

BEFORE THE WELLINGTON CITY COUNCIL

IN THE MATTER OF of the Resource Management Act 1991

AND

IN THE MATTER OF the Wellington City Proposed District Plan

STATEMENT OF EVIDENCE BY KIRSTY O'SULLIVAN

HEARING STREAM 6 - 5 FEBRUARY 2024

EXECUTIVE SUMMARY

- 1 This statement of evidence relates to the hearing on submissions with respect to Part 3 – Area Specific Matters – Special Purpose: He Rohe Taunga Wakarererangi Airport Zone of the Wellington City Proposed District Plan (**“Proposed Plan”, or “Plan”**).
- 2 I generally support a number of the recommendations contained in the section 42A report with respect to the drafting of the following provisions:
 - a. The definition of Airport Related Activities and Obstacle Limitation Surfaces;
 - b. Objectives AIRPZ-O1, O3 and O4;
 - c. Policies AIRPZ-P1 and P2 (noting the minor drafting change);
 - d. Rules AIRPZ-R1 and R2 (noting some minor drafting changes) and AIRPZ-R4; and
 - e. Standards AIRPZ-S1 and S2.
- 3 There are only a few areas where I hold a different view to the section 42A report, notably:
 - a. The definition of Airport Purposes;
 - b. Objective AIRPZ-O2 and Policy AIRPZ-P4 and use of urban design and amenity considerations in the Airport Zone;
 - c. Policies AIRPZ-P3;
 - d. Rule AIRPZ-R3 and the default non-complying activity status for non-airport related activities; and
 - e. Standard AIRPZ-S3 and the commercial and retail restrictions imposed within defined areas of the Airport Zone.

- 4 With respect to all of the above, I provide my rationale for my support or opposition to the recommendations within the section 42A report in the subsequent sections. In summary, the basis for my reasons are as follows:
- a. **Airport Purposes Definition:** It is my view that the Airport Zone and the designations are two separate planning mechanisms that operate independently of one another. Any references to the designation should generally be removed, or where it is appropriate (such as the definition of Airport Purposes), they should be replicated in full.
 - b. **AIRPZ-O2 and AIRPZ-P4:** In my view, sufficient recognition needs to be afforded to the operational and functional requirements of the Airport, as such requirements may ultimately drive the development outcomes in some areas of the Airport Zone. While urban design and amenity outcomes remain important, imposing urban design guidelines that are not specifically designed to account for the operational and functional requirements of the airport is also inappropriate in my view.
 - c. **AIRPZ-P4 and AIRPZ-R3:** There does not appear to be a sound resource management rationale for seeking to depart from the Operative District Plan approach for non-airport related activities being established within the Airport Zone.
 - d. **AIRPZ-S3:** Despite this standard seeking to manage commercial and retail activities within various precincts at the Airport, as drafted it extends beyond commercial and retail activities. In my view, a large portion of AIRPZ-S3 therefore requires further rework to rectify this drafting error.

INTRODUCTION

QUALIFICATIONS AND EXPERIENCE

- 5 My name is Kirsty O'Sullivan.
- 6 I have appeared before the Independent Hearings Panel with respect to Hearing Stream 5 of the Proposed Plan on behalf of Wellington

International Airport Limited (“**WIAL**”). Within that brief of evidence¹, I set out my qualifications and experiences as an expert planning witness. I do not repeat that here.

CODE OF CONDUCT STATEMENT

- 7 While this is not an Environment Court hearing, I nonetheless confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I agree to comply with the Code, and I am satisfied that the matters which I address in my evidence are within my field of expertise. I am not aware of any material facts that I have omitted which might alter or detract from the opinions I express in my evidence.

SCOPE OF EVIDENCE

- 8 In this brief of evidence, I will:
- a. Provide a brief overview of the planning context for Wellington Airport; and
 - b. Discuss WIAL’s submissions relevant to Hearing Stream 6, which relates specifically to Part 3 – Area Specific Matters: Special Purpose He Rohe Taunga Wakarererangi Airport Zone;
- 9 WIAL’s submission on the proposed Airport Zone generally sought to delete the Airport Zone as notified and replace it with a new Airport Zone, as set out in Appendix D of its submission. Given the extent of the submission points made by WIAL with respect to the Airport Zone chapter, this evidence only considers the key points of difference between myself and the recommendations of the section 42A reporting officer. With respect to the full suite of changes sought within the Airport Zone chapter, I have included a table in **Appendix A** stepping out my position on each submission point.

¹ Statement of evidence of Kirsty O’Sullivan on behalf of Wellington International Airport Limited, 18 July 2023, paragraphs 2.1 – 2.4 and Appendix A.

- 10 In preparing this statement of evidence, I confirm that I have read the following documents:
- a. WIAL’s submission and further submission;
 - b. Part 3 –Special Purpose He Rohe Taunga Wakarererangi Airport Zone and associated definitions of the Proposed Plan;
 - c. The Proposed Plan Hearing Stream 6 reports prepared under section 42A of the Resource Management Act 1991 (“**the section 42A report**”) relating to the Special Purpose Airport Zone and its associated appendices; and
 - d. The Section 32 Evaluation Report relating to the Special Purpose Airport Zone (“**the section 32 evaluation**”).

WELLINGTON AIRPORT – PLANNING CONTEXT

- 11 The Hearings Panel will recall from WIAL’s evidence on Hearing Stream 1² the interests and planning context that is relevant to consideration of activities within Wellington Airport, and why it is important to a planning framework that recognises and provides for the Airport, including its ability to operate in a safe, efficient and effective manner.
- 12 To recap, and to summarise the evidence from Hearing Stream 1, Wellington International Airport is defined as regionally significant infrastructure in the Greater Wellington Regional Policy Statement 2013 (“**GWRPS**”) and the Proposed Plan. Under the National Policy Statement for Urban Development 2020, the Airport is also considered nationally significant infrastructure. WIAL is also a network utility operator and a requiring authority under section 166 of the Resource Management Act (“**the RMA**” or “**the Act**”) and holds five designations under the Operative and Proposed Plan.
- 13 As noted by Ms Lester, the entire Airport Zone is comprised of land owned by WIAL.³ The zone is comprised of eight different precincts which are

² Evidence of Mr J Kyle and Ms J Raeburn dated 16th February 2023.

³ Section 5, Statement of Evidence of Ms Lester, 2 February 2024.

largely defined by the predominant type of airport or airport related activity occurring in each area. The location of these is shown in Figure 1 below.

- 14 Almost all of the Airport Zone is also designated by WIAL for airport and airport related purposes.⁴ The only exceptions to this include the Rongotai Ridge area to the north of the site and some of the Bridge Street properties.

THE ROLE OF MODERN AIRPORTS

- 15 Over the past few decades, the use of airports has evolved well beyond the provision of traditional 'runways and terminals'. In my experience, there has been a move towards airports becoming modern and highly sophisticated places, with dynamic land uses which legitimately encompass a broad range of activities in order to provide for the needs of aircraft passengers, crew, ground staff, airport workers and those that meet and greet travelers.
- 16 Modern airports often also provide for a range of industrial or logistical land uses as such uses either provide direct servicing to the aviation industry, or feed directly off it.
- 17 Moreover, it is becoming increasingly important for airport operators to retain sufficient flexibility to properly enable forward planning and development necessary to respond to changing demands that arise at a modern airport.
- 18 In light of this, it is appropriate in my view that the Airport Zone supports the establishment of a wide range of Airport and Airport related activities, whilst also acknowledging and appropriately managing effects within the surrounding environment. This approach is generally consistent with the Operative Airport Zone.

AIRPORT ZONE EXTENT

- 19 WIAL filed a submission supporting the mapped extent of the Airport Zone and the associated Airport precincts.

⁴ Note, this reference is not to the definitions in the Proposed Plan, rather the general nature of the activities enabled by the designations.

20 I understand, based on my review of the submissions and the section 42A report, that no submitters have taken issue with the mapped extent of the Airport Zone. I also note that New Zealand Planning Standards make specific provision for District Plans to include an Airport Zone. I therefore do not focus on the relative merits or otherwise of retaining the Airport Zone, rather my evidence focuses on the key outstanding points of difference between myself and the section 42A reporting officer.

21 I note however, that some submitters⁵ and further submitters⁶ have requested the inclusion of a new “Bridge Street Precinct” to incorporate all WIAL’s Airport zoned land along Bridge Street. As noted by Ms Lester,⁷ the use of this land is reasonably constrained by the Obstacle Limitation Surface and is being held for future CAA/ICAO compliance requirements relating to runway strip width. Given the practical constraints of using this site, I do not consider it necessary to establish a new precinct over this area.

DEFINITIONS

22 Insofar is relevant to this hearing stream, WIAL filed submissions relating to the following definitions:

- Airport Purposes;
- Airport Related Activities;
- Non-Airport Activities; and
- Obstacle Limitation Surfaces.

23 With the exception of the definition for “Airport Purposes”, I generally agree with the recommendations of the section 42A reporting officer.

⁵ Yvonne Weeber (340)

⁶ Guardians of the Bay (FS44).

⁷ Section 6, Statement of Evidence of Ms Lester, 5 February 2024.

24 Regarding the “Airport Purposes” definition, I note it currently makes reference to “...the activities of the requiring authority described in the Purpose Statement or conditions of that designation”.

25 As I have previously set out with respect to Hearing Stream 5, designations and district plan provisions are separate planning mechanisms that are established under different sections of the RMA. Care needs to be taken when referring to a designation in a plan provision as changes to the designation which occur under one section of the Act may result in changes to the intent or scope of the planning provision without going through the appropriate Schedule 1 process.

26 For this reason, I have recommended changes to the Airport Purposes definition which effectively duplicate (rather than reference) the activities provided for in WIAL’s designations. I have not undertaken a section 32AA evaluation of this change as it has no material effect on the activities provided for in the definition.

OBJECTIVE AIRPZ-O2 DEVELOPMENT OF THE AIRPORT ZONE

27 As notified, Objective AIRPZ-O2 seeks that:

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.*

28 WIAL filed a submission in respect of AIRPZ-O2 seeking to re-draft the objective to simplify and focus the language to enable development of the Airport to provide for a wide range of activities associated with the function and operation of Wellington Airport.

29 The section 42A reporting officer has recommended rejecting the submission point in favour of the notified wording, noting that it “*provides*

*a more complete statement of the outcomes sought for the zone in relation to development of the airport”.*⁸

- 30 While I generally agree that these are appropriate outcomes to achieve where practicable at the Airport, the objective needs to ensure that sufficient recognition is afforded to operational and functional constraints or requirements which may ultimately need to drive developmental outcomes at the Airport. For example, there may be public health and safety imperatives (such as the use of high fencing) or bulk and location requirements (such as aircraft hangars which require direct airside access) that in some circumstances will need to be prioritised in any given development being proposed at the Airport.
- 31 As outlined by Ms. Lester⁹ WIAL takes a comprehensive approach to urban design principles and the use of landscape, visual and integrated design management plans. In the scenarios described by Ms Lester, the Principles and Plans have been developed in the context of the Airport’s designations and therefore, are reflective of the unique requirements of an airport environment, achieving a balance between visual amenity outcomes and operational and functional necessity. As I have noted above and discussed further by Ms Lester, while urban design principles provide an important aesthetic and spatial framework for development, the Airport must adhere to specific operational and statutory regulatory requirements,¹⁰ all within a constrained spatial footprint.
- 32 Given these constraining factors, I recommend that a new limb be included in Objective AIRPZ-O2 that recognises the operational and functional requirements of the Airport may necessitate a specific location, built form, or appearance.
- 33 Subparagraph 3 of Objective AIPRZ-O2 also calls for a "*higher standard of design from the public domain*". In my view, the unqualified reference to the “public domain” is, in this context, likely to become an excessively broad lens. Due to the nature of the site and the activities within it, the

⁸ Paragraph 125, Section 42A Report – Hearing Stream 6 – Airport Zone, dated 19 January 2024.

⁹ Sections 7, Statement of Evidence of Ms Lester, 5 February 2024.

¹⁰ Section 6.5, Statement of Evidence of Ms Lester, 5 February 2024.

public have access to views of the majority of the site (via surrounding roads, or the air above in aircrafts etc.). Therefore, there are unlikely to be any areas of the site which do not have some form of public viewing ability. Given the national significance of the Airport and its operational and functional requirements, it is my view, that such design directives need to be proportionately applied within the policy framework. I therefore recommend that the language used is tightened, to refer to “*directly adjacent public roads or reserves*”.

- 34 In light of the above, I recommend the following amendments to Objective AIRPZ-O2 (green underline shows additions, ~~green-strikeout~~ shows deletions):

AIRPZ-O2 Development of the Airport Zone

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 directly adjacent public roads or reserves the public domain-public domain;*
4. *The operational and functional requirements of the airport and its associated buildings and structures may necessitate a specific scale, location or appearance.*

- 35 In my view, the above amendments provide a better balance between ensuring that high quality design is still an important consideration for the Airport, whilst ensuring that the functional and operational needs of the Airport are considered.

POLICY AIRPZ-P4 AIRPORT CHARACTER

- 36 As notified, Policy AIRPZ-P4 seeks to maintain and enhance the character of the Airport Zone interface through consideration of a range of matters, including “*The New Zealand Urban Design Protocol*”. WIAL filed a submission opposing the inclusion of this matter.

37 The section 42A reporting officer has recommended removing reference to *New Zealand Urban Design Protocol*¹¹, however has replaced this with reference to “*the intent of the Centres and Mixed Use Design Guides*” as this would provide consistency throughout the Proposed Plan.

38 Whilst I acknowledge the desire to maintain consistency throughout the Proposed Plan, I question the appropriateness of applying a design guide intended for the Centres and Mixed Use Zones to a “Special Purpose” zone such as the Airport Zone. WIAL has also not had the opportunity to be involved in the development of these guidelines to date, potentially resulting in overly broad or difficult to implement design requirements, which are not sufficiently nuanced to the unique requirements of the Airport.

39 Furthermore, sub-paragraph 3 of the policy refers to “*any landscape plan, urban design principles or statement, or integrated design management plan*”. In my opinion, this reference sufficiently covers and refers the plan user to the different urban design principles, landscape plans and integrated design management plans prepared for the Airport campus, as discussed by Ms Lester. In light of the above, while I support the section 42A reporting officer’s recommended deletion of the reference to the New Zealand Urban Design Protocol, I do not support its replacement with the Centres and Mixed Use Zone Design Guides and consider that the documents listed in sub-paragraph 3 are a more efficient and effective means of providing for good urban design outcomes at the airport.

POLICY AIRPZ-P3 NON-AIRPORT ACTIVITIES

40 AIRPZ-P3 relates to the development of “new non-airport activities”. WIAL filed submissions regarding this policy, seeking a number of amendments including:

- a. The removal of considerations around achieving carbon neutral outcomes;

¹¹ Paragraph 189, Section 42A Report – Hearing Stream 6 – Airport Zone, dated 19 January 2024.

- b. The introduction of new economic viability considerations; and
- c. The removal of the last sentence / advice note in the policy which provides that the “*nature, scale and extent of non-airport activities to be generally compatible with the outcomes sought in AIRPZ-P1 and AIRPZ-P2*”.

41 The section 42A reporting officer has recommended accepting WIAL’s relief regarding the removal of requirements around achieving carbon neutral outcomes and has recommended rejecting the introduction of new economic viability consideration. I generally accept the section 42A report officer’s recommendations with respect to these matters.

42 The section 42A report officer has not accepted WIAL’s submission regarding the last sentence of the policy. The rationale for this recommendation has not been provided.

43 I am not clear of the role/function of the last sentence and whether it is part of the policy, or an advice note to the policy.

44 I also have some difficulties with the intent or function of the sentence. As drafted, the assessment that it instructs focuses on the outcomes sought by AIRPZ-P1 and AIRPZ-P2. In my view, this may not be able to be practically achieved, as the outcomes sought for AIRPZ-P1 and P2 relate to the enablement of Airport and Airport Related activities. As a Non-Airport Activity, these outcomes will likely not be able to be achieved. Or alternatively, if a non-airport activity does achieve the outcomes of AIRPZ-P1 and AIRPZ-P2, the activity is arguably an Airport or Airport Related Activity and therefore the policy would not apply.

45 Furthermore, the sentence relates to the “nature, scale and intensity” of non-airport activities. This matter seems adequately addressed by subparagraph 4 of the policy. I therefore consider that the sentence can be deleted.

RULE AIRPZ-R3 NON-AIRPORT ACTIVITIES

46 With respect to AIRPZ-R3, WIAL filed a submission seeking that non-airport activities are provided for as Restricted Discretionary / Discretionary

activities depending on compliance with standards with focused matters of discretion as opposed to the Proposed Plan's Discretionary / Non-complying activity status' as a baseline.

47 WIAL's submission points relating to this matter are recommended to be rejected in part, with the section 42A reporting officer noting that non-airport activities should be classified as a Discretionary activity due to the "*combined activity status and objective and policy framework providing an appropriate pathway for non-airport activities*".¹²

48 Under the Operative District Plan, non-airport activities are a Restricted Discretionary activity. Ms Lester has also outlined the resource consents held by WIAL in relation to non-airport activities obtained under the Operative District Plan.¹³ For the most part, these activities have required resource consent as a fully discretionary activity, however I understand the discretionary activity status was primarily triggered due to non-compliance with standards relating to vehicle access and parking, contaminated land or hazardous substances.

49 The section 32 evaluation report does not provide any meaningful discussion or justification for the Proposed Plan moving the resource consent activity status for non-airport activities from restricted discretionary / discretionary under the Operative District Plan to the more restrictive non-complying activity status. In the absence of any resource management analysis that demonstrates that the operative approach gives rise to unforeseen or adverse environmental effects that cannot otherwise be managed, it is my view that the restricted discretionary / discretionary approach should be retained.

50 In light of the above, there does not appear to be any resource management reason for deviating from the Operative District Plan approach. Any additional concerns the Council may have regarding the effects of such activities, in my view can be appropriately addressed within the matters of discretion.

¹² Paragraph 227, Section 42A Report – Hearing Stream 6 – Airport Zone, dated 19 January 2024.

¹³ Paragraph 5.11 and 5.12, Statement of Evidence of Ms Lester, 5 February 2024.

51 I therefore recommend amendments to AIRPZ-R3 to reflect the status quo of the Operative District Plan, with proposed matters of discretion derived from the Operative District Plan, as outlined in Appendix A.

AIRPZ-S3 COMMERCIAL AND RETAIL ACTIVITY RESTRICTIONS

52 WIAL filed a submission seeking that AIRPZ-S3 be deleted and replaced with a new standard that restricts:

- a. Commercial or retail activities within the Miramar South Precinct to those that meet the definition of an Airport or Airport Related Activity; and
- b. Ancillary retail to a maximum of 10% of the gross floor area of the building.

53 As a result of this submission, the section 42A reporting officer recommends that AIRPZ-S3 only places restrictions on:

- a. The siting of commercial and retail activities within the Broadway Precinct;
- b. The (non commercial and retail) activities within the Miramar South Precinct; and,
- c. The gross floor area of ancillary retail activity within the Miramar South and South Coast precincts.

54 Under the Operative District Plan, the area of land located between Calabar Road and Miro Street (i.e. Part of Broadway Precinct) was subject to the underlying Airport zone and was not subject to the any commercial or retail siting constraints as is now included in AIRPZ-S3(1)(b) of the Proposed Plan. Rather, the Operative District Plan sought to manage vehicle access to this area.¹⁴ The section 32 evaluation report does not provide any meaningful discussion or justification for the new inclusion of new commercial and retail siting restrictions in the area described in AIRPZ-S3(1b), and therefore, in my opinion, has no basis for retention in the Proposed Plan.

¹⁴ Rule 11.1.1.5, Operative District Plan.

55 With respect to WIAL’s submission regarding the restrictions on activities within the Miramar South precinct (summarized in paragraph 52(a) above), the section 42A reporting officer has recommended rejecting WIAL’s submission on the basis that the amendment would create a circular reference to AIRPZ-R1 and AIRPZ-R2 and also create issues of clarity with subparagraph AIRPZ-S3(2)¹⁵.

56 I agree with the section 42A reporting officer that the original relief sought in WIAL’s submission would create a circular reference. That is, there is no need to restrict commercial and retail activities within the precinct to those that are Airport or Airport Related, as this is already achieved through reference to AIRPZ-R1 (which general permits Airport Activities subject to adherence to standards) and AIRPZ-P2 (which generally provides for Airport Related Activities subject to standards).

57 I note however, that there are some fundamental “mechanical” issues with AIRPZ-S3(2) as notified. Standard AIRPZ-S3(2) is titled “Commercial and retail restrictions”. It would appear however, that none of the activities listed meet the definition of a commercial¹⁶ or retail¹⁷ activity. I am therefore unsure of the utility of this standard and when it could feasibly be engaged. I therefore recommend it is deleted.

58 While it is not clear from the section 32 evaluation, I assume standard AIRPZ-S3(2) was included in the Proposed Plan in an attempt to mimic the Miramar South Precinct designation. While I maintain that the standard should be deleted, if it is to be retained, there are nuances within the designation that have not been included in the proposed provision. Specifically, designation (WIAL2) states (my emphasis):

The land to which this designation applies (“the Designated Area” or “the Site”) may be used for activities for the operation of Wellington International Airport (“the Airport”) including:

¹⁵ Paragraph 282, Section 42A Report – Hearing Stream 6 – Airport Zone, dated 19 January 2024.

¹⁶ Commercial activity means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).

¹⁷ Retail activity means an activity displaying or offering services or goods for the sale or hire to the trade or public and includes, but is not limited to: integrated retail developments, trade supply retail, yard based retail, supermarkets, service retail and ancillary retail.

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

59 The use of the term including is not exhaustive. The limitation set within AIRPZ-S3(2) is therefore inconsistent with the types of activities enabled by designation. While I acknowledge that there is no requirement for the Airport Zone and the designation to be aligned, I can foresee potential future consenting inefficiencies created by the Airport Zone not reasonably anticipating or providing for the range of activities enabled by the designation. As the designation only enables projects or works carried out by the requiring authority, it will also provide greater certainty of outcome for third parties who undertake airport related activities and cannot rely on the use of the designation.

60 I note however that the designation does constrain the use of this site for “Large Format Retail”. I would therefore support the inclusion of a new limb within AIRPZ-S3 that restricts retail activities within the Miramar South Precinct to a maximum of 450m² gross floor area, as per the definition of Large Format Retail.¹⁸

OTHER MATTERS

61 There are a number of WIAL submission points that appear to have been erroneously assigned to this hearing stream. Notably:

- a. Submission 406.11, which 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.
- b. Submission 406.21, which seeks that the Airport Zone within the Coastal Environment at Lyall Bay and Evans Bay be removed; and

¹⁸ Large Format Retail means any individual retail activities exceeding 450m² gross floor area.

- c. Submission 406.544, which seeks clarification on the activity status of subdivision within the Airport Zone.

62 While I acknowledge the comments with respect to WIAL's submission, these submissions have either been addressed at previous hearing streams (i.e. Submission 406.544) or are best placed to be canvassed further at future upcoming hearing streams. I therefore do not discuss them in any further detail within this evidence.

CONCLUSION

63 Wellington Airport comprises regionally and nationally significant infrastructure which plays a critical role in providing for the economic and social wellbeing of the Wellington Region.

64 The Proposed Plan goes a considerable way, with the drafting of a bespoke Special Purpose Airport Zone to providing a consenting pathway for the vast array of airport, airport related and non-airport activities that may be encompassed within the zone.

65 In my view, it is necessary and appropriate that the Airport Zone chapter be further amended as set out in my Appendix A, Table 1 to enable Wellington Airport to continue to operate and evolve as modern airports do. In my opinion, my suggested amendments are the most appropriate way to achieve the objectives of the Proposed Plan compared to the notified provision. I consider that my amendments:

- a. Provide greater clarity for plan users and remove unnecessary duplication or complexity;
- b. Remove unnecessary or inaccurate duplication of designation conditions; and
- c. Ensure that the functional and operational requirements of the Airport are given appropriate consideration, providing for the ongoing efficient use and development of the Airport as a physical resource.

Kirsty O'Sullivan

5 February 2024

APPENDIX A

Table 1: Notified Provisions, Section 42A recommendations and WIALs Proposed Provisions for Hearing Stream 6 - Airport Zone.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
Definitions		
<p>Airport Purposes</p> <p>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.</p>	<p>Airport Activities Purposes</p> <p>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.</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"> • <u>Ground based infrastructure, plant and machinery necessary to assist aircraft operations;</u> • <u>Runways, taxiways, aprons and other aircraft movement areas;</u> • <u>Aircraft rescue training facilities and emergency services;</u> • <u>Establishment, operation and use of runways, taxiways, aprons, and other aircraft movement areas;</u> • <u>Structures to mitigate against the impact of natural hazards;</u> • <u>Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;</u> • <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> • <u>Associated administration and office</u> 	<ul style="list-style-type: none"> • Refer to paragraphs 24 to 26 of my statement of evidence. • While a minor change, the use of the term “purpose” creates grammatical challenges when trying to use the term in the context of the definition. I therefore recommend this be replaced with the word “activity”. This also distinguishes it from the wording of the airport designations.

¹ Without limiting the scope of the WIAL submission and further submissions

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
	<p>activities;</p> <ul style="list-style-type: none"> • Ancillary activities, buildings, and structures related to the above; and • Servicing, testing and maintenance activities related to the above. 	
<p>Airport Related Activities</p> <p>Means third party ancillary activities or services that provide support to the airport, including but not limited to. This includes:</p> <ol style="list-style-type: none"> land transport activities; buildings and structures; servicing and infrastructure; police stations, fire stations, and medical facilities emergency service facilities; educational facilities provided they serve an aviation related purpose; retail and commercial services and industrial associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses; and administrative offices, provided they are ancillary to an airport or airport related activity. Hotel / visitor accommodation, conference facilities and associated services. 	<p>N/A – support recommended changes to the definition of Airport Related Activities.</p>	<ul style="list-style-type: none"> • I support the recommended amendments as set out in the section 42A report, noting that the changes to the definition improve the clarity of the definition. • The amendments also recognise the evolving nature of airports, as described in paragraphs 15 to 18 of my evidence.
<p>Non-Airport Activities</p> <p>Means an activity within the Airport Zone which is not for "Airport Purpose" or an "Airport Related Activity".</p>	<p>Non-Airport Activities</p> <p>Means an activity within the Airport Zone which is not for "Airport Activities Purposes" or an "Airport Related Activity".</p>	<ul style="list-style-type: none"> • As above, I recommend an amendment to the definition as a consequential amendment arising from the changes sought above within the definition for "Airport Activities".
<p>Obstacle Limitation Surface</p> <p>Means airspace defined around an aerodrome that enables operations at the aerodrome to be conducted safely and that prevents the aerodrome from becoming unusable by the growth of obstacles around the aerodrome. Extending out from all edges of the runway, the OLS includes contiguous transitional, horizontal, conical, and approach / take off surfaces.</p>	<p>N/A – support recommended changes.</p>	<ul style="list-style-type: none"> • I agree with the section 42A reporting officer's recommendation to delete this definition.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
Airport Zone		
Introductory Text		
<p>Introduction</p> <p>The purpose of the Airport Zone is to provide for the ongoing management and development of Wellington International Airport in relation to its site and the surrounding environment. The District Plan recognises and protects the Airport's status as regionally significant infrastructure (as identified by the Wellington Regional Policy Statement) and its economic / physical importance as a transport hub. The National Planning Standard 8- Zone Framework Standard describes an <u>The Airport Zone is as</u> an area used predominantly for the operation and development of an airport as well as operational areas and facilities, administrative, commercial and industrial activities associated with the airport'.</p> <p>The Airport Zone and associated Infrastructure chapter (sub chapters) recognise and protect the Airport's status as Regionally Significant Infrastructure and its economic and physical importance as a transport hub and facilitator of economic activity at a District, Regional and National level.</p> <p>Wellington International Airport Limited (WIAL) is the Airport's owner and operator. WIAL undertakes masterplanning as part of its overall business—adopting a planning horizon of twenty years. WIAL's masterplan is a non-statutory document, entirely separate from the District Plan, and it may be subject to change on an ongoing basis. The masterplan highlights WIAL's long-term expectations for growth in air traffic and associated implications for physical development at the Airport. The nature, timing and physical extent of development will be driven by diverse local and international factors over the life of this District Plan and beyond.</p> <p>WIAL is a Requiring Authority for the purposes of Part 8 of the RMA and holds five designations that broadly apply to the Airport Zone area and its surrounds. The WIAL masterplan has informed the Airport company's existing designations (see Part 3 of the District Plan for operative</p>	<p>WIAL is a Requiring Authority for the purposes of Part 8 of the RMA <u>and holds five four Designations that broadly apply to the Airport Zone area and its surrounds. The WIAL masterplan has informed the Airport company's existing designations</u> (see Part 3 of the District Plan for operative designations). <u>These</u></p>	<ul style="list-style-type: none"> • Except where detailed below, I generally agree with the recommendations outlined by the section 42A report for the following reasons: <ul style="list-style-type: none"> • The intent of the introduction between the notified provisions and the section 42A report version shown is the same, however the latter is more streamlined and efficient. • The level of detail in the notified chapter was disproportionate to other special purpose zones, particularly where designations are in place within the zones. • The amendments ensure that reference is made to other chapters that address aspects such as noise, signages, earthworks, light and designations, however leaves the detail with respect to those matters to each respective chapter (thus removing repetition). • The recommended amendments to the chapter commence with the description of the Airport Zone, as set out in the National Planning Standards. Express reference to the National Planning Standard is unnecessary and is not replicated in other chapters of the Proposed Plan (i.e. the Medium Density Zone).

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>designations). These include:</p> <ol style="list-style-type: none"> Designation WIAL1 (Wellington Airport Obstacle Limitation Surfaces); Designation WIAL2 (Wellington Airport Miramar South Area); Designation WIAL3 (Wellington Airport Runway End Safety Area); Designation WIAL4 (Wellington Airport Main Site Area); and Designation WIAL5 (Wellington Airport East Side Area). <p>Some Airport relevant provisions are set out in other chapters, including Noise, Signs, Earthworks, Light, and Designations.</p> <p>The Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airports. Notwithstanding that, the Infrastructure Chapter of the District Plan specifically excludes activities that fall under the definition of airport purposes or airport related activities (which are dealt with in the Airport chapter). Any infrastructure that is inconsistent with those definitions is managed by the provisions of the Infrastructure Chapter.</p>	<p>include:</p> <p>These include:</p> <ol style="list-style-type: none"> Designation WIAL1 (Wellington Airport Obstacle Limitation Surfaces); Designation WIAL2 (Wellington Airport Miramar South Area); Designation WIAL3 (Wellington Airport Runway End Safety Area); Designation WIAL4 (Wellington Airport Main Site Area); and Designation WIAL5 (Wellington Airport East Side Area). <p>Some Airport relevant provisions are set out in other chapters, including Noise, Signs, Earthworks, Light, and Designations.</p> <p>The Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airports. Notwithstanding that, the Infrastructure Chapter (including sub chapters) of the District Plan specifically excludes activities that fall under the definition of airport activities purpose or airport related activities which occur within the Airport Zone (which are dealt with the Airport chapter). Any infrastructure within the Airport Zone that is inconsistent with those definitions or any airport or airport-related activities located outside of the Airport Zone continue to be is-managed by the rules within provisions of the Infrastructure Chapter (and associated sub chapters).</p>	<ul style="list-style-type: none"> I recommend the following further amendment to reflect WIAL's intention to seek to withdraw this designation during Hearing Stream 10. This designation has been subsumed by Designation WIAL4.
<p>Airport Precincts</p> <p>The Airport Zone comprises of eight precincts which reflect the primary function of the areas and/or their environmental context. Described further below and shown on the plan included at the end of this chapter as Figure 1 these precincts include:</p> <ol style="list-style-type: none"> The Airside Precinct; The Broadway Precinct; The East Side Precinct; The Miramar South Precinct. The Rongotai Ridge Precinct; 		<ul style="list-style-type: none"> I recommended the additional amendments to provide further clarity to the relationship between the Infrastructure Chapter and the Airport Zone. This was raised during Hearing Stream 3 and will be further addressed during Hearing Stream 9.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>6. The South Coast Precinct;</p> <p>7. The Terminal Precinct; and,</p> <p>8. The West Side Precinct;</p> <p>specific precincts. Six of those precincts are physically contiguous and identified below as: Terminal; Airside; East Side; West Side; Broadway; and South Coast. In addition, there are two physically separate precincts, being Rongotai Ridge and Miramar South. Precinct boundaries are shown by the plan included at the end of this chapter. The boundaries are indicative in locations where they do not follow cadastral boundaries.</p> <p>Terminal Precinct</p> <p>For passengers, the Terminal Precinct is the Airport's heart. It comprises the main passenger terminal, access and roading, car parking, and commercial and passenger support services including visitor accommodation and conference facilities. It also contains airside airport facilities such as hangars, aircraft parking stands, and aviation support facilities.</p> <p>Airside Precinct</p> <p>The Airside Precinct comprises the runway, north-south taxiways, and associated aprons. It also includes hangars and aircraft parking stands.</p> <p>East Side Precinct</p> <p>At the date of District Plan notification (18 July 2022), the East Side Precinct is used as the southern part of Miramar Golf Course. It will continue to be used as such, until growth in air traffic necessitates its redevelopment for aircraft parking / taxiing purposes. The redevelopment may occur in stages. Until it is fully developed, the precinct may also be used for the temporary relocation of parking where it is displaced by construction activity in other parts of the Airport. The precinct will be largely free of buildings and commercial signage.</p> <p>West Side Precinct</p> <p>The West Side Precinct includes the Airport Retail Park on the eastern side of Tirangi Road. It comprises mainly commercial uses and associated parking. It also includes the Airport's</p>	<p>At the date of District Plan notification (18 July 2022), the East Side Precinct is used as comprises the southern part of Miramar Golf Course. Over time, the area will be gradually developed for a limited range of airport activities, until the area is required for aircraft purposes apron areas it will continue to be used as such, until growth in air traffic necessitates its redevelopment for aircraft parking/taxiing. The redevelopment may occur in stages. Until it is fully developed, the precinct may also be used for the temporary relocation of parking where it is displaced by construction activity in other parts of the Airport. The precinct will be largely free of buildings and commercial signage.</p> <p>East Side Precinct</p> <p>At the date of District Plan notification (18 July 2022), the East Side Precinct is used as comprises the southern part of Miramar Golf Course. Over time, the area will be gradually developed for a limited range of airport activities, until the area is required for aircraft purposes apron areas it will continue to be used as such, until growth in air traffic necessitates its redevelopment for aircraft parking/taxiing. The redevelopment may occur in stages. Until it is fully developed, the precinct may also be used for the temporary relocation of parking where it is displaced by construction activity in other parts of the Airport. The precinct will be largely free of buildings and commercial signage.</p> <p>West Side Precinct</p> <p>The West Side Precinct includes the Airport Retail Park on the eastern side of Tirangi Road. It comprises mainly commercial uses and associated parking. It</p>	<ul style="list-style-type: none"> Except where detailed below, I support the recommended amendments set out in the section 42A report, noting the changes are efficient and remove unnecessary detail by placing reliance on the figure, rather than describing the geographical location of some (but not all) precincts. <p>Airside Precinct</p> <ul style="list-style-type: none"> I support the recommended amendment as set out by the section 42A report as it more accurately describes the use of the Airside Precinct. <p>East Side Area</p> <ul style="list-style-type: none"> WIAL recently released details to use some of this area for car parking. Rather than place ongoing focus on the continued (short term) use of the area for golf purposes, it is more appropriate in my view to consider its evolving future end state.

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<p>flight control tower, fire station, and some aircraft hangars. Urban design 'edge effects' are an important consideration where the land faces adjacent residential zoned land. The precinct is a valuable resource for the Airport, providing a source of income from ground leases which help to support other aspects of the business. In the long term, the land may potentially be used for Airport operational purposes.</p> <p>South Coast Precinct</p> <p>The South Coast Precinct fronts the southern coastline and the Moa Point wastewater treatment plant. The precinct has airside and landside access and has been identified as a site for a future multi-user freight facility over the longer term. shares a short section of boundary with adjacent residential land. It also abuts land occupied by the Moa Point wastewater treatment plant which is subject to Designation WCC6. The Airport's 2040 masterplan identifies the precinct as the location of a multi-user freight facility.</p> <p>Rongotai Ridge Precinct</p> <p>The Rongotai Ridge Precinct comprises land located between Wexford Road and Miramar Avenue and is physically separate from other precincts of the 'Main Site'. Development within large portions of this precinct is constrained by Designation WIAL1. Maupuia Pā, a Site of Significance to Māori, is also located within this precinct.</p> <p>Miramar South Precinct</p> <p>Most of the Miramar South Precinct was previously the site of Miramar South School. The precinct is subject to a designation (WIAL2) to allow the development of support services to the Airport, including flight catering, rental car operations, and freight operations. At its Broadway end, the The Miramar South Precinct forms an important 'gateway' to both the Airport and suburbs to the east. With no airside access, the precinct lends itself to the development of support services to the Airport, including flight catering, rental car operations, airport related vehicle storage, and freight operations.</p>	<p>also includes the Airport's flight control tower, future replacement fire station, and some aircraft hangars. Urban design 'edge effects' are an important consideration where the land faces adjacent residential zoned land. The precinct is a valuable resource for the Airport, providing a source of income from ground leases which help to support other aspects of the business. In the long term, the land may potentially be used for Airport operational purposes.</p> <p>South Coast Precinct</p> <p>The South Coast Precinct partially fronts the southern coastline and the Moa Point wastewater treatment plant. The precinct has airside and landside access making it a valuable strategic site for and has been identified as a site for a future multi-user freight facility over the longer term. Height limitations imposed by Designation WIAL1 also make this area an ideal location for storage and car parking activities. shares a short section of boundary with adjacent residential land. It also abuts land occupied by the Moa Point wastewater treatment plant which is subject to Designation WCC6. The Airport's 2040 masterplan identifies the precinct as the location of a multi-user freight facility.</p>	<p>South Coast Precinct</p> <ul style="list-style-type: none"> • My further recommended amendments ensure the South Coast Precinct reflects its location relative to the coast, the Moa Point Wastewater Treatment Plant. • This area is also particularly constrained by the OLS, therefore reference to it within the precinct description is appropriate. <p>Rongotai Ridge Precinct</p> <ul style="list-style-type: none"> • I support the recommended amendments to the Rongotai Ridge Precinct as it recognises the presence of the Maupuia Pā, as was addressed during Hearing Stream 3. • This area is also particularly constrained by the OLS, therefore I consider reference to it within the precinct description is appropriate. <p>Miramar South Precinct</p> <ul style="list-style-type: none"> • I support the recommended amendments to the Miramar South Precinct. I agree reference to the historic use of the site as a school and the reference to the designation is unnecessary. I also agree it is important for the precinct to reflect that there is no airside access to this site, therefore constraining the types of the airport activities that could be feasibly undertaken on this site. This is reflected in the methods which specifically discourage some activities from establishing in this area.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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Airport Noise

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.
- 1.—District Plan provisions which reference the Airport's Noise Management Plan (NMP):
- 2.—The NMP, which sits outside of the District Plan.
- 3.—The Air Noise overlay (ANO) — which is demarcated on the District Plan maps, and referenced in District Plan provisions and the NMP. The extent and nature of the ANO is guided by the recommendations of New Zealand Standard NZS6805:1992 Airport Noise Management and Land Use Planning.

Airport Designations

Parts of the Airport and its operations are subject to designations of WIAL and other requiring authorities. The main designations include associated conditions that control the nature of development and the extent of WIAL's authority under relevant provisions of the Resource Management Act.

WIAL designations are included in Part 3 of the District Plan.

Airspace Designation

The purpose of the airspace designation (Designation WIAL1) is to help ensure the safe and efficient operation of the Airport. The designation limits the height of objects, such as new buildings below aircraft flight paths, by imposing an obstacle limitation surface (OLS). The OLS applies to obstacles both within and outside of the Airport Zone.

The OLS restrictions are defined and explained by designation 'WIAL1' and the related 'Conditions 1'. They are illustrated by the maps within Condition 1. Development that breaches the OLS can only occur with the prior written consent of WIAL.

Airport Noise

- Noise is referenced earlier in the chapter and is addressed in detail in the Noise chapter and designation. In my opinion, it is unnecessary and inefficient to repeat that information here and I therefore agree with the recommendation of the section 42A reporting officer to remove this section.

Airport Designations

- The designations are introduced and referenced earlier in the chapter. I therefore agree with the section 42A report recommendation to remove the summaries which oversimplify what the designations provide for. Including such detail could also result in inconsistencies between the Airport Zone chapter description and the designations if future alterations are made to the designations.

WCC PDP Provision (post section 42A)	K O’Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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Designations

WIAL has four designations covering different parts of the Airport and surrounding land. The WIAL designations are:

- 1.—Designation WIAL2 (Miramar South): Land bordered by Miro, Kauri, Kedah and Broadway streets, enabling its development and use for flight catering, rental car operations, and freight operations. There is a suite of related conditions.
- 2.—Designation WIAL3 (RESA): The southern runway end safety area extension.
- 3.—Designation WIAL4 (Main Site Area): The main Airport land, including the Terminal, runway / taxiing areas, and the Tirangi Road Retail Park. There is a suite of related conditions.
- 4.—Designation WIAL5 (East Side Area): Land adjoining and immediately east of the main Airport land which has historically been the southern part of Miramar golf course. When required by growth air traffic, the designation will enable development and use of the land for the parking and taxiing of aircraft. There is a suite of related conditions.

Other Designations

Other non-WIAL designations which affect the Airport Zone land include:

- 1.—Designation MZNZ4: Meteorological purposes (entirely within the Airport Zone).
- 2.—Designation WCC6: Mōa Point Sewage Treatment Plant (partly within the Airport Zone).

Other Designations

- In my opinion, it is unnecessary to identify the other designations located within the Airport Zone and is inconsistent with other chapters of the Proposed Plan (which do not list the designations present). I therefore agree with the recommended removal of these designation references.

Other Relevant District Plan Provisions

There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may	Parts of the Airport and its operations are subject to designations held by WIAL and other requiring authorities. The main designations include associated	<ul style="list-style-type: none"> • In my opinion, the proposed paragraph should be included to clarify that there are designations in place, and that there are a number of matters that are addressed within this designation that do not need to
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WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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<p>therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p>	<p>conditions that control the nature of development and the extent of WIAL's authority under relevant provisions of the Resource Management Act. WIAL's designations are included in Part 3 of the District Plan.</p> <p>There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p>	<p>be repeated within the Airport Zone chapter.</p>
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Objectives

<p>AIRPZ-O1 Purpose of the Airport Zone</p> <p>Wellington International Airport is recognised and protected as locally, and regionally and nationally significant infrastructure.</p>	<p>N/A – support recommended changes to AIRPZ-O1.</p>	<ul style="list-style-type: none"> The National Policy Statement for Urban Development defines nationally significant infrastructure as any airport used for regular air transport services by aeroplanes capable of carrying more than 30 passengers. Wellington International Airport meets this definition. I therefore agree with the recommended change to AIRPZ-O1 to reflect this.
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<p>AIRPZ-O2 Development of the Airport Zone</p> <p>The dual character of the Airport Zone as a working environment and a regional / international gateway is balanced, recognising:</p> <ol style="list-style-type: none"> The Airport's role as an air and land transport hub that provides for the safe and efficient movement of people and goods; 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 A higher standard of design may be necessary where large buildings or structures are adjacent to or visible from the public domain. 	<p>AIRPZ-O2 Development of the Airport Zone</p> <p>The dual character of the Airport Zone as a working environment and a regional / international gateway is balanced, recognising:</p> <ol style="list-style-type: none"> The Airport's role as an air and land transport hub that provides for the safe and efficient movement of people and goods; 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 A higher standard of design may be necessary where large buildings or structures are adjacent to or visible from directly adjacent public roads or reserves the public domain; The operational and functional requirements of the airport and its associated buildings and structures may necessitate a specific scale, location or appearance. 	<ul style="list-style-type: none"> Refer to paragraphs 30 to 35 of my statement of evidence for the rationale for this recommended amendment.
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<p>AIRPZ-O3 Compatibility of other activities</p> <p>Airport related and non-airport activities are compatible with:</p> <ol style="list-style-type: none"> Compatible with The efficient operation, maintenance, and upgrading 	<p>N/A – support recommended changes to AIRPZ-O3.</p>	<p>I support the recommendations of the section 42A reporting officer, noting:</p> <ul style="list-style-type: none"> AIRPZ-O3(3) is ineffective at managing reverse sensitivity effects as it relates to activities originating outside of the zone. Such policies should be located in the relevant zone or district wide chapters of the Proposed Plan.
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WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>of the Airport and its associated effects;</p> <ol style="list-style-type: none"> Compatible with The efficient and integrated functioning of other transport networks; and The operation of the Airport is protected from reverse sensitivity effects outside the Airport Zone. The overall urban form and amenity of the Airport and adjacent zones. 		<ul style="list-style-type: none"> Similar to the Operative Plan and the Airports various design and landscape guidelines, it is important that non-airport activities are mindful of urban form and amenity both within and outside of the Airport Zone.
<p>AIRPZ-O4 Adverse effects generated by activities</p> <p>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.</p> <p>Adverse effects of activities are avoided, remedied, or mitigated, while recognising:</p> <ol style="list-style-type: none"> The need for effects management within the Airport Zone, including effects on the amenity of the surrounding area; and 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. 	N/A – support recommended changes to AIRPZ-O4.	<p>I support the recommendation of the section 42A reporting officer, noting:</p> <ul style="list-style-type: none"> The amendments seek to recognise that effects management can and will be influenced by the operational and functional requirements of the airport (for example, the effects of noise cannot be internalised the site). AIRPZ-O4(2) as notified was ineffective at managing effects, seeking to manage activities located in adjacent zones. Such considerations should be located in the relevant zone or district wide chapters of the Proposed Plan.
<p>AIRPZ-O5 Carbon Neutrality</p> <p>Activities are enabled that contribute to carbon neutrality, including:</p> <ol style="list-style-type: none"> Decarbonisation of the airport and aircraft operations; Significant growth in integrated low-carbon land transport options to and from the airport; and Generation, storage and use of renewable or low carbon energy for the airport. 	No changes proposed.	No changes proposed.
<p>AIRPZ-O6 Airport Resilience</p> <p>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.</p>	No changes proposed.	No changes proposed.

WCC PDP Provision (post section 42A)	K O’Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
Policies		
<p>AIRPZ-P1 Airport purposes activities, buildings and structures</p> <p>Enable Airport Purposes activities, buildings and structures, including but not limited to those that:</p> <ol style="list-style-type: none"> Facilitate the transport of people and cargo by aircraft; and Are ancillary activities or services that provide essential support to the transport function. 	<p>Minor change to heading as follows:</p> <p>AIRPZ-P1 Airport purposes activities, buildings and structures</p> <p>Enable Airport Purposes activities, buildings and</p>	<p>For ease of use, I recommend the Airport zone provisions replace all references of “Airport Purpose” to “Airport Activity”.</p>
<p>AIRPZ-P2 Airport Related Activities, buildings and structures</p> <p>Allow for airport related activities that provide support to airport purposes, including but not limited to those that:</p> <ol style="list-style-type: none"> Provide services to passengers, crew, ground staff, airport workers, and other associated workers and visitors; Support the economic viability of the Airport; and Support carbon neutral outcomes, including through transport decarbonisation, and renewable or low carbon energy generation, storage and use. 	<p>Minor changes to heading and chapeau as follows:</p> <p>AIRPZ-P2 Airport Related Activities, buildings and structures</p> <p>Allow for airport related activities that provide support to airport activities purposes, including but not limited to those that:....</p>	<p>As above</p>
<p>AIRPZ-P3 Non-Airport Activities</p> <p>Discourage new non-airport related activities that:</p> <ol style="list-style-type: none"> Compromise the long-term availability of land for airport or airport related activities; Give rise to adverse effects on the safety and efficiency of the transportation network; Significantly compromise the achievement of carbon neutral outcomes in the Airport as a whole; or Are incompatible with the overall urban form of adjacent zones. <p>Where non-airport activities are allowed, limit their nature, scale and extent to be generally</p>	<p>AIRPZ-P3 Non-Airport Activities</p> <p>Discourage new non-airport related activities that:</p> <ol style="list-style-type: none"> Compromise the long-term availability of land for airport or airport related activities; Give rise to adverse effects on the safety and efficiency of the adjacent transportation network; Significantly compromise the achievement of carbon neutral outcomes in the Airport as a whole; or Are incompatible with the overall urban form of the Airport or adjacent zones; or <p>Where non-airport activities are allowed, limit their nature, scale and extent to be generally</p>	<ul style="list-style-type: none"> I support the recommended removal of sub-paragraph 3. The achievement of carbon neutral outcomes is the responsibility of WIAL, who as noted by Ms Lester, has a number of initiatives, as required by its designation and its own 2050 emissions reduction targets. It is impracticable for an independent operator to consider such broad outcomes. In my view, any non-airport activities also need to be cognisant of the urban form (including the urban design principles, landscape plans and integrated management plans) of the Airport as well as adjacent zones. Also refer to paragraphs 42 to 45 of my statement of evidence

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
compatible with the outcomes sought under AIRPZ-P1 and AIRPZ-P2.	AIRPZ-P1 and AIRPZ-P2.	regarding the last sentence of this policy.
<p>AIRPZ-P4 Airport Character</p> <p>Maintain and enhance the public character at of the zone interface and in publicly accessible parts of zone, including through consideration of:</p> <ol style="list-style-type: none"> 1. The interface of the Airport Zone with adjoining and adjacent land; 2.—The New Zealand Urban Design Protocol; the intent of the Centres and Mixed Use Design Guide; 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 72). 	<p>AIRPZ-P4 Airport Character</p> <p>Maintain and enhance the public character at of the zone interface and in publicly accessible parts of zone, including through consideration of:</p> <ol style="list-style-type: none"> 1. The interface of the Airport Zone with adjoining and adjacent land; 2.—The New Zealand Urban Design Protocol; the intent of the Centres and Mixed Use Design Guide; 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 72 of this chapter). 	Refer to paragraphs 36 to 39 of my statement of evidence.
<p>AIRPZ-P5 Management of Effects</p> <p>Manage activity, building and structure effects in the Airport Zone, having regard to:</p> <ol style="list-style-type: none"> 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; 	<p>AIRPZ-P5 Management of Effects</p> <p>Manage activity, building and structure effects in the Airport Zone, having regard to:</p> <ol style="list-style-type: none"> 1. Design, scale and location of buildings and structures, and associated public and private effects, including the impacts of construction activity; 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; and 6. Potential conflict with established or 	<ul style="list-style-type: none"> • I support the section 42A reporting officers recommended addition of buildings and structures into the policy. However, I recommend a further amendment to sub paragraph 1 as it is not clear what “public and private effects” are when the chapeau of the policy is already seeking to manage “effects” (which inherently includes private and public effects). • Effects relating to construction noise, earthworks or lighting are addressed in other chapters of the proposed plan. I therefore recommend an amendment to clarify that the policy only captures those activities within the definition of “construction activity”, which primarily relates to the construction of buildings and structures.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>6. Potential conflict with established or permitted activities on adjoining and adjacent land outside the Airport Zone; and</p> <p>7. The need to measure, report and pursue decarbonisation of airport related activities, including embedded emissions from construction, and activity attracted by the Airport (such as public and private transport).</p>	<p>permitted activities on adjoining and adjacent land outside the Airport Zone.</p> <p>7. The need to measure, report and pursue decarbonisation of airport related activities, including embedded emissions from construction, and activity attracted by the Airport (such as public and private transport).</p>	<ul style="list-style-type: none"> I support section 42A reporting officer's recommendation to remove sub paragraph 7 as this is a requirement of the underlying designation which is already managed holistically by WIAL. Furthermore, such a requirement has not been applied consistently throughout the Proposed Plan (i.e. it is not replicated in all other chapters, primarily address in the City Outcomes Contribution policy).
Rules		
Land Use Activities		

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>AIRPZ-R1 Airport Purposes</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The activity is for airport purposes and complies with any relevant requirements of AIRPZ-S3 and AIRPZ-S4.</p> <p>2. Activity Status: Controlled</p> <p>Where:</p> <p>a. The activity is land development and construction in the East Side Precinct</p> <p>Matters of Control are:</p> <p>1. Construction effects, including earthworks, noise, hours of operation, and traffic.</p> <p>3. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a.—The activity is for airport purposes; and</p> <p>b. Any standard <u>The relevant requirements of in AIRPZ-S1, AIRPZ-S2 or AIRPZ-S3 and AIRPZ-S4 is are</u> not met.</p> <p>Matters of Discretion are:</p> <p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards; and</p> <p>2. Relevant matters listed in policies AIRPZ-P1, AIRPZ-P4 and AIRPZ-P5.</p>	<p>AIRPZ-R1 Airport Purposes Activities</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The activity is for airport purposes and complies with <u>any the</u> relevant requirements of AIRPZ-S3 and AIRPZ-S4.</p> <p>2. Activity Status: Controlled</p> <p>Where:</p> <p>a. The activity is land development and construction <u>activity</u> in the East Side Precinct</p> <p>Matters of Control are:</p> <p>1. Construction effects, including earthworks, noise, hours of operation, and traffic.</p>	<ul style="list-style-type: none"> In light of my earlier comments regarding the use of the term "Airport Purpose", I recommend a minor change to the heading of this rule. Effects relating to construction noise, earthworks or lighting are addressed in other chapters of the proposed plan. I therefore recommend an amendment to clarify that the policy only captures those activities within the definition of "construction activity", which primarily relates to the construction of buildings and structures.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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4. Activity Status: **Discretionary**

Where:

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

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>AIRPZ-R2 Airport Related Activities</p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The activity is an airport related activity in the Terminal Precinct; The activity is a golf course in the East Side Precinct; and</p> <p>b. Any relevant standard in AIRPZ-S1 AIRPZ-S3 is met.</p> <p>2.—Activity Status: Controlled</p> <p>Where:</p> <p>a.—The activity is an airport related activity in the Terminal Precinct; and</p> <p>b.—Any relevant standard in AIRPZ-S1 is met.</p> <p>Matters of Control are:</p> <p>1.—Relevant matters listed in policies AIRPZ-P2, AIRPZ-P4 and AIRPZ-P5;</p> <p>2.—Design, external appearance and siting;</p> <p>3.—Lighting;</p> <p>4.—Landscaping;</p> <p>5.—Parking provision and use;</p> <p>6.—Site access;</p> <p>7.—Loading and servicing;</p> <p>8.—Internal traffic circulation; and</p> <p>9.—Traffic effects on the surrounding road network.</p> <p>3. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. The activity is an airport related activity in the Terminal Precinct; and</p> <p>i. Any relevant standard in AIRPZ-S1 AIRPZ-S3 is not met; or</p> <p>b. The activity is an airport related activity in the West Side, Broadway, Miramar South, Rongotai Ridge, or South Coast precincts; and</p> <p>i. All relevant standards in AIRPZ-S1, AIRPZ-S2 and AIRPZ-S1, AIRPZ-S2 and</p>	<p>AIRPZ-R2 Airport Related Activities</p> <p>3. Activity Status: Permitted</p> <p>Where:</p> <p>c. The activity is an airport related activity in the Terminal Precinct; The activity is a golf course in the East Side Precinct; and</p> <p>d. Any relevant standard in AIRPZ-S1 AIRPZ-S3 is met.</p> <p>4.—Activity Status: Controlled</p> <p>Where:</p> <p>c.—The activity is an airport related activity in the Terminal Precinct; and</p> <p>d.—Any relevant standard in AIRPZ-S1 is met.</p> <p>Matters of Control are:</p> <p>10.—Relevant matters listed in policies AIRPZ-P2, AIRPZ-P4 and AIRPZ-P5;</p> <p>11.—Design, external appearance and siting;</p> <p>12.—Lighting;</p> <p>13.—Landscaping;</p> <p>14.—Parking provision and use;</p> <p>15.—Site access;</p> <p>16.—Loading and servicing;</p> <p>17.—Internal traffic circulation; and</p> <p>18.—Traffic effects on the surrounding road network.</p> <p>4. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>c. The activity is an airport related activity in the Terminal Precinct; and</p> <p>i. Any relevant standard in AIRPZ-S1 AIRPZ-S3 is not met; or</p> <p>d. The activity is an airport related activity in the West Side, Broadway, Miramar South, Rongotai Ridge, East Side or South Coast precincts; and</p> <p>i. All relevant standards in AIRPZ-S1, AIRPZ-S2 and AIRPZ-S1, AIRPZ-S2 and AIRPZ-S3 and AIRPZ-S4 are met.</p>	<p>Except where detailed below, I support the recommended amendments set out in the section 42A report</p> <p>• The East Side Precinct has been omitted from this list. While the designation does constrain the types of activities that can be established in this area, a restricted discretionary activity status would still allow activities that fit within the underlying purpose of the zone to be established, albeit subject to the identified matters of discretion. Notably, this includes AIRPZ-P5 that seeks to ensure effects are appropriately managed, including potential conflict with established or permitted activities on adjacent sites.</p>

WCC PDP Provision (post section 42A)	K O’Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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AIRPZ-S3 and AIRPZ-S4 are 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. Relevant matters listed in policies AIRPZ-P2, AIRPZ-P4 and AIRPZ-P5.

4. Activity Status: **Discretionary**

Where:

- a. The activity is not otherwise a permitted, controlled, or restricted discretionary or non-complying activity under rule AIRPZ-R2.

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

~~5.—Activity Status: **Non-Complying**~~

~~Where:~~

- ~~a.—The activity is an airport-related activity; and~~
- ~~i.—Standard AIRPZ-S3 is not met.~~

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

AIRPZ-R3 Non-Airport Activities

1. Activity Status: Permitted

Where:

- a. The activity is a golf course in the East Side precinct.

2. Activity Status: **Discretionary**

Where:

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

AIRPZ-R3 Non-Airport Activities

1. Activity Status: Permitted

Where:

- a. The activity is a golf course in the East Side precinct.

2. Activity Status: **Restricted Discretionary**

Where:

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

- While the golf course will retain existing use rights, I agree it is appropriate to include a permitted activity pathway, should the existing course requirement rework to accommodate changes over time as the land is developed as part of the Airport.

- Refer to paragraphs 46 to 51 for the rationale for my recommended amendments.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>b. All relevant standards in AIRPZ-S1, AIRPZ-S2 and AIRPZ-S3 and AIRPZ-S4 are met.</p> <p>Notification status: An application for resource consent made in respect of this rule may be publicly notified.</p> <p>3. Activity Status: Non-Complying</p> <p>Where:</p> <p>a. The activity is a non-airport activity; and</p> <p>b. The activity is not otherwise a Permitted or discretionary activity under Rule AIRPZ-R3.1.</p>	<p>b. All relevant standards in AIRPZ-S1, AIRPZ-S2 and AIRPZ-S3 and AIRPZ-S4 are met.</p> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <u>Design, external appearance and siting;</u> <u>Traffic generation, parking, loading and access; and</u> <u>Relevant matters listed in policies AIRPZ-P2 to AIRPZ-P5.</u> <p>Notification status: An application for resource consent made in respect of this rule may be publicly notified.</p> <p>3. Activity Status: Non-Complying Discretionary</p> <p>Where:</p> <p>a. The activity is a non-airport activity; and</p> <p>b. <u>Compliance with the standards in AIRPZ-S3 to AIRPZ-S4 are not met; or</u></p> <p>c. The activity is not otherwise a <u>permitted or restricted</u> discretionary activity under AIRPZ-R3.1.</p>	
Buildings and Structures		
<p><u>AIRPZ-RX Maintenance and repair of buildings and structures</u></p> <p>1. <u>Activity Status: Permitted</u></p>	<p>No changes proposed.</p>	<ul style="list-style-type: none"> No changes proposed.
<p><u>AIRPZ-RX Demolition or removal of buildings and structures</u></p> <p>1. <u>Activity Status: Permitted</u></p>	<p>No changes proposed.</p>	<ul style="list-style-type: none"> No changes proposed.
<p><u>AIRPZ-R4 Construction of, or additions and alterations to, Buildings and Structures</u></p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. A building or structure is for airport purposes; and</p> <p>i. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is achieved; and</p> <p>ii. <u>The building or structure is</u></p>	<p><u>AIRPZ-R4 Construction of, or additions and alterations to, Buildings and Structures</u></p> <p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. A building or structure is for airport purposes; and</p> <p>i. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is achieved; <u>and</u></p> <p>ii. <u>The building or structure is outside the</u></p>	<ul style="list-style-type: none"> Except where detailed below, I agree with the recommendation in the section 42A report that the Proposed Plan already provides some rules that distinguish between land use activities and the buildings comprising that activity, and therefore, the physical structures and the rules that govern them should not be tied back to the activity. Amendments have been sought below to clarify this position.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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~~outside the East Side Precinct Landscape Buffer.~~

- ~~b. A building or structure is for golf course activities in the East Side Precinct; and~~
- ~~i. Any relevant standard in AIRPZ-S1 is met.~~

2. Activity status: **Controlled**

Where:

- ~~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~~
- ~~b. Compliance with standard AIRPZ-S1 is achieved.~~
- ~~c. 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;~~
- ~~d. A building or structure in the Figure 7– East Side Precinct, Landscape Buffer Area is 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, AIRPZ-P4 and AIRPZ-P5;
2. Design, external appearance and siting;
3. Landscaping, and integration with the surrounding environment; and
4. Traffic generation, parking, loading and access.
5. Construction effects, including earthworks, noise, hours of operation and traffic.

East Side Precinct Landscape Buffer.

- ~~b. A building or structure is for golf course activities in the East Side Precinct; and~~
- ~~i. Any relevant standard in AIRPZ-S1 is met.~~

2. Activity status: **Controlled**

Where:

- ~~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~~
- ~~b. Compliance with standard AIRPZ-S1 is achieved.~~
- ~~c. 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;~~
- ~~d. A building or structure in the Figure 7– East Side Precinct, Landscape Buffer Area is 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, AIRPZ-P4 and AIRPZ-P5;
2. Design, external appearance and siting;
3. Landscaping, and integration with the surrounding environment; and
- ~~4. Traffic generation, parking, loading and access.~~
5. Construction activity effects, including earthworks, noise, hours of operation and traffic.

- I recommend further amendments to the matters of control as matters relating to traffic generation, parking, loading are dealt with by other chapters of the Proposed Plan when a standard is breached, and therefore do not need to be repeated in this Chapter. Furthermore, with respect to traffic generation, given the complex system of activities that exist within this zone, it is difficult to assess traffic generation and what activity can cause an increase.
- I agree with the recommendation to remove additional matters such as traffic generation or construction effects that are dealt with under other chapters of the Plan.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The relevant requirements of AIRPZ-S1 and AIRPZ-S2 are not met; and 2. The building or structure is outside the East Side Precinct Landscape Buffer. 3. A building or structure is for airport purposes but is not a permitted activity under AIRPZ-R4.1; and <ol style="list-style-type: none"> 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. 4. A building or structure is for an airport related activity but is not a controlled Activity under AIRPZ-R4.2. <ol style="list-style-type: none"> 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. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The relevant matters listed in AIRPZ-P1 to AIRPZ-P5; 2. The extent and effect of non-compliance with AIRPZ-S1 and AIRPZ-S2; 3. Maximum height; 4. Gross floor area; 5. Height control adjoining residential areas; 6. Height control adjoining the Open Space Zone (golf course); 7. Traffic generation, parking, loading and access; 8. Construction effects, including earthworks, noise, hours of operation and traffic; 	<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The relevant requirements of AIRPZ-S1 and AIRPZ-S2 are not met; and 2. The building or structure is outside the East Side Precinct Landscape Buffer. 3. A building or structure is for airport purposes but is not a permitted activity under AIRPZ-R4.1; and <ol style="list-style-type: none"> 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. 4. A building or structure is for an airport related activity but is not a controlled Activity under AIRPZ-R4.2. <ol style="list-style-type: none"> iii. Non-compliance with height control adjoining residential areas or the Open Space Zone (golf course) is not exceeded by more than 20%; and iv. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is otherwise achieved. <p>Matters of discretion are:</p> <ol style="list-style-type: none"> 1. The relevant matters listed in AIRPZ-P1 to AIRPZ-P5; 2. The extent and effect of non-compliance with AIRPZ-S1 and AIRPZ-S2; 3. Maximum height; 4. Gross floor area; 5. Height control adjoining residential areas; 6. Height control adjoining the Open Space Zone (golf course); 7. Traffic generation, parking, loading and access; 8. Construction activity effects, including earthworks, noise, hours of operation and traffic; 9. In the Miramar South precinct, consistency with 	<p>Except where detailed below, I support the recommended amendments set out in the section 42A report.</p> <p>I support the recommended removal of traffic generation, parking and access as they are dealt with under other chapters of the plan. For this same reason, I consider amendments are required to sub clause 8 to</p>

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>9. In the Miramar South precinct, consistency with the integrated design management plan; and</p> <p>10. In the Rongotai Ridge precinct, the effects of any building or structure on the form and character of the ridge.</p> <p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. The A building or structure for any purpose is not otherwise a Permitted, Controlled, or Restricted Discretionary activity; and/or</p> <p>b. A building or structure is in the Figure 7 – East Side Precinct, Landscape Buffer Area but is not a Controlled Activity under AIRPZ-R4.2.</p> <p>Notification status: An application for resource consent made in respect of this rule may be publicly notified.</p>	<p>the integrated design management plan; and</p> <p>10. In the Rongotai Ridge precinct, the effects of any building or structure on the form and character of the ridge.</p> <p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. The A building or structure for any purpose is not otherwise a Permitted, Controlled, or Restricted Discretionary activity; and/or</p> <p>b. A building or structure is in the Figure 7 – East Side Precinct, Landscape Buffer Area but is not a Controlled Activity under AIRPZ-R4.2.</p> <p>Notification status: An application for resource consent made in respect of this rule may be publicly notified.</p>	<p>ensure that construction noise and earthworks are managed via the relevant chapter provisions for those topics.</p> <ul style="list-style-type: none"> I also support the deletion of the reference to the Miramar South Precinct Integrated Design Management Plan. While WIAL has prepared an integrated design management plan for this area (refer to the evidence of Ms Lester), it is unnecessary to reference it in the matter of discretion as it is already captured by the reference to "AIRPZ-P1 to AIRPZ-P5", which includes under AIRPZ-P4(3) "Any landscape plan, urban design principles or statement, or integrated design management plan, prepared for an Airport Precinct".

Standards		
<p>AIRPZ-S1 Maximum height and location of buildings and structures (except Miramar South Precinct and Rongotai Ridge precincts)</p> <p>1. Buildings and structures must not exceed the following maximum heights above ground level:</p> <p>a. 30m in the Terminal precinct;</p> <p>b. 18m outside the Terminal Precinct, except:</p> <p>i. 15m for hangars used for Code C (or smaller) aircraft.</p> <p>ii. 20m for hangars used for Code E or other wide body aircraft; and</p> <p>iii. 10m in the East Side Precinct.</p> <p>2. In addition to 1 above, the height and / or location of all buildings and structures shall be further restricted:</p> <p>a. In the Terminal Precinct, no closer than 20m to an external site boundary;</p>	<p>AIRPZ-S1 Maximum height and location of buildings and structures (except Miramar South and Rongotai Ridge precincts)</p> <p>1. Buildings and structures must not exceed the following maximum heights above ground level:</p> <p>a. 30m in the Terminal precinct;</p> <p>b. 18m outside the Terminal Precinct, except:</p> <p>i. 15m for hangars used for Code C (or smaller) aircraft.</p> <p>ii. 20m for hangars used for Code E or other wide body aircraft; and</p> <p>iii. 10m in the East Side Precinct.</p> <p>2. In addition to 1 above, the height and / or location of all buildings and structures shall be further restricted:</p> <p>a. In the Terminal Precinct, no closer than 20m to an external site boundary.</p> <p>b. No higher than 15m, if within 8m of the Open</p>	<p>Except where detailed below, I support the recommended amendments set out in the section 42A report.</p>

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>b. No higher than 15m, if within 8m of the Open Space Zone (golf course) boundary;</p> <p>c. No higher than 4m, if within 5m of a residential zone boundary;</p> <p>d. Code E hangars may only be in the West Side Precinct, and no closer than 10m to an external site boundary; and</p> <p>e. In the South Coast precinct, no closer than 10m to the Moa Point Road boundary;</p> <p>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 1,500m².</p> <p>Except that:</p> <p>4. The following items are excluded from the consideration of maximum height:</p> <p>a. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures;</p> <p>b. Retaining structures or other engineering structures required to ensure ground stability of network utility infrastructure and navigational aids;</p> <p>c. Navigation and safety aids, monitoring stations, lighting and telecommunications facilities; and</p> <p>d. Fencing or retaining wall structures.</p>	<p>Space Zone (golf course) boundary;</p> <p>c. No higher than 4m, if within 5m of a residential zone boundary;</p> <p>d. Code E hangars may only be in the West Side Precinct, and no closer than 10m to an external site boundary; and</p> <p>e. In the South Coast precinct, no closer than 10m to the Moa Point Road boundary;</p> <p>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 1,500m².</p> <p>Except that:</p> <p>4. The following items are excluded from the consideration of maximum height:</p> <p>a. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures;</p> <p>b. Retaining structures or other engineering structures required to ensure ground stability of network utility infrastructure and navigational aids;</p> <p>c. Navigation and safety aids, monitoring stations, lighting and telecommunications facilities; and</p> <p>d. Fencing or retaining wall structures.</p>	<ul style="list-style-type: none"> I support the recommended deletion of this unnecessary text.
<p>Assessment criteria where the standard is infringed:</p> <p>1. Urban design / visual impact, including:</p> <p>a. Height and bulk; and</p> <p>b. Visual interest;</p> <p>2. Minimisation of visual impacts, including by:</p> <p>a. Limits to visual massing; and</p> <p>b. Visual permeability</p>	<p>Assessment criteria where the standard is infringed:</p> <p>1. Urban design / visual impact, including:</p> <p>a. Height and bulk; and</p> <p>b. Visual interest;</p> <p>2. Minimisation of visual impacts, including by:</p> <p>a. Limits to visual massing; and</p> <p>b. Visual permeability (maintenance of view lines);</p> <p>3. Effects on adjacent residential sites, including:</p> <p>a. Length of contiguous or near contiguous development on or near a zone boundary; and</p>	<ul style="list-style-type: none"> I recommend that an amendment is included to consider just the effects of residential sites as this is more appropriate than all zones. Where industrial, commercial or open space sites exist adjacent to the zone, these sites are less sensitive to the effects from the Airport activities.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>(maintenance of view lines);</p> <p>3. Effects on adjacent sites, including:</p> <p>a. Length of contiguous or near contiguous development on or near a zone boundary; and</p> <p>b. Shading and privacy impacts;</p> <p>4. Landscape impacts, including:</p> <p>a. Screening, planting (including species used), and landscaping;</p> <p>b.—Effects on existing significant vegetation; and</p> <p>c. Relationship of landscaping to the gateway function of the Broadway and South coast precincts;</p> <p>5.—Traffic generation, parking, and public transport impacts, including:</p> <p>a.—Parking;</p> <p>b.—Public transport;</p> <p>c.—Site access;</p> <p>d.—Loading and servicing;</p> <p>e.—Internal traffic circulation; and</p> <p>f.—Traffic effects on the surrounding road network;</p> <p>6.—The impacts of retail development on nearby Commercial or Mixed Use zones, and communities;</p> <p>7. The compatibility of structures and activities in the Broadway precinct with the precinct's function as a gateway to the Airport and Miramar / Strathmore;</p> <p>8. Integration between adjoining precincts (and other areas of the Airport); and</p> <p>9.—Construction impacts, including in relation to:</p> <p>a.—Any temporary carparking required to facilitate construction activities; and</p> <p>b. The need for an Earthworks Construction Management</p>	<p>b. Shading and privacy impacts;</p> <p>4. Landscape impacts, including:</p> <p>a. Screening, planting (including species used), and landscaping;</p> <p>b.—Effects on existing significant vegetation; and</p> <p>c. Relationship of landscaping to the gateway function of the Broadway and South coast precincts;</p> <p>5.—Traffic generation, parking, and public transport impacts, including:</p> <p>a.—Parking;</p> <p>b.—Public transport;</p> <p>c.—Site access;</p> <p>d.—Loading and servicing;</p> <p>e.—Internal traffic circulation; and</p> <p>f.—Traffic effects on the surrounding road network;</p> <p>6.—The impacts of retail development on nearby Commercial or Mixed Use zones, and communities;</p> <p>7. 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</p> <p>8. Integration between adjoining precincts (and other areas of the Airport); and</p> <p>9.—Construction impacts, including in relation to:</p> <p>a.—Any temporary carparking required to facilitate construction activities; and</p> <p>b. The need for an Earthworks Construction Management Plan.</p>	<ul style="list-style-type: none"> I support the recommendation contained in the section 42A reporting officer to remove reference to significant vegetation. When considering the heights of buildings, it is inappropriate to consider the effects on significant vegetation. I agree with the recommendation to remove additional matters such as traffic generation or construction effects that are dealt with under other chapters of the plan.

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
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Plan:

AIRPZ-S2 Maximum height and location of buildings and structures (Miramar South precinct and Rongotai Ridge precinct)	AIRPZ-S2 Maximum height and location of buildings and structures (Miramar South precinct and Rongotai Ridge precinct)	Reasoning
<p>1. The height of buildings and structures must not exceed the following heights above ground level:</p> <ul style="list-style-type: none"> a. In the Airport Miramar South precinct, a wall height greater than 8 metres from existing ground level; b. A roof height greater than 9 metres from existing ground level if located within Area A of the Airport Miramar South precinct, or within the Rongotai Ridge precinct; c. A roof height greater than 110 metres from existing ground level if located within Area B of the Miramar South precinct. <p>2. The coverage, location and length of buildings and structures shall not:</p> <ul style="list-style-type: none"> a. Exceed total site coverage of 35% in the Airport Miramar South precinct; b. Be closer than 5 metres to the Site boundary; and c. Exceed 10 metres of continuous wall length without a step in the wall profile of the wall of at least one metre in depth, or via the use of another architectural device or change in materials or colour. <p>Except that:</p> <p>3. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures are excluded from the consideration of maximum height.</p>	<p>1. The height of buildings and structures must not exceed the following heights above ground level:</p> <ul style="list-style-type: none"> a. In the Airport Miramar South precinct, a wall height greater than 8 metres from existing ground level; b. A roof height greater than 9 metres from existing ground level if located within Area A of the Airport Miramar South Precinct or within the Rongotai Ridge precinct; c. A roof height greater than 110 metres from existing ground level if located within Area B of the Miramar South precinct. <p>2. The coverage, location and length of buildings and structures shall not:</p> <ul style="list-style-type: none"> a. Exceed total site coverage of 35% in the Airport Miramar South precinct; b. Be closer than 5 metres to the Site boundary; and c. Exceed 10 metres of continuous wall length without a step in the wall profile of the wall of at least one metre in depth, or via the use of another architectural device or change in materials or colour. <p>Except that:</p> <p>3. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures are excluded from the consideration of maximum height.</p>	<p>Except where detailed below, I support the recommended amendments set out in the section 42A report</p> <ul style="list-style-type: none"> • While I agree with the recommendations of the section 42A reporting officer to include amendments to align the height standards with the underlying designation to avoid confusion. However I consider reference to “roof height” to be unnecessary and may result in the intent of the controls being lost where a structure does not have a roof (i.e. not controls on maximum height).
<p>Assessment criteria where the standard is</p>	<p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> 1. Urban design / visual impact, including: 	

WCC PDP Provision (post section 42A)	K O'Sullivan recommended further amendments to the section 42A recommended Airport Zone provisions ¹	Reasoning
<p>infringed:</p> <ol style="list-style-type: none"> 1. Urban design / visual impact, including: <ol style="list-style-type: none"> a. Height and bulk; b. Visual interest; and c.—Miramar South Integrated Design Management Plan (IDMP); 2. Scale and context appropriate to the surrounding area, including: <ol style="list-style-type: none"> a. Form of rooflines; b. Variation in bulk, form, scale and coverage of buildings; and c. Minimisation of roof lighting visible to residential properties; 3. Effects on adjacent sites, including: <ol style="list-style-type: none"> a. Length of contiguous or near contiguous development on or near a 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: <ol style="list-style-type: none"> a.—Any temporary carparking required to facilitate construction activities; and b. The need for an Earthworks Construction Management Plan. 	<ol style="list-style-type: none"> a. Height and bulk; and b. Visual interest. c.—Miramar South Integrated Design Management Plan (IDMP); 2. Scale and context appropriate to the surrounding area, including: <ol style="list-style-type: none"> a. Form of rooflines; b. Variation in bulk, form, scale and coverage of buildings; and c. Minimisation of roof lighting visible to residential properties; 3. Effects on adjacent residential sites, including: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> a.—Any temporary carparking required to facilitate construction activities; and b. The need for an Earthworks Construction Management Plan. 	<ul style="list-style-type: none"> • I support the deletion of the reference to the Miramar South Precinct Integrated Design Management Plan. While WIAL has prepared an integrated design management plan for this area (refer to the evidence of Ms Lester), it is unnecessary to reference it in the matter of discretion as it is already captured by the reference to “AIRPZ-P1 to AIRPZ-P5”, which includes under AIRPZ-P4(3) “Any landscape plan, urban design principles or statement, or integrated design management plan, prepared for an Airport Precinct”. • I recommend that an amendment is included to consider just the effects of residential sites as this is more appropriate than all zones. Where industrial, commercial or open space sites exist adjacent to the zone, these sites are less sensitive to the effects from the Airport activities. • I agree with the recommendation of the section 42A reporting officer to remove additional matters such as traffic generation or construction effects that are dealt with under other chapters of the plan.
<p>AIRPZ-S3 Commercial, and retail and access restrictions</p> <ol style="list-style-type: none"> 1. Commercial or retail activity shall not: 	<p>AIRPZ-S3 Commercial, and retail and access restrictions</p> <ol style="list-style-type: none"> 1.—Commercial or retail activity shall not: 	<ul style="list-style-type: none"> • Except where detailed below, I agree with the section 42A reporting officer that the combination of commercial/retail and access within the same standard is inappropriate, given how different the elements are. Therefore, I agree with including a new standard – AIRPZ-S4 to

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<p>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</p> <p>b. Be located on land between Calabar Road and Miro Street (part of the Broadway precinct);</p> <p>2. Activities in the Miramar South precinct shall be limited to:</p> <p>a. Flight catering;</p> <p>b. Rental car storage, maintenance and grooming;</p> <p>c. Freight reception, storage and transfer to/from air;</p> <p>d. Ground Service Equipment (GSE) storage; and</p> <p>e. Associated carparking, signage, service infrastructure and landscaping;</p> <p>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</p> <p>4.—Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.</p> <p>Except that:</p> <p>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.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The significance of adverse offsite effects, including but not limited to noise, visual; traffic generation, parking,</p>	<p>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</p> <p>b.—Be located on land between Calabar Road and Miro Street (part of the Broadway precinct);</p> <p>2.—Activities in the Miramar South precinct shall be limited to:</p> <p>a.—Flight catering;</p> <p>b.—Rental car storage, maintenance and grooming;</p> <p>c.—Freight reception, storage and transfer to/from air;</p> <p>d.—Ground Service Equipment (GSE) storage; and</p> <p>e.—Associated carparking, signage, service infrastructure and landscaping;</p> <p>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</p> <p>4.—Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.</p> <p>Except that:</p> <p>5. Ancillary retail in the Miramar South and South Coast precincts is permitted but shall not exceed 10% of the gross floor area of the building in either precinct.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The significance of adverse offsite effects, including but not limited to noise, visual; traffic generation, parking and traffic safety effects;</p> <p>2. Compatibility with the purpose and functioning of precincts within the Airport</p>	<p>separate these out. I agree with the subsequent changes to the rules that have been included to capture this new standard where relevant.</p> <ul style="list-style-type: none"> Refer to paragraphs 52 to 60 of my evidence for the rationale for my changes to 1(b) and 2.

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<p>and traffic safety effects;</p> <p>2. Compatibility with the purpose and functioning of precincts within the Airport Zone;</p> <p>3. Design, scale and location of the activity; and</p> <p>4. Effects on the economic viability of commercial or retail activities in Kilbirnie or Miramar.</p>	<p>Zone;</p> <p>3. Design, scale and location of the activity; and</p> <p>4. Effects on the economic viability of commercial or retail activities in Kilbirnie or Miramar.</p>	
<p>AIRPZ-S4 – Access Restrictions</p> <p>Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.</p> <p>Assessment criteria where the standard is infringed:</p> <p>The significance of adverse effects, including but not limited to traffic safety effects.</p>	<p>AIRPZ-S4 – Access Restrictions</p> <p>Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. The significance of adverse effects, including but not limited to traffic safety effects.</p>	<ul style="list-style-type: none"> I agree with the recommendations of the section 42A reporting officer to include a new standard, separating out the access restrictions from the commercial and retail restrictions for clarity.