

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

**Queenstown and Environs Hearings
Chapter 17 (Airport Mixed Use Zone)**

Hearing Stream 13

**Memorandum of Counsel for Queenstown
Airport Corporation Limited (Submitter
433 and Further Submitter 1340) Relating
to Requested Additional Information**

Dated: 18 August 2017

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MAY IT PLEASE THE PANEL

1. The memorandum is filed on behalf of Queenstown Airport Corporation Limited (**QAC**) in respect of matters raised by the Panel at the hearing of QAC's submission on 14 August 2017.

Aircraft noise monitoring data

2. At the hearing of QAC's submission the Panel requested that QAC provide it with the 2016 aircraft noise monitoring results, preferably by the end of this week (i.e. today).
3. As advised at the hearing, QAC will provide the requested information to the Panel, however it will not be in a position to do so today unfortunately, due to its witness' other prior commitments.
4. The requested information will instead be provided to the Panel by mid next week, which counsel assumes is acceptable given the hearing of submissions on the Queenstown planning maps is scheduled to run for several further weeks yet.

1 Hansen Road

5. At the hearing of QAC's submission the Panel advised that resource consent had recently been granted on a non-notified basis authorising activities including ASAN at 1 Hansen Road, which is partly located within the Outer Control Boundary (**OCB**) for Queenstown Airport, and that a further application which sought to enable more intense ASAN development in this location was currently being processed by the Council.
6. QAC's planning expert, Mr Kyle, advised the Panel that QAC was not aware of these proposals.
7. Since the hearing Mr Kyle has investigated these proposals further and on this basis counsel advises as follows:
 - The operative zonings of 1 Hansen Road are Low Density Residential and Rural General.
 - Under the operative Low Density Residential zoning subdivision with a minimum allotment size of 600m² is a controlled activity.

Residential dwellings can be established within the zone at a rate of one dwelling per 450m², subject to, inter alia, the installation of appropriate mechanical ventilation so that windows can be kept closed to mitigate the effects of aircraft noise or provision of a certificate from a suitably qualified person stating that the proposed construction will achieve 40 dB L_{dn} in all critical listening environments with windows open.

- Under the operative Rural General zoning there is no minimum allotment size for subdivision, however all subdivision is a discretionary activity unless a residential building platform within each allotment is not identified, in which case the subdivision is a non-complying activity. Residential development within the OCB is prohibited in the Rural Zone.
- Both proposals comply with the minimum allotment size for subdivision in the Low Density Residential Zone. Subsequent residential development on these allotments will need to comply with the relevant operative density rules for the Zone and the mechanical ventilation requirements, otherwise resource consent will be required.
- For the part of the site that is zoned Rural General, this is generally located beyond the OCB. If a dwelling is to be established on this part of the site it will be subject to a resource consent process.
- In summary, both proposals generally comply with the requirements of operative Low Density Residential zone for which PC35 grandfathered development rights. For the part of the site that is zoned Rural General in the Operative District Plan, no ASAN development is proposed, and that land is generally located beyond the OCB in any case.
- Accordingly, the granting of consent on a non-notified basis does not present any inconsistency with PC35 because of the site's operative zoning and existing development rights.

R Wolt

Counsel for Queenstown Airport Corporation Limited