FS44.180)]. If it is not removed, as a less favoured alternative they seek that the relationship and consenting pathway for activities within the coastal environment (insofar as they relate to activities undertaken with an Airport purpose) are enabled, streamlined and reflective of the existing environment [406.538 (opposed by Guardians of the Bays Inc FS44.58)].
51. WIAL [406.544 (opposed by Guardians of the Bays Inc FS44.64 and supported by Board of Airline Representatives New Zealand FS139.159)] seeks clarity on the resulting activity status for a subdivision activity within the Airport Zone.

#### **Assessment**

52. I note the submissions seeking that the zone is retained as notified.
53. Regarding the submission of Taranaki Whānui ki te Upoko o te Ika, this issue was addressed through the s42A report for Hearing Stream 1<sup>1</sup> where the reporting officer stated:

*I do not agree with the amendments requested by Taranaki Whānui [389.24] as it would be inappropriate for the plan to specify a level of mana whenua status different to that identified through Treaty of Waitangi settlement legislation. In this case Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira both have mana whenua status.*

54. I concur with the paragraph above and accordingly do not support the requested amendment of Taranaki Whānui ki te Upoko o te Ika.
55. Regarding the Waka Kotahi submission [370.429] on providing integrated public transport to and from the airport, I address this issue in relation to the specific amendment sought to AIRPZ-O2 below.
56. I support in part the WIAL submission seeking that all unnecessary duplication be removed [406.9]. I also support in part the WIAL submission seeking to remove the overlap between rules and standards that relate to “activities” and “buildings and structures” [406.542]. In my view the notified provisions do not provide an adequate distinction between the land use activity rules, the building and structure rule, and the standards. I address these issues further in the assessments of specific provisions below and recommend amendments to provisions accordingly.

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<sup>1</sup> [Hearing stream 1 – Section 42a Report – Part 1 plan wide matters and strategic direction \(wellington.govt.nz\)](#) para 487

57. I agree in part with WIAL that the Airport Zone needs to be able to operate independently of the designation and that the zone provisions should not unnecessarily duplicate designation conditions. However, I would characterise the issue as being more a matter of ensuring that the zone provisions and designations each appropriately perform their respective roles. In some cases it may be necessary and appropriate to duplicate designation conditions to enable enforcement to be available to the Council should third parties infringe the relevant standards. On this point I concur with the s42A report for the Noise topic in relation to this issue<sup>2</sup>:

WIAL's submission is that it is inappropriate for the PDP Standards to replicate the noise management obligations of the Airport Designations WIAL4 and WIAL5. We agree that complete replication is undesirable. However, for aspects of the designation conditions that in material part relate to third party activities, we consider it useful to replicate these as Standards to facilitate compliance action if that becomes necessary.

58. I address the specific amendments sought by WIAL in relation to this point in the assessments of the relevant provisions below.

59. The other specific amendments sought by WIAL through Annexure B of their submission, and set out in Appendix C of this report, are also addressed in the assessments of the relevant provisions below.

60. Regarding the WIAL request to provide a consenting pathway that requires consideration of potential increase in bird strike risk, it is unclear from the submission whether this is intended to apply within the Airport Zone itself, or to adjoining zones. While I am open to considering amendments to the Airport Zone for this purpose, I do not consider that there is sufficient clarity around the relief sought to determine a recommendation.

61. I do not support the WIAL submission seeking removal of the Airport Zone within the Coastal Environment overlay as discussed on mapping in this statement of evidence in relation to WIAL's submission point 406.21. Regarding the alternative relief to this sought by WIAL through submission point 406.538, it is unclear to me what specific amendments are sought to give effect to this. However, I note that the Coastal Environment overlay applies independently of the Airport Zone, and in my view is not unduly constraining of airport purpose activities within the Airport Zone. I therefore reject this submission point.

62. Regarding the WIAL submission seeking clarity on the resulting activity status for a subdivision activity within the Airport Zone, I note that all submission points relating to subdivision were addressed through the subdivision topic hearing, and amendments were recommended to the Subdivision Chapter in response to the WIAL submission<sup>3</sup>. I therefore recommend no further changes to the Airport Zone in response to this submission point.

### **Summary of recommendations**

63. HS6-AIRPZ-Rec1: That the Airport Zone provisions are amended as set out in Appendix A.

64. HS6-AIRPZ-Rec2: That general submissions on the Airport Zone chapter are accepted/rejected as

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<sup>2</sup> [Section 42A Report - Noise \(wellington.govt.nz\)](#) Para 199.

<sup>3</sup> Paragraph 38 [Statement of supplementary planning evidence of Hannah van Haren-Giles - Subdivision \(wellington.govt.nz\)](#)



set out in Appendix B.

### 3.2.2 General points on the Airport Zone chapter introduction

#### Matters raised by submitters

65. WIAL [406.539 (opposed by Guardians of the Bays Inc FS44.59 and supported by Board of Airline of New Zealand Inc FS139.154)] seeks that the introduction to the Airport Zone chapter is amended to be replaced with the text in *Annexure B* of the WIAL submission (and included as Appendix C of this report).
66. Guardians of the Bays [452.65 and 452.66 (opposed by WIAL FS36.203 and FS36.204)] and Strathmore Park Residents Association Inc [371.7 (opposed by WIAL FS36.231)] seek to retain the description of the East Side Precinct as notified.
67. Yvonne Weeber [340.107 (opposed by WIAL FS36.173)] and Guardians of the Bays [452.63 and 452.64 (opposed by WIAL FS36.201 and FS36.202)] seek to amend the 'Terminal Precinct' section in the introduction as follows:

For passengers, the Terminal Precinct is the Airport's heart. It comprises the main passenger terminal, access and pedestrian roading, car parking, cycle parking, land public transport hub and commercial and passenger support services including visitor accommodation ~~and~~ conference facilities and vehicle, pedestrian and cycle connection of Stewart Duff Drive. It also contains airside airport facilities such as hangars, aircraft parking stands, and aviation support facilities.

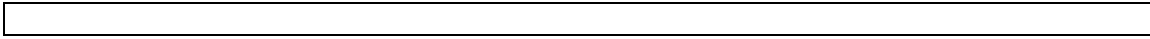
68. Yvonne Weeber [340.110 (opposed by WIAL FS36.176)] and Guardians of the Bays [452.69 and 452.70 (opposed by WIAL FS36.207 and FS36.208)] seeks to amend the introduction of the Airport Zone chapter to add a new precinct description as follows:

Bridge Street Precinct  
The Bridge Street Precinct comprises land located on the East side of Bridge Street from Cairns Street at the north and Coutts Street to the south. At present the Bridge Street Precinct shall be limited to an open space enhancement area.

69. Strathmore Park Residents Association Inc [371.8 (opposed by WIAL FS36.233)] seeks to amend the Airport Noise description as follows:

The management of noise associated with the Airport's operations is addressed in the District Plan Noise Chapter. Noise is subject to the following interrelated controls:

1. District Plan provisions which reference specific noise restrictions.
2. District Plan provisions which reference the Airport's Noise Management Plan (NMP).
3. The NMP, which sits outside of the District Plan.
4. The Air Noise ~~o~~Overlay (ANO's) of the Inner Air Noise Overlay and the Outer Air Noise Overlay – which is demarcated on the District Plan maps, and referenced in District Plan provisions and the NMP. The extent and nature of the ANO's ~~is~~are guided by the recommendations of New Zealand Standard NZS6805:1992 Airport Noise Management and Land Use Planning.



## Assessment

70. I note and support in-part the submissions seeking that parts of the introductory text are retained as notified.
71. I support in-part the WIAL submission seeking amendment of the introduction of the Airport Zone. In general, I have accepted WIAL's requested amendments where I consider they add clarity, reduce duplication, and improve concision. The specific amendments I have recommended are set out in Appendix A.
72. I do not support Yvonne Weeber and Guardians of the Bays request to insert reference to pedestrian and cycle access, public transport and cycle parking facilities to the Terminal Precinct description. The descriptions of precincts in the introduction are intended to provide a brief descriptive summary of the precincts not to set out specific policy content. The notified wording also includes reference to 'access' which is sufficiently broad to encompass pedestrian, cycle and public transport access.
73. I do not support Yvonne Weeber and Guardians of the Bays requested amendment to add a new Bridge Street Precinct description to the introductory text, as I do not support the introduction of a Bridge Street Precinct for the reasons provided under the discussion on precincts below.
74. I do not support the Strathmore Park Residents Association Inc request to amend the noise description to include reference to both the inner and outer air noise overlays. The introduction is only intended to provide reference to the Air Noise Overlays, which are set out in a separate chapter, not to set out any of the specifics of those provisions. The detail of the Noise provisions are set out in that chapter which is hyperlinked in the Airport Zone Introduction text.

## Summary of recommendations

75. HS6-AIRPZ-Rec3: That the introductory text of the Airport Zone chapter is amended as set out in Appendix A.
76. HS6-AIRPZ-Rec4: That submissions on the introduction are accepted/rejected as set out in Appendix B.

### 3.2.3 General points on Precincts

#### Matters raised by submitters

77. Guardians of the Bays [452.62 (opposed by WIAL FS36.200)] and Yvonne Weeber [340.106 (opposed by WIAL FS36.172)] seeks to retain 'physically contiguous' airport precincts in the Airport Zone chapter.
78. Guardians of the Bays [452.67 (opposed by WIAL FS36.205)] seeks that the East Side Area be maintained as a golf course recreation buffer if parking were proposed as a permanent feature of this Precinct.
79. Yvonne Weeber [340.108 (opposed by WIAL FS36.174)] seeks to retain part of the Miramar Golf

Course in WIAL5 (East Side Area) as notified.

80. Yvonne Weeber [340.111 (opposed by WIAL FS36.177)] and Guardians of the Bays [452.70 and 452.1 (opposed by WIAL FS36.246)] seeks to amend the 'Airport Precinct Plan' to include a new Bridge Street Precinct in the area between the existing boundary fence of the airport to the eastern side of the Bridge Street formed road. According to the Guardians of the Bays submission:

This area was not included in the Main Site Area Designation of the airport. In the 2030 WIAL Masterplan this land is indicated as remote car parking. This is an area that obviously is marked for redevelopment in the future for the airport and needs to be included within the District Plan as a redevelopment enhancement area.

### **Assessment**

81. I note the submissions seeking that elements of the precincts are retained as notified.
82. Regarding the Guardians of the Bay submission point on maintaining the East Side area as a golf course recreation buffer, it is unclear to me whether any changes are sought to the provisions to enable this. I note that golf course activities are enabled in the East Side Precinct. Accordingly, I do not recommend any further changes in response to this submission point.
83. I do not support the introduction of a new Bridge Street Precinct as requested by Yvonne Weeber and Guardians of the Bays. This area is currently part of the Airside Precinct. I have seen no information presented on the need to include this area as a redevelopment enhancement area or on the specific issues with retaining the Airside Precinct in this area. Also, the obstacle limitation surface (OLS) designation limits building heights and development potential in this area.

### **Summary of recommendations**

84. HS6-AIRPZ-Rec5: That the Airport Zone Precinct extents are retained as notified.
85. HS6-AIRPZ-Rec6: That submissions are accepted/rejected as set out in Appendix B.

## **3.2.4 General points on Airport Designations**

### **Matters raised by submitters**

86. WIAL [406.545 (supported by Board of Airline Representatives New Zealand FS139.160)] seeks that the Proposed District Plan is amended to add reference to the Obstacle Limitation Surface to draw plan users' attention to designation requirements, to ensure that the designation is able to serve its important purpose.

### **Assessment**

87. The Obstacle Limitation Surface required in WIAL designation 1 (WIAL1) has now been mapped and added to the ePlan. This issue was addressed through hearing stream 5<sup>4</sup>.

### **Summary of recommendations**

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<sup>4</sup> Para 344 [section-42a-report-ispp-wrap-up-hearing--part-1--definitions-nesting-tables-general-and-omitted-sub.pdf \(wellington.govt.nz\)](#)

88. HS6-AIRPZ-Rec7: That no further changes are made to the Airport Zone in response to submission point 406.545.
89. HS6-AIRPZ-Rec8: That the relevant WIAL submission point is accepted as set out in Appendix B.

### 3.2.5 General points on Definitions

#### Matters raised by submitters

90. BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) [372.7] seeks to retain the definition of 'Airport Purposes' as notified.
91. WIAL [406.30 and 406.31 (supported by Board of Airline Representatives New Zealand FS139.19 and FS139.20)] seeks that the definition of 'Airport Purposes' is updated to reflect the activities that can be reasonably anticipated at the Airport. They seek the following amendments:

<p>Airport <del>Purposes</del> <u>Activities</u></p> <p><del>means the transport of people and cargo by aircraft and any ancillary activity or service that provides essential support to that function. Where a designation of the airport requiring authority exists, it additionally means the activities of the requiring authority described in the Purpose Statement or conditions of that designation.</del></p> <p><u>means any activity, wholly or partly, relating to the landing, departure and movement of aircraft and aircraft passengers, including but not limited to:</u></p> <ul style="list-style-type: none"> <li><u>- ground-based infrastructure, plant and machinery necessary to assist aircraft operations;</u></li> <li><u>-Runways, taxiways, aprons and other aircraft movement areas;</u></li> <li><u>- Aircraft rescue training facilities and emergency services;</u></li> <li><u>- Establishment, operation and use of runways, taxiways, aprons, and other aircraft movement areas;</u></li> <li><u>- Structures to mitigate against the impact of natural hazards;</u></li> <li><u>- Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;</u></li> <li><u>- Terminal buildings, hangars, control towers, rescue and fire facilities, navigation and safety aids, lighting and telecommunication facilities, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances;</u></li> <li><u>- Associated administration and office activities;</u></li> </ul>
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- Ancillary activities, buildings and structures related to the above; and
- Servicing, testing and maintenance activities related to the above.

92. WIAL [406.32, 406.33 and 406.34 (supported by Board of Airline Representatives New Zealand FS139.21, FS139.22 and FS139.23)] seeks to delete definition of 'Airport Related Activities', or to amend the definition of 'Airport Related Activities' as secondary relief if this definition is not deleted, as follows:

Airport Related Activities means ~~third party~~ ancillary activities or services that provide support to the airport, including but not limited to-:

- a. land transport activities;
- b. buildings and structures;
- c. servicing and infrastructure;
- d. ~~police stations, fire stations, and medical facilities~~ emergency service facilities;
- e. educational facilities provided they serve an aviation related purpose;
- f. retail ~~and~~ commercial ~~services~~ and industrial activity associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses;
- g. administrative offices, provided they are ancillary to an airport or airport related activity; and
- h. hotel / visitor accommodation, conference facilities and associated services.

93. WIAL [406.37 and 406.38 (supported by BARNZ FS139.26 and FS139.27)] seeks to amend the definition of 'Non-Airport activities' as follows:

Non-Airport Activity means an activity within the Airport Zone which is not for "Airport Activity Purposes" or an "Airport Related Activity".

94. WIAL [406.39 and 406.40 (opposed by Kāinga Ora – Homes and Communities FS89.114, FS89.115, supported by BARNZ FS139.28 and FS139.29)] seeks to delete the definition of 'Obstacle Limitation Surface' in its entirety. If it is not deleted, they seek the definition be amended to include reference to the relevant detailed provisions of Designation WIAL1. According to WIAL it is not clear where this term is used within the Proposed Plan other than in the text of the Designation, and they are concerned that seeking to define this term in this manner oversimplifies the obstacle limitation surfaces described in Designation WIAL1.

95. Yvonne Weeber [340.2 and 340.3 (opposed by WIAL FS36.4)] opposes all definitions relevant to the Airport Zone, Airport Noise, and Airport Designation and seeks to reinstate the definitions in the Operative Plan. According to this submission "All definitions relevant to the Airport Zone, Airport Noise and Airport Designation needs to remain the same as the operative plan to ensure the integrity of the agreed designation conditions on the Airports Main Site Area and East Side Area to allow these provisions to function properly". Guardians of the Bays [452.2 (opposed by WIAL FS36.5)] has a similar

submission point.

## Assessment

96. I note the submissions seeking that definitions are retained as notified.
97. I do not support WIAL's requested amendment of the Airport Purposes definition. This submission is part of WIAL's broader submission point which seeks to merge the *Airport* and *Airport Related* activities definitions, policies and rules. As discussed below in this report in relation to the Airport Purposes activities policy (AIRPZ-P1) and rule (AIRPZ-R2) I consider that there is value in maintaining a policy and definitional distinction between *Airport* and *Airport Related* activities respectively. There are distinct differences between these categories of activities in both their effects and their practical necessity for the operation of the airport. There may be cases where it is appropriate to bundle these two categories together for the purpose of specific provisions, but this can be done while maintaining a distinction at policy level.
98. I support WIAL's requested amendment of the *Airport related activities* definition. In my view it is unnecessary and irrelevant for this definition to refer to "third party" activities. I also consider that the other changes to the definition generally improve clarity without changing the substance of the definition. The exception to this is the insertion of "hotel / visitor accommodation, conference facilities and associated services" which is not included in the notified version of the definition. However, I consider that this addition to the definition is appropriate as it addresses activities that can reasonably be considered as "airport related", and these activities can be appropriately assessed under AIRPZ-R2 and AIRPZ-P2.
99. I do not support WIAL's requested amendment of the *Non Airport Activities* definition. This requested amendment is for consistency with WIAL's requested amendment to the Airport Purposes definition which I do not support as discussed above.
100. I support WIAL's requested deletion of the *Obstacle Limitation Surface* definition. The term *Obstacle Limitation Surface* is only referred to in the PDP in relation to the associated WIAL designation, and in the introduction text of the Airport Zone chapter. In both cases sufficient explanation is provided of the concept to render the definition unnecessary.
101. I do not support Yvonne Weeber's request to reinstate the relevant definitions of the Operative Plan. Of relevance to the Airport Zone, the Operative Plan provides definitions for *Non-airport activity* and *Primary function of the airport area*. In my view the PDP provides a more comprehensive and appropriate set of definitions to guide the Airport Zone. These have been drafted to specifically work with the PDP Airport Zone provisions while the operative plan definitions are not appropriate for this purpose. Furthermore, the submitter has also not provided specific information on how the PDP definitions interfere with the integrity of the designation conditions.

## Summary of recommendations

102. HS6-AIRPZ-Rec9: That the definitions are amended as set out in Appendix A.
103. HS6-AIRPZ-Rec10: That submissions on definitions relevant to the Airport Zone are accepted/rejected as set out in Appendix B.

### 3.2.6 General points on Mapping

#### Matters raised by submitters

104. The Fuel Companies [372.4 (supported by WIAL FS36.254)] seeks to retain the Special Purpose Airport Zone on adjoining sites to the Miramar Terminal as notified.
105. Z Energy Limited [361.5] seeks to retain the Airport Zone at the corner of Calabar Road & Brodway, Strathmore Park (Z Brodway) as notified.
106. WIAL [406.20 (opposed by Guardians of the Bays Inc FS44.183 and Toka Tū Ake EQC FS70.84)] seeks to amend the extent of the Flood Hazard Overlay to remove it from the extent of the Airport Zone.
107. WIAL [406.21 (opposed by Guardians of the Bays Inc FS44.180)] seeks to delete the Airport Zone within the Coastal Environment overlay.
108. WIAL [406.24 (supported by BARNZ FS139.15 and KiwiRail Holdings Limited FS72.73)] seeks to retain the mapped extent of the Airport Zone as notified.

#### Assessment

109. I note and concur with the submissions seeking to retain the notified extent of the Airport Zone.
110. I do not support the request from WIAL to delete the Airport Zone within the Coastal Environment overlay. I note that the Coastal Environment overlay covers almost the entire extent of the Airport Zone, and the overlay cannot function without an underlying zoning. Submissions related to the Coastal Environment overlay will be addressed through hearings on that topic.
111. Regarding the WIAL submission seeking to amend the extent of the Flood Hazard Overlay within the Airport Zone, this was addressed in the Natural Hazards topic hearings where the reporting officer did not support removal of the flood hazard overlay inundation area from the Airport Zone.

#### Summary of recommendations

112. HS6-AIRPZ-Rec11: That the extent of the Airport Zone is retain as notified.
113. HS6-AIRPZ-Rec12: That submissions on the extent of the Airport Zone are accepted/rejected as set out in Appendix B.

## 3.3 Airport Zone - Objectives

### 3.3.1 AIRPZ-O1: Purpose of the Airport Zone

#### Matters raised by submitters

114. Z Energy Limited [361.134] seeks to retain AIRPZ-O1 as notified.
115. WIAL seeks to amend AIRPZ-O1 as follows:

Wellington International Airport is recognised and protected as locally, ~~and~~ regionally and nationally significant infrastructure.

## Assessment

116. I note and accept in-part the submission of Z Energy Limited seeking to retain AIRPZ-O1 as notified.
117. I support WIAL’s request to amend AIRPZ-O1 to recognise the airport as *nationally* significant infrastructure. In my view this amendment is consistent with the national importance of the airport and the definition of “nationally significant infrastructure” in the National Policy Statement on Urban Development.

## Summary of recommendations

118. HS6-AIRPZ-Rec13: That AIRPZ-O1 is amended as requested by WIAL and as set out in Appendix A.
119. HS6-AIRPZ-Rec14: That submissions on AIRPZ-O5 are accepted/rejected as set out in Appendix B.

### 3.3.2 AIRPZ-O2: Development of the Airport Zone

#### Matters raised by submitters

120. Z Energy Limited [361.135] seeks to retain AIRPZ-O2 as notified.
121. Waka Kotahi [370.430 and 370.431 (supported by WIAL FS36.237 and FS36.238)] seeks to amend AIRPZ-O2 as follows:

The dual character of the Airport Zone as a working environment and a regional / international gateway is balanced, recognising:

1. The Airport’s role as an air and land transport hub that provides for the safe and efficient movement of people and goods;
2. There will be development that reflects the purpose of the Airport Zone, and for airport related purposes that provide the Airport with other forms of support; ~~and~~
3. A higher standard of design may be necessary where large buildings or structures are adjacent to or visible from the public domain; ~~and~~
4. The wide-ranging benefits of convenient connection of the airport to the city’s public transport network.

122. Guardians of the Bays Inc (452.72 and 452.73 (opposed by WIAL FS36.210 and FS36.211)) and Yvonne Weeber [340.113 and 340.114 (opposed by WIAL FS36.179 and FS36.180)] seek to amend AIRPZ-O2 as follows:

The dual character of the Airport Zone as a working environment and a regional / international gateway is balanced, recognising:

1. The Airport’s role as an air and land transport hub that provides for the safe and efficient movement of people and goods;
2. There will be development that reflects the purpose of the Airport Zone, and for



airport related purposes that provide the Airport with other forms of support; and  
3. A higher standard of design may be necessary where large buildings or structures are adjacent to or visible from the public domain.

4. Any development on the airport zone should support the enablement of a carbon neutral development.

123. WIAL seeks to amend AIRPZ-O2 as follows:

~~The dual character of the Airport Zone as a working environment and a regional / international gateway is balanced, recognising:~~

~~1. The Airport's role as an air and land transport hub that provides for the safe and efficient movement of people and goods;~~

~~2. There will be development that reflects the purpose of the Airport Zone, and for airport related purposes that provide the Airport with other forms of support; and~~

~~3. A higher standard of design may be necessary where large buildings or structures are adjacent to or visible from the public domain.~~

Development of the Airport is enabled where it provides for a wide range of Airport activities and Airport related activities that are associated with the function and operation of Wellington Airport.

### Assessment

124. I do not support the requested amendment of Guardians of the Bay and Yvonne Weeber to add reference to 'carbon neutral development'. Carbon neutrality is addressed in AIRPZ-O5 and I consider it is unnecessary to duplicate it in this objective.

125. I do not support the requested amendment of WIAL. I note that the WIAL submission does not provide any reasons to support their requested amendment. I prefer the notified wording as this provides a more complete statement of the outcomes sought for the zone in relation to development of the airport.

126. I do not support the requested amendment of Waka Kotahi. The notified wording already addresses the airport's role as a land transport hub which I interpret to include public transport. In my view the notified wording provides appropriate support for public transport activities at a level of detail appropriate for an objective.

### Summary of recommendations

127. HS6-AIRPZ-Rec15: That AIRPZ-O2 is retained as notified.

128. HS6-AIRPZ-Rec16: That submissions on AIRPZ-O2 are accepted/rejected as set out in Appendix B.

### 3.3.3 AIRPZ-O3: Compatibility of other activities

#### Matters raised by submitters

129. Z Energy Limited [361.136] seeks to retain AIRPZ-O3 as notified.

130. WIAL seek to amend AIRPZ-O3 as follows:

~~Airport related and~~ non-airport activities are compatible with:

1. ~~Compatible with~~ the efficient operation, maintenance, and upgrading of the Airport and its associated effects;
2. ~~Compatible with~~ the efficient and integrated functioning of other transport networks; and
3. ~~The operation of the Airport is protected from reverse sensitivity effects outside the Airport Zone~~ The overall urban form and amenity of adjacent zones.

131. Guardians of the Bays [452.74 (opposed by WIAL FS36.212)] and Yvonne Weeber [340.115 (opposed by WIAL FS36.181)] seek to amend AIRPZ-O3 as they consider that the “clause does not flow in the same way as the other objectives” and “Clause 3 needs to be re-written with some constraints on what the airport believes its geographical boundaries are in respect to reverse sensitivity.” The specific changes sought are as follows:

Airport related and non-airport activities are:

1. Compatible with the efficient operation, maintenance, and upgrading of the Airport and its associated effects;
2. Compatible with the efficient and integrated functioning of other transport networks; and
3. ~~The operation of the Airport is~~ protected from reverse sensitivity effects within airport noise and airport flight contours outside the Airport Zone

### Assessment

132. I agree in part with Guardians of the Bays [452.74], Yvonne Weeber [340.115], and WIAL that changes are needed to ensure that clause 3 properly connects with the introductory text of the objective and is consistent with the wording of the other clauses. I therefore support the request of WIAL to amend the means by which the introductory text connects to the numbered list, as this generally improves the clarity of the objective.

133. I partially agree with Guardians of the Bays and Yvonne Weeber that there is an issue with the reference to reverse sensitivity in clause 3 and the lack of geographical definition of the area these potential effects apply to. However, I do not support Guardians of the Bays [452.74] and Yvonne Weeber’s [340.115] requested amendment to insert reference to “airport noise and airport flight contours” as a way to limit application of reverse sensitivity. In my view there is a more fundamental issue with this clause, as the Airport Zone has no ability to control activities outside of the Airport Zone, and it is not sufficiently clear that reverse sensitivity outside the airport zone is constraining the operations of the airport given the enabling nature of the airport designations. Rather than reverse sensitivity as such the issue is more a matter of addressing potential conflict between activities within the airport zone and surrounding areas.

134. I therefore consider it would be more appropriate to amend clause 3 of the rule to replace reference to reverse sensitivity with compatibility with “The overall urban form and amenity of

adjacent zones” as requested by WIAL. In my view this amendment provides a more appropriate means of managing potential conflict between Airport related and non-airport activities within the zone, and surrounding areas.

135. I do not support WIAL’s requested deletion of “Airport related” from the introductory text of the rule, as I do not support the wider submission point of WIAL seeking that “Airport” and “Airport related” are merged within a single policy framework. This issue is discussed in more detail under AIRPZ-P1 and AIRPZ-P2 below.

### Summary of recommendations

136. HS6-AIRPZ-Rec17: That AIRPZ-O3 is amended as set out in Appendix A.
137. HS6-AIRPZ-Rec18: That submissions on AIRPZ-O3 are accepted/rejected as set out in Appendix B.

### 3.3.4 AIRPZ-O4: Adverse effects generated by activities

#### Matters raised by submitters

138. Guardians of the Bays [452.75 (opposed by WIAL FS36.213), Yvonne Weeber [340.116 (opposed by WIAL FS36.182)] and Z Energy Limited [361.137] seek to retain AIRPZ-O4 as notified.
139. WIAL seek to amend AIRPZ-O4 as follows:

The Airport’s operational and functional requirements are provided for while ensuring the adverse effects of Airport and Airport related activities on the environment are avoided, remedied or mitigated.

~~Adverse effects of activities are avoided, remedied, or mitigated, while recognising:~~

- ~~1. The need for effects management within the Airport Zone, including effects on the amenity of the surrounding area; and~~
- ~~2. The need for effects management in adjacent areas outside the Airport Zone, to avoid or limit effects on the efficiency and safety of the Airport.~~

#### Assessment

140. I note the submissions seeking to retain AIRPZ-O4.
141. I support WIAL’s requested amendment to AIRPZ-O4. The notified wording of AIRPZ-O4 inappropriately refers to effects management outside the Airport Zone where the zone provisions have no ability to influence outcomes. In my view the amended wording sought by WIAL addresses this deficiency in the objective. WIAL’s amended wording also provides greater clarity and concision than the notified wording without substantively changing the outcomes sought within the zone.
142. I therefore recommend amending AIRPZ-O4 in accordance with the WIAL submission.

### Summary of recommendations

143. HS6-AIRPZ-Rec19: That AIRPZ-O4 is amended as requested by WIAL and as set out in Appendix A.

144. HS6-AIRPZ-Rec20: That submissions on AIRPZ-O4 are accepted/rejected as set out in Appendix B.

### 3.3.5 AIRPZ-O5: Carbon neutrality

#### Matters raised by submitters

145. Guardians of the Bay [452.72 (opposed by WIAL FS36.214)], Waka Kotahi [370.432], Yvonne Weeber [340.117 (opposed by WIAL FS36.183)], Z Energy Limited [361.138] and WIAL seek to retain AIRPZ-O5 as notified.

146. WIAL seek to amend AIRPZ-O5 as follows:

The Activities are enabled that contribute to carbon neutrality, including:

1. Decarbonisation of the airport and aircraft operations;
2. Significant growth in integrated low-carbon land transport ~~options~~operations to and from the airport; and
3. Generation, storage and use of renewable or low carbon energy for the airport.

#### Assessment

147. I note and accept the submissions seeking that AIRPZ-O5 is retained as notified.

148. I do not support the amendment requested by WIAL to replace “options” with “operations”. In my view “land transport *options*” makes more sense within the context of the objective than “operations”.

#### Summary of recommendations

149. HS6-AIRPZ-Rec21: That AIRPZ-O5 is retained as notified.
150. HS6-AIRPZ-Rec22: That submissions on AIRPZ-O5 are accepted/rejected as set out in Appendix B.

### 3.3.6 AIRPZ-O6: Airport resilience

#### Matters raised by submitters

151. Z Energy Limited [361.139] and WIAL seek to retain AIRPZ-O6 as notified.

152. Guardians of the Bays [452.77 (opposed by WIAL FS36.215)] and Yvonne Weeber [340.118 (opposed by WIAL FS36.184)] seek to amend AIRPZ-O6 as follows:

The resilience of the Airport and its supporting infrastructure, including other transport links, is maintained or enhanced, while providing for the Airport’s operational and functional requirements as an air and land transport hub.

153. According to the Guardians of the Bays and Yvonne Weeber submission “resilience needs to relate to *the air and land transport hub* otherwise it is too broad an objective.”

#### Assessment

154. I note and accept the submissions of Z Energy Limited and WIAL seeking to retain AIRPZ-O6 as notified.

155. I do not support the requested amendment of Guardians of the Bays [452.77] and Yvonne Weeber [340.118]. I do not agree that it is necessary to include the words “as an air and land transport hub” nor that the objective will be too broad without this addition.

### Summary of recommendations

156. HS6-AIRPZ-Rec23: That AIRPZ-O6 is retained as notified.

157. HS6-AIRPZ-Rec24: That submissions on AIRPZ-O6 are accepted/rejected as set out in Appendix B.

## 3.4 Airport Zone - Policies

### 3.4.1 AIRPZ-P1: Airport purposes activities, buildings and structures

#### Matters raised by submitters

158. Z Energy Limited [361.140] seeks to retain AIRPZ-P1 as notified.

159. Guardians of the Bays [452.78 (opposed by WIAL FS36.216)] and Yvonne Weeber [340.119 (opposed by WIAL FS36.185)] seek to amend AIRPZ-P1 to specify that the transport functions relate to the airport and are not separate to it:

Enable Airport Purposes activities, buildings and structures, including but not limited to those that:

1. Facilitate the transport of people and cargo by aircraft; and
2. Are ancillary activities or services that provide essential support to the transport function to the airport.

160. WIAL seek to delete AIRPZ-P1. Though the WIAL submission does not set out specific reasons for this requested amendment I understand that they seek deletion of the policy in order to address both *Airport* and *Airport Related* activities, buildings and structures through a single policy rather than to separate the two.

#### Assessment

161. I note and support the Z Energy submission seeking to retain AIRPZ-P1 as notified.

162. I do not support the deletion of AIRPZ-P1 as I consider that there is value in maintaining a policy and definitional distinction between *Airport* and *Airport Related* activities respectively. There are distinct differences between these categories of activities in both their effects and their practical necessity for the operation of the airport. There may be cases where it is appropriate to bundle these two categories together for the purpose of specific provisions, but this can be done while maintaining a distinction at policy level.

163. I do not support the requested amendment of Guardians of the Bays and Yvonne Weeber. In

my view it is unnecessary to include “to the airport” at the end of the policy, and the requested wording does not improve the clarity of the policy.

### Summary of recommendations

164. HS6-AIRPZ-Rec25: That AIRPZ-P1 is retained as notified.
165. HS6-AIRPZ-Rec26: That submissions on AIRPZ-P1 are accepted/rejected as set out in Appendix B.

### 3.4.2 AIRPZ-P2: Airport related activities, buildings and structures

#### Matters raised by submitters

166. Guardians of the Bays [452.79 (opposed by WIAL FS36.217)], Yvonne Weeber [340.120 (opposed by WIAL FS36.186)] and Z Energy Limited [361.141] seek to retain AIRPZ-P2 as notified.
167. WIAL seek to amend AIRPZ-P2 as follows:

**Airport and Airport Related activities, buildings and structures.**

~~Allow for~~ Enable airport and airport related activities that provide support to airport purposes, including but not limited to those that:

1. Facilitate the transport of people and cargo by aircraft; and
2. Are ancillary activities or services that provide essential support to the transport function;
3. Provide services to passengers, crew, ground staff, airport workers and other associated workers and visitors;
4. Support the economic viability of the Airport; and
5. Support carbon neutral outcomes, including through transport decarbonisation, and renewable or low carbon energy generation, storage and use.

168. Though the WIAL submission does not set out reasons I understand that the intention with their requested amendments to AIRPZ-P2 and the deletion of AIRPZ-P1 is to address both *airport* and *airport related* activities through a single policy.

#### Assessment

169. I note the submissions seeking to retain AIRPZ-P2 as notified.
170. I do not support the requested amendment of WIAL to merge AIRPZ-P1 and AIRPZ-P2. As stated above, I consider that there is value in maintaining a policy and definitional distinction between *Airport* and *Airport Related* activities respectively. There are distinct differences between these categories of activities in both their effects and their practical necessity for the operation of the airport. There may be cases where it is appropriate to bundle these two categories together for the purpose of specific provisions, but this can be done while maintaining a distinction at policy level.

### Summary of recommendations

171. HS6-AIRPZ-Rec27: That AIRPZ-P2 is retained as notified.
172. HS6-AIRPZ-Rec28: That submissions on AIRPZ-P2 are accepted/rejected as set out in Appendix B.

### 3.4.3 AIRPZ-P3: Non-airport activities

#### Matters raised by submitters

173. Z Energy Limited [361.142] seeks to retain AIRPZ-P3 as notified.

174. Guardians of the Bays [452.80 and 452.81 (opposed by WIAL FS36.218 and FS36.219) and Yvonne Weeber [340.121 and 340.122 (opposed by WIAL FS36.187 and FS36.188)] support this policy but consider “amendments are required around non-airport related activities that can have adverse effects on the safety and efficiency of the surrounding neighbourhood.” Accordingly, they seek to amend AIRPZ-P3 as follows:

Discourage new non-airport related activities that:

1. Compromise the long-term availability of land for airport or airport related activities;
2. Give rise to adverse effects on the safety and efficiency of the transportation network and surrounding neighbourhood;

...

175. WIAL seek to amend AIRPZ-P3 as follows:

Discourage new non-airport related activities that:

1. Compromise the long-term availability of land for airport or airport related activities;
2. Give rise to adverse effects on the safety and efficiency of the adjacent transportation network;
- ~~3. Significantly compromise the achievement of carbon neutral outcomes in the Airport as a whole; or~~
- ~~4. 3. Are incompatible with the overall urban form of adjacent zones.~~
4. Has a significant adverse effect on the economic viability of Kilbirnie or Miramar Centre Zones.

~~Where non-airport activities are allowed, limit their nature, scale and extent to be generally compatible with the outcomes sought under AIRPZ P1 and AIRPZ P2.~~

#### Assessment

176. I note the Z Energy Limited [361.142] seeking to retain AIRPZ-P3 as notified.

177. I do not support the requested amendment of Guardians of the Bays and Yvonne Weeber to insert reference to the “surrounding neighbourhood”. In my view this is unnecessary as clause 4 of AIRPZ-P3 already includes reference to compatibility with “the overall urban form of adjacent zones” which enables consideration of effects on the surrounding neighbourhood.

178. I support WIAL’s requested amendment to delete clause 3 “Significantly compromise the achievement of carbon neutral outcomes in the Airport as a whole”. In my view it would be impractical to seek to achieve this outcome specifically through discouraging non airport related activities in the Airport Zone. I consider that deletion of this clause is consistent with AIRPZ-O5 which requires *enablement* of activities that contribute to carbon neutrality.

179. I do not support WIAL’s request to insert an additional clause to reference the economic

viability of the Kilbirnie or Miramar centres. I consider that the economic viability of these centres is of limited relevance to the Airport Zone, as the types of activities likely to locate in the Airport Zone, including retail, are generally of a different nature to those enabled in Kilbirnie or Miramar. Requiring consideration of economic viability of areas outside the zone would also be impractical to assess and would be inconsistent with the approach to centres taken in the wider PDP.

### Summary of recommendations

180. HS6-AIRPZ-Rec29: That AIRPZ-P3 is amended to delete clause 3 as requested by WIAL and as set out in Appendix A.
181. HS6-AIRPZ-Rec30: That submissions on AIRPZ-P3 are accepted/rejected as set out in Appendix B.

### 3.4.4 AIRPZ-P4: Airport Character

#### Matters raised by submitters

182. Z Energy Limited [361.143] seeks to retain AIRPZ-P4 as notified.
183. Guardians of the Bays [452.82 and 452.83 (opposed by WIAL FS36.220 and FS36.221) and Yvonne Weeber [340.123 and 340.124 (opposed by WIAL FS36.189 and FS36.190)] seek to amend AIRPZ-P4 to add additional clauses as follows:

.....

- 7. The West Side Precinct including the Airport Retail Park on the eastern side of Tirangi Road and the new airport control tower and relationship with Lyall Bay.
- 8. Enhance the character of the Bridge Street Precinct.

184. According to Guardians of the Bay these amendments are needed to “include the West Side Precinct that includes the Airport Retail Park on the eastern side of Tirangi Road within this list of areas that create the airport character, and that the Bridge Street Precinct be included as an area for enhancement.”
185. WIAL seek to amend AIRPZ-P4 as follows:

Maintain and enhance ~~public~~the character ~~at~~ of the zone interface and in publicly accessible parts of zone, including through consideration of:

1. The interface of the Airport Zone with adjoining and adjacent land;
- ~~2. The New Zealand Urban Design Protocol;~~
3. Any landscape plan, urban design principles or statement, or integrated design management plan, prepared for an Airport precinct;
4. The ‘gateway’ status of the Broadway, Miramar South and South Coast precincts, with respect to the Airport and adjacent land;
5. The visual and landscape significance of the Rongotai Ridge precinct; and
6. The visual and landscape significance of the Landscape Buffer Area at the eastern margin of the East Side Precinct (refer to Figure 2 of this chapter Figure 7).

### Assessment



186. I note the Z Energy Limited [361.143] submission seeking to retain AIRPZ-P4 as notified.
187. I do not support the Guardians of the Bays and Yvonne Weeber submissions seeking to add reference to the West Side Precinct, and the proposed Bridge Street Precinct. I do not support the introduction of a new Bridge Street Precinct as set out under the discussion on precincts earlier in this report. It is therefore unnecessary to refer to the Bridge Street Precinct.
188. I also do not see any need to introduce specific reference to the West Side Precinct, particularly as it is unclear what outcome is sought by the proposed wording of this clause.
189. I support the requested amendment of WIAL to delete reference to the New Zealand Urban Design Protocol. In my view this reference is an inefficient means of achieving quality urban design outcomes and is inconsistent with the general approach taken to addressing urban design in the wider PDP. However, I do consider that there should be a reference to urban design within AIRPZ-P4, that is consistent with the approach taken elsewhere in the PDP. I therefore recommend inserting reference to “the intent of the Centres and Mixed Use Design Guide” to replace the reference to the New Zealand Urban Design Protocol.
190. I support WIAL’s request to amend reference to the figure for the East Side Precinct, Landscape Buffer Area, as a consequence of renumbering the figures contained within the chapter.
191. I also support WIAL’s requested amendment to the wording of the introductory text of the policy as the amended wording generally improves clarity without altering the policy substantively.

### Summary of recommendations

192. HS6-AIRPZ-Rec31: That AIRPZ-P4 is amended as set out in Appendix A.
193. HS6-AIRPZ-Rec32: That submissions on AIRPZ-P3 are accepted/rejected as set out in Appendix B.

### 3.4.5 AIRPZ-P5: Management of effects

#### Matters raised by submitters

194. Guardians of the Bays [452.84 (opposed by WIAL FS36.222)], Yvonne Weeber [340.125 (opposed by WIAL FS36.191)] and Z Energy Limited [361.144] seek to retain AIRPZ-P5 as notified.
195. WIAL seek to amend AIRPZ-P5 as follows:

Manage activity, building and structure effects in the Airport Zone, having regard to:

1. Design, scale and location ~~of buildings and structures and associated public and private effects, including the impacts of construction;~~
2. Compatibility with the role and function of the Airport Zone;
3. Whether the activity, building or structure is ancillary to and/or supports airport activities;
4. Safety, security and resilience of the Airport (and supporting infrastructure) as an air and land transport hub;
5. Efficiency and capacity of the Airport and other infrastructure and services;
6. Potential conflict with established or permitted activities on adjoining and adjacent land outside the Airport Zone. ~~and~~
- ~~7. The need to measure, report and pursue decarbonization of airport related activities, including embedded emissions from construction, and activity attracted by the Airport~~

(such as public and private transport).

## Assessment

196. I note the submission seeking to retain AIRPZ-P5 as notified.
197. I support the requested amendment by WIAL to insert the words “of buildings and structures” into clause 1 of AIRPZ-P5. In my view this addition improves the clarity of the policy. However, I do not support WIAL’s requested deletion of “and associated public and private effects, including the impacts of construction” as these are relevant matters to have regard to in the policy.
198. I support WIAL’s requested deletion of clause 7, which replicates a designation condition on the need to measure, report and pursue decarbonization of airport related activities. In my view it is unnecessary to duplicate this condition, as this matter is sufficiently covered by the designation, it would not apply to third parties, and it would be impractical to implement at the resource consent level.

## Summary of recommendations

199. HS6-AIRPZ-Rec33: That AIRPZ-P5 is amended as set out in Appendix A.
200. HS6-AIRPZ-Rec34: That submissions on AIRPZ-P5 are accepted/rejected as set out in Appendix B.

## 3.5 Airport Zone - Rules

### 3.5.1 AIRPZ-R1: Airport Purposes

#### Matters raised by submitters

201. Guardians of the Bays [452.85 (opposed by WIAL FS36.223)] and Yvonne Weeber [340.126 (opposed by WIAL FS36.192)] seek to retain AIRPZ-R1 as notified.
202. WIAL seeks to amend AIRPZ-R1 as follows:

#### **Airport ~~Activities and Airport Related Activities purposes~~**

1. Activity status: **Permitted**

Where:

- a. The activity is for an airport ~~purposes activity or airport related activity~~ and complies with the any-relevant requirements-standards of AIRPZ-S3 and AIRPZ-S4.

2. Activity status: **Controlled**

Where:

- a. The activity is land development in the East Side Precinct.

Matters of control are:

1. Construction effects, including earthworks, noise, hours of operation, and traffic.

3. Activity status: **Restricted Discretionary**

Where:

- a. The activity is for an airport activity or airport related activity and the any relevant standards in AIRPZ-S3 or AIRPZ-S4 is not met; airport purposes; and  
~~b. Any standard in AIRPZ-S1, AIRPZ-S2 or AIRPZ-S3 is not met.~~

Matters of discretion are:

1. The extent and effect of non-compliance with any relevant standard ~~as~~ specified in the associated assessment criteria for the infringed standards; and
2. Construction effects, including earthworks, noise, hours of operation and traffic; and
3. Relevant matters listed in policies AIRPZ-P1, AIRPZ-P~~3~~4 and AIRPZ-P~~4~~5.

4. Activity status: **Discretionary**

Where:

- a. The activity is not otherwise a permitted, controlled, or restricted discretionary activity under rule AIRPZ-R1.

## Assessment

203. I note the submissions seeking that AIRPZ-R1 is retained as notified.

204. I do not support the request of WIAL to amend AIRPZ-R1 to encompass *Airport Related* activities. This requested amendment is related to the requested deletion of AIRPZ-R2 and would have the effect of merging *Airport* and *Airport Related* activities into a single rule. I consider that there is value in maintaining a distinction between *Airport* and *Airport Related* activities. This issue is addressed further under the discussion on AIRPZ-R2 below.

205. I support the request of WIAL to amend reference to standards AIRPZ-S1, AIRPZ-S2, and AIRPZ-S3 in AIRPZ-R1.3, to instead refer to AIRPZ-S3 and the proposed AIRPZ-S4 (which is proposed to be introduced by WIAL). AIRPZ-S1 and AIRPZ-S2 are standards for building height and location, while AIRPZ-S3 and proposed AIRPZ-S4 relate to commercial and retail activities, and access restrictions respectively. In my view the building height and location standards in AIRPZ-S1 and AIRPZ-S2 are not strictly related to the activity type, which in this case is Airport Activities. Rather, height and location relate more directly to the construction of buildings and structures, which is addressed by AIRPZ-R4. It is therefore more appropriate for rules AIRPZ-R1, AIRPZ-R2, and AIRPZ-R3 which relate to activities to refer to standards AIRPZ-S3 and proposed AIRPZ-S4, and for the building and structure rule AIRPZ-R4 to refer to the height and location standards AIRPZ-S1 and AIRPZ-S2.

206. I do not support WIAL's requested insertion of a matter of discretion on construction effects. This requested amendment appears to be related to WIAL's request to delete the *construction impacts* assessment criteria from AIRPZ-S1 and AIRPZ-S2 which are the standards for building height and location. I agree that construction impacts are not directly related to building height and

location and that these should therefore be deleted as assessment criteria for AIRPZ-S1 and AIRPZ-S2. However, I do not agree that construction impacts are directly related to *land use activities*, as distinct from *building and structure activities*, and this matter would be better addressed by adding construction impacts matters of discretion to the building and structure rule in AIRPZ-R4.

207. I support all other requested amendments of WIAL, as these generally improve the clarity of the rule without altering the substantive outcome.

### Summary of recommendations

208. HS6-AIRPZ-Rec35: That AIRPZ-R1 is amended as set out in Appendix A.

209. HS6-AIRPZ-Rec36: That submissions on AIRPZ-R1 are accepted/rejected as set out in Appendix B.

### 3.5.2 AIRPZ-R2: Airport related activities

#### Matters raised by submitters

210. Guardians of the Bays [452.86 (opposed by WIAL FS36.224)] and Yvonne Weeber [340.127 (opposed by WIAL FS36.193)] seek to retain AIRPZ-R2 as notified.

211. WIAL seeks to delete AIRPZ-R2 in its entirety. Though it is not explicitly set out in their submission, I understand the intention behind WIAL's requested deletion of AIRPZ-R2 is to remove the distinction between airport and airport related activities, and to address both of these through a single rule.

#### Assessment

212. I note the submissions seeking that AIRPZ-R2 is retained as notified.

213. I do not support WIAL's requested deletion of AIRPZ-R2. I consider that there is value in maintaining a distinction between *Airport* and *Airport Related* activities. There are distinct differences between these categories of activities in both their effects and their practical necessity for the operation of the airport.

214. WIAL's requested deletion of AIRPZ-R2, and associated amendments to AIRPZ-R1 would have the effect of making all *Airport Related* activities that comply with the relevant standards a Permitted activity rather than Controlled, Restricted Discretionary, or Discretionary as notified. WIAL's requested amendments to merge AIRPZ-R1 and AIRPZ-R2 would also make Airport Related activities in the Eastside Precinct, which applies to part of the existing golf course area, a Permitted activity rather than Discretionary as notified.

215. While I do not support WIAL's requested deletion of AIRPZ-R2 I recommend a number of amendments that move the rule in a direction that is partially consistent with their submission.

216. I consider that it is appropriate to retain discretion over Airport Related activities in most areas of the Airport Zone. However, I accept that it would be appropriate for Airport Activities to be permitted in the Terminal Precinct, given the enabling nature of the notified provisions for this area, and because a broad mix of *Airport* and *Airport Related* activities currently exist in this area and can reasonably be expected to establish there in the future. I therefore recommend deleting the Controlled activity rule under AIRPZ-R2.2 and amending AIRPZ-R2.1 to make Airport Related

activities in the Terminal Precinct a Permitted activity.

217. I recommend removing golf course activities in the East Side precinct from the Permitted activity rule under AIRPZ-R2 and instead addressing this through AIRPZ-R3. This is because golf course activities do not fit within the definition of Airport Related Activities so are more appropriately addressed by AIRPZ-R3 which relates to Non-airport activities.
218. I recommend deleting the notification clause for Discretionary activities which as notified states “An application for resource consent made in respect of this rule may be publicly notified”. It is unnecessary to state that an application *may* be notified because this means that the clause does not prescribe a notification status in either direction. This approach is inconsistent with that of equivalent rules across the PDP. The need to publicly notify can be established through an assessment under section 95A of the Act.
219. I also recommend deleting the Non-Complying rule under AIRPZ-R2.5 and the associated mandatory notification clause. In my view the Non-Complying activity status in AIRPZ-R2 is superfluous as the Discretionary rule provides a sufficient catch all for activities that are not otherwise Permitted, or Restricted Discretionary under the amended version of AIRPZ-R2. I also consider that mandatory notification is overly onerous and it is sufficient to rely on the normal notification tests for Discretionary activities, which may be Discretionary (or Non Complying in the notified version) due to minor non compliances with the standards.
220. Finally, I recommend amending the references to standards in the rule to refer to AIRPZ-S3 and the proposed AIRPZ-S4, rather than AIRPZ-S1 to ensure that these relate specifically to the activity, as discussed above on AIRPZ-R1.

### Summary of recommendations

221. HS6-AIRPZ-Rec37: That AIRPZ-R2 is amended as set out in Appendix A.
222. HS6-AIRPZ-Rec38: That submissions on AIRPZ-R2 are accepted/rejected as set out in Appendix B.

### 3.5.3 AIRPZ-R3: Non-airport activities

#### Matters raised by submitters

223. Guardians of the Bays [452.87 (opposed by WIAL FS36.225) and Yvonne Weeber [340.128 (opposed by WIAL FS36.194)] seek to retain AIRPZ-R3 as notified.
224. Z Energy Limited [361.145, 361.146 and 361.147) seeks to clarify that AIRPZ-R3 permits ongoing operation, maintenance and upgrade of the Z Broadway service station (located in the Broadway Precinct). They seek to amend the rule as follows:

1. Activity status: Discretionary

Where:

- a. The new activity is a non-airport activity; and

...

225. WIAL seeks to amend AIRPZ-R3 as follows:

**AIRPZ-~~R3~~R2 Non-airport activities**

1. Activity status: **Restricted Discretionary**

Where:

~~a. The activity is a non-airport activity; and~~

~~b. a All relevant standards in AIRPZ-S1, AIRPZ-S2 and AIRPZ-S3 to AIRPZ-S4 are met.~~

~~Notification status: An application for resource consent made in respect of this rule may be publicly notified.~~

Matters of discretion are:

1. Construction effects, including earthworks, noise, hours of operation and traffic;
2. Traffic generation, parking, loading and access; and
3. Relevant matters listed in policies AIRPZ-P2 to AIRPZ-P4.

2. Activity status: **Non-complying Discretionary**

Where:

~~a. Compliance with the standards in AIRPZ-S3 to AIRPZ-S4 are not met; or, The activity is a non-airport activity; and~~

~~b. The activity is not otherwise a restricted discretionary activity under AIRPZ-R3.1, a discretionary activity under Rule AIRPZ-R3.1.~~

~~Notification status: An application for resource consent made in respect of this rule must be publicly notified.~~

## Assessment

226. I note the submissions seeking that AIRPZ-R3 is retained as notified.

227. I do not support the request of WIAL to amend the activity status of non-airport activities that comply with the relevant standards from Discretionary to Restricted Discretionary, and non-airport activities that do not comply with the standards from Non Complying to Discretionary. In my view the Discretionary activity status combined with the objectives and policies of the zone provide an appropriate pathway for non-airport activities, and the WIAL submission provides no substantive reasoning to support this change.

228. I support WIAL's request to delete "the activity is a non-airport activity" from R3.1.a. This wording is superfluous as it is already stated in the heading of the rule, and it is inconsistent with the format of rules across the PDP.

229. I reject the request of Z Energy to insert the word "new" to clause 1.a in order to clarify that the existing "non airport" activities on the site are enabled, as I recommend deleting this clause as set out above. It is also unnecessary to specify that the rule only applies to "new" activities as existing activities will be covered by existing use rights.

230. I support WIAL's request to amend the references to the standards in AIRPZ-R3 to refer to AIRPZ-S3 and AIRPZ-S4 only, for the same reasons as those set out on this issue in relation to AIRPZ-R1 as discussed above.

231. I support the deletion of the mandatory public notification clause for Non-Complying Activities

in accordance with the WIAL submission. I consider that mandatory notification is overly onerous, and may not be justified in all cases. In my view it is more appropriate to rely on the section 95A notification tests, and to assess whether notification is required on a case-by-case basis, particularly as the Non-Complying activity status may be triggered by minor non-compliances with the standards.

232. I recommend inserting a permitted activity rule for golf course activities in the East Side Precinct and deleting this clause from AIRPZ-R2, as discussed under AIRPZ-R2 above. This activity does not fit the definition of an Airport Related Activity and is more appropriately characterised as a non-airport activity.

### Summary of recommendations

233. HS6-AIRPZ-Rec39: That AIRPZ-R3 is amended as set out in Appendix A.

234. HS6-AIRPZ-Rec40: That submissions on AIRPZ-R3 are accepted/rejected as set out in Appendix B.

### 3.5.4 AIRPZ-R4: Building and structures

#### Matters raised by submitters

235. Guardians of the Bays [452.88 (opposed by WIAL FS36.226)] and Yvonne Weeber [340.129 (opposed by WIAL FS36.195)] seek to retain AIRPZ-R4 as notified.

236. Z Energy limited [361.148 and 361.149] supports the general intent of AIRPZ-R4 (Buildings and Structures) which seeks to manage building and structure activities but seeks clarification on whether this rule applies to only new buildings or structures and not additions and alterations to existing buildings and existing structures. If the latter, for clarity, Z Energy seeks to include a new rule enabling additions and alterations to existing buildings and structures as a permitted activity, subject to compliance with the relevant built form standards.

237. WIAL seeks to amend AIRPZ-R4 as follows:

<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p><del>a. All relevant standards in AIRPZ-S1 to AIRPZ-S2 are met; or A building or structure is for airport purposes; and</del></p> <p><del>i. Compliance with standards AIRPZ-P1 or AIRPZ-S2 is achieved.</del></p> <p><del>b. A building or structure is for golf course activities in the East Side Precinct; and</del></p> <p><del>i. Any relevant standard in AIRPZ-S1 is met.</del></p> <p>2. Activity status: <b>Controlled</b></p> <p>Where:</p> <p><u>a. A building or structure within the East Side Precinct Landscape Buffer Area (Figure 2) to facilitate public access, amenity, safety or the security of the airport; and</u></p> <p><u>b. Compliance with standard AIRPZ-S1 is otherwise met.</u></p>
---

- ~~a. A building or structure is for an airport related activity in the Terminal Precinct; and
 
  - ~~i. Does not exceed 12m; and~~
  - ~~ii. Compliance with standard AIRPZ-S1 is otherwise achieved;~~~~
- ~~b. A building or structure in the Figure 7 – East Side Precinct, Landscape Buffer Area-s to facilitate:
 
  - ~~i. Public access, amenity, safety, or the security of the airport; and~~
  - ~~ii. Compliance with standard AIRPZ-S1 is otherwise achieved.~~~~

Matters of control are:

1. ~~The Relevant~~ matters listed in AIRPZ-P1, AIRPZ-P2, AIRPZ-P3 and AIRPZ-P4 ~~and AIRPZ-P5~~;
  2. Design, external appearance and siting;
  - ~~3. Landscaping, and integration with the surrounding environment; and~~
  - ~~4. 3. Traffic generation, parking, loading and access.~~
3. Activity status: **Restricted Discretionary**

Where:

- a. Non-compliance with height control adjoining or adjacent to residential areas or the Open Space (golf course) zone is not exceeded by more than 20%; and
- b. Compliance with standards AIRPZ-S1 and AIRPZ-S2 are otherwise met.
- ~~a. A building or structure is for airport purposes but is not a permitted activity under AIRPZ-R4.1; and
 
  - ~~i. Non-compliance with height control adjoining or adjacent to residential areas or the Open Space Zone (golf course) is not exceeded by more than 20%; and~~
  - ~~ii. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is otherwise achieved.~~~~
- ~~b. A building or structure is for an airport related activity but is not controlled Activity under AIRPZ-R4.2.
 
  - ~~i. Non-compliance with height control adjoining residential areas or the Open Space Zone (golf course) is not exceeded by more than 20%; and~~
  - ~~ii. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is otherwise achieved.~~~~

Matters of discretion are:

1. ~~The Relevant~~ matters listed in AIRPZ-P1 to AIRPZ-P4~~5~~;
  - ...
  6. Traffic generation, parking, loading and access;
  - ~~7. In the Miramar South precinct, consistency with the integrated design management plan; and~~
  - ~~8.7. In the Rongotai Ridge precinct, the effects of any building or structure on the form and character of the ridge.~~
4. Activity status: **Discretionary**

Where:



~~a. The building or structure is not otherwise a permitted, controlled or restricted discretionary activity under AIRPZ-R3.~~

~~a. A building or structure for any purpose is not a Permitted, Controlled, or Restricted Discretionary activity; and/or~~

~~b. A building or structure is in the Figure 7—East Side Precinct, Landscape Buffer Area but is not a Controlled Activity under AIRPX R4.2.~~

~~Notification status: An application for resource consent made in respect of this rule may be publicly notified.~~

## Assessment

238. I note the submissions seeking that AIRPZ-R4 is retained as notified.
239. Regarding the Z Energy Limited submission, which seeks clarification on whether the rule applies to only new buildings or structures and not additions and alterations to existing buildings and structures, I agree that the notified wording is unclear on this point. I therefore support amending the heading of AIRPZ-R4 to “Construction of, or additions and alterations to, Buildings and structures”. This amendment clarifies that the rule encompasses additions and alterations and is consistent with the approach taken in the Commercial and Mixed Use chapter of the PDP.
240. I support WIAL’s requested deletion of “A building or structure is for airport purposes” from AIRPZ-R4.1 as Airport purposes activities are addressed under AIRPZ-R1 as a land use activity, and it is not necessary to make this distinction in the rule for construction of buildings and structures. In my view this amendment provides a clearer distinction and removes the overlap between the *land use* activity rule for airport purposes and the *building and structure* activity rule. With this amendment construction of any building or structure that complies with the relevant standards will be a permitted activity regardless of the intended land use activity. However, the land use activities will be constrained by the relevant rules for airport purposes, airport related activities, and non-airport activities under AIRPZ-R1, AIRPZ-R2, and AIRPZ-R3. I also recommend similar deletion of references to land use activities for controlled and restricted discretionary activities under AIRPZ-R4.2 and AIRPZ-R4.3 as discussed further below.
241. I support WIAL’s requested deletion of reference to golf course activities in clause 1, as this is an *activity* that is distinct from construction of a building or structure, and it is already addressed by AIRPZ-R2 in the notified version of the rules, or AIRPZ-R3 as recommended in this report.
242. Though it is not strictly within scope of any submissions I also recommend inserting “The building or structure is outside the East Side Precinct Landscape Buffer” to AIRPZ-R4.1 to improve clarity in relation to the controlled activity for *A building or structure within the East Side Precinct Landscape Buffer* under AIRPZ-R4.2. In my view this amendment is of minor effect and is therefore consistent with Schedule 1, clause 16 (2) of the RMA.
243. I support WIAL’s requested deletion of reference to an “airport related activity in the terminal precinct” in the controlled rule under AIRPZ-R4.2, and the associated reference to building height. Building height is already addressed through AIRPZ-S1 and airport related activities are addressed through AIRPZ-R2. In my view this amendment provides a clearer distinction and removes the

overlap between the *land use* activity rule for *airport related* activities, the *building and structure* activity rule, and the *building height* standard. I consider it is unnecessary to constrain building height within the terminal precinct further than the building height standard of 30m under AIRPZ-S1 on the basis of land use activity. It is also confusing to address building height in the building and structure rule rather than through the specific building height standard AIRPZ-S1.

244. This amendment is also consistent with the amendment to AIRPZ-R4.1 to delete “A building or structure is for airport purposes”, and to consequentially make construction of all buildings and structures that comply with the relevant standards a permitted activity as discussed above in paragraph 240.

245. I support WIAL’s requested insertion of references to AIRPZ-P1 and AIRPZ-P3 in the matters of control as those policies contain matters that are relevant to the rule. However, I do not support deletion of reference to AIRPZ-P5 as it is necessary and appropriate to consider management of effects for construction of buildings and structures.

246. I recommend inserting “Construction effects, including earthworks, noise, hours of operation and traffic” as a matter of control under AIRPZ-R4.2 and as a matter of discretion under AIRPZ-R4.3. This amendment is consequential to WIAL’s request to delete the *construction impacts* assessment criteria from AIRPZ-S1 and AIRPZ-S2 which are the standards for building height and location. I agree that construction impacts are not directly related to building height and location and that these should therefore be deleted as assessment criteria for AIRPZ-S1 and AIRPZ-S2. As mentioned under the discussion on AIRPZ-R1 of this report, I consider that construction effects are more appropriately addressed through matters of control and discretion in the construction of building and structures rule AIRPZ-R4.

247. I support WIAL’s requested amendments to remove references to *airport purposes* and *airport related activities* under the Restricted Discretionary activity rule AIRPZ-R4.3. As discussed above on this issue in relation to the permitted and controlled activity rules, this amendment provides a clearer distinction and removes the overlap between the *land use* activity rules and the *building and structure* activity rule.

248. Removing reference to *airport purposes* and *airport related activities* under the Restricted Discretionary activity rule AIRPZ-R4.3 creates a consequential issue with the remaining wording of the rule. Related to this, I consider that it would be more efficient and clearer to consider height non-compliances through the assessment criteria for the height standards, than through the Restricted Discretionary conditions which as notified refer to “Non-compliance with height control adjoining or adjacent to residential areas or the Open Space Zone (golf course) is not exceeded by more than 20%”. Among other matters the assessment criteria for AIRPZ-S1 and AIRPZ-S2 include “effects on adjacent sites” which enables consideration of effects on adjacent residential or open space areas without need for this to be addressed through the Restricted Discretionary conditions for AIRPZ-R4. Additionally, AIRPZ-R4 as notified already includes the height of adjoining residential and open space areas as matters of discretion. I therefore recommend deleting reference to “Non-compliance with height control adjoining or adjacent to residential areas or the Open Space Zone (golf course) is not exceeded by more than 20%” from AIRPZ-R4.3. For clarity I also recommend adding direct reference to “the extent and effect of non-compliance with AIRPZ-S1 and AIRPZ-S2” to the matters of discretion.

249. I support WIAL’s requested deletion of reference to the “Miramar South Integrated Design Management Plan” from the matters of discretion. In my view it is unnecessarily complicated to

incorporate this document by reference, and there is appropriate discretion over urban design in the rule through reference to the zone policies.

250. I support WIAL’s requested deletion of clause 4.b of the Discretionary Activity rule as this activity is already captured as a Discretionary Activity by clause 4.a.

251. I also support deletion of the notification clause for Discretionary activities which as notified states “An application for resource consent made in respect of this rule may be publicly notified”. It is unnecessary to state that an application *may* be notified because this means that the clause does not prescribe a notification status in either direction. This approach is inconsistent with that of equivalent rules across the PDP.

252. Finally, I support a number of minor changes to the rule as requested in the WIAL submission, or consequential to those amendments, which generally improve clarity without altering the substantive outcome.

### Summary of recommendations

253. HS6-AIRPZ-Rec41: That AIRPZ-R4 is amended as set out in Appendix A.

254. HS6-AIRPZ-Rec42: That submissions on AIRPZ-R4 are accepted/rejected as set out in Appendix B.

### 3.5.5 New Rules

#### Matters raised by submitters

255. Z Energy Limited [361.131, 361.132 and 361.133 (supported by WIAL FS36.234, FS36.235 and FS36.236)] seeks appropriate provisions be included for the demolition, maintenance, upgrades and repair of buildings and structures as a permitted activity, which is a consistent approach adopted in several of the PDP zone chapters to add the following new rules in the Airport Zone chapter:

[AIRPZ-R5 \(Maintenance and repair of buildings and structures\)](#)

[1. Activity Status: Permitted](#)

[AIRPZ-R6 \(Demolition or removal of buildings or structures\)](#)

[1. Activity Status: Permitted](#)

[AIRPZ-R7 \(Additions or alterations to buildings and structures\)](#)

[1. Activity status: Permitted](#)

[Where:](#)

[a. Compliance with AIRPZ-S1 and AIRPZ-S2 is achieved.](#)

[2. Activity Status: Restricted Discretionary](#)

[Where:](#)

[a. Compliance with AIRPZ-S1 and AIRPZ-S2 cannot be achieved.](#)

Matters of discretion are:

a. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards; and b. Relevant matters listed in policy AIRPZ-P5.

## Assessment

256. I agree with the Z Energy Limited submission that the notified version of the Airport Zone takes an inconsistent approach to other zone chapters of the PDP regarding clarification of the activity status of the demolition, maintenance, upgrades and repair of buildings and structures. For comparison the Commercial and Mixed Use zones provide separate rules for *maintenance and repair*, and *demolition* of buildings and structures respectively. By contrast the Airport Zone is silent on the Activity Status of these activities creating an ambiguity, or a potential implication by omission that demolition defaults to the catch all Discretionary activity status.

257. I therefore support introducing two new Permitted activity rules to provide for *maintenance and repair* and *demolition* of buildings and structures respectively as requested by Z Energy Limited.

258. Regarding the Z Energy Limited request to introduce a new rule to address additions and alterations of buildings and structures, I agree with the intent of this submission point but prefer to address this issue by adding a new clause to AIRPZ-R4 as set out under the discussion on this rule above.

## Summary of recommendations

259. HS6-AIRPZ-Rec43: That two new rules are introduced to the Airport Zone to address *maintenance and repair* and *demolition* of buildings and structures as set out in Appendix A.

260. HS6-AIRPZ-Rec44: That the Z Energy Limited submissions on this issue are accepted as set out in Appendix B.

## 3.6 Airport Zone - Standards

### 3.6.1 AIRPZ-S1: Maximum height and location of buildings and structures (except Miramar South precinct and Rongotai Ridge precinct)

#### Matters raised by submitters

261. Guardians of the Bays [452.89 (opposed by WIAL FS36.227)] seeks to retain AIRPZ-S1 as notified.

262. WIAL seeks the following amendments to AIRPZ-S1:

**Maximum height and location of buildings and structures (except Miramar South and Rongotai Ridge precincts)**

...

2. In addition to 1 above, the height and / or location of all buildings and structures

shall be further restricted:

- ~~a. In the Terminal Precinct, no closer than 20m to an external site boundary;~~
- ~~b. a.~~ No higher than 15m, if within 8m of the Open Space Zone (golf course) boundary;
- ~~c. b.~~ No higher than 4m, if within 5m of a residential zone boundary;
- ~~d. c.~~ Code E hangars may only be in the West Side Precinct, and no closer than 10m to an external site boundary; and
- ~~e. d.~~ In the South Coast precinct, no closer than 10m to the Moa Point Road boundary;

3. Gross floor area of any new building in the Terminal Precinct ~~(where a consent application is lodged after this provision is operative)~~ shall not exceed 1,500m<sup>2</sup>.

...

Assessment criteria where the standard is infringed:

...

- 3. Effects on adjacent residential sites, including:
  - a. Length of contiguous or near contiguous development on or near a zone boundary; and
  - b. Shading and privacy impacts;
- 4. Landscape impacts, including:
  - a. Screening, planting (including species used), and landscaping; and
  - ~~b. Effects on existing significant vegetation;~~
  - ~~and~~
  - ~~c. b.~~ Relationship of landscaping to the gateway function of the Broadway and South coast precincts;
- ~~5. Traffic generation, parking and public transport impacts, including:~~
  - ~~a. Parking;~~
  - ~~b. Public transport;~~
  - ~~c. Site access;~~
  - ~~d. Loading and servicing;~~
  - ~~e. Internal effects on the surrounding road network~~
- ~~6. The impacts of retail development on nearby Commercial or Mixed Use zones and communities.~~
- ~~7.6.~~ The compatibility of structures and activities in the Broadway precinct with the precinct's function as a gateway to the Airport and Miramar / Strathmore; and
- ~~8.7.~~ Integration between adjoining precincts (and other areas of the Airport); and
- ~~9. Construction impacts, including in relation to:~~
  - ~~a. Any temporary carparking required to facilitate construction activities; and~~
  - ~~b. The need for an Earthworks Construction Management Plan~~

## Assessment

263. I note and support in-part the submission seeking that AIRPZ-S1 is retained as notified.

264. I do not support deletion of the clause "in the terminal precinct, no closer than 20m to an external site boundary" as requested by WIAL. This clause, which replicates a designation condition which acts as a trigger for requiring an outline plan, provides a trigger for resource consent to ensure that buildings that are visible from outside the airport area are able to be assessed for design quality in accordance with AIRPZ-O2 which states that "a higher standard of design may be

necessary where large buildings or structures are adjacent to or visible from the public domain.” As stated above under the discussion on general submission points, duplication of some designation conditions is also appropriate to provide council with enforcement powers should third parties infringe the relevant standards.

265. I support deletion of “where a consent application is lodged after this provision is operative” from clause 3 as requested by WIAL. In my view these words are unnecessary, and their deletion improves the clarity of the standard.
266. I support deletion of matters of discretion on effects on existing vegetation, impacts of commercial development on nearby commercial zones, and transport impacts, as requested by WIAL. In my view these matters are not directly related to the effects of building height and location and are therefore inappropriate as matters of discretion for non-compliance with the standard.
267. I also support deletion of the “construction impacts” matter of discretion from AIRPZ-S1. This is not directly related to the effects of non-compliance with the height and location standard. Rather it more directly relates to the construction of new buildings and structures, which is addressed by AIRPZ-R4. Consequential to this amendment to AIRPZ-S1 I have recommended amending AIRPZ-R4 to insert matters of control and discretion on construction effects as discussed at paragraph 245.

#### Summary of recommendations

268. HS6-AIRPZ-Rec45: That AIRPZ-S1 is amended as requested by WIAL and as set out in Appendix A.
269. HS6-AIRPZ-Rec46: That submissions on AIRPZ-S1 are accepted/rejected as set out in Appendix B.

### 3.6.2 AIRPZ-S2: Maximum height and location of buildings and structures (Miramar South precinct and Rongotai Ridge precinct)

#### Matters raised by submitters

270. Guardians of the Bays [452.90 (opposed by FS36.228)] seeks to retain AIRPZ-S2 as notified.
271. WIAL seeks the following amendments to AIRPZ-S2:

#### Maximum height and location of buildings and structures (Miramar South ~~precinct~~ and Rongotai Ridge ~~precincts~~)

1. The height of buildings and structures must not exceed the following heights above ground level:
  - ~~a. In the Airport Miramar South precinct, a wall height greater than 8 metres from existing ground level;~~
  - ~~b. a. A roof height greater than 9 metres from existing ground level is located with Area A of the Airport Miramar South precinct, or within~~ the Rongotai Ridge precinct;
  - ~~c. b. A roof height greater than 110 metres from existing ground level if located within Area B of the Miramar South precinct.~~

...

Assessment criteria where the standard is infringed:

1. Urban design / visual impact, including:
  - a. Height and bulk; and
  - b. Visual interest; and
  - ~~c. Miramar South Integrated Design Management Plan (IDMP)~~
  - ...
3. Effects on adjacent residential sites, including:
  - a. Length of contiguous or near contiguous development on or near a residential zone boundary; and
  - b. Shading and privacy impacts;
4. Landscape impacts, including screening, planting and landscaping;
- ~~5. Traffic generation, parking, and public transport;~~
- ~~6. The impacts of commercial development on nearby communities; and~~
- ~~7. Construction impacts, including in relation to:~~
  - ~~a. Any temporary carparking required to facilitate construction activities; and~~
  - ~~b. The need for an Earthworks Construction Management Plan~~

## Assessment

272. I note and support in part the submission from Guardians of the Bays seeking that AIRPZ-S2 is retained as notified.
273. I support the amendments requested by WIAL to apply a single height for buildings and structures of 11m in the Miramar South precinct rather than 8, 9, and 10 metres as set out in the notified version. An 11m height is consistent with the 11m building height in the adjacent Medium Density Residential Zone and is generally appropriate for the site. I note that the 8, 9, and 10m heights set out in the notified version of the PDP replicate the heights set out in the designation conditions that apply to the site. However, this designation was decided before the PDP was notified, which provides for 11m building heights in the Medium Density Residential Zone in accordance with the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
274. I support WIAL’s requested deletion of reference to the “Miramar South Integrated Design Management Plan” in the assessment criteria for the standard. In my view the standard retains appropriate discretion over urban design and it is inappropriate, and unnecessarily complicated, to incorporate this document by reference.
275. I support WIAL’s requested amendment to delete assessment criteria on transport, impacts of commercial development, and construction impacts. In my view these matters are not directly related to the effects of building height and location and are therefore inappropriate as matters of discretion for non-compliance with the standard. Related to the recommended deletion of the assessment criteria on construction effects in AIRPZ-S2 I have also recommended amending AIRPZ-R4 to insert matters of control and discretion on construction effects as discussed above.

## Summary of recommendations

276. HS6-AIRPZ-Rec47: That AIRPZ-S2 is amended as set out in Appendix A.
277. HS6-AIRPZ-Rec48: That submissions on AIRPZ-S2 are accepted/rejected as set out in Appendix B.

### 3.6.3 AIRPZ-S3: Commercial, retail and access restrictions

#### Matters raised by submitters

278. Guardians of the Bays [452.91 and 452.92 (opposed by WIAL FS36.229 and FS36.230) and Yvonne Weeber [340.132 and 340.133 (opposed by WIAL FS36.198 and FS36.199)] support AIRPZ-S3 in general, but seek the following amendment:

...

Except that:

5. Ancillary retail in the Miramar South and South Coast precincts is permitted but shall not exceed 10% of the gross floor area of all buildings in either precinct.

6. Bridge Street Precinct shall be limited to an open space enhancement area with no buildings.

279. WIAL seek the following amendments to AIRPZ-S3:

#### **Commercial ~~and~~, retail ~~and access~~ restrictions**

1. Except where provided for by AIRPZ-S3.3, activities in the Miramar South precinct shall be limited to commercial or retail activity that meets the definition of an airport or airport related activity.

~~1. Commercial or retail activity shall not:~~

- ~~a. Exceed the gross floor area existing in the Airport (Tirangi Road) Retail Park at the date of District Plan notification (18 July 2022); and~~
- ~~b. Be located on land between Calabar Road and Miro Street (part of the Broadway precinct);~~

2. Activities in the Miramar South precinct shall be limited to:

- a. Flight catering;
- b. Rental car storage, maintenance and grooming;
- c. Freight reception, storage and transfer to/from air;
- d. Ground Service Equipment (GSE) storage; and
- e. Associated carparking, signage, service infrastructure and landscaping;

~~3. Retail activities, service retail, restaurants and other food and beverage facilities including takeaway food facilities and commercial activities shall be located within the Terminal Precinct; and~~

~~3. Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.~~

~~Except that:~~

4. Ancillary retail in the Miramar South and South Coast precincts is permitted but shall not exceed 10% of the gross floor area of ~~all buildings in either precinct~~ the building.

Assessment criteria where the standard is infringed:

- 1. The significance of adverse offsite effects, including but not limited to noise, ~~visual,~~ traffic generation and parking, ~~and traffic safety effects;~~



- 2. Compatibility with the purpose and functioning of precincts within the Airport Zone;
- 3. Design, scale and location of the activity; and
- 4. Effects on the economic viability of the commercial or retail activities in Kilbirnie or Miramar Centre Zones.

280. Z Energy Limited [361.150 and 361.151] seek to amend AIRPZ-S3 to clarify that the standard only applies to new retail and commercial activities to ensure the ongoing operation of the existing Z service station and other retail activities as follows:

- ...
- 3. New retail activities, service retail, restaurants and other food and beverage facilities including takeaway food facilities and commercial activities shall be located within the Terminal Precinct; and
- ...

### Assessment

281. I do not support inserting reference to a new Bridge Street Precinct as requested by Guardians of the Bays and Yvonne Weeber, as I do not support introducing a new Bridge Street Precinct as discussed above under the discussion on precincts at paragraph 83.

282. I do not support the requested amendment of WIAL to insert a new clause 1 to limit commercial and retail activities in the Miramar South precinct to those that meet the definition of *airport* and *airport related* activities. This amendment would create a circular reference to the airport and airport related activity rules in AIRPZ-R1 and AIRPZ-R2. It is also unclear how this new clause would relate to clause 2 of the notified version of the rule, which also provides for activities in the Miramar South Precinct, and which WIAL have not proposed to amend.

283. I support WIAL’s request to delete clause 1.a of AIRPZ-S3 as I consider this clause is inappropriately constraining. It may be appropriate to consider commercial and retail activities above the existing gross floor area, and these activities can be adequately assessed under the airport related and non-airport activity rules AIRPZ-R2 and AIRPS-R3 without applying additional limitations through the standard.

284. I support WIAL’s request to delete clause 3 of the notified version of AIRPZ-S3, which restricts certain retail and commercial activities to within the Terminal Precinct. In my view these activities are able to be appropriately considered as *airport related* or *non-airport* activities under rule AIRPZ-R2 and AIRPZ-R3 without additional limitations on the location of these activities applying through the standard.

285. I support WIAL’s requested amendment to delete clause 4 of the notified version of AIRPZ-S3 which relates to vehicle access. This is consequential to WIAL’s request to insert a new standard to address vehicle access, which I support as addressed below under the discussion on the new standard.

286. I do not support WIAL’s requested amendment to clause 5 (of the notified version) to amend

reference to “all buildings in the precinct” to “the building”. In my view this would undermine the intent of this clause in limiting the total amount of ancillary retail across these precincts and WIAL have not provided any reasoning to support the change.

287. I support in part WIAL’s requested amendments to the Assessment Criteria to the extent that these changes improve clarity or ensure that the criteria relate specifically to the relevant activity rather than to buildings and structures.

288. I do not support the requested amendment of Z Energy, as I recommend deleting the relevant clause entirely as discussed above.

### Summary of recommendations

289. HS6-AIRPZ-Rec49: That AIRPZ-S3 is amended as set out in Appendix A.

290. HS6-AIRPZ-Rec50: That submissions on AIRPZ-S3 are accepted/rejected as set out in Appendix B.

### 3.6.4 New Standards

#### New standard

291. WIAL seeks that a new standard be added to the chapter as follows:

#### **AIRPZ-S4**

**Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.**

#### **Assessment criteria where the standard is infringed:**

- 1. The significance of adverse offsite effects, including but not limited to traffic safety effects.**

#### Assessment

292. I support WIAL’s requested amendment to insert a new standard AIRPZ-S4 which addresses vehicle access. The notified version of the Airport Zone includes a clause addressing access restrictions within AIRPZ-S3, a standard which also addresses commercial and retail activity. WIAL’s requested amendment moves the clause relating to vehicle access out of AIRPZ-S3 and into a new standard. In my view it is clearer to separate *vehicle access* and *commercial and retail activities* into two separate standards, and this change has no substantive effect on the outcomes sought.

### Summary of recommendations

293. HS6-AIRPZ-Rec51: That a new standard AIRPZ-S4 is inserted as requested by WIAL and as set out in Appendix A.

294. HS6-AIRPZ-Rec51: That the WIAL submission seeking a new standard is accepted as set out in Appendix B.

### 3.6.5 Section 32AA evaluation

295. This Section 32AA further evaluation is high-level, corresponding to the small scale and significance of the recommended changes. The recommended changes are considered small scale and significance because they generally improve the functionality of the zone provisions without substantively changing the outcomes sought. The changes also need to be viewed in light of the airport designations, which are highly enabling of activities in the airport area. No detailed cost or benefit analysis is considered necessary for this Section 32AA assessment, due to the low-level scale and significance of changes proposed.

296. In my opinion, based on the analysis set out in this report, the amendments in Appendix A are the most appropriate way to achieve the objectives of the Plan compared to the notified provisions. In particular, I consider that these amendments:

- c. Provide greater consistency with the wider PDP.
- d. Provide greater clarity and concision, reduce unnecessary duplication and complexity.
- e. Remove unnecessary duplication of designation conditions.
- f. Provide a clearer distinction and remove the overlap between the land use activity rules, the building and structure activity rule, and the standards.
- g. Ensure that the assessment criteria for the standards specifically relate to the effects being managed by the standard.
- h. More appropriately manage potential conflict between activities within the airport zone and surrounding areas.

297. Consequently, the amended provisions in Appendix A are more efficient and effective than the notified provisions in achieving the objectives of the Plan than the notified version of the Airport Zone.

298. As the recommended amendments improve the functionality of the zone provisions but do not substantively change the outcomes sought, they will not have lesser or greater environmental, economic, social, and cultural effects than the notified Plan provisions as identified in the Section 32 Evaluation Report for the Airport Zone.

## 4.0 Conclusion

299. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in Appendix A of this report.

300. For the reasons set out in this Section 42A report and in the Section 32AA further evaluation above, I consider that the proposed Airport Zone, with the recommended amendments, will be the most appropriate means to:

- a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- b. Achieve the relevant objectives of the PDP, in respect to the proposed provisions.

## 5.0 Recommendations

301. I recommend that:

- a. The Independent Hearing Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
- b. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

## 6.0 Appendices

### 6.1 Appendix A: Recommended Amendments to the Airport Zone

Where I recommend changes in response to submissions, these are shown as follows:

1.1.1 Text recommended to be added to the PDP is underlined.

1.1.2 Text recommended to be deleted from the PDP is ~~struck through~~.

### 6.2 Appendix B: Recommended Responses to Submissions and Further Submissions on Airport Zone Chapter

### 6.3 Appendix C: WIAL Submission Tracked Changes