

**APPENDIX 5 – SECTION 32AA RE -EVALUATION**

(Change as a result of Submissions evaluation comments shaded grey)

**PROPOSED ISSUES**

Although not required by the Act, the identification of resource management issues is generally provided for in most District Plans. It provides a base to develop suitable objectives and policies that are relevant to the local circumstances or context.

The following issues are proposed:

<p><b>Issue 6.1.4 Wanganui Airport sustainability</b>  <i>Wanganui Airport is regionally significant infrastructure. It generates benefits to the wider community including, employment, mobility, tourism, lifestyle choices, and enables businesses to operate locally and around New Zealand. Airports, by their nature, have a number of requirements including safe operation of flight paths, economic viability, and undertake activities that generate noise. This can be compromised by incompatible noise sensitive activities or inflexible land use provisions.</i></p> <p><b>Issue 6.1.5 Wanganui Airport Noise</b>  <i>Airport flight operations create significant levels of noise over a wide geographical area beyond the Airport itself. Some activities are more sensitive to this noise than others, including residential dwellings and schools. Over time, there is an increased probability of conflict between the needs of both uses. It is improbable that the Wanganui Airport can be moved, and reducing operating hours for air operations may result in a reduction of the viability of the continued operation of the Airport.</i></p> <p><u>Comment</u>                  Proposed Issue 6.1.4 recognises the benefits of the Wanganui Airport as regionally significant infrastructure and focuses on the activities in and around the Wanganui Airport. This includes the management of activities that have the potential to create safety issues for flight operations, and also enabling compatible supporting activities that allow the Airport to keep functioning and vibrant.</p> <p>Issue 6.1.5 is more specifically focused on the distribution of air noise from flight operations. The distribution of air noise crosses several zones in the District Plan and is therefore required to be dealt separately from the Airport Enterprise Zone. The Issue identifies that some activities may have amenity needs that are not compatible with significant air noise.</p>
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**3.3 PROPOSED OBJECTIVES**

The following new objectives are proposed:

<p><b>6.2.3 Airport protection and land use</b>  <i>Protect the safe and efficient operation of Wanganui Airport from incompatible uses, and provide for land use development compatible with the amenity from airport operations.</i></p>
<p><b>Comment</b></p> <p>The following approaches were examined as part of the Plan Change process:</p> <p><u>Status quo:</u>                  The approach of the Operative District Plan does include references to particular Civil Aviation Authority (CAA) regulations regarding objects affecting airspace. The references to airspace are considered appropriate. In particular, those regulations are enforced by another regulatory body and need not be revisited by the District Plan. Apart from noise provisions which are discussed in 6.2.4 below, there are few protections or little recognition of the importance of the Wanganui Airport.</p> <p>The land use provisions in the Operative District Plan that relate to the Airport as a whole are the Rural Zone provisions and Designation D45. The designation does not cover the entire extent of the land on which the airport and associated activities occur. This designation has</p>

been ‘rolled over’ as part of Phase 4 of the District plan review and will have continued effect. The designation only relates to core airport operations such as the runway, and not the supporting commercial and industrial activities that are required to locate there. The continued reliance on the Rural Zone to manage the existing uses of the Airport and to provide for growth and the long term sustainability of the Airport will not assist in keeping the infrastructure viable.

Supporting land uses:

The provision for supporting uses, or not, was considered. As was the type and nature of any uses provided for. The conclusion was that generally, airports had a range of support activities intrinsically linked to them, including rental car activity, ticketing, refreshments, flight terminals and others. The existing environment of the Wanganui Airport currently includes these activities which reflect the needs and expectations of Airport users. It is considered reasonable and necessary to manage these activities in a manner that reflects their presence and desirability.

Land use type:

Another consideration was around the range of activities that may be provided for in addition to activities that are accessory to the operation of the airport. Matters around servicing, compatibility, and land supply were specific factors. Given the ‘noisy’ nature of the existing environment, and that the CBD fulfils this function, main street type retail is not provided for. However, retail associated with industrial type activities could be more appropriate. Industrial activities that do not require significant wastewater servicing may be appropriate with regard to amenity.

While finely balanced, discussions with Airport management led to consideration of residential activities associated with the storage and use of an aircraft. While the report by Marshall Day Acoustics recommends that no Activities Sensitive to Air Noise (ASAN) be provided for, it also states that the effects of noise could be mitigated in some instances. Given this concession it is considered that, provided any option for residential units only occurs in conjunction with airport activities, that this could be appropriate.

Airport Protection:

Obstacle (trees and structures within flight paths) limitation surfaces are required by the CAA for safety reasons. As these are regulated and enforced by another body, it was considered unnecessary to regulate through the District Plan. However, a note has been included in the Proposed Plan Change in order to make Plan users aware of their obligations. A surface diagram may be constructed and appended in the Plan at a later date to assist in providing more information regarding the restriction.

Zone Extent:

The potential extent of the zone was investigated in detail. Consideration was initially given to an all-encompassing zone including the runway and runoff areas, and two further sub zones for supporting activities such as the air terminal and a separate industrial type area. This approach was discounted after considerable thought primarily as Designation D45 provides for all the activities that were reasonably likely to occur. In addition, the activities that were to be encouraged are generally compatible between the supporting area and industrial area. The result is one area within the Zone. In addition, the location of the Zone boundary is 70 metres from the identified runways in accordance with CAA requirements.

**Appropriateness** - Several policy options were investigated during the drafting of 6.2.3. The term avoid was considered in the first instance.

The Concise Oxford Dictionary defines the term ‘avoid’ as follows:

*'Avoid 1. Keep away from; refrain from. 2. escape; evade 3. a. nullify b quash.'*

The term 'protect' was favoured as rather than focussing on 'avoiding' effects on the airport, the focus should be on the airport itself and its ability to function safely and effectively as key infrastructure. Protect is defined as follows: *'Protect 1. keep safe, defend, guard'*

Avoid was also disregarded as a range of land use activities exist, that are ancillary to the Airport, or compatible with the amenity it produces.

The term 'provide for' is more appropriate as it recognises there are some activities that can be appropriately located in or adjacent to the airport, that currently cannot proceed without the cost and delay of a resource consent. This enables a sustainable financial situation for the Airport through ground rents, and enables a range of land uses to create a hub for supporting and complimentary land uses, making each more efficient.

Conclusion

Proposed Objective 6.2.3 is considered appropriate in terms of meeting the purpose of the Act. In particular, people and communities will be able to provide for their health and safety and economic wellbeing through the minimisation of their exposure to air noise, and enabling the continued safe and efficient operation of the Airport.

**6.2.4 Air noise**

*The adverse effects of operational noise from the Wanganui Airport are minimised.*

**Comment**

The following approaches were examined:

Status quo

The current District Plan excludes airport noise from being subject to the relevant zone noise provisions, but does not provide any alternative performance standards. Nor does the Plan identify where airport noise conflicts may arise, or anticipate changes over time in noise. It is unreasonable to exempt the Airport from any noise control, given the potential for significant adverse effects on sensitive activities. However, it is also unreasonable to allow activities that are sensitive to air noise to continue to establish in areas exposed to airport noise.

Restricting air noise

Some consideration was given to limiting the noise arising from the Airport. This included relocation, limiting hours of operation, and the number of flights. However, the air noise assessment by Marshall Day Acoustics identified that, currently, there were only limited numbers of land uses that were currently subject to air noise. It was considered that, with the current and projected noise generation of the airport, mitigation of noise from airport operations was unnecessary and unreasonable.

Providing for future air noise

Both the existing noise footprint and a projected footprint arising from a 30 year growth horizon were produced by Marshall Day Acoustics. The growth scenario was developed using a combination of trends in aviation, likely future commuter aircraft, the establishment of a sizable flight school, and a change in business model for the airport regarding landing fees. Examination of the extent of the future noise contours found that, over a thirty year period, the effects on existing Activities Sensitive to Air Noise would be minimal, and that the provision of mitigation for these activities would not be required. Balanced against the long term protection of the Airport as key regional infrastructure, use of the 30 year projected noise is appropriate.

**Appropriateness**

Avoid, mitigate, minimise. Three policy options were investigated during the drafting of 6.2.4, avoid, mitigate, or minimise in terms of a desired long term outcome. The term avoid(ed) was considered in the first instance.

The Concise Oxford Dictionary defines the term ‘avoid’ as: ‘*Avoid 1. Keep away from; refrain from. 2. escape; evade 3. a. nullify b quash.*’

While some activities are less sensitive to air noise, it is arguable that it is possible to avoid all the effects of air noise given its physical extent can be significant. The report by Marshall Day Acoustics does note that the avoidance of Activities Sensitive to Air Noise is desirable, but in some instances mitigation is possible.

The second option reviewed was ‘mitigate’ defined as: ‘*Mitigate; Make milder or less intense or severe; moderate.*’

Again, the report by Marshall Day Acoustics stated that, while mitigation is possible in some instances, where there are no pre-existing Activities Sensitive to Aircraft Noise, avoidance is the best option, and mitigation is not always possible. Therefore, mitigation is an unsuitable approach.

The preferred option, minimise, is defined as: ‘*Minimi[s]e 1. reduce or estimate at, the smallest possible amount or degree 2. Estimate or represent at less than true value or importance. 3. Attain a minimum value*’

The term deemed most appropriate is ‘minimise’. This promotes the idea that effects are reduced to the smallest possible level without avoiding them completely. This is supported by policies that avoid new and expanded sensitive uses, but provides for residential units where related to aeronautical storage and activity where the effects can be mitigated.

Conclusion

Proposed Objective 6.2.4 is appropriate in terms of meeting the purpose of the Act. In particular, people and communities will be able to provide for their health and safety and economic wellbeing through the minimisation of their exposure to air noise.

**3.4 PROPOSED POLICIES**

The following new *policies* are proposed:

**6.3.6 Establishment of compatible activities**

*Provide for the establishment or expansion of activities in the Airport Enterprise Zone, that:*

- a. are not sensitive to air noise,*
- b. do not compromise the safe and efficient operation of airport activities, and,*
- c. are compatible with noise, flight paths and aeronautical equipment required to operate the airport*

**Comment**

Policy 6.3.6 seeks to enable other compatible land uses locate in, and adjacent to, the Airport itself. The policy identifies which potentially compatible as primarily those that are not sensitive to air noise, and broadly related to airport activity. There is also a clear direction in Objective 6.2.3 towards activities that are compatible with key safety and regulatory

requirements for airport infrastructure and requirements.	
<b>Benefits</b>	
<b>Environmental/Economic</b>	
A number of benefits arise from the policy. It enables development of a range of activities as permitted activities, with potential to increase economic activity and employment and provide financial support to the Airport.	
Safety and compatibility of activities are key to maintaining the Airport asset. This policy will avoid reverse sensitivity and ensure safety is not compromised.	
<b>Social/Cultural</b> - The protection of the airport will encourage retention of the Airport. This provides employment, but allows residents and visitors alike to travel around New Zealand.	
<b>Costs</b>	
<b>Environmental/Economic</b>	
Any cost arising from 6.3.6 relate to the lost range of activities that could be provided for. However, this may potentially affect the safety and viability of the Airport and therefore be inconsistent with Objective 6.2.3.	
<b>Social/Cultural</b>	
No known social or cultural costs. It is noted that Landguard Bluff is significant to local Iwi. This area, while adjacent, is not included in the area to be rezoned, and the proposed Plan change does not affect the significance of the site.	
<b>Effectiveness</b> - Policy 6.3.6 is effective in that it provides for compatible land use activities to enable growth and sustainability of the Airport.	
<b>Efficiency</b> - Policy 6.3.6 is efficient, it clearly outlines activities expected in the zone, and it enables activities that would otherwise have been subject to a resource consent.	
<b>Appropriateness</b> The Policy is the most appropriate way to implement Objective 6.2.3 in that the safe and efficient operation of the airport is protected and compatible land use activities are enabled.	
Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods	The risk of acting is that activities with unanticipated sensitivity to airport operations establish. The risk of not acting is the loss of investment and employment, and the potential for sensitive activities to establish resulting in reverse sensitivity effects.
<b>Principal Alternative</b>	
No obvious alternatives other than 'status quo' with no specific guidance on land uses in and around the Airport. This approach would be inconsistent with proposed Objective 6.2.3.	

**6.3.7 Avoid unsafe activities and structures**

*Avoid new or expanded activities and/or structures that compromise the safe and efficient operation of the Wanganui Airport.*

**Comment**

Safety is of high importance in the aviation industry. The Airport has a range of regulatory requirements to ensure efficient and safe aviation can occur. While these requirements arise from separate legislation, there is still a place for and use management provisions and

advisories within the Plan	
<p><b>Benefits</b></p> <p><b>Environmental</b> - No significant environmental benefits arising from this policy other than the maintenance of safety.</p> <p><b>Economic</b> - Development of supporting industry is promoted but only where it does not compromise safe operation of the Airport.</p> <p><b>Social/Cultural</b> - The continued safe and efficient operation of the Airport.</p>	
<p><b>Costs</b></p> <p><b>Environmental and Economic</b></p> <p>It is not anticipated that any significant environmental or economic costs will arise from implementing this Policy.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs will arise from this policy.</p>	
<p><b>Effectiveness</b> - Policy 6.3.7 is effective, it ensures safety aspects of airport operations are maintained.</p>	
<p><b>Efficiency</b> - Policy 6.3.7 is efficient, it addresses safety issues prior to the erection of buildings and structures.</p>	
<p><b>Appropriateness</b> - The Policy is the most appropriate way to achieve Objective 6.2.3 as it maintains safety.</p>	
<p>Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods</p>	<p>No significant risks in acting. The risk of not acting is that significant compromises in safety could reduce the Airport’s ability to provide aviation services, cause death and or injury.</p>
<p><b>Principal Alternative</b></p> <p>The principal alternative is to prevent any activities or structures other than those required for Airport operations. This loss of economic potential may lead to reduced services or closure of the Airport.</p>	

<p><b><u>6.3.8 Activities sensitive to aircraft noise</u></b></p> <p><i>Avoid new or expanded Activities Sensitive to Aircraft Noise (ASAN) within the Outer Control Boundary (OCB) and Air Noise Boundary (ANB) overlays except as provided for in Policy 6.3.9 below.that::</i></p> <p><i>a. <del>Aircraft Hanger Dwellings may establish on sites that are within the Airport Enterprise Zone, excluding land located within the ANB, provided that the effects of air noise are mitigated.</del></i></p>
<p><b>Comment</b></p> <p>Policy 6.7.8 focusses on managing the effects of air noise to support Objective 6.2.4. The policy identifies the two noise contours (ANB and OCB) and seeks to avoid the establishment and expansion of activities sensitive to air noise in accordance with the recommendations of the Report by Marshall Day Acoustics.</p> <p>After consideration of the submissions it is considered necessary to introduce a separate policy to specifically address the issues associated assessing the appropriateness of any application to establish an airport hangar dwelling.</p> <p>However, a specific exemption is provided for the establishment of Aircraft Hanger Dwellings. While this is not entirely consistent with the recommendations of the Report, discussion in the</p>

<p>report recognised that it is possible, but not desirable to establish ASAN's within the OCB. However, a dwelling defined as an Aircraft Hanger Dwelling could be appropriate as the effects can be mitigated, and the close relationship between the activity and aeronautical activity distinguishes it from other residential activities. This is consistent with Objective 6.2.4 in that the most sensitive uses are avoided.</p>	
<p><b>Benefits</b></p> <p><b>Environmental</b> The noise environment is recognised and embedded in the Plan. It is recognised as necessary and minimised by best practice airport operations.</p> <p><b>Economic</b> Two potential economic benefits.</p> <ol style="list-style-type: none"> <li>1. Avoidance of reverse sensitivity effects which may result in a reduction of airport activities and income.</li> <li>2. Enabling other development in limited circumstances.</li> </ol> <p><b>Social/Cultural</b> No known cultural benefits. The Policy has a positive social effect in that air noise sensitive activities are prevented from locating in an inappropriate noise environment.</p>	
<p><b>Costs</b></p> <p><b>Environmental</b> - No significant costs to the natural or physical environment.</p> <p><b>Economic</b> Forgoing of noise sensitive development within the ANB and OCB is a cost. However, given the existing environment and zoning of those areas, this cost would be minimal.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs.</p>	
<p><b>Effectiveness</b> - The policy is effective. It minimises the effects of air noise on sensitive activities, consistent with Objective 6.2.4.</p>	
<p><b>Efficiency</b> - Policy 6.3.8 is efficient as most effects are avoided, but clear about what exceptions apply.</p>	
<p><b>Appropriateness</b> - The policy is the most appropriate way to achieve Objective 6.2.4 as the effects of air noise from the Airport operation are minimised.</p>	
<p>Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods</p>	<p>The risk of acting is that development of noise sensitive activities are unnecessarily restricted, or that mitigation measures required for Aircraft Hanger Dwellings are insufficient causing reverse sensitivity effects.</p> <p>The risk of not acting is the establishment of air noise sensitive activities leading to conflict with the operational requirements of the airport. This could restrict efficient Airport maintenance and operation.</p>
<p><b>Principal Alternative</b> The principal alternative was not regulate the issue. However, as discussed above, this would be inconsistent with Objectives 6.2.3 and 6.2.4 as this could restrict efficient Airport maintenance and operation.</p>	

**6.3.9 Airport Hangar Dwellings**

In granting any land use or subdivision consent to permit residential activity within an airport hangar dwelling Council shall require that:

- a. Airport hangar dwelling areas be clearly defined and contained to avoid unauthorised persons gaining access to the airfield.
- b. Airport hangar dwelling areas shall be insulated and constructed to mitigate airport noise and vibration.
- c. Residential activities shall only be secondary to the use of the hangar to store and maintain aircraft.
- d. Residential occupants shall be limited to owner/s of any aircraft stored in the attached hangar and their immediate family. The dwelling shall not be rented to other parties nor used for any other residential purpose.
- e. Confirmation be provided annually by the owner of any airport hangar dwelling, that:
  - i. the defined dwelling area remains ancillary to the primary hangar activity and storage of the aircraft.
  - ii. the activity continues to comply with matters a, c and d above.

Confirmation shall be provided to Council’s Manager of Strategy and Development.

**Comment**

After consideration of the submissions it is considered necessary to introduce a separate policy to specifically address the issues associated assessing the appropriateness of any application to establish an airport hangar dwelling.

This policy provides very clear guidance about the level of avoidance and mitigation of potential effects that will be required to be establish such a sensitive activity in the vicinity of the airport.

This policy creates a specific exemption is provided for the establishment of Aircraft Hanger Dwellings. While this is not entirely consistent with the recommendations of the Report, discussion in the report recognised that it is possible, but not desirable to establish ASAN’s within the OCB.

However, a dwelling defined as an Aircraft Hanger Dwelling could be appropriate as the effects can be mitigated, and the close relationship between the activity and aeronautical activity distinguishes it from other residential activities.

As a result of submissions is has been appropriate to more clearly identify the extent of the relationships required and the level of safety and security assurance that will be required.

This is consistent with Objective 6.2.3 in that the most sensitive uses are avoided and all other effects are to be mitigated with clear guidance provided by the Plan and what is required to achieve mitigation.



<p><b>Benefits</b></p> <p><b>Environmental</b> The noise environment is recognised and embedded in the Plan. It is recognised as necessary and minimised by best practice airport operations.</p> <p><b>Economic</b> Two potential economic benefits.</p> <ol style="list-style-type: none"> <li>1. Avoidance of reverse sensitivity effects which may result in a reduction of airport activities and income.</li> <li>2. Enabling additional development in limited circumstances.</li> </ol> <p><b>Social/Cultural</b> No known cultural benefits. The Policy has a positive social effect in that for a limited group who wish to make use of the option to commute by aircraft, they can fly direct to their hangar dwelling. Cates for a very specialised and limited demand.</p>	
<p><b>Costs</b></p> <p><b>Environmental</b> - No significant costs to the natural or physical environment.</p> <p><b>Economic</b> Risk that any dwelling at the airport may in time lead to compromise of airport operational activity.</p> <p><b>Social/Cultural</b> – Potential for security risks to be created with unauthorised people present near the airfield. No significant cultural costs.</p>	
<p><b>Effectiveness</b> - The policy is effective. It minimises the effects of establishment of airport hangar dwellings by setting out clearly the requirements that must be met to obtain consent. This is consistent with Objective 6.2.3.</p>	
<p><b>Efficiency</b> - Policy 6.3.9 is efficient as most effects are avoided, but clear about what exceptions apply.</p>	
<p><b>Appropriateness</b> - The policy is the most appropriate way to provide for some very specific residential accommodation at the airport without compromising the ability of the airport to operate and grow in future. This is consistent with the intent of Objective 6.2.3 .</p>	
<p>Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods</p>	<p>The risk of acting is that development of noise sensitive activities are unnecessarily restricted, or that mitigation measures required for Aircraft Hanger Dwellings are insufficient causing reverse sensitivity effects.</p> <p>The risk of not acting is the establishment of air noise sensitive activities leading to conflict with the operational requirements of the airport. This could restrict efficient Airport maintenance and operation.</p>
<p><b>Principal Alternative</b> The principal alternative was not regulate the issue. However, as discussed above, this would be inconsistent with Objectives 6.2.3 and 6.2.4 as this could restrict efficient Airport maintenance and operation, and lead to less than efficient use of the airport infrastructure resource.</p>	

<p><b>6.3.910 Airport operating requirements</b></p> <p><i>Require airport flight operations generated by Wanganui Airport to be conducted to achieve air noise of no more than 65DdB Ldn at the Air Noise Boundary (ANB) and 55dB Ldn at the Outer Control Boundary (OCB).</i></p>	
<p><b>Comment</b></p> <p>Policy 6.7.9 seeks to recognise that, while the operation of the Airport generates noise, that the ability to generate noise should not be unlimited.</p> <p>A thirty year growth scenario was developed and provided to Marshall Day Acoustics for the development of the ANB and OCB. This affects the physical extent of those areas and therefore the controls associated with them.</p> <p>This Plan change seeks to avoid conflicts by managing noise sensitive uses. It is reasonable that the Airport adheres to noise parameters identified as fair and reasonable, avoid potential noise conflicts.</p>	
<p><b>Benefits</b></p> <p><b>Environmental</b></p> <p>The Policy assists in ensuring noise in the OCB and ANB does not exceed what is projected and provided for.</p> <p><b>Economic</b></p> <p>No significant economic benefits. However, requiring compliance with the noise contours will provide certainty and encourage investment in appropriate activities.</p> <p><b>Social/Cultural</b></p> <p>The Policy provides a limit to anticipated noise levels. It requires best practicable options to be adopted at the Airport.</p>	
<p><b>Costs</b></p> <p><b>Environmental/ Economic</b> - No significant environmental or economic costs to.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs.</p>	
<p><b>Effectiveness</b> - The policy is effective, it reduces potential for conflict by specifying clear noise limits.</p>	
<p><b>Efficiency</b> - Policy 6.7.9 is efficient, it provides proactive measures to avoid conflict between noise sensitive activities and noise from airport operations</p>	
<p><b>Appropriateness</b> - The policy is the most appropriate way to achieve Objective 6.2.4, it minimises conflict between airport noise and sensitive uses.</p>	
<p>Risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods</p>	<p>The risk of acting is that flight operations may be restricted in future if the nature of noise generated by the Airport changes. However, this was considered as part of the 30 year future noise scenario.</p> <p>The primary risk of not acting is that existing activities that are sensitive to airport noise could be affected by operations exceeding what is assessed as a future model.</p>
<p><b>Principal Alternative</b></p> <p>The principal alternative was the status quo with no regulation of Airport noise. Only limited options would exist to address adverse effects, if Airport noise became unreasonable for sensitive activities.</p>	

### 3.5 PROPOSED RULES

The following new *rules* are proposed:

<p><b>Permitted activities</b></p> <p><b>Airport Enterprise Zone</b></p> <p><b>6.6.1</b> <i>The following activities are permitted activities in the Airport Enterprise Zone:</i></p> <ol style="list-style-type: none"> <li>a. <i>Navigation instruments, runways, runoff areas, runway lighting, refueling facilities and activities ancillary to aeronautical infrastructure, including their construction, operation, repair and maintenance</i></li> <li>b. <i>Earthworks</i></li> <li>c. <i>Airport operations activities</i></li> <li>d. <i>Manufacturing activities</i></li> <li>e. <i>Commercial activities ancillary to any permitted activity.</i></li> </ol> <p><b>Air Noise Overlays</b></p> <p><b>10.14.1</b> <i>The following are permitted activities within the Air Noise Boundary (ANB) and Outer Control Boundary (OCB), unless otherwise stated:</i></p> <ol style="list-style-type: none"> <li>a. <i>All activities, other than Activities Sensitive to Aircraft Noise</i></li> </ol>
<p><b>Comment</b></p> <p>The permitted activity list identifies a range of low risk activities (subject to compliance with performance standards) which will not have an effect of any significance on the operation of the Airport itself.</p> <p>Rule 6.6.1 applies only to the Airport Enterprise Zone and Rule 10.14.1 is a District Wide Rule that applies only where the ANB and OCB is in effect.</p>
<p><b>Benefits</b></p> <p><b>Environmental</b> - The provisions enable activities that compliment, or are compatible with the operation of the Airport.</p> <p><b>Economic</b></p> <p>The list provides a wide range of activities, reducing the cost and delay of a resource consent as required for most under the current Plan. This will assist in creating more opportunity for investment at the Airport.</p> <p><b>Social/Cultural</b> - No significant social or cultural benefits, other than the retention of a local Airport.</p>
<p><b>Costs</b></p> <p><b>Environmental</b> - No significant environmental costs.</p> <p><b>Economic</b> - Any costs are associated with activities not permitted by these rules. This is discussed separately.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs.</p>
<p><b>Effectiveness</b> - The activities permitted are considered low risk, and therefore do not require management.</p>
<p><b>Efficiency</b> - The provisions are efficient as they enable activities that will not increase risk to people and property, subject to compliance with performance standards.</p>
<p><b>Appropriateness</b> - The rule is appropriate as the activities that are proposed to be permitted are considered low risk, and consistent with Objective 6.2.3.</p>
<p><b>Principal Alternative</b></p> <p>The principal alternative is to regulate all activities within the Airport Enterprise Zone. This is not necessary as a range of activities can establish without significant adverse effects.</p>

<p><b>Restricted Discretionary Activities</b></p> <p><b>6.6.2</b> <i>The following activities are restricted discretionary activities in the Airport Enterprise Zone:</i></p> <p>a. <i>Activities not meeting one or more of the performance standards unless otherwise stated.</i></p> <p><i>Council restricts its discretion to the following matters:</i></p> <p>a. <i>The ability of the proposal to meet the Assessment Criteria in 14.</i></p> <p>b. <i>Subdivision, provided that:</i></p> <p><i>The proposed subdivision complies with the relevant standards in 11.4, In addition, Council restricts its discretion to the following matters:</i></p> <p>i. <i>the ability of the proposal to meet the Assessment Criteria in 14.</i></p> <p>ii. <i>the provision of access to the runways for airport users.</i></p> <p>iii. <i>the avoidance of allotment layouts that will adversely affect the ability of the airport to operate efficiently and safely.</i></p> <p><b>Note: Subdivision applications subject to this rule shall be considered without service, public notification or written approvals from affected persons.</b></p>
<p><b>Comment</b></p> <p>The Rule manages the effects of minor non-compliance with the performance standard of the zone along with subdivision. Where the effects are considered significant affected parties can be considered (excluding subdivision) and may be declined.</p>
<p><b>Benefits</b></p> <p><b>Environmental</b> - The Rule will ensure that the desired characteristics of the zone are maintained.</p> <p><b>Economic</b> - Development within the Airport Enterprise Zone is provided for.</p> <p><b>Social/Cultural</b> - Any significant effects on third parties can be addressed.</p>
<p><b>Costs</b></p> <p><b>Environmental</b> - No significant environmental costs.</p> <p><b>Economic</b> - There may be additional costs relating to mitigation measures and the cost of a resource consent. This internalises effects that would have otherwise fallen on others.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs.</p>
<p><b>Effectiveness</b> - The provision is effective as development is provided for subject to mitigation of effects.</p>
<p><b>Efficiency</b> - The rule is efficient as it clarifies expectations for activities.</p>
<p><b>Appropriateness</b> - The rule is appropriate as it is consistent with the relevant policies which provide for a range of activities.</p>
<p><b>Principal Alternative</b></p> <p>The principal alternative is to raise the activity status for non-compliance with zone performance standards to Discretionary or Non-complying status. However, non-compliance with most of the performance standards address specific areas of concern and wider assessment of the activity is not deemed necessary.</p>

<p><b>Discretionary Activities</b></p> <p><b>6.6.3</b> <i>The following activities are discretionary activities in the Airport Enterprise Zone:</i></p> <p>a. <i>Aircraft Hanger Dwellings ancillary to the use of a building for storage of aircraft, excluding sites within the ANB.</i></p> <p><b>6.7.2</b> <b>Residential Units Internal Noise</b>  <i>New Aircraft Hanger Dwellings on sites also within the OCB shall:</i></p> <p>i. <i>be fitted with acoustic insulation to ensure that noise does not exceed Ldn 40 dBA in any habitable room with all doors and windows shut.</i></p> <p>ii. <i>require an Acoustic Design report from a suitably qualified Acoustic Engineer confirming that any dwelling is designed to meet the (i) above.</i></p>
<p><b>Comment</b></p> <p>Rule 6.6.3 provides for residential type accommodation within the Airport Enterprise Zone, but only when accessory to an aircraft hangar.</p> <p>Performance standard 6.7.2 also requires any Aircraft Hangar Dwellings pursuant to Rule 6.2.3 to insulate the effects of external noise. Where this cannot be achieved, the prohibited activity provisions apply. This is to ensure that, while the activity provided for is closely related to Airport activities, the risk of conflict should be completely mitigated.</p>
<p><b>Benefits</b></p> <p><b>Environmental</b> - There is a minor environmental benefit, which is a more vibrant built environment. Given accommodation is present on-site, there may be an increase in perceived safety and security.</p> <p><b>Economic</b> - The provision of on-site accommodation may increase the ability to provide services in that quicker response times for customer needs may occur. Additional building development may arise, and businesses may be more secure.</p> <p><b>Social/Cultural</b> - No significant cultural benefits. However, the provision provides an opportunity for persons who have an affinity with aviation to reside on site. This could be for security purposes, or simply for their personal enjoyment.</p>
<p><b>Costs</b></p> <p><b>Environmental</b> - It is not anticipated that significant environmental costs will arise.</p> <p><b>Economic</b> - The only potential economic cost is the forgoing of development in areas zoned for residential development. However, it is not anticipated that a great number of Aircraft Hanger Dwellings will be built.</p> <p><b>Social/Cultural</b> - No significant social or cultural costs.</p>
<p><b>Effectiveness</b> - Rule 6.6.3 is effective, particularly when put alongside the specific requirements in performance standard 6.7.2 in terms of providing for activities that are not conflict with the safe and efficient operation of the Airport.</p>
<p><b>Efficiency</b> - The Rule is efficient as it is specific and sets particular requirements in order to best use available land resource in the Airport Enterprise Zone.</p>
<p><b>Appropriateness</b> - Rule 6.6.3 is appropriate in that it provides for compatible activities in the Airport Enterprise zone and does not affect the safe and efficient operation of the Airport in terms of Objective 6.2.3. Policy 6.3.8 specifically provides for Aircraft Hangar Dwellings as an exception to the avoidance of activities that are sensitive to aircraft noise. In addition, the Rule is considered appropriate in that the potential effects arising from conflict with air noise are minimised.</p>

**Principal Alternative**

The principal alternative is not to provide for Aircraft Hanger Dwellings at all. The balance is fine as to whether these could or should be included as there is potential for these activities to create adverse effects. However, the balance was tipped into providing for these due to the direct relationship with aviation type activities, and only on the basis of full mitigation of noise effects.

**Non-Complying Activities**

**Airport Enterprise Zone**

- 6.6.4** *The following activities are non-complying activities in the Airport Enterprise Zone:*
- a. *Any other activity (excluding noise sensitive activities within the ANB) unless specifically provided for.*
  - b. *Retail activities not provided for as permitted, restricted discretionary or discretionary activities.*

**Air Noise Overlays**

**10.14.2** *The following activities are non-complying activities: Activities Sensitive to Aircraft Noise in the OCB, not provided for as permitted, discretionary (refer to Rule 6.2.3(a)) or prohibited activities*

**Comment**

Rules 6.6.4 and 10.14.2 represent high risk activities in the Airport Enterprise Zone and Air Noise overlays.

Certain retail activities, in particular main street type pedestrian focussed retail, have different requirements to a retailer of machinery parts or other products for the commercial servicing industry. The latter is provided for as permitted activities, whereas the former is intended to be avoided.

The report from Marshall Day recommends that ASAN should be prohibited in both the ANB (highest risk) and the OCB (high risk). However, the Report also notes that in some circumstances noise can be mitigated, but not in all cases. Regardless, the Report also notes that it is still undesirable to introduce new ASAN activities. Given this, a prohibited activity status is not warranted. However, a true exception would need to be proposed, along with suitable mitigation and an outcome that is consistent with the relevant objectives in policies regarding the avoidance of conflict for such an activity to be approved.

**Benefits**

**Environmental** - The rules ensure that the environment is protected and that only those high risk activities that can avoid or mitigate adverse effects will be permitted.

**Economic** - Protects the on-going operation of the Airport

**Social** - Prevents dwelling construction within inappropriate noise environments.

**Cultural** - No significant cultural benefits.

**Cost**

**Environmental** - No significant environmental costs.

**Economic** - Activities managed by these Rules will require resource consent that may or may not be granted. The costs are considered to fall on individuals and not on the Airport.

**Social/Cultural** - No significant social or cultural costs.

**Efficiency** - The Rules are efficient as they are specific in terms of what they are managing.

**Effectiveness** - The provisions are effective as activities that pose a high risk to the on-going operation of the Airport are identified and are required to go through a high level of scrutiny before they can be granted.

**Appropriateness** - The Rules above are appropriate as they provide a detailed test for activities that have been identified as having a high probability, but not extreme, of significant effects regarding conflict with the on-going operation of the Airport.

**Principal Alternative**

The principal alternative was to use the prohibited activity status. However, while the Report by Marshall Day stated that prohibition was preferred, these could be made distinct from the activities in Rules 6.6.5 and 10.14.3 (prohibited activities) in terms of ability to manage their effects. It is also noted that the 'gateway' test for non-complying activities requires proposals to 'not be inconsistent with' the objectives and policies of the Plan. This provides a suitable level of protection to meet the outcomes desired by Objectives 6.2.3. and 6.2.4.

**Prohibited Activities**

**Airport Enterprise Zone**

**6.6.5** *The following are prohibited activities in the Airport Enterprise Zone for which no consent may be sought:*

- a. *Aircraft Hangar Dwellings provided for by 6.6.3(a) that do not comply with the performance standard for internal noise in 6.7.2.*

**Air Noise Overlays**

**10.14.3** *The following activities are prohibited activities for which no consent may be sought:*

- a. *Activities Sensitive to Aircraft Noise within the ANB.*
- b. *Activities Sensitive to Air Noise in the OCB that do not comply with the performance standard for internal noise in 6.7.2.*

**Comment**

Both Rule 6.6.5 (Airport Enterprise Zone) and 10.14.3 (Air Noise Overlays – District Wide Activities) address the highest risk activities that would certainly create a conflict of use between the Airport and the noise it generates.

Rule 6.6.5 particularly manages Aircraft Hangar Dwellings that do not comply with the internal noise requirements. It is acknowledged in the assessment for Rule 6.6.3 which provides for these, that their inclusion is finely balanced. non-compliance with the internal noise presents significant risk of conflict.

Rule 10.14.3 addresses the overlay where the noise effects are the most intense, the ANB, and also includes ASAN's that do not comply with internal noise requirement in 6.7.2.

**Benefits**

**Environmental** - The Rule has no significant benefits to the natural environment, but does assist in maintaining the physical resource that is the Airport.

**Economic** - The Rules avoid the highest risk activities that are likely to adversely affect the on-going operation of the Airport. This provides for a wide range of jobs and businesses.

**Social/Cultural** - The provisions completely avoid the highest risk new or expanded ASAN. This ensures that social or cultural values won't be encouraged to establish or in areas where their values may be compromised.

<p><b>Cost</b></p> <p><b>Environmental</b> - No significant environmental costs.</p> <p><b>Economic</b> Some land may have its development potential diminished for particular activity types. However, an analysis of the existing environment suggests that it is unlikely that sensitive activities will occur within the Industrial Zone towards Heads Road given the amenity values associated with the Manufacturing Zone in particular.</p> <p><b>Social/Cultural</b> - No significant social/cultural costs are identified. It is noted that one existing school is affected by the Rules. However, it is understood in the Report by Marshall Day, that any increase in noise will be incremental and not noticeable on the site.</p>
<p><b>Efficiency</b> - The Rule is efficient as it minimises the creation of conflict by preventing the highest risk activities in the highest risk scenarios from establishing or expanding.</p>
<p><b>Effectiveness</b> - The provision is effective as the result of the provision is that no new property or people are put at risk.</p>
<p><b>Appropriateness</b> - The Rule is appropriate as it minimises the risk to the on-going operation to the Airport as required by Objectives 6.2.3 and 6.2.4.</p>
<p><b>Principal Alternative</b></p> <p>The principal alternative to using a prohibited activity status is to provide for the activities as non-complying type activities. However, the technical report produced by Marshall Day Acoustics, with reference to NZS 6805:1992 “Airport Noise Management and Land Use Planning” strongly advocated that the activities should be avoided completely and represent a significant risk of conflict with the operation of the Airport.</p>