

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF the Queenstown Lakes Proposed District Plan

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

STATEMENT OF EVIDENCE KIRSTY O'SULLIVAN

(29 FEBRUARY 2016)

Lane Neave
Level 1, 2 Memorial Street
PO Box 701
Queenstown
Solicitor Acting: Rebecca Wolt
Phone: 03 409 0321
Email: rebecca.wolt@laneneave.co.nz
Fax: 03 409 0322

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

1. INTRODUCTION

Qualifications and Experience

- 1.1 My name is Kirsty O'Sullivan. I hold Bachelor of Science (Geography) and Master of Planning degree from the University of Otago. I am a Senior Resource Management Consultant with the firm Mitchell Partnerships Limited, which practices as a planning and environmental consultancy throughout New Zealand, with offices in Auckland, Dunedin and Tauranga.
- 1.2 I have been engaged in the field of resource and environmental management for seven years. My experience includes a mix of central government, local authority and consultancy resource management work. Over the past 3 years, I have focused on providing consultancy advice with respect to regional and district plans, plan changes, resource consents, designations and environment effects assessments. This also includes experience with large scale projects involving inputs from multidisciplinary teams. An outline of projects in which I have been called upon to provide resource management advice in recent times is included as **Appendix A**.
- 1.3 Mitchell Partnerships Limited (**MPL**) has been appointed by the Queenstown Airport Corporation (**QAC**) to provide advice in relation to the Proposed Queenstown Lakes District Plan (**Proposed Plan**). MPL assisted in the preparation of QAC's submission and further submissions in relation to the Proposed Plan. In preparing this evidence, I have reviewed the Proposed Plan submissions, further submissions, and other relevant information that has been provided by the Council in relation to this matter, including the section 42A reports.
- 1.4 I have read and agree to comply with the Environment Court's Code of Conduct for Expert Witnesses contained in the Practice Note 2014. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express

Scope of Evidence

1.5 This hearing specifically relates to the submissions made on the following chapters of the Proposed Queenstown Lakes District Plan (Proposed Plan):

- Chapter 1: Introduction
- Chapter 3: Strategic Directions
- Chapter 4: Urban Development
- Chapter 5: Tangata Whenua
- Chapter 6: Landscapes

1.6 QAC made submissions on Chapters 3, 4 and 6.

1.7 The history of Queenstown and Wanaka Airports, their role in the Queenstown Lakes District and the planning framework within which they operate has been provided by Mr Mark Edghill and Mr John Kyle. I therefore do not intend to repeat that evidence here, however will draw on their evidence where appropriate to support my opinion.

1.8 In this statement of evidence, I address the following matters:

- The policy framework provided for regionally significant infrastructure (Chapter 3);
- The integration of Plan Change 35 (PC35) into the Proposed Plan (Chapter 4);
- The recognition of functional and locational constraints of infrastructure (Chapter 6);

2. STRATEGIC DIRECTIONS CHAPTER

2.1 QAC made a number of submissions on the Strategic Directions chapter of the Proposed Plan.

- 2.2 The purpose of the Strategic Directions chapter¹ is to set the overarching direction for the management of growth, land use and development in a manner that ensures sustainable management of the Districts special qualities.
- 2.3 The section 42A report author (herein referred to as the “Council Officer”) further reinforces the role of this chapter, noting that it “sets the scene” and “seeks to provide a high level policy framework that responds to all the major resource management issues of the District”². The Council Officer goes on to note that the goals contained in the Strategic Directions Chapter serves as “an expression of key environmental outcomes sought by the Council”³.
- 2.4 It is therefore apparent that the Strategic Directions chapter is critical in establishing the policy framework for the remainder of the Proposed Plan. This is further confirmed at paragraph 8.4 of the section 42A report which states that the Strategic Directions chapter sits over the other strategic chapters of the Proposed Plan (Chapters 4, 5 and 6) as well as the Proposed Plan as a whole⁴.
- 2.5 Given the overarching strategic role of this chapter, I consider that further amendments are required to ensure that the Proposed Plan adequately recognises and provides for regionally significant infrastructure at this fundamental strategic level. I consider that in the absence of such recognition, the Proposed Plan lacks the objective and policy framework to support the infrastructure related provisions in the more specific ‘lower order’ chapters that follow.

Recognising the significance of infrastructure and providing for its ongoing use and development.

- 2.6 The role of Queenstown Airport as a contributor to the social and economic wellbeing of the community has been set out in detail by Mr Mark Edghill and Mr John Kyle in their respective briefs of evidence, which I agree with and rely on in forming the views expressed in this evidence. QAC’s submission with respect to regionally significant infrastructure also provided significant detail in this regard.

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

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

³ Paragraph 1.2, page 2 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

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

2.7 QAC's submission sought two separate policy outcomes for regionally significant infrastructure as follows:

- 1) recognition of the role of regionally significant infrastructure in supporting the communities social and economic wellbeing.
- 2) Provision for the ongoing operation, growth and development of infrastructure.

To achieve these outcomes, QAC proffered two separate suites of provisions which I discuss in turn below.

2.8 Objective 3.2.1.5 of the Proposed Plan seeks to maintain and promote the efficient operation of the District's infrastructure, including designated Airports, key roading and communication technology networks. There are no supporting policies for this objective.

2.9 Given the location of this objective under the Goal heading "*Develop a prosperous, resilient and equitable economy*", QAC proffered in its submission a complementary suite of policies that would give effect to Objective 3.2.1.5 and recognise the role of regionally significant infrastructure in providing for the social and economic wellbeing of the community, noting the notified objective does not expressly do so. These provisions, which are set out below, would recognise the importance of infrastructure as a strategic matter, and would form part of the high level framework unpinning the Airport Mixed Used Zone and potentially other infrastructure related provisions of the Proposed Plan (such as the utilities chapter).

Proposed New Policy 3.2.1.5.1

Recognise that infrastructure, including the district's airports, makes an essential contribution to the prosperity and economic resilience of the District.

Proposed New Policy 3.2.1.5.2

Ensure that the efficient and effective operation of infrastructure, including the districts airports, is safeguarded and not compromised, now or in the future, by incompatible development.

Proposed New Policy 3.2.1.5.3

To recognise that Queenstown Airport is an essential lifeline utility.

- 2.10 QAC also sought the inclusion of a new goal and an associated suite of provisions (as set out below) that would recognise and provide for the ongoing growth and development of regionally significant infrastructure. These provisions would provide the policy framework for the subsequent provisions of the Proposed Plan that recognise the functional and operational requirements of regionally significant infrastructure⁵ and their need to expand in response to the rapid growth being experienced in the District.

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

Proposed New Objective 3.2.8.1

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

Proposed New Policy 3.2.8.1.1

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

Proposed New Policy 3.2.8.1.2

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

- 2.11 I support the amendments sought by QAC. The Council Officer has recommended accepting QAC's submission in part, citing that the notified objective focusses too narrowly on efficiency and does not recognise the necessity and importance of infrastructure in its own right⁶. The Council Officer has therefore recommended the following amendments to proposed Objective 3.2.1.5 and the inclusion of a new policy to give effect to the objective:

⁵ Such as those proposed by the Council Officer with respect to Chapter 6 and discussed in further detail below.

⁶ Paragraph 12.39 and 12.40, page 22 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

“Objective 3.2.1.5

Maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District’s regionally significant infrastructure, including designated airports, key roading and communication technology networks.”

“Policy 3.2.1.5

Safeguard the efficient and effective operation of regionally significant infrastructure from new incompatible activities.”

2.12 While the proposed amendments go some way to addressing QAC’s submission, I consider the Council Officer has misunderstood the subtle differences between the purpose and intent of QAC’s proposed provisions. As a result, the Council Officer’s recommendation, in my opinion, inappropriately confuses and conflates the two separate submissions points and in so doing fails to:

- Recognise the contribution that infrastructure makes to the economic wellbeing of the community.
- Recognise the airport (and potentially other infrastructure) as lifeline assets that require protection.
- Recognise that functional and locational constraints may necessitate a particular location;

2.13 As previously set out in paragraphs 2.1 to 2.5, it is important for the Strategic Direction chapter to establish a sound policy framework for the chapters that follow. I consider that in the absence of policies that address the issues discussed in the foregoing paragraphs, the Proposed Plan lacks the foundations for the subsequent and sometimes directive provisions (or chapters) relating to infrastructure, meaning it will be difficult to justify those provisions in terms of section 32(1)⁷.

⁷ For example, some of the lower order provisions relating to infrastructure seek to dissuade or even prohibit certain activities from occurring within close proximity to infrastructure.

2.14 To provide an example, the Council Officer has recommended the inclusion of a new policy in Chapter 6 of the Proposed Plan to acknowledge the locational constraints of regionally significant infrastructure⁸. In my opinion and as discussed in further detail below in relation to Goal 3.2.5, it is difficult to demonstrate how such a policy is appropriate or effective at achieving a higher order objective in the Strategic Directions chapter, when there are no objectives or policies that recognise or provide for the locational constraints of infrastructure.

2.15 Furthermore, I note that the section 42A report states that:

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

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

2.17 In light of the above, I consider the framework proposed by QAC more appropriately recognises and provides for regionally significant infrastructure, and in my opinion, should be included in the Proposed Plan.

⁸ New Policy 6.3.1.12 seeks to “Regionally significant infrastructure shall be located to avoid degradation of the landscape, while acknowledging location constraints”.

Functional and operational requirements of infrastructure

- 2.18 Proposed Goal 3.2.5 and the associated objectives and policies seek to ensure that the District's distinct landscapes are protected from inappropriate development. Chapter 6 of the Proposed Plan provides further guidance and direction as to how this goal is to be achieved.
- 2.19 QAC submitted that the provisions set out under Goal 3.2.5 do not recognise the operational, technical, functional and safety related requirements of infrastructure that will often dictate their location. In some circumstances, these requirements will result in infrastructure being located within Outstanding Natural Landscapes (ONLs) and Outstanding Natural Features (ONFs). An example of this is the 2010 extension of the Queenstown Airport Runway End Safety Area (RESA) into the ONL of the Shotover River.
- 2.20 The Council Officer has recommended rejecting QAC's submission on Proposed Goal 3.2.5. The Council Officer considers that the Strategic Direction chapter should be focussed more on landscape character and the general outcomes sought, rather than drilling down to potentially acceptable exceptions. The Council Officer considers that this is better addressed in the lower order chapters and provisions and on a case by case basis through resource consent applications⁹.
- 2.21 I do not agree and consider that the proposed approach is inefficient and uncertain for potential resource consent applicants. Moreover there is a significant risk that the strategic level landscape provisions¹⁰ would have a trumping effect, given the strength in their drafting. The strategic level landscape provisions, in particular objective 3.2.5.1, seek to protect ONLs and ONFs from (all) subdivision, use and development. There would be no certainty of outcome for an applicant seeking resource consent within this policy framework if strictly applied, even if there were compelling safety or technical reasons for the infrastructure to be located within the specified landscape.

⁹ Paragraph 12.109, page 33 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

¹⁰ Refer to the objectives and policies located under Goal 3.2.5 of the Proposed Plan.

2.22 I consider it is not appropriate to leave providing for infrastructure in landscape areas until the 'lower order' chapters. If Goal 3.2.5 and its related provisions are not amended (noting the obligation to protect ONLs and ONFs from all subdivision, use and development under Objective 3.2.5.1), any lower order provisions that provide for locational constraints of infrastructure in these areas, would be very difficult to justify in terms of section 32, because they would not 'achieve' these higher order objectives.

2.23 In my opinion, it is therefore appropriate to amend Objective 3.2.5.1, as set out below, to ensure the Strategic Directions chapter contemplates that there may be circumstances where infrastructure proposals are appropriate within ONLs and ONFs. This is could be achieved by amending Objective 3.2.5.1 as follows:

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

2.24 In my opinion, the inclusion of QAC's proposed new provisions with respect to the ongoing operation and growth of regionally significant infrastructure (as discussed in section 2), in tandem with my proposed change to Objective 3.2.5.1 relating on ONLs and ONFs, would provide an adequate balancing of infrastructure and landscape management issues without specifically drawing infrastructure provisions into Goal 3.2.5.

Further Submissions

2.25 With respect to Proposed Objective 3.2.2.1 and associated Policy 3.2.2.1.3, QAC supported, in part, the submissions by the Board of Airline Representatives New Zealand (BARNZ) (submission number 271.3 to 27.15) and Transpower (805.23), as the changes sought by these submitters provided further direction around the management of reverse sensitivity effects. QAC only partially supported the changes however, due to concerns with the use of the term 'avoid' in the provisions.

- 2.26 I understand that as a result of the Supreme Court's ruling in *Environmental Defence Society Incorporated v The New Zealand King Salmon Company*¹¹ care must be taken when including provisions in plans that require resource users to "avoid" adverse effects. In accordance with the guidance provided by the *King Salmon* decision the use of such policies could effectively act as a prohibition for certain activities. QAC therefore proffered slightly amended wording (which I support, but acknowledge goes beyond the ambit of a further submission) to assist the Council Officer should they recommend to accept BARNZ or Transpower's submission and have sufficient scope to make the changes proposed.
- 2.27 The Council Officer has recommended rejecting both the submissions of BARNZ and Transpower, as well as the further submission made by QAC. No substantive reasoning for this recommendation has been provided, however I infer it relates to the Council Officer's recommendation to delete Proposed Policies 3.2.2.1.1 to 3.2.2.1.7 in response to a submission by Remarkables Park Limited¹².
- 2.28 The recommended deletion of these provisions is inconsequential for QAC. If however, the Panel is of a mind to retain the provisions, I maintain that it is appropriate for the provisions to recognise the potential reverse sensitivity effects arising as a result of urban development, as per the BARNZ and Transpower submissions and QAC's further submission.
- 2.29 QAC also lodged a further submission with respect to Remarkables Park Limited submission (submission 807.48) on Policy Proposed 3.2.2.1.4. Specifically, QAC opposed the submission as the relief sought by Remarkables Park Limited would, at a strategic policy level, encourage the high density residential development in locations close to commercial and mixed use zones.
- 2.30 I note that there are a number of mixed use zones within close proximity to Queenstown Airport in which high density residential activity could expect to establish if Remarkables Park's submission is allowed. Given the resource management framework established under PC35 and set out NZS6805¹³, I

¹¹ *Environmental Defence Society Incorporated v The New Zealand King Salmon Company* [2014] NZSC 38.

¹² Paragraph 12.70, page 27 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

¹³ as discussed by Mr John Kyle in his Evidence in Chief dated 29 February 2016.

consider it would be inappropriate to provide for intensified residential activity within the OCB.

- 2.31 As noted in paragraph 2.23 above, the Council Officer has recommended that Proposed Policy 3.2.2.1.4 be deleted to remove repetition in the Proposed Plan. Again, the outright deletion of Policy 3.2.2.1.4 is inconsequential for QAC. If the Panel is of a mind to retain these provisions however, I support the notified version of Proposed Policy 3.2.2.1.4 as it excludes the mixed use zones, such as those located around the Airport.

New Objectives and Policies

- 2.32 I understand that several submissions sought specific reference to the Remarkables Park centre given its current and growing prominence as a commercial centre in the District. In response to these submissions, the Council Officer has recommended the inclusion of a new objective and associated policies relating to the Frankton commercial area, comprising Remarkables Park, Queenstown Airport and Five Mile¹⁴.
- 2.33 The Council Officer considers that the proposed new provisions will partly address the submission of QAC which sought greater recognition of the Airport's role in the District¹⁵. I agree with and support in principle the intent of new Objective 3.2.1.2 and Policies 3.2.1.2.1 and 3.2.1.2.2 on this basis. However I consider further refinements are necessary to ensure the provisions are appropriate and effective.
- 2.34 The Council Officer's proposed new Objective 3.2.1.2 *seeks to recognise, develop, sustain and integrate the key mixed use function of the wider Frankton commercial area, comprising Remarkables Park, Queenstown Airport and Five Mile*. I am uncertain what is intended by the term 'integrate' in this context, particularly when the nature and scale of activities occurring at Queenstown Airport are distinctly different, and at times, incompatible with more sensitive activities occurring within adjacent mixed use zones. In my opinion, it would

¹⁴ Paragraph 12.23, page 18 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan and associated new Objective 3.2.1.2 and Policies 3.2.1.1 to 3.2.2.3.

¹⁵ Paragraph 12.23, page 18 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan

therefore be difficult to 'integrate' such activities. I therefore recommend that Objective 3.2.1.2 is amended as follows:

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

2.35 Similarly, I consider that the Council Officer's proposed new Policy 3.2.1.2.1 should be amended as follows:

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

2.36 Proposed Policy 3.2.1.2.3 seeks to *avoid additional commercial rezoning that will undermine the function and viability of the Frankton commercial area, or which will undermine increasing integration between the nodes in the area.* As discussed in paragraph 2.22, the term avoid could effectively act as a prohibition for certain activities. As currently drafted, this policy could conceivably curtail any commercial rezoning anywhere in the District. Given the nature of the other policies within the Strategic Directions chapter, I do not think that this was the intent of the Council Officer.

2.37 The policies that precede proposed new Policy 3.2.1.2.3 seek to recognise and provide for the varying complementary functions and characteristics of the various mixed use development nodes within the Frankton commercial area. In some cases, further commercial rezoning of land within Frankton may also serve to achieve this outcome. Policy 3.2.1.2.3 is counter to the outcomes of the policies that precede it. I therefore consider that this policy should be deleted.

3 URBAN DEVELOPMENT CHAPTER

3.1 The purpose of the Urban Development chapter is to set out the objectives and policies for managing the spatial location and layout of urban development¹⁶.

¹⁶ As described in Section 4.1 Purpose of the Proposed Plan.

3.2 QAC made a number of submissions on this chapter which largely sought to ensure that the urban development provisions established under PC35 be transferred into the Proposed Plan without substantive amendment.

Plan Change 35

3.3 Mr Kyle has provided a summary of the genesis of Plan Change 35 (PC35) and why the provisions confirmed by the Environment Court should be transferred into the Proposed Plan without substantive amendment. I agree with the rationale and recommendations of Mr Kyle in this regard and attach as **Appendix B**, a table which cross references the relief sought by QAC with respect to Chapter 4 of the Proposed Plan with the relevant PC35 provision. To clarify, the “Proposed District Plan Provisions” column in Appendix B contains the additional provisions which QAC seeks, and I agree should be included in the Proposed Plan to appropriately incorporate the PC35 higher order provisions. Attached as Appendix C is a full suite of the amendments that I consider are necessary to appropriately incorporate the higher order PC35 provisions into Chapters 3, 4 and 6 of the Proposed.

3.4 I anticipate addressing the integration of the lower order PC35 provisions into each chapter of the Proposed Plan at each of the relevant chapter hearings. With respect to the Urban Development chapter, I note that for the most part, the provisions of PC35 have been omitted from the chapter in their entirety. I consider this approach is not the most appropriate approach in terms of section 32 and refer to the evidence of Mr Kyle as to the purpose, intent and importance of the PC35 provisions in providing for the ongoing growth of the Airport and protecting it from reverse sensitivity effects.

3.5 I note that the Proposed Plan endeavours, to incorporate some, but not all, of the outcomes sought via PC35. Some of the provisions that are incorporated take the form of the PC35 provision verbatim, such as Policy 4.2.2.4¹⁷, whereas others have been substantively redrafted, such as Policies 4.2.3.8 and 4.2.4.3¹⁸. As set

¹⁷ Which seeks to “Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee”, as per Policy 7.3, Section 4.9.3 of Plan Change 35.

¹⁸ Policy 4.2.3.8 aims to ensure that “*Land use within the Air Noise Boundary or Outer Control Boundary of the Queenstown Airport is managed to prohibit or limit the establishment of Activities Sensitive to Aircraft Noise*”.

out in the subsequent discussion relating to these policies, the Proposed Plan essentially tries to condense the two objectives and eight policies from PC35 relating to urban development into three policies. I consider that this approach is an oversimplification of the land use management approach described by Mr Kyle, which fails to implement the purpose and intent of PC35.

3.6 I do not agree with this approach and consider it will not ensure Airport growth is appropriately provided for and reverse sensitivity effects avoided, as intended by PC35. I am concerned that the partial inclusion of the PC35 provisions could result in an incomplete and/or inadequate higher order framework in the Proposed Plan meaning the inclusion of the important lower order provisions in later chapters, including some of the rules that are included in PC35 to protect the Airport from reverse sensitivity effects, cannot be justified in terms of section 32. For example, Objective 21.2.7, Policy 21.2.7.1 and Rule 21.4.29 of the Rural zone provisions of the Proposed Plan collectively seek to prohibit the establishment of new activities sensitive to aircraft noise (ASAN) within the OCB. Despite the definitive land use response that results from these provisions, in my opinion, the corresponding strategic level policy dissuasion is absent from the Proposed Plan, making the Rural zone provisions difficult to justify in terms of section 32(1).

3.7 Without derogating from my primary opinion that the PC35 provisions should be included without substantive amendment, I set below my opinion as to the appropriateness or otherwise of the provisions that have been included in the Proposed Plan to “*reflect the outcomes of PC35*”¹⁹, as suggested by the section 32 report for this chapter.

Proposed Objective 4.2.4 and associated Policy 4.2.4.3

3.8 Proposed Objective 4.2.4 seeks to manage the scale and location of urban growth in the Queenstown Urban Growth Boundary. Associated Policy 4.2.4.3 seeks to protect Queenstown Airport from reverse sensitivity effects and maintain residential amenity through managing the effects of aircraft noise within critical

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

¹⁹ Page 33 of the section 32 report for the Urban Development Chapter of the Proposed Plan.

listening environments of new or altered buildings within the Air Noise Boundary (ANB) or Outer Control Boundary (OCB).

- 3.9 In its submission, QAC generally supported the proposed objective, but submitted that the policy should be amended to recognise those zones where residential activity is prohibited within the OCB and ANB. QAC submitted that the most appropriate way to do this is to split the policy into two parts as follows:

Within existing residential zones, protect Queenstown Airport from reverse sensitivity effects, and maintain residential amenity through managing the effects of aircraft noise within critical listening environments of new or altered buildings within the Air Noise Boundary or Outer Control Boundary.

Within Rural and Industrial Zones, protect Queenstown Airport from reverse sensitivity effects through preventing the establishment of new activities sensitive to aircraft noise within the Air Noise Boundary and Outer Control Boundary.~~*And maintain residential amenity through managing the effects of aircraft noise within critical listening environments of new or altered buildings within the Air Noise Boundary or Outer Control Boundary.*~~

- 3.10 I note the submission as lodged contained an inadvertent error in respect of the second policy (above) in that it was missing the words “ *Outer Control Boundary and Air Noise Boundary.*” The correct policy is as stated above. The Council Officer has recommended rejecting QAC’s submission, although no reasons have been provided.

- 3.11 As set out by Mr Kyle, PC35 established and land use management approach where:

3.11.1 Within the Low Density Residential Zone any new and/or alterations or additions to existing buildings containing ASAN are required to provide mechanical ventilation for Critical Listening Environments on sites located within the PC35 OCB, and mechanical ventilation and sound insulation for sites located within the PC35 ANB, to achieve an Indoor Sound Level of 40dB Ldn, based on 2037 Noise Contours.

3.11.2 Within the Rural and Industrial Zones, any new ASAN within the PC35 OCB is prohibited.

- 3.11.3 Within the Remarkables Park zone, all residential, visitor accommodation and community activities within the 2037 60dB Noise Contour is prohibited.
- 3.11.4 Within the Frankton Flats A Zone, prohibit ASAN over a specified threshold.
- 3.12 As noted, QAC seeks this land use management approach to be carried through to the Proposed Plan. However, I consider that, as currently drafted, Policy 4.2.4.3 does not provide sufficient dissuasion to warrant the prohibition of new ASAN in the zones identified above, whereas QAC's amendments go some way towards providing an appropriate policy basis for such methods.
- 3.13 Furthermore, the first part of the policy, which contains its intention, being to "*protect Queenstown Airport from reverse sensitivity effects*" is essentially cancelled out by the second part which seeks to "*manage the effects of aircraft noise*". When read literally, the policy requires QAC to manage its own effects in order to protect itself from reverse sensitivity. As I understand it, the fundamental principle of reverse sensitivity is to manage the effects of sensitive activities (in this case ASAN/residential activities) on lawfully established generators of the effect (in this case the Airport). The current wording of the policy requires QAC to manage its own effects in order to avoid the consequences of reverse sensitivity, and in so doing it perpetuates a reverse sensitivity to some extent (acknowledging there is only an 'effect' if the generator needs to curtail its operations, which would not be the case here). I do not consider this to be the intent of the policy, but it is its practical effect.
- 3.14 The proposed policy also appears to try to consolidate PC35 District Wide policies 8.1, 8.4 and 8.5²⁰ (QAC's proposed policies 4.2.8.1, 4.2.8.4 and 4.2.8.5 in the Proposed Plan, refer Appendix B) into one single policy. In my opinion, this oversimplifies the land management approach proposed by PC35 as it:

²⁰ Section 4.9.3 of the Operative District Plan, as amended by PC35

- 3.14.1 Confuses whether the policy is seeking to protect Queenstown Airport from the reverse sensitivity effects of ASAN²¹, or manage the effects of aircraft noise²²;
 - 3.14.2 Does not specify that the policy applies to ASAN (or in the case of the Remarkables Park Zone, residential, education facilities and visitor accommodation), potentially extending its application to all new or altered buildings within the ANB or OCB.
 - 3.14.3 Seeks to only maintain residential amenity.
- 3.15 Accordingly, on further review of this provision, both the proposed policy and QAC's suggested amendments, as contained in its submission, are not, in my opinion, appropriate to protect the Airport from reverse sensitivity effects. I consider it would more appropriate to delete Policy 4.2.4.3 and incorporate the reverse sensitivity related provisions of PC35, as detailed in Appendix B, into this chapter without substantive amendment.

Proposed Policy 4.2.4.4

- 3.16 Proposed Policy 4.2.4.4 seeks to manage the adverse effects of noise from Queenstown Airport by conditions in the Aerodrome Purposes designation (Designation 2) including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee. In its submission, QAC supported this policy, for the reasons that it is consistent with Policy 7.3, Section 4.9.3 of the Operative Plan, as amended by PC35. QAC sought that the proposed provision be relocated however to sit with the remaining PC35 provisions it seeks be included in the Proposed Plan.
- 3.17 The Council Officer has recommended that QAC's submission be rejected on this point. No changes have been made to the policy in the section 42 report, and therefore I assume that the Council Officer's recommendation relates to the relocation of the policy, as opposed to QAC's support of it.
- 3.18 Policy 4.2.4.4 forms one of three policies that give effect to Objective 7, Section 4.9.3 of the Operative Plan, as amended by PC35 (refer to the table attached as Appendix B). The manner in which it has been included in the Proposed Plan

²¹ As intended by Proposed Policy 4.2.8.1 attached in **Appendix B**.

²² Which is the general principle behind Objective 4.2.7 and Policies 4.2.7.1 to 4.2.7.3, as attached as **Appendix B**.

does not, in my opinion, appear to have been adequately assessed in terms of section 32(1) as the policy is not effective at achieving its corresponding objective which relates to the scale and location of urban growth²³. If the panel is of a mind to include the provisions of PC35 into the Proposed Plan (as set out in Appendix B), I consider that policy should be relocated to sit within the objective that was intended to give effect to (i.e QAC's proposed additional objective 4.2.7, refer Appendix B).

Proposed Policy 4.2.3.8

- 3.19 Proposed Policy 4.2.3.8 seeks to ensure that land within the ANB or OCB of Queenstown Airport is managed to prohibit or limit the establishment of ASAN.
- 3.20 QAC supported this policy as it endeavoured to give effect to PC35. QAC also made a further submission in opposition to the Hansen Family Partnership submission (751.7) as it sought to amend the policy direction towards a more permissive land use management regime for ASAN within the OCB than was established by PC35.
- 3.21 The Council Officer has recommended accepting QAC's submission and further submission. As this policy seeks to implement an objective relating to urban growth boundaries²⁴ and is generally in line with the intent of PC35, I support the recommendation of the Council Officer. Given the broader application of the objective, if the provisions of PC35 are incorporated into the Proposed Plan, in my opinion, it is still appropriate for this policy to remain as it is effective at achieving the higher order objective.

Other Urban Development Provisions

- 3.22 Proposed Policy 4.2.2.4 sets out that not all land within the Urban Growth Boundaries will be suitable for urban development such as (but not limited to) land with ecological, heritage or landscape significance; or land subject to natural hazards. QAC supported the retention of this provision, however sought some minor drafting amendments to reflect that urban intensification may not be suitable within close proximity to airports.

²³ Objective 3 seeks to Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

²⁴ Objective 4.2.3 of the Proposed Plan which aims to ensure that *“Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provisions.*

3.23 The Council Officer does not appear to have made a recommendation with respect to QAC's submission on this provision. QAC's submission has been omitted from the list of submitters attached as Appendix 2 of the section 42A report.

3.24 Notwithstanding the above, I agree with QAC's amendments to the policy and consider that it would further support the land use management regime established under PC35.

4 **LANDSCAPE**

4.1 The purpose of the landscape chapter is to recognise the landscape as a significant resource to the district and region, and that the resource requires protection from inappropriate activity that could degrade its quality, character and values.

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

4.3 The Council Officer recommends accepting QAC's submission in part²⁵. While the Council Officer indicates that the importance of regionally significant infrastructure is acknowledged and recognised in the strategic direction policy framework and the energy and utilities chapter²⁶, the Council Officer considers that it is appropriate to acknowledge the importance of the contribution that regionally significant infrastructure makes to social and economic wellbeing and health and safety of the District²⁷, and that such infrastructure is likely to be affected by locational constraints without any legitimate alternatives to locate.

4.4 The following new policy is therefore recommended by the Council Officer:

New policy 3.3.1.12

²⁵ Appendix 2, page 15 of the section 42A Hearing Report for Chapter 6 of the Proposed Plan

²⁶ Paragraph 9.26, page 11 of the section 42A Hearing Report for Chapter 6 of the Proposed Plan

²⁷ Paragraph 9.28, page 11 of the section 42A Hearing Report for Chapter 6 of the Proposed Plan

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

- 4.5 While in principle, I agree with the commentary of the Council Officer, I do not consider that his amendments to the proposed policy appropriately addresses the issue raised in the submission. I consider the words “while acknowledging location constraints” are vague and their intent is unclear. I query, to what end and extent are locational constraints to be acknowledged?
- 4.6 As set out in QAC’s submission, the functional, technical, operational and safety related constraints often influence the location of important infrastructure, such as airports. Given the lack of suitable alternative locations, there may be circumstances where the regionally and/or nationally significant benefits of enabling an activity need to be balanced against the adverse effects of a particular location. The RESA extension discussed in paragraph 2.16 is an example of such a proposal.
- 4.7 While I acknowledge that it is appropriate for infrastructure occupying sensitive locations to be located and designed, as far as reasonably practicable, to minimise the potential for adverse effects on the particular landscape character and/or the visual amenity values inherent at the site, the Council Officer’s proposed policy does not recognise or provide for circumstances such as the RESA extension or obstacle lighting. I also consider the use of the term ‘avoid’ to be problematic for reasons set out in paragraph 2.22, and may inadvertently prohibit infrastructure from locating in such environments despite functional or locational constraints.
- 4.8 In light of the above, I support the provisions proposed by QAC.
- 4.9 Policy 6.3.1.7 seeks to ensure that the location and direction of lights does not cause glare to other properties and public places or avoids degradation of the night sky. Two submissions were received in opposition to this policy, seeking that the policy be relocated to a more appropriate chapter of the Proposed Plan as the policy does not specifically address landscape values²⁸. In response to

²⁸ Submitter 761 and Submitter 806.

these submissions, the Council Officer has recommended the following amendments to the policy:

“Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or avoids degradation of the night sky, landscape character and sense of remoteness where it is an important part of that character.”

- 4.10 The recommended changes significantly extend the scope and application of the policy and have the potential to ‘prohibit’ or ‘not allow’ regionally significant infrastructure, such as navigational lights, within ONLs. While QAC has not submitted specifically on Policy 6.3.1.7, I consider it falls within the scope of section 4 of its original submission (in particular, paragraphs 4.13 to 4.15).
- 4.11 I do not consider that the proposed changes to the policy are appropriate and would conflict with provisions seeking to provide for the locational constraints of regionally significant infrastructure. Furthermore, the nature of the changes proposed appear to extend beyond the scope of the relief sought by the submitters. In my opinion, the original wording should be retained, but the policy should be deleted from Chapter 6 and relocated to the rural chapter, as per the relief sought by the submitters.

5 CONCLUSIONS

- 5.1 The Strategic Directions, Urban Development and Landscape chapters are critical in providing the policy framework for the subsequent chapters of the Proposed Plan. It is therefore important in my view that these chapters appropriately recognise and provide for significant infrastructure, particularly where it is of regional importance, and provide sufficient grounding, in terms of section 32, for the lower order policies and methods that will follow.
- 5.2 Of particular concern with the Proposed Plan is the limited recognition afforded to infrastructure within the Strategic Directions chapter, including airports, and their role in providing for the social and economic wellbeing of the community. This general lack of recognition has filtered into Chapters 4 and 6 of the Proposed Plan. Of further concern is the lack of an appropriate higher order framework in the strategic part of the Proposed Plan (Part 2) to justify the inclusion of the lower

order PC35 provisions, including important rules which seek to protect the Airport for potential reverse sensitivity effects.

- 5.3 Accordingly, to ensure that infrastructure providers such as designated airports can continue to meet the demand the its services as the District continues to grow, I consider the amendments detailed in my evidence and in QAC's submissions are necessary and the most appropriate for ensuring that infrastructure, as an important physical resource for the District, is appropriately recognised and provided for in the Proposed Plan, and so that the Airport, as significant regional infrastructure is adequately protected from potential reverse sensitivity effects..

APPENDIX A

Summary of Recent Project Experience

- Alliance Group Limited – Review of various Southland Regional and District Plan and Policy changes and preparation of submissions.
- Alliance Group Limited – assisted with the preparation of the renewal resource consent application for the Lorneville Plant.
- Alliance Group Limited –Environment Court Mediation on Plan Change 14 to the Environment Southland Water Plan.
- Borst Holdings Limited – resource consent and evidence preparation for the first regional council consent under the new provisions of Water Plan, as amended by Plan Change 6A.
- Dunedin City Council – assistance with the land disposal process under the Local Government Act 2002 and the associated preparation of subdivision consent for Logan Park.
- Greenvale Group Limited – preparation of resource consent application and associated community consultation for a new retirement village in Invercargill.
- Invercargill Airport Limited – Preparation of resource consent applications and ongoing planning advice with respect to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- Invercargill Airport – preparation of outline plan documentation for the Terminal Building Expansion Works.
- Invercargill Airport Limited – Review of various Southland Regional and District Plan and Policy changes and preparation of submissions.
- Otago Regional Council – preparation of resource consent applications associated with the Contour Channel Reconstruction on the Lower Taieri Plains.
- Otago Regional Council – resource consent auditing of the Lower Leith Flood Protection Works.
- Queenstown Airport Corporation – Provision of ongoing resource management advice with respect to activities occurring in and around Queenstown and Wanaka Airports.

- Queenstown Airport Corporation – provision of ongoing advice with respect to aircraft noise controls, Plan Change 35 and the associated notice of requirement.
- Queenstown Airport Corporation – Review of various Plan Changes and preparation of submissions and evidence, including submissions on the Proposed Queenstown Lakes District Plan.
- Queenstown Airport – Preparation of outline plan documentation for various developments at Queenstown Airport, including the recent 4000m² terminal building extension project and runway resurfacing works.
- Ryman Healthcare Ltd – preparation of land use and subdivision consent applications for comprehensive retirement villages nationwide.
- South Port Limited – Review of various Southland Regional and District Plan and Policy changes and preparation of submissions and evidence.
- South Port Limited – Environment Court Mediation on the Proposed Environment Southland Regional Policy Statement.
- Wellington International Airport Limited – assisted with the preparation of the resource consent applications for the runway extension project at Wellington Airport.

APPENDIX B

Pc35 Provisions Sought by Qac.

PC35 Provision Reference	Proposed District Plan Provision
Section 4.9.3 Objective 7	Objective 4.2.7 Maintain and promote the efficient operation of Queenstown Airport and set appropriate noise limits in order to protect airport operations and to manage the adverse effects of aircraft noise on any Activity Sensitive to Aircraft Noise.
Section 4.9.3 Policy 7.1	Policies 4.2.7.1 To ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.
Section 4.9.3 Policy 7.2	Policy 4.2.7.2 To manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries whilst at the same time providing for the efficient operation of Queenstown Airport.
Section 4.9.3 Policy 7.3	Policy 4.2.7.2 To manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.
Section 4.9.3 Objective 8	Objective 4.8.7 Manage urban growth issues on land in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.
Section 4.9.3 Policy 8.1	Policy 4.2.8.1 To protect the airport from reverse sensitivity effects of Activity-Sensitive to Aircraft Noise
Section 4.9.3 Policy 8.2	Policy 4.2.8.2 To prohibit all new Activity Sensitive to Aircraft Noise within the Rural, and Industrial Zones located within the Outer Control Boundary at Queenstown Airport and to limit such uses in the Frankton Flats (A) Zone.
Section 4.9.3 Policy 8.3	Policy 4.2.8.3 To prohibit all Residential, Visitor Accommodation and Community Activities within that part of the Remarkables Park Zone within the 2037 60dB Noise Contour at Queenstown Airport.

<p>Section 4.9.3 Policy 8.4</p>	<p>Policy 4.2.8.4 To ensure that Critical Listening Environments of all new and alterations and additions to existing buildings containing Residential, Educational Facilities and Visitor Accommodation in the Remarkables Park Zone in the areas identified in Figure 2 – Airport Measures in the District Planning Maps achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.</p>
<p>Section 4.9.3 Policy 8.5</p>	<p>Policy 4.2.8.5 To ensure that any Critical Listening Environments of all new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise located in the existing Residential zones, and the Frankton Flats (A) Zone within the Queenstown Airport Outer Control Boundary are designed and built to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.</p>

APPENDIX C

Amendments sought to the Proposed Plan Provisions

Amendments sought to the Proposed Plan Provisions. Underlines represents additions, ~~strikeouts~~ represent deletions.

CHAPTER 3: STRATEGIC DIRECTION

Objective 3.2.1.5

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

Policy 3.2.1.5.1

Recognise that infrastructure, including the district's airports, makes an essential contribution to the prosperity and economic resilience of the District.

Policy 3.2.1.5.2

Ensure that the efficient and effective operation of infrastructure, including the districts airports, is safeguarded and not compromised, now or in the future, by incompatible development.

Policy 3.2.1.5.3

To recognise that Queenstown Airport is an essential lifeline utility.

Objective 3.2.1.2

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

Policy 3.2.1.2

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

~~Policy 3.2.1.2.3~~

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

Objectives 3.2.5.1

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

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

Objective 3.2.8.1

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

Policy 3.2.8.1.1

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

Policy 3.2.8.1.2

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

CHAPTER 4 URBAN DEVELOPMENT

Purpose (all text)

Queenstown Airport is a significant asset to the region. It provides a transportation hub for residents, visitors and business travellers and offers both domestic and international scheduled flights. The Airport also facilitates and supports a number of local tourist and aviation related businesses.

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

Being within the township of Frankton, Queenstown Airport has some existing residential neighbours. It is recognised that the anticipated growth in operations at Queenstown Airport will necessitate sound insulation and mechanical ventilation works to Critical Listening Environments within some existing, new or altered buildings in order to mitigate the effects of aircraft noise.

Queenstown Airport Corporation Limited will undertake regular monitoring to ensure that the owners or occupiers of existing buildings containing an Activity Sensitive to Aircraft Noise within the Projected 65 and 60 dB AANC are offered appropriate noise mitigation in accordance with Designation 2.

The noise boundaries are also necessary to ensure new noise sensitive development does not occur in inappropriate locations, and new and alterations and additions to existing buildings are designed to achieve the Indoor Design Sound Level.

Reverse sensitivity effects on Queenstown Airport may arise where Activity Sensitive to Aircraft Noise are established within the Airport's Air Noise Boundary or Outer Control Boundary.

Policy 4.2.2.4

Not all land within the Urban Growth Boundaries will be suitable for urban development or intensification, such as (but not limited to) land with ecological, heritage or landscape significant; ~~or~~ land subject to natural hazards or within close proximity to airports. The form and allocation of urban development shall take account of site specific features or constraints to protect public health and safety.

Policy 4.2.3.8

Land within the Air Noise Boundary or Outer Control Boundary of Queenstown Airport is managed to prohibit or limit the establishment of Activities Sensitive to Aircraft Noise.

Objective 4.2.4

Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

~~Policy 4.2.4.3~~

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

Policy 4.2.4.4

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

Objective 4.2.7

Maintain and promote the efficient operation of Queenstown Airport and set appropriate noise limits in order to protect airport operations and to manage the adverse effects of aircraft noise on any Activity Sensitive to Aircraft Noise.

Policies 4.2.7.1

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

Policy 4.2.7.2

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

Policy 4.2.7.2

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

Objective 4.2.8

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

Policy 4.2.8.1

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

Policy 4.2.8.2

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

Policy 4.2.8.3

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

Policy 4.2.8.4

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

Policy 4.2.8.5

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

CHAPTER 6 LANDSCAPES

6.2 Values

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

Policy 6.3.1.12

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

Policy 6.3.3.3

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

Policy 6.3.4.5

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

Policy 6.3.5.7

Where there is an operational, technical or safety related requirement for infrastructure proposal to be located within a Rural Landscape, the adverse effects of the infrastructure on the important qualities of the Rural Landscape should be mitigated as far as practicable.

Policy 6.3.1.7

Ensure that the location and direction of lights avoids degradation of the night sky, landscape character and sense of remoteness where it is an important part of that character.