

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL
INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of submissions to the Stage 1 Proposed
Queenstown Lakes District Council Plan
by **Jeremy Bell Investments Limited
(782)**.

**STATEMENT OF EVIDENCE OF JEFFREY ANDREW BROWN
ON BEHALF OF JEREMY BELL INVESTMENTS LIMITED
TOPIC 12: UPPER CLUTHA MAPPING**

4 April 2017

1 Introduction

- 1.1 My name is Jeffrey Andrew Brown. I have the qualifications of Bachelor of Science with Honours and Master of Regional and Resource Planning, both from the University of Otago. I am a full member of the New Zealand Planning Institute. I am also a member of the New Zealand Resource Management Law Association. I was employed by the Queenstown Lakes District Council (**QLDC**) from 1992 – 1996, the latter half of that time as the District Planner. Since 1996 I have practiced as an independent resource management planning consultant, and I am currently a director of Brown & Company Planning Group Ltd, a consultancy with offices in Auckland and Queenstown. I have resided in Auckland since 2001.
- 1.2 **Attachment A** contains a more detailed description of my work and experience.
- 1.3 I have complied with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person, and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
- 1.4 I have read the evidence of Mr Barr, Ms Mellsop, Mr Glasner, and Ms Banks for the Council, and of Ms Snodgrass, Mr Bell and Mr Carr for JBIL. I comment on this material through my evidence.
- 1.5 This evidence is on behalf of Jeremy Bell Investments Limited (**JBIL**) (submitter 782). JBIL owns Criffel Station which includes the 14.5ha block on the generally flat land adjacent to State Highway 6 and Mount Barker Road, opposite Wanaka Airport. The land is described in more detail in the evidence of Ms Snodgrass¹. In this evidence I address the Proposed District Plan (**PDP**) zoning of this 14.5ha block.
- 1.6 JBIL's submission seeks that the zoning of the JBIL land be changed from the Rural Zone to the Airport Zone (**AZ**) and that appropriate standards are applied to enable development that is consistent with the location, landscape context and existing development within Wanaka Airport and the surrounding area; and any other necessary consequential amendments to give effect to the submission².
- 1.7 The notified PDP did not create an airport-type zone for Wanaka; the only mechanism for airport operations is the designation. The Stream 8 hearings addressed submissions seeking an airport zone for Wanaka and introduced new provisions for an AZ for Wanaka Airport.

¹ Evidence of Michelle Snodgrass dated April 2017, paragraphs 6 – 16

² JBIL submission 782, dated 23 October 2015

1.8 My evidence is structured as follows:

- | | |
|-----------|--|
| Section 2 | Wanaka's growth and implications for the airport and the JBIL land; |
| Section 3 | I propose AZ provisions for the JBIL land; |
| Section 4 | I address s32 of the Act with specific focus on the principles for rezonings, as set out in the s42A material; |
| Section 5 | I conclude with a discussion of Part 2 of the Act. |

2 Wanaka's growth and implications for Wanaka Airport and the JBIL land

2.1 Between the 2001 and 2013 censuses the usually residential population of Wanaka³ grew from 4674 to 9033, or 28.9%. In the same period the usually resident population of Queenstown⁴ grew from 12,369 to 19,191, or 20.3%⁵. Projections indicate that Wanaka's resident population will be around 12,000 by 2021 while Queenstown's will be around 24,000⁶. Wanaka's population is around 20 years behind Queenstown's, although its growth is (at least between 2001 – 2013) faster.

2.2 Visitor growth for the year ended December 2016, for Wanaka⁷, were:

- Guest nights increased by 9.7% to 815,666;
- International guest nights increased by 14.4% to 501,061;
- Domestic guest nights increased by 3.0% to 314,605.

2.3 This growth plainly means there is a need for more facilities, infrastructure, activities and zones for these, for residents and visitors.

³ The wider Wanaka basin, including Hawea and rural areas

⁴ The wider Queenstown / Wakatipu area, including Arrowtown, Glenorchy and rural areas

⁵ Source: <http://www.qldc.govt.nz/planning/other-planning-information/population-and-growth/>

⁶ Source: http://www.qldc.govt.nz/assets/OldImages/Files/Growth_Projections/QLDC_Growth_Projections_Report_2011_web.pdf

⁷ Source: <https://www.lakewanaka.co.nz/plan-your-trip/wanaka-facts-and-figures/>

2.4 The Council's Right of Reply (**RoR**) to the Stream 8 (Airport Zone) provisions⁸ refers to the report by Astral Limited⁹. On the role of Wanaka Airport, the Astral report indicates that in 2015 the QLDC/QAC steering group endorsed the airport as a supplementary and complementary facility to Queenstown Airport¹⁰, and the demand forecasts indicate that in the near term, Wanaka Airport is more likely to grow as a result of demand for:

- Hangar space for high value privately owned aircraft;
- Hangar and facility space for scientific operations such as NASA super pressure balloon launches;
- Operational offices and reception facilities for sport aviation activities;
- Hangars and bases for helicopter and general aviation, including flight training;
- Ancillary services such as maintenance and repair of aircraft and components;
- Aircraft parking, in particular corporate jet overflow from Queenstown airport;
- Charter air services such as winter ski flights¹¹.

2.5 For these activities the report indicates that at least 30ha of land on the north side or south side of the runway are required and that this area needs to have air-side (airfield) access to enable its development for aircraft operations¹². The report goes on to recommend that land is purchased on the south side of the runway, northwest of the museum (the Pittaway block).

2.6 In relation to scheduled services, the report states:

... in the last four years it has become apparent that in the near term growth will not be as a result of scheduled aircraft movements as scheduled services have recently ceased at the airport. These appear unlikely to resume until Wanaka grows substantially in population or a "hub and spoke" demand emerges for turbo-prop services, that can't be accommodated at Queenstown Airport, connecting the wider Wanaka-Queenstown area to regional centres.

2.7 This is despite a reasonably positive commentary on air transport services in a later chapter of the report¹³; the report does not factor in the land needs associated with scheduled air transport services, such as rental car operations, or other activities that are typically associated with airports, such as freight and logistics, storage, airline catering, related offices, administration and so on.

⁸ QLDC Right of Reply statement by Rebecca Holden, dated 13 December 2016, Part 14

⁹ *ibid*, Appendix 3, Astral Limited: *Final Report – Wanaka Airport Planning and Development*, prepared for the QLDC and QAC, 20 April 2016

¹⁰ Astral Report, Part 2

¹¹ Astral Report, Part 5

¹² *ibid*

¹³ Astral Report, part 10.2 – growth opportunities

- 2.8 I question whether this is a somewhat short-sighted view, given the growth of Wanaka generally and particularly the visitor growth. In Queenstown, scheduled services have operated since the 1960s, and jet aircraft began using the airport in the late 1980s / early 1990s¹⁴ (Boeing 737, 1992). Queenstown's population then was significantly less than Wanaka's population now.
- 2.9 On the face of it, in my view, there is no reason why a population centre the size of Wanaka's, with its own individual popularity and attracting rapidly increasing visitor numbers, will not at some point in the near or mid-term future have sufficient demand for direct scheduled services, at least from NZ centres, rather than being (as it appears to be portrayed in the Astral report) a subservient operation to Queenstown.
- 2.10 Even without the kinds of activities associated with passenger transport and logistics, there are already many visitors passing through Wanaka airport – it is already a destination and a strong critical mass of airport and visitor facilities has established there, and this will grow, as addressed in the Astral report. Although Astral has estimated likely demand for activities that require direct air-side access, no attempt seems to be made to estimate likely demand for activities that do not require such access. Rental vehicle servicing and storage, depot/warehousing, tourist services, and visitor accommodation are all examples found routinely at airports around New Zealand that do not need, and indeed should not have, direct access to the airfield.
- 2.11 Turning to the JBIL's land over the road, its key attributes are:
- The immediate proximity to Wanaka Airport – it is inherently linked to the presence of the Airport;
 - It is flat and easily developable;
 - It can be developed for activities that benefit from the proximity to the airport – including, most relevantly, Airport Related Activities¹⁵;
 - It does not contain any Activities Sensitive to Aircraft Noise (**ASANs**), and there are no other sensitive activities further afield that could be affected by airport activities on the land; (indeed, the Air Noise Boundary (**ANB**) and the Outer Control Boundary (**OCB**) cover all of the JBIL land that fronts the state highway);
 - It can be developed without adverse landscape effects, as discussed by Ms Snodgrass¹⁶; and

¹⁴ Ansett's whisper jets began using Queenstown Airport in 1989 and Air New Zealand commenced Boeing 737 flights in 1992

¹⁵ *Airport Related Activities* as defined in the Council's Stream 8 RoR, December 2016

¹⁶ Evidence of Michell Snodgrass dated April 2017

- It can be developed without adverse traffic effects, as discussed by Mr Carr¹⁷.

2.12 The land is separated from the airport land by the state highway. I do not see this as an impediment to its suitability for airport-related activities as most, if not all airport areas in NZ and elsewhere have public roads running through them that physically separate the air-side activities from other activities that do not need to be air-side but need to be in close proximity to the airport. Queenstown airport, for example, has AZ activities located at Lucas Place and Glenda Drive. Auckland airport, while (of course) being significantly larger in scale, has many major public roads that physically separate the freight and logistics, storage, catering, rental vehicle, quarantine, and longer term parking areas from the airport itself.

2.13 In summary, in my view there is no reason why this land should not be zoned for AZ purposes, in that there is a need for land for the purpose, and it is just as suitable as land on the south side or north side of the airport runway for AZ activities. There are no impediments in relation to landscape or traffic safety; and by its use for AZ activities it is not contributing to any threat to other centres. I consider that the JBIL land is located and can be developed to benefit Wanaka Airport as it grows in response to the wider population and visitor growth.

3 Specific changes to the PDP

3.1 The proposal is to apply the Airport Zone provisions as promoted in the Council's RoR for the JBIL land, with some additional provisions that are specific to the JBIL land and which do not otherwise change the AZ provisions. The additional provisions include:

- a brief statement in the Zone Purpose;
- a policy;
- a bespoke structure plan that recognises the opportunities inherent in the land and its landscape context; and
- some rules relating to the activities and the structure plan.

3.2 The landscape values of the site are discussed by Ms Snodgrass and through her evaluation¹⁸ specific rules for setbacks, building heights and amenity planting have been adopted. These complement the existing AZ controlled activity rule for buildings.

3.3 Part of the JBIL land, where it fronts Mt Barker Road, is outside the ANB and the OCB and is therefore appropriate for visitor accommodation, but only to a limited extent to ensure that the

¹⁷ Evidence of Andy Carr dated 4 April 2017

¹⁸ Evidence of Michelle Snodgrass dated April 2017, paragraphs 40 - 47

land does not gain a motel / hotel flavour but remains small in scale and serving those for whom accommodation at the airport, rather than in say central Wanaka, is desirable.

3.4 With that overview, the changes to achieve the AZ on the JBIL land are as follows. (The base text in black is from the QLDC's Stream 8 RoR and the additional text in **blue** are my proposed changes).

(a) At 17.1 (Zone Purpose), add a new paragraph after the last paragraph:

Development in the area adjacent to State Highway 6 and Mount Barker Road opposite Wanaka Airport will be managed by a structure plan to promote amenity values.

(b) At 17.2, add a new policy 17.2.3.4:

17.2.3.4 On the western side of State Highway 6 and Mount Barker Road opposite Wanaka Airport, promote quality design and amenity outcomes by developing in accordance with a structure plan.

(c) At Rule 17.4, Modify Table 1 (Activities located in the Airport Zone):

Table 1 – Activities located in the Airport Zone		Activity Status
17.4.14	Visitor Accommodation <u>except as provided for in Rule 17.4.14A below</u>	PR
<u>17.4.14A</u>	<u>Visitor Accommodation complying with Rule 17.5.18</u>	<u>P</u>
Wanaka Airport		
17.4.16	Any Airport Activity (excluding Aircraft Operations and Buildings) and Airport Related Activity (excluding Buildings) that complies with the relevant standards in Table 3 <u>or Table 4</u>	P
<u>17.4.30</u>	<u>Buildings within the Landscape Protection Area in the Structure Plan A area</u>	<u>PRO</u>
...

(d) Modify Table 3 (Standards for activities located in the Wanaka Airport Zone):

Table 3 Standards for activities located in the Wanaka Airport Zone		Non-compliance status
17.5.7	<u>Minimum Building Setback (except as shown within the Wanaka Airport – Structure Plan A area)</u>	RD
	...	
17.5.8	<u>Maximum Building Height (except as shown within the Wanaka Airport – Structure Plan A area)</u>	RD
	...	

- (e) Add a new Table 4 (Standards for activities located in the Wanaka Airport Zone – Structure Plan A area):

<u>Table 4: Standards for activities located in the Wanaka Airport Zone – Structure Plan A area</u>		<u>Non-compliance status</u>
<u>17.5.13</u>	<p><u>Maximum Building Height</u></p> <p><u>Buildings shall not exceed the building heights as follows:</u></p> <ul style="list-style-type: none"> • <u>A1: 7m</u> • <u>A2: 10m</u> • <u>A3: 12m</u> 	<u>NC</u>
<u>17.5.14</u>	<p><u>Minimum Building setbacks</u></p> <p><u>(a) From the road boundary: 5m.</u></p> <p><u>(b) From the Landscape Protection Area:</u></p> <ul style="list-style-type: none"> • <u>A1: 5m</u> • <u>A2: 10m</u> • <u>A3: 10m</u> <p><u>(c) From the south-eastern boundary of L3: 5m.</u></p>	<u>NC</u>
<u>17.5.16</u>	<p><u>Building design and glare</u></p> <p><u>17.5.16.1 The external materials or all buildings shall be finished in recessive colours in the shades of natural greens, greys, and browns;</u></p> <p><u>17.5.16.2 The exterior of buildings shall be designed so that roof and wall colours are limited to a maximum reflectivity of 36% except where trims, highlights and signage totalling up to 10% of the façade area may exceed this level and be of contrasting colour;</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Effects on the landscape values of the wider area;</u> • <u>The purpose of the building and the operational requirements of the activity it contains.</u> 	<u>RD</u>
<u>17.5.17</u>	<p><u>Visitor Accommodation</u></p> <p><u>17.5.17.1 Any visitor accommodation shall be located outside the Outer Control Boundary</u></p> <p><u>17.5.17.2 Any visitor accommodation shall be restricted to one operation comprising no more than 30 guest rooms and related activities</u></p>	<p><u>PRO</u></p> <p><u>NC</u></p>

- (f) Add new rule, Rule 17.8, as follows:

17.8 Wanaka Airport – Structure Plan A

[insert Structure Plan A] – see Attachment B

- (g) Modify Chapter 27 – Subdivision as follows by adding a new standard as follows:

27.8.10 Structure Plan A area at Wanaka Airport

27.8.10.1 Amenity planting – Airport Zone – Wanaka Airport Structure Plan A:

(a) At the time of the first subdivision to create lots within the Structure Plan A area (Rule 17.8) at Wanaka Airport, the road boundary setback area marked APS on Structure Plan A shall be landscaped for amenity purposes, in accordance with the following:

- Height: up to 10m max height at maturity
- Density: irregular groupings, non-linear, to enable visual permeability
- Variety of species: a deciduous / native mix of trees and shrubs

(b) The above rule shall not apply to any road crossing area.

(c) Legal mechanisms shall be imposed on the certificates of title to ensure that the planting is successful and is maintained in perpetuity.

- (h) Modify Planning Map 18A by zoning the Structure Plan A land as Airport Zone – Wanaka.

3.5 While formulating this package of rules I contemplated some other provisions but did not include them in the final package, as follows:

- (a) A maximum coverage rule is not included because the Structure Plan will self-limit the extent of development. The total area is 14.5 ha. The building setbacks, protection area, planting strip, and roading and carparking areas would occupy around 9ha, leaving 5.5ha, or 35% of the site area, for buildings. By comparison the Queenstown AZ has a 75% building coverage rule¹⁹, and there is no building coverage rule for the proposed Wanaka AZ. I therefore do not think that a building coverage rule is necessary for the Structure Plan A area;

¹⁹ QLDC Right of Reply version, Table 2, Rule 17.5.1

- (b) A rule forbidding access direct to the site from the State Highway is not necessary because the New Zealand Transport Authority has jurisdiction for this, and also there is no equivalent rule for the Wanaka Airport Zone.

4 Section 32 evaluation

- 4.1 Craig Barr's evidence²⁰ sets out principles for considering the various zoning requests. He does not undertake the analysis for this proposed AZ area, so I set out and address each of these principles below.

- (a) **Whether the change is consistent with the objectives and policies of the proposed zone. This applies to both the type of zone in addition to the zone boundary.**

- 4.2 The relevant PDP objectives and policies for the AZ²¹, from the Council's Right of Reply for Stream 8 topics, include:

- 17.2.2 Objective – At Wanaka Airport, Airport Activities and Airport Related Activities support the essential functioning of aviation activities.**

Policies:

- 17.2.2.1 Airport Activities which are core to the safe and efficient operation of Wanaka Airport are enabled and provided for.**

- 17.2.2.2 Ensure land uses including Airport Related Activities have a legitimate relationship with Airport Activities and are only allowed where they are of a size (either individually or cumulatively) that:**

- a. is ancillary to and support part of the operation of an Airport Activity; and
- b. do not adversely affect the key local service and employment function of Wanaka Town Centre or other commercially zoned areas within the District.

- 17.2.2.3 Only allow retail and food and beverage facilities which are designed and operated and of a nature, scale and intensity to service visitors, passengers or workers engaged in or associated with Airport Activities or Airport Related Activities within the Wanaka Airport zone, and are unlikely to attract significant patronage outside of this purpose.**

- 17.2.2.4 Ensure buildings and activities are adequately serviced with a water supply for firefighting purposes as well as provision of potable water, sewage treatment and disposal.**

- 17.2.3 Objective – Airport Activities and Airport Related Activities are provided for at Queenstown and Wanaka Airports while maintaining an acceptable level of amenity for noise, and high levels of general amenity for those using the airports and for those residing on neighbouring land.**

Policies ...

²⁰ Statement of Evidence of Craig Barr, dated 17 March 2017, paragraph 2.14

²¹ *ibid*, Appendix 1

17.2.3.2 Manage adverse effects on amenity values arising from the on-going development, use and maintenance of Queenstown and Wanaka Airports.

17.2.3.3 Avoid the establishment or intensification of activities that are incompatible with the ongoing operation and functioning of Queenstown and Wanaka Airports.

4.3 I address these as follows:

- (a) On Objective 17.2.2, the land is capable of use for AZ activities (and is mostly appropriate for Airport Related Activities that can support the essential functioning of aviation activities). The zoning achieves the objective.
- (b) Policies 17.2.2.1, 17.2.2.2 and 17.2.2.3 relate to activities, not zone boundaries, and are not offended by zoning the land AZ;
- (c) On Policy 17.2.2.4, the land would have the same servicing infrastructure as the existing airport land. Mr Glaser notes that at present the Airport is not currently connected to water and wastewater services. The Wanaka Sewerage Treatment facility (Project Pure) was commissioned in December 2011. All of Wanaka's wastewater is piped out to the site, treated, then discharged on to airport land via an extensive underground soakage network. Mr Glaser states that a connection could be extended to the JBIL land depending on load and capacity. This would likely be addressed at the time of the subdivision for the land. If necessary, separate systems could be developed using the existing water rights and disposal to other parts of the farm.
- (d) Objective 17.2.3 and Policy 17.2.3.2 are addressed by the Structure Plan A provisions which deal with amenity values. These are intended to provide a reasonable level of aesthetic amenity for passers-by on the state highway, and will also provide amenities for the few nearby landowners.
- (e) On Policy 17.2.3.3, the activities promoted in the structure plan area are the same as for the wider AZ, and will be compatible with the ongoing operation and functioning of the airport. The proposed VA is outside the OCB and is therefore not in a location where it could be incompatible.

4.4 I therefore consider that the extended AZ is consistent with the objectives and policies of the AZ.

(b) Whether the zone proposed / sought is more appropriate than the proposed zone

4.5 The PDP's notified zone is the Rural Zone. I consider that the AZ is more appropriate than the Rural Zone for the following reasons:

- In reliance on Mr Bell's evidence²², there are management constraints on the productive capacity of the land, such as the isolation from the remainder of the farm, the exposure of stock to people, noise and traffic movements, and the difficulty in irrigating the land;
- A large part of the land is subject to air noise boundaries (all of the land with highway frontage is within the OCB and ANB), making this part inappropriate for ASANs; and
- The locational attributes of the land (which I addressed above) that create synergies with the airport rather than the farm.

4.6 In **Table 1** under Principle (e) below (paragraph 4.17) I compare the costs, benefits, efficiency and effectiveness of the AZ and the Rural Zone, and conclude that the AZ is more appropriate for this land.

(c) Whether the change is consistent with and does not compromise PDP Strategic chapters and in particular the Strategic Direction, Urban Development, and Landscape chapters

4.7 The following Chapter 3 (Strategic Direction) goals, objectives and policies are relevant²³:

Goal

3.2.1 Develop a prosperous, resilient and equitable economy.

Objective

3.2.1.1 The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine resorts and the District's economy.

Policies ...

3.2.1.1.2 Avoid commercial rezoning that could undermine the role of the Queenstown and Wanaka town centres as the primary focus for the District's economic activity. ...

Objective

3.2.1.3A Enhance and sustain the key local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka town centres and Frankton.

Policies

3.2.1.3A.1 Avoid commercial rezoning that would undermine the key local service and employment function role that the

²² Evidence of Jeremy Bell, dated 4 April 2017, paragraphs 5 - 8

²³ These are the Council's Right of Reply version provisions of Chapter 3, Matthew Paetz, 7 April 2016

centres outside of the Queenstown, Wanaka and Frankton fulfil. ...

Objective

3.2.1.4 The significant socioeconomic benefits of tourism activities across the District are provided for and enabled.

Policy

3.2.1.4.1 Enable the use and development of natural and physical resources for tourism activity where adverse effects are avoided, remedied or mitigated.

Objective

3.2.1.5 Development of innovative and sustainable enterprises that contribute to diversification of the District's economic base and create employment opportunities.

Policies

3.2.1.5.1 Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.

Objective

3.2.1.6 Diversification of land use in rural areas providing adverse effects on rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are avoided, remedied or mitigated.

...

Goal

3.2.8 Provide for the ongoing operation and provision of infrastructure

Objective

3.2.8.1 Maintain and promote the efficient and effective operation, maintenance, development and upgrading of the District's existing infrastructure and the provision of new infrastructure to provide for community wellbeing.

Policies

3.2.8.8.1 Ensure that the efficient and effective operation of infrastructure is safeguarded and not compromised by incompatible development.

4.8 Also, the airports are listed in the definition of Regionally Significant Infrastructure in the Council's RoR to the Strategic Direction chapter²⁴.

4.9 I consider that the proposed rezoning is consistent with these Strategic Direction provisions because:

- (a) It will contribute to a prosperous and resilient economy by providing land for AZ activities and adding to the long term sustainability of the airport;

²⁴ Council's Right of Reply, Chapter 3, 7 April 2016

- (b) The zoning will not undermine the role of the Wanaka town centre as the main commercial hub for development in the Upper Clutha area; rather, the AZ activities would complement and not compete with the other centres.
- (c) The proposed rezoning will contribute to enabling growth in all sectors by providing for activities that provide support to a growing airport;
- (d) Ms Snodgrass' landscape assessment indicates that the JBIL land has the capacity to absorb appropriate development while maintaining wider views of the landscape and protecting the toe of the escarpment;
- (e) The AZ zoning directly achieves the ongoing operation and provision of the airport in its role as infrastructure of regional significance. Development of the airport would be safeguarded and not in any way compromised by development of the JBIL land for AZ activities.

4.10 The relevant higher order provisions from Chapter 4 (Urban Development)²⁵ are:

4.2 Objectives and Policies

Objective

4.2.1 Urban development is integrated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Policies

4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements.

4.2.1.6 Avoid sporadic urban development that would adversely affect the natural environment, rural amenity or landscape values; the efficiency and functionality of infrastructure; or compromise the viability of a nearby township.

4.2.1.7 Urban development is located so as to maintains the productive potential and soil resource of rural land.

4.11 To the extent that the airport development could be regarded as “urban”, this objective and its policies are achieved because:

- (a) The development can be integrated with infrastructure and services, or at worst case, be entirely self sufficient;
- (b) It does not adversely affect the environment, rural amenity or any ONL or ONF;

²⁵ The Council's Right of Reply version provisions of Chapter 4, Matthew Paetz, 7 April 2016

- (c) It is immediately adjacent to an existing “settlement” being the existing airport development;
- (d) It is not sporadic because it is adjacent to an existing development node, and does not affect the productive potential and soil resource of the land in any appreciable way.

4.12 The relevant provisions of Chapter 6 (Landscapes)²⁶ are:

6.3 Objectives and Policies

Objective

6.3.1 Landscapes are managed and protected from the adverse effects of subdivision, use and development.

Policies ...

6.3.1.12 Regionally significant infrastructure shall be located to avoid, remedy or mitigate degradation of the landscape, while acknowledging location constraints, technical or operational requirements.

Objective

6.3.2 Landscapes are protected from the adverse cumulative effects of subdivision, use and development.

Policies

6.3.2.4 Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads.

6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.

4.13 I consider that the AZ zoning of the JBIL land is consistent with these provisions because:

- (a) The Structure Plan A provisions, and as discussed by Ms Snodgrass, are being managed appropriately and, in conjunction with the landscape effects of the existing and future development on the north side of the highway, will not be adverse;
- (b) The location of the Regionally Significant Infrastructure is fixed by the operational factors and consolidation of the activity around its current core is more appropriate in relation to landscape effects than other locations, such as the north side of the airport runway, as discussed by Ms Snodgrass;
- (c) By locating opposite the existing facilities, the additional AZ zoning consolidates that development and does not represent sprawl along the highway;

²⁶ The Council's Right of Reply version provisions of Chapter 6, Craig Barr, 7 April 2016

- (d) The amenity planting along the highway frontage does not in itself degrade the landscape quality, character or openness; rather it is intended (along with the design controls for buildings) to add a degree of quality to the development of what would typically be large utilitarian buildings.

4.14 In summary, I therefore consider that the AZ zoning of the JBIL is consistent with and achieves the higher order provisions for strategic direction, urban development, and landscapes.

(d) The overall impacts of the rezoning give effect to the operative Regional Policy Statement

4.15 The operative Regional Policy Statement (ORPS) contains objectives and associated policies that are relevant to this proposal, including:

- 4.4.1 to 4.4.5 (Manawhenua Perspective);
- 5.4.1 to 5.4.5 (Land); and
- 9.4.1 to 9.4.3 (Built Environment).

4.16 The subject matter of these provisions is not materially different to that of the PDP's higher order provisions. I do not consider that the AZ extension is contrary to the ORPS provisions. There are no significant ecological issues, and Ms Snodgrass is comfortable with the landscape effects.

(e) Economic costs and benefits are considered

4.17 **Table 1** below addresses the costs, benefits, efficiency and effectiveness of the AZ compared with the Rural Zone, for the JBIL land.

	Rural Zone (RZ)	Airport Zone (AZ)
Costs	<p>Transaction costs for proposed activities that are related to the airport and which benefit from the proximity to the airport would be higher than if the AZ is adopted, because of the status of such development in the Rural Zone.</p> <p>The RZ would potentially lead to ad hoc outcomes because the integration</p>	<p>There is a cost in achieving the AZ but that is privately funded and any community costs are absorbed into the wider PDP process. There will be ongoing consenting costs (given that buildings are still a controlled activity in the Structure Plan A area) but this is the same status as the AZ</p>

	<p>enabled by the structure plan, particularly regarding traffic access, amenity planting, building design and protection of the lower reaches of the escarpment landform could not necessarily be assured.</p> <p>The RZ does not recognise the attributes that the land shares with the airport; it has greater synergy with AZ uses than rural uses.</p> <p>The problems with using this land for productive purposes are addressed by Mr Bell²⁷.</p> <p>Costs therefore arise from:</p> <ul style="list-style-type: none"> • Maintaining the land for farming; and • Discouraging the land's use for AZ activities. 	<p>generally, and would be less than the costs if the land were in the RZ.</p> <p>There is a minor loss of primary productive land but this is negligible in the context of the wider Station operations.</p>
Benefits	<p>Does not require any changes to zoning.</p>	<p>The JBIL land has attributes that are complementary to the AZ on the northern side of the highway, and is appropriate for a range of AZ activities that do not need to be air-side but which benefit from adjacency to the airport.</p> <p>The District Plan review is an appropriate time to assess zonings in the District. The District Plan has been operative for over 10 years. During that time the use of land within and in proximity to the Wanaka airport has changed considerably, this combined with the current use of the JBIL site makes this is opportune time to evaluate the potential zonings in light of future needs.</p> <p>The use for more economically viable activities, rather than farming, is a benefit to the owners and to the community, for this land in this location.</p>

²⁷ Evidence of Jeremy Bell, paragraphs 5 - 8

<p>Efficiency and effectiveness</p>	<p>Given the evaluation of costs above, there are inefficiencies in an ad hoc consenting process for AZ type activities endeavouring to take advantage of the locational attributes of the JBIL land, in comparison with the efficiencies gained from the structure planned approach.</p> <p>The RZ option is not effective in providing for appropriate development within the JBIL land. A key premise for the rural planning framework is that activities should rely on a rural location, whereas in this case the emphasis is not on the rural location of the JBIL land but on its location adjacent to the airport.</p>	<p>It is efficient to provide sufficient land area for future activities related to the AZ, given the likely growth of the airport.</p> <p>It is efficient to provide choice for end users of the land for their businesses; competition inevitably leads to efficiencies for consumers, and there are no negative external environmental effects arising from the AZ on this land.</p> <p>The range of activities provided for in the AZ will not affect or detract from the wide range of existing commercial activities in the Wanaka town centres and existing and future activities in other zoned areas such as Three Parks.</p> <p>Rezoning through the PDP submission process is efficient.</p> <p>The AZ with the structure plan provisions are simple and effective in addressing site specific matters such as building height, amenity landscaping, design, and protection of the toe of the escarpment.</p>
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4.18 I therefore consider that the economic benefits, efficiency and effectiveness of the AZ strongly outweigh those of the Rural Zone, and that the AZ is the most appropriate zone for the land.

(f) Zone changes could take into account the issues debated in recent plan changes

4.19 Plan Change 26 (**PC26**) (2011) is relevant. This Council change proposed to amend the existing noise boundaries and associated planning provisions to provide for the future growth of Wanaka Airport. The outcome of PC26 was that much of the JBIL land would be within the PC26 air noise boundaries and would therefore always be blighted by the airport. My view then was that the highest and best use of the JBIL land lay with supporting the airport given its location, and not trying to farm it. I maintain that view.

(g) Changes to the zone boundaries area consistent with the maps in the PDP that indicate additional overlays or constraints (e.g. Airport Obstacle Limitation Surfaces, SNAs, Building restriction Areas, ONF/ONL);

4.20 The OCB extends over the part of the site that fronts the state highway, and the ANB covers the western half of the land fronting the highway. The noise boundaries will not be compromised as the proposed rules do not allow ASANs within the boundaries. The non-compliance status is prohibited, which is consistent with the balance AZ provisions. The only proposed ASAN activity is the visitor accommodation operation which the rules require to be located outside of the OCB – i.e. on the part of the Structure Plan A area that fronts Mt Barker Road.

4.21 There are no relevant Outstanding Natural Landscapes or Outstanding Natural Features.

(h) Changes should take into account the location and environmental features of the site (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);

4.22 There are no significant features or infrastructure on the JBIL land. There are existing activities and buildings associated with the Have-a-Shot operation at the corner of the state highway and Mt Barker Road.

(i) Zone changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, roads);

(j) Zone changes take into account effects on water, wastewater and roading network capacity, and are not just limited to the site specific effects of extending infrastructure;

4.23 As discussed in paragraph 4.3(c) above, the Project Pure scheme should be available for servicing the land. Since the scheme is expected to be extended to serve the Wanaka AZ anyway (as Mr Glasner reports), then it will be relatively simple to enable a connection to the AZ on the JBIL land. However, a Project Pure connection is not essential to the ability for the zone to be developed.

(k) There is adequate separation between incompatible land uses

4.24 There are no sensitive activities in the vicinity, and no potential for new incompatibilities. The proposed VA would be outside the OCB, and is therefore no different to the potential situation in Frankton Flats where the location of zones that could accommodate ASANs is based on the location of the OCB.

- (l) Rezoning in lieu of resource consent approvals, where a portion of the site has capacity of absorb more development does not necessarily mean another zone is more appropriate; and**
- (m) Zoning is not determined by existing resource consents and existing use rights, these will be taken into account.**

4.25 These principles are not relevant. The AZ on the JBIL land is not reliant on any resource consent or existing use right.

4.26 In summary I therefore consider that the AZ on the JBIL land is consistent with the s42A report principles for rezoning.

4.27 Mr Barr also addresses context factors²⁸ which I address as follows:

(a) The layout of road access, public open space and community facilities;

4.28 The road access is essentially already prescribed (i.e. from Mt Barker Road or from the existing paper road at the eastern end of the site), and there are no public open space or community facilities of relevance.

(b) Land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards;

4.29 The land is more or less flat and in good condition and is suitable for development.

(c) Land with other identified significance values (environmental, cultural, amenity, heritage); and

(d) The vulnerability of the wider area the subject land is part of to the adverse effects of development.

4.30 The wider area is potentially vulnerable to the adverse effects of development but in this specific location development can be absorbed successfully, as discussed by Ms Snodgrass.

4.31 These context matters do not present any obstacles to the AZ on the JBIL land.

²⁸ First Statement of evidence of Kim Banks dated 10 March 2017, paragraphs 13.11 – 13.12

5 Part 2 of the Act

Section 7

5.1 The modifications sought in this submission are directly relevant to achieving the following matters to which particular regard must be given:

- (b) **the efficient use and development of natural and physical resources;**
- (c) **the maintenance and enhancement of amenity values;**
- (f) **maintenance and enhancement of the quality of the environment;**
- (g) **any finite characteristics of natural and physical resources;**

5.2 The AZ would lead to the efficient use and development of these resources given the proximity to the airport, the ease of access, and the ease of development. The Structure Plan A provisions, including design controls and amenity landscaping, are for the purpose of maintaining and enhancing amenity values and the quality of the environment, in this airport location.

5.3 As a Regionally Significant Infrastructure item the airport is a finite resource as is land that is within its "realm" including the JBIL land which has a rare combination of attributes (proximity, access, convenience, serviceability, acceptable effects on other values such as landscape). Maximising the efficiency of its use and development is important for the long term economic wellbeing of the District.

Section 5

5.4 I consider that the AZ zoning of the JBIL land enables well-being in that it contributes to a concentration of airport related commercial activities, and will have the efficiencies I discussed under section 7(c) above and in Table 1. Any potential adverse effects on landscape values have been addressed by Ms Snodgrass, and these are taken into account in the Structure Plan provisions.

5.5 For these reasons, in my view the modifications to the PDP mapping and provisions as described in my Part 3 above achieve the purpose and principles of the Act.

J A Brown
4 April 2017

A**Curriculum vitae – Jeffrey Brown****Professional Qualifications**

1986: Bachelor of Science with Honours (Geography), University of Otago

1988: Master of Regional and Resource Planning, University of Otago

1996: Full Member of the New Zealand Planning Institute

Employment Profile

May 05 – present: Director, Brown & Company Planning Group Ltd – resource management planning consultancy based in Queenstown and Auckland. Consultants in resource management/statutory planning, strategic planning, environmental impact assessment, and public liaison and consultation. Involved in numerous resource consent, plan preparation, changes, variations and designations on behalf of property development companies, Councils and other authorities throughout New Zealand.

1998 – May 2005: Director, Baxter Brown Limited – planning and design consultancy (Auckland and Queenstown, New Zealand). Consultants in resource management statutory planning, landscape architecture, urban design, strategic planning, land development, environmental impact assessment, public liaison and consultation.

1996-1998: Director, JBA, Queenstown – resource management consultant.

1989 – 1996: Resource management planner in several local government roles, including Planner (1992 – 1994) and District Planner (1994 – 96), Queenstown-Lakes District Council. Held responsibility for all policy formulation and consent administration.

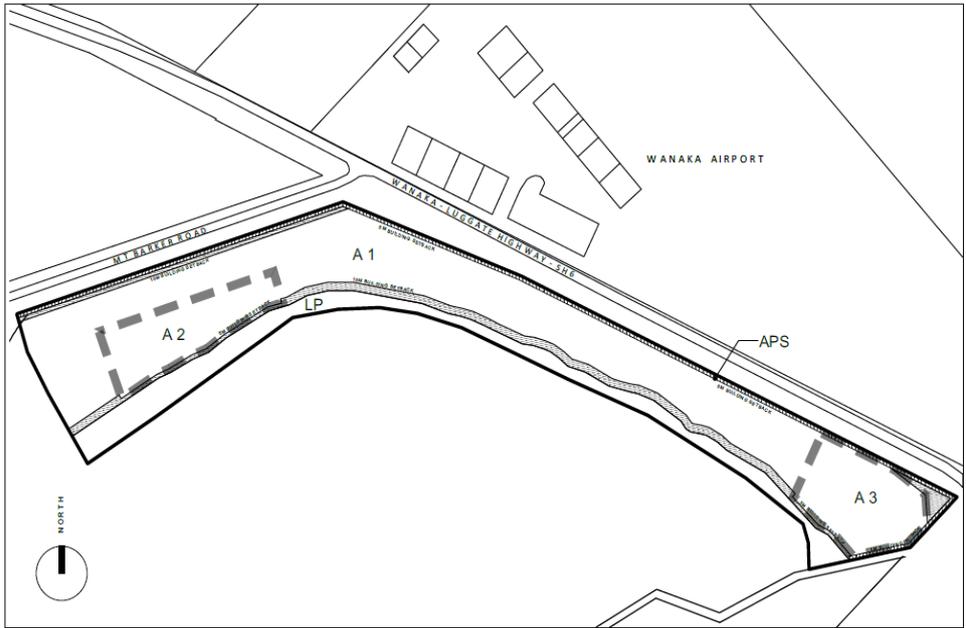
Other

- New Zealand Planning Institute – presenter at The Art of Presenting Good Planning Evidence workshops for young planners (2016 –)
- Judge, New Zealand Planning Institute Best Practice Awards (2017 –)

List of projects (selected examples only)

- Numerous applications/rezoning/designation requests for a variety of development projects throughout New Zealand.
- Various: involvement in Proposed Auckland Unitary Plan process, representing parties in relation to Regional Policy Statement, Regional Plan, and District Plan chapters, covering urban growth, coastal, rural, ecological, industrial, business and residential topics (2013 – 2016);
- Various: involvement in Queenstown-Lakes District Proposed District Plan submissions and hearings, 2015 – present)
- Various: involvement in Queenstown-Lakes landscape cases (including C180/1999 and subsequent cases, 1998 – 2003);
- Various: Involvement in numerous rural subdivision and development applications, Queenstown-Lakes, Central Otago, Auckland, Selwyn, Thames-Coromandel, Far North Districts, 1996 – present;
- Housing New Zealand Corporation – analysis of housing stock and planning implications (2010);

- Huapai Triangle, West Auckland: planner and lead consultant to 65ha Special Housing Area plan change, operative 2015;
- Ministry of Education – involvement in numerous planning processes for education facilities in northern North Island;
- Auckland Council: seconded for evaluation of Special Housing Area proposals;
- Samson Corporation Ltd / Sterling Nominees Ltd – inner city and business/industrial redevelopment projects, Auckland (2001 – present);
- Melview Developments Ltd – high density hotel and residential development, Queenstown (2005 – 2008);
- Equinox Group / Thomas & Adamson Ltd – high density affordable housing project, Flat Bush, Manukau (2012 – present);
- Hawthorne Estates Limited – rural residential development, Wakatipu, 2001
- Queenstown Lakes District Council – Aquatic Centre development – designation and associated consents (2004 – 2005);
- Wellington International Airport Limited – resource management advice, evidence and other reports and advice on property interests (2004 – 2006);
- Mount Cardrona Station Limited – rezoning to create 1000 unit village and associated village centre and related activities (2005 – present) (winner 2008 Resource Management Law Association Awards – Best Documentation);
- Mount Cardrona Station Limited – plan change to reconfigure aspects of the village to incorporate golf (2016 –);
- Wanganui District Council – Industrial & Residential Strategic Plan for Wanganui (1998) and follow up strategic research and report (2005);
- Remarkables Park (100 ha residential/mixed-use, Queenstown) – key resource management advisor – up to 400 residential and visitor accommodation units, large format retail and shopping precinct and riverside village;
- Caughey Preston Home (Remuera, Auckland) – zone change to better enable expansion of established aged care facility and Proposed Auckland Unitary Plan process (2009 – 2016);
- Whangarei District Council/NZ Fire Service – designations for new facilities (2002);
- Omaha Park Ltd – rezoning proposals for residential/visitor accommodation/recreation facilities at Omaha, Rodney District (2001 – present);
- Otahu Properties Ltd / Gusty Limited / Taieri Bush Limited – coastal and lifestyle subdivisions, Coromandel Peninsula, 2013 – present;
- The Hills Golf Course – sculpture park, golf course, residential development, Arrowtown (2004 – 2009) (winner 2009 Resource Management Law Association Awards – Best Project).
- Mt Rosa Partnership / Management Systems Ltd (100 hectares, vineyards, winery, rural residential, State Highway 6, Gibbston Valley 1998-1999, 2003);
- Waitiri Station Ltd (150 hectares, vineyards, rural residential and high density residential, State Highway 6, Gibbston Valley, 1999 - 2000);
- Blanket Bay Lodge (visitor accommodation, Wakatipu, 1998-1999);
- Matakauri Lodge (visitor accommodation, Closeburn, 1998 – 2000);
- Perron Developments – Sofitel Hotel, Queenstown (2002 – 2005);
- Columbia Pictures, Sony Entertainment/Tristar (Sound Stages for movie production/other movie locations (1999-2001);
- Witness in numerous Council hearings and Environment Court hearings since 1993.



STRUCTURE PLAN LEGEND

- A 1 Area 1
10m height restriction
- A 2 Area 2
12m height restriction
- A 3 Area 3
7m height restriction
- LP Landscape Protection area on
toe of escarpment (landscape
retained or enhanced)
- Building setback (width varies)
- APS 5m wide Amenity Planting Strip
to include native and deciduous
exotic species of trees with a
mature height of no more than
10m, planted at irregular
spacings.

WANAKA AIRPORT ZONE - STRUCTURE PLAN A

SCALE 1:4000 @ A3 - MARCH 2017