

**Report to the Hearing Commissioners  
on Two Publicly Notified Notices of Requirement  
Section 42A of the Resource Management Act 1991**

28 April 2021

<u>Site Addresses:</u>	1. <u>Main Site</u> 28 Stewart Duff Drive / 52 Moa Point Road; 124 Calabar Road; 333 – 343 Broadway; 3 – 25 Miro Street
	2. <u>East Side Area</u> 1 Stewart Duff Drive
<u>Legal Descriptions:</u>	See appended table (Appendix A)
<u>Owners:</u>	1. <u>Main Site</u> Wellington International Airport Limited (WIAL)
	2. <u>East Side Area</u> Wellington International Airport Limited (WIAL)
<u>Requiring Authority:</u>	Wellington International Airport Limited (WIAL)
<u>Purposes:</u>	Airport purposes, including the matters outlined in section 5.1 below
<u>Service Request No.s:</u>	SR455891 (Main Site) SR462159 (East Side Area)
<u>File References:</u>	0600 1001102 (Main Site) 0600 1035279 (East Side Area)
<u>District Plan Areas:</u>	Airport and Golf Course Precinct, Outer Residential Area
<u>Notations in District Plan:</u>	Subject to designations M5, A2, A3, G2, G3, 58 Air Noise Boundary Hazard (Ground Shaking Area)
<u>Locality Plan:</u>	Refer to Figure 1 below

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## **1. PROFESSIONAL BACKGROUND**

My name is Mark Ashby – I am a planning consultant employed by 4Sight Consulting Limited and am the company's Wellington regional manager. I am engaged by Wellington City Council to act as the reporting planner for these notices of requirement. I hold a Bachelor of Regional Planning and am a Member of the New Zealand Planning Institute. I am a certified hearing commissioner and Chair, and have over 30 years planning experience, much of which has been in consultancy. Some of that experience includes acting as a reporting officer for local authorities on various development and plan change related matters.

With regard to Wellington Airport, I have also been engaged to contribute to a review of the Airport chapter as part of the current district plan review process. My work to date on Airport matters within the district plan review includes an Issues and Options report; draft development of policies; and draft development of rules. The final drafting of district plan rules will be influenced by outcomes from the notice of requirement process.

I confirm that I have read the Code of Conduct for expert witnesses contained in section 7 of the 2014 Environment Court Practice Note and agree to abide by the principles set out in the Code.

## **2. ADMINISTRATIVE MATTERS**

As per directions of the Commissioners issued in Minute 1, my report was made available to all parties on 28 April 2021. The report draws on assessments by Council technical experts. Those assessments are appended to my report and have also been provided to all parties as separate documents<sup>1</sup>.

As is usual, my report and the Council technical assessments have been written before conferencing between the Council experts and the experts representing Wellington International Airport (WIAL) or submitters. The expert conferencing is scheduled to take place on 6 and 10 May – immediately after receipt of written evidence from WIAL's experts on 5 May. Outcomes from the conferencing will be reported to all parties prior to the hearing which commences on 19 May.

## **3. BACKGROUND TO THE NOTICES OF REQUIREMENT**

### **3.1 Wellington International Airport Limited**

Wellington International Airport Limited (WIAL) is jointly owned by NZ Airports Limited (66%) and Wellington City Council (34%). As is sometimes the case when Council is the applicant (such as for a resource consent) or has some other interest, it will engage an independent person to prepare the officers report required under section 42A of the Resource Management Act (RMA). If there is a hearing, as in this case, the hearing commissioners may also be independent persons with delegated power to make a decision / recommendation on behalf of the Council.

### **3.2 Requiring Authority Status**

WIAL is a requiring authority via an Order in Council of the Governor General, issued 7 December 1992. A copy of the Order in Council is attached to the Main Site NOR as Appendix E. As noted in section 3 of the Order in Council, WIAL is approved as a requiring

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<sup>1</sup> My report and the technical assessments of Council experts have been placed on the Council's website [[Link to Webpage](#)]

authority under section 167 of the Resource Management Act (RMA) with ‘general approval’ for the “operation, maintenance and expansion of the Airport”.

The Order in Council would have come into effect once notified in the NZ Gazette. WIAL has not provided a record of the Gazette notice but I have sighted its notification in the Gazette under serial number 1992/349<sup>2</sup>.

As a requiring authority, WIAL has the power to issue notices of requirement for designation. Once confirmed, a designation overrides the need for City Council issued resource consents – subject to compliance with any conditions attached to the designation. Where the conditions are not met or resource consent would be necessary under a relevant National Environmental Standard (NES), the requiring authority would still need to seek resource consent. Otherwise, the outline plan requirement of section 176A is all that would apply. The requiring authority must still seek any necessary regional resource consents.

### **3.3 The Notices of Requirement**

WIAL has issued two Notices of Requirement (NOR) for designation which are referred to as the Main Site and East Side Area NORs. The two NORs were notified at the same time.

Detail about the purposes of the designations, and the objectives of WIAL, is provided in section 5 of my report.

The area covered by the NORs includes many different land titles. WIAL provided full title details in appendices to the two NORs and my report attaches a summary table of legal descriptions (see Appendix A). However, given the time since the Main Site NOR was first issued, it would be useful for WIAL to provide recent copies of the documentation (for both NORs). This should be supported by the company’s own summary tables of the legal descriptions and confirmation of the ownership status of all land.

#### **(1) Main Site NOR**

The Main Site NOR is to designate the existing Airport. The NOR area is largely consistent with land already subject to the district plan’s Airport and Golf Course Precinct (Airport sub-area<sup>3</sup>).

There are two exceptions to that consistency. One is an additional area of land at the end of Coutts Street where WIAL seeks to designate land currently zoned Outer Residential. The land is owned by WIAL and consent has been granted for development of a new Airport fire station in that location. The other additional area is at the southern end of the runway where WIAL seeks to extend the designation over land already designated as a runway end safety area.

A small area of the Main Site NOR overlaps part of land designated by WIAL in 2020 for Airport services development, in a block to the north of Broadway. My report refers to that area of land as the Kauri Street designation (Designation G4 in the district plan).

#### **(2) East Side Area NOR**

The East Side NOR is to designate the southern half of Miramar golf course for eastward expansion of the Airport. Miramar Golf Club has sold the affected land and I understand that title will be issued prior to the hearing. Most of the NOR land lies within the Golf

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<sup>2</sup> Published on 10 December 1992, issue 201, p4459: Source, National Library records request

<sup>3</sup> Two sub-areas comprise the Airport and Golf Course Precinct – being 1. The Airport area; and 2. The Golf Course area. District plan chapters 10 and 11 respectively refer to the combined land as the Airport and Golf Course ‘precinct’ or ‘area’; the planning map legend shows the whole area as ‘Airport Area’; and planning map 5 shows individual ‘Airport’ and ‘Golf Course’ areas.

Course sub-area within the district plan's Airport and Golf Course Precinct. There is a very small part of the NOR (136m<sup>2</sup>) which covers land zoned Outer Residential by the district plan, at the rear of 76 Raukawa Street.

Part of the East Side Area NOR overlaps the Main Site NOR for reasons explained in the NOR and referred to elsewhere in my report. I address overlaps between designations in section 6.2 of my report.

### *(3) Lapse Period*

The East Side Area NOR includes a proposed condition that sets a lapse period of 15 years, "to provide sufficient time for the engineering, design and construction of the proposed aircraft operational area over time".

In the context of both resource consents and designations, the RMA uses the concept of 'lapsing'. This means that the authorisation (a consent or a designation) will cease to exist if not given effect to within the specified period. The default lapse period under the Act is 5 years, but an applicant (for a resource consent) or a requiring authority (in the case of a designation) can seek a longer period. Even if the 5 year default exists at the outset, the requiring authority can later seek to extend the lapse period. 'Given effect to' is not defined by the Act. I address the lapse period in section 14(3) of my report.

## **3.4 NOR History**

### *(1) NOR Versions*

The Main Site has been the subject of three notices of requirement lodged with the Council. The first two have been superseded by the third. Only one NOR has been lodged in relation to the East Side Area. The NOR history is:

- Main Site NOR – version 1, dated 20 December 2017
- Main Site NOR – version 2, dated 31 August 2018
- Main Site NOR – version 3, dated 4 December 2019
- East Side Area NOR – dated 25 February 2020

Although version 3 of the Main Site NOR is the version subject to notification and assessment, the review of Council's urban design expert (Ms Simpson) has also been informed by substantial Warren and Mahoney design work appended to version 2. I consider the Warren and Mahoney work to be capable of being considered an 'other matter' under RMA section 171(1)(c) – see section 11 of my report. The Warren and Mahoney work is attached as an appendix to Ms Simpson's report.

### *(2) Further Information Requests and Responses*

Further information was requested and responded to for each version of the Main Site NOR. However, I have only attached the request and response to version 3 at Appendix B. There has been only one further information request and response for the East Side Area NOR, and that is also attached in the same appendix. WIAL's response to the East Side Area further information request included a significant number of large appendices. These are not appended to my report as they were included in the package of documents eventually notified.

## **3.5 Airport Masterplan**

The Airport has developed a non-statutory masterplan that includes the expansion outlined above and signals a significant degree of built development in response to anticipated growth in air traffic. The masterplan was published in late 2019 and covers the period up to 2040. A copy of the masterplan is appended to the Main Site NOR.

Although the masterplan has informed development of the current NORs by WIAL, it is a non-statutory document in the RMA sense. Regardless, I consider the masterplan as an ‘other matter’ for the purposes of consideration under RMA section 171(d).

## **4. SITE DESCRIPTION AND CONTEXT**

### **4.1 Site Description**

Wellington International Airport and the Miramar Golf Course cover approximately 142ha in the east of the city. Until recently, the Airport landholding was around 110ha, and the Golf Course is about 32ha. In October 2019 it was announced that 15.6ha of the Golf Course would be sold to the Airport.

The district plan zones<sup>4</sup> the Airport and Golf Course land as Airport and Golf Course Precinct<sup>5</sup>. Within that wider area, the district plan separates the activities of Wellington Airport and the Golf Course into two distinct and named areas; the Airport area, and the Golf Course recreation area. The Airport area is further divided into five sub-areas being: Terminal; Rongotai Ridge<sup>6</sup>; Broadway<sup>7</sup>; South Coast; and West Side. The designation sought by WIAL adopts the same descriptors for those sub-areas, although it refers to them as “precincts”. The sub-areas / precincts are the same under both the district plan and the NORs, with the exception of the West Side – which is modified under the Main Site NOR to include a small area of additional land (shown by Figure 1, on page 9).

Other than the Rongotai Ridge and Broadway precincts, the Airport (Main Site) is held under titles with the collective address of 52 Moa Point Road / 28 Stewart Duff Drive. The East Side Area is listed by the Council’s e-Plan as being 1 Stewart Duff Drive.

The Airport site exists within a complex current and proposed planning environment. The subjects of this recommendation report are referred to here as the ‘Main Site’ and ‘East Side Area’ NORs. Another notice of requirement issued by WIAL and confirmed as a designation (designation G4), but which is not the subject of this report, is referred to as the ‘Kauri Street’ area.

Land covered by the Main Site and East Side Areas NORs (and the Kauri Street designation) is shown by Figure 1 below. Adding to the complexity of the site are a number of other designations, two of which are also shown by Figure 1. For the sake of clarity, some other designations which affect the Airport are not shown by Figure 1. In particular, designation G2 which sets the obstacle limitation surface (OLS). See Table 3 for an outline of all relevant designations.

The OLS is an important controlling factor in future built development at the Airport. An OLS is required by Civil Aviation regulations but is established and administered by the Airport authority. In effect, it sets a ‘height control plane’ through which built development cannot intrude without WIAL’s approval. The OLS will have ongoing relevance as an ultimate height control at the Airport and the wider surrounding area, regardless of what might otherwise be enabled by the Main Site or East Side Area designation conditions. It would be useful to the hearing for WIAL to provide an overlay of the OLS on the entire site of the proposed designations, and an additional overlay with a focus on the Terminal precinct.

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<sup>4</sup> See district plan maps legend

<sup>5</sup> Although, confusingly, the district plan map legend shows it all as “Airport Area”

<sup>6</sup> 124 Calabar Road

<sup>7</sup> Including 333 – 343 Broadway, 3 – 25 Miro Street, and part of 28 Stewart Duff / 52 Moa Point

The most intense area of built structures associated with the Airport's function as a travel hub are located in the Main Site Terminal precinct. However, a further concentration of built development occurs within the West Side precinct, which includes the Tirangi Road Retail Park, plus existing and potential future aircraft hangars.

Locations in or near the Broadway precinct are highly visible to the travelling public and is considered by Council's landscape expert to be an important 'gateway' area. The gateway nature of the area makes it attractive to billboard advertisers (and to the Airport as a source of revenue). There are currently two locations used for large billboards within Airport land beside Calabar Road.

Up until 2020 when the Covid-19 global pandemic had an unprecedented and ongoing impact on air travel, Wellington Airport had experienced a trend of significant growth in passenger numbers. On the assumption that these trends will resume at some point, WIAL is taking the approach of seeking designations to facilitate future development.

Over the 10 year planning period for the district plan (i.e., up to about 2030), WIAL has forecast a significant (29%) increase in passenger numbers at the Airport, with growth projected to continue beyond that period. Relevant base and projected (pre-Covid) numbers are shown by Table 1 and Table 2. WIAL may wish to provide the hearing with an update of the numbers outlined in the tables.

**Table 1 – Forecast growth in Airport usage<sup>8</sup>**

Annual passengers (millions)	Approximate Year	Annual Aircraft Movements	Busy Hour Passengers (Departures + Arrivals)
6.2	2019	85,000	1,400
8.0	2024 – 2029	90,000	1,800
10.0	2031 – 2038	100,000	2,300
12.0	2038 – 2050	105,000	2,700

**Table 2 – Percentage changes in forecast growth<sup>9</sup>**

	Percentage increase over 2019 base		
	2024 – 2029	2031 – 2038	2038 – 2050
Annual passengers	29%	61%	94%
Annual aircraft movements	6%	18%	24%
Busy hour passengers	29%	64%	93%

<sup>8</sup> Section 2.3.1, Notice of Requirement for an Airport Purposes Designation, East Side Area, WIAL, 25 February 2020

<sup>9</sup> Calculated from Table 1



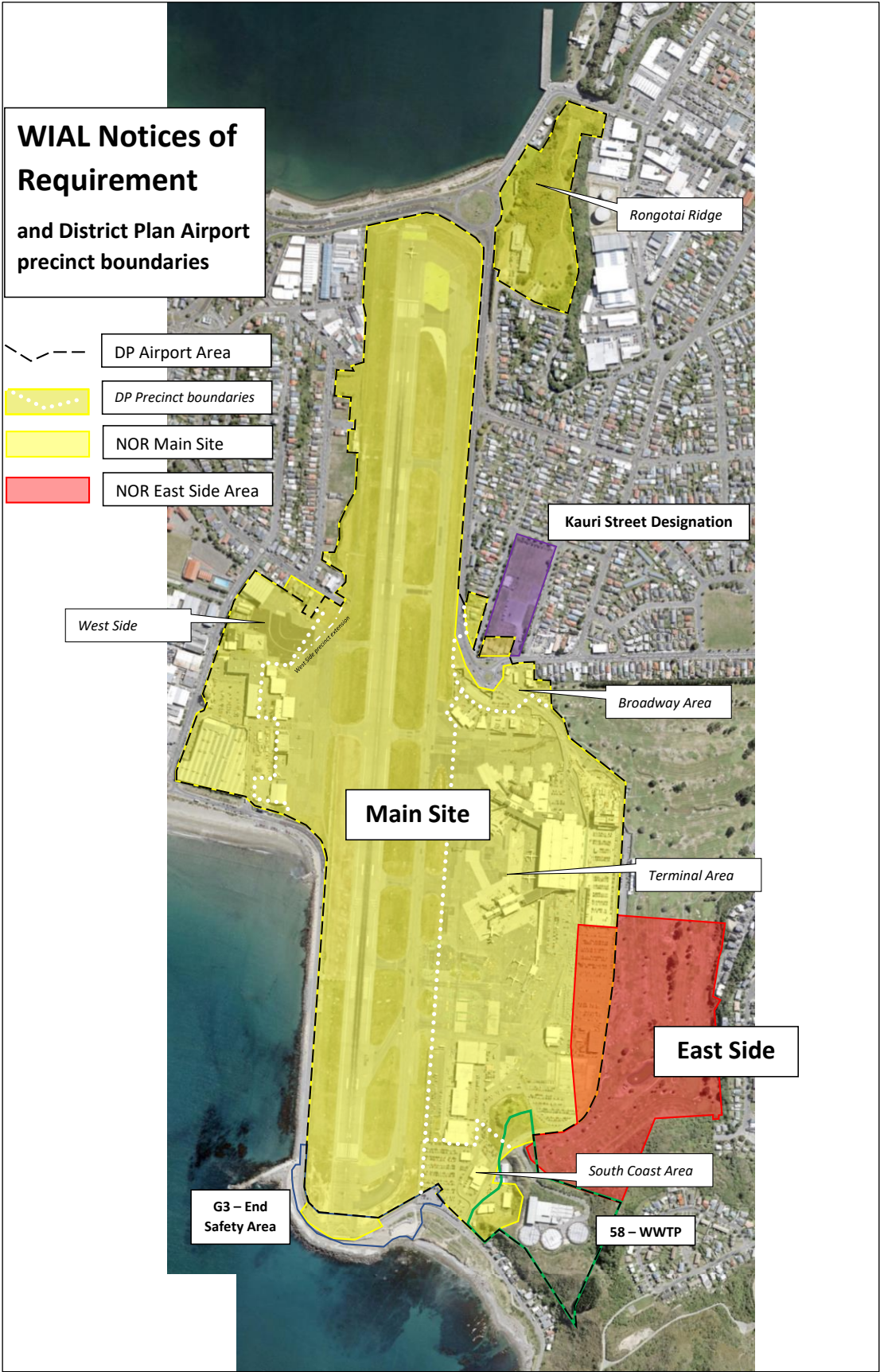


Figure 1 - Site of Existing and Proposed Designations

## **4.2 Surrounding Environment**

Outside the proposed Airport designation, surrounding land is occupied by a mix of residential and commercial land. To the east lie the suburbs of Strathmore Heights, Strathmore and Miramar, and to the west lie the suburbs of Kilbirnie and Lyall Bay. The Airport site lies adjacent to Cobham Drive and the Evans Bay coast to the north, and Moa Point Road and Lyall Bay to the south and west.

Noise sensitive developments, such as residences and schools, are subject to district plan noise overlay provisions (the Air Noise Boundary) within which a Noise Management Plan is in operation. WIAL has a longstanding programme offering homeowners within the Air Noise Boundary (ANB) a subsidised package of acoustic mitigation treatment. The tailored treatments are designed to reduce aircraft noise in habitable rooms to a day/night average ( $L_{dn}$ ) of 45 dB. Homes built before March 2012 are eligible, with either a 100% or a 75% subsidy of the cost depending on the degree of aircraft noise experienced. By mid-2020 the initiative's phased roll out had been offered to 119 properties, with 104 applications received and 67 packages of treatment completed. The initiative commenced in 2016 and is programmed for completion in 2023. WIAL may wish to provide the hearing with an update of the figures outlined above, with particular detail around dwellings to the east of the East Side Area that have received acoustic mitigation under the programme.

Covid notwithstanding, the Airport is a major generator of land transport traffic movements. Pre-Covid, there were estimated to be around 16,000 to 17,000 daily car trips to and from the Airport using the Cobham Drive route. Of those, there was a near 50-50 split between cars and taxis for people going to and from the Airport. Given that the estimate of a 50-50 split was based on visual observations, the percentage of non-private transport was likely to be greater (i.e., people using Uber or similar services, which are provided by unbranded vehicles). Public bus transport accounted for less than 10% of trips to/from the Airport.

Traffic volumes in the vicinity of the Tirangi Road Retail Park (in the Airport's West Side precinct) were around 7,000 to 8,000 per day, with an additional 2,000 per day in nearby Kingsford Smith Street. Altogether, the Airport land and its various activities were therefore generating around 23,000 to 25,000 trips per day.

## **5. PURPOSES OF THE DESIGNATIONS AND DESCRIPTION OF THE PROJECT**

### **5.1 Purposes of the Designations**

Pursuant to section 168(2), Wellington International Airport Limited has given notice to Wellington City Council (the Council) of two requirements for designations for Airport purposes. The stated purposes outlined by the notices of requirement are set out below and the objectives of the designations are outlined in section 5.2.

#### *(1) Main Site*

Within the Designated Area land may be used for activities for the operation of Wellington International Airport ("the Airport") including but not limited to:

- Aircraft operations and associated activities, including all ground-based infrastructure, plant and machinery necessary to assist aircraft operations;
- Aircraft rescue training facilities and emergency services;
- Runways, taxiways, aprons, and other aircraft movement areas;
- Airport terminal, hangars, control towers, rescue and fire facilities, navigation and safety aids, lighting and telecommunication facilities, car parking,

maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances;

- Associated administration and office activities;
- Roads, accessways, stormwater facilities, monitoring activities, site investigation activities, infrastructure and utility activities, and landscaping;
- Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;
- Signage, artwork or sculptures, billboards and flags;
- Hotel/visitor accommodation, conference facilities and services;
- Retail activities, restaurants and other food and beverage facilities including takeaway food facilities and industrial and commercial activities, provided they serve the needs of passengers, crew, ground staff, Airport workers, and other associated workers and visitors;
- Structures to mitigate against the impact of natural hazards;
- All demolition (if required) construction and earthworks activities, including associated structures;
- Ancillary activities, buildings and structures related to the above; and
- Servicing, testing and maintenance activities related to the above.

## *(2) East Side Area NOR Purposes*

Within the Designated Area land may be used for activities for the operation of Wellington International Airport (“the Airport”), limited to the following:

- Aircraft operations and associated activities, including all ground-based infrastructure, plant and machinery necessary to assist aircraft operations;
- Taxiways, aprons and other aircraft movement areas;
- Navigation and safety aids, monitoring stations, lighting and telecommunications facilities;
- Car parking, roads, access ways, pedestrian ways, stormwater and wastewater infrastructure, utility activities and security fencing;
- All demolition (if required), construction and earthworks activities, including associated structures;
- Landscaping, planting, tracks and trails;
- Ancillary activities, buildings and structures related to the above; and
- Servicing, testing and maintenance activities related to the above.

In broad overview, a major purpose of the designations is to facilitate expected future growth in air traffic and passenger numbers. That purpose goes to the heart of the concept of ‘reasonable necessity’. The RMA requires the Council to consider reasonable necessity as part of an assessment of effects. I address reasonable necessity in more detail in section 5.3 of this report.

The Main Site Designation would provide for existing and future activities in ways that are, to varying extents, largely already provided for by district plan rules and standards.

Subject to conditions, the East Side Area Designation would provide for an expansion of Airport taxiways and standing areas onto land currently used as the southern half of the Miramar Golf Course. The proposed Airport expansion is not provided for by district plan zoning, rules or standards.

Subject to compliance with conditions attached to the designations, the purpose of each designation is to remove the need to seek resource consent from Wellington City Council. In such circumstances the outline plan provisions of section 176A is all that would apply – unless the designation conditions specify otherwise. Where a proposed activity, structure or effect exceeds the limits imposed by conditions, resource consent would need to be obtained.

In all cases, any regional resource consents that are required from Greater Wellington Regional Council would still need to be obtained (see section 6.3 below).

Neither designation would directly facilitate an extension of the Airport runway into Evans Bay or Lyall Bay as the boundary of neither designation extends to the coastal marine area.

## 5.2 Designation Objectives

The objectives for the two designations are the same, but with one significant difference. The Main Site designation objectives include the additional underlined wording, relating to noise management. The East Side Area objectives do not include the underlined wording.

1. To establish a suitable planning regime that properly recognises the national and regional significance of Wellington International Airport, while also ensuring the impact of aircraft noise on the surrounding community is appropriately managed.
2. To operate, maintain, upgrade and extend the facilities at Wellington International Airport to continue to provide for the aircraft types currently in use, and likely to be in use in the foreseeable future by New Zealand's major domestic and international airlines in a sustainable manner.
3. To ensure the Airport facilities and activities continue to meet the forecast passenger and aircraft demand and provide a quality service to its users through:
  - Providing for facilities and activities which will ensure the safe, effective and efficient operation of the Airport;
  - Providing for non-Airport activities and developments within the Airport, provided they do not compromise the ongoing and strategic transport role of the Airport;
  - Allowing the development of additional buildings and activities to ensure the effective and efficient functioning of the Airport.
4. To enable an efficient and flexible approach to developing the Airport, while also managing the actual or potential effects of future development particularly at its interface with sensitive land use activities.

## 5.3 Necessity for Designation

Section 171(1)(c) requires the Council to consider whether the work<sup>10</sup> and designation are reasonably necessary for achieving the objectives of the requiring authority.

WIAL has addressed the question of 'reasonable necessity' in section 9 of both the Main Site and East Side Area NORs. I provide comment on the reasonable necessity question in section 12 of this report.

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<sup>10</sup> The development facilitated by a designation and its attached conditions.

In summary, the factors outlined by WIAL as contributing to reasonable necessity for the designations include:

(1) *Main Site*

- The Airport is constrained by limited landholdings and its proximity to existing residential suburbs.
- Continuing to provide for the necessary infrastructure to meet forecast growth in passenger movements at Wellington Airport is going to require a highly responsive and adaptive approach to land use management of the Airport's site and the associated planning processes need to be flexible and efficient.
- The designation is reasonably necessary to recognise the unique planning nature and characteristics of an Airport and in line with WIAL's objectives.
- The designation also provides a key mechanism in delivering long term operations and growth at Wellington Airport. The designation will therefore assist in reasonably achieving WIAL's objective that its facilities continue to meet the forecasted passenger and aircraft demand and provide a quality services to its users.
- The proposed designation provides an additional and alternative route for managing land use outside of the District Plan land use zoning provisions and provides a mechanism by which the WIAL can reasonably achieve its objectives.
- The section 176A outline plan process provides flexibility and more certainty to WIAL in meeting its objectives in comparison to reliance on District Plan land use provisions, as well as allowing it to respond efficiently in its day to day operational needs as well as to growth.
- Greater efficiency and flexibility will also be achieved by designating the site because WIAL will not be subsequently required to undertake resource consent processes for land use activities. Where a designation and supporting conditions are in place, the outline plan process generally takes significantly less time than similar resource consent processes and the process incurs lower costs.
- Recognise the unique planning nature and characteristics of an Airport environment.
- Provide flexibility and efficiency for WIAL to respond to short and medium-term fluctuations in aviation demand, while also providing for the day to day and long-term operations and growth of the Airport.
- Provide WIAL with a better ability to protect its existing land holdings and ensure that future land use remains compatible to the safe, effective and efficient operation of the Airport.
- Provide the community with certainty that Airport related noise effects will be appropriately managed and monitored.

East Side Area

- There are limits to [the Airport's] intensification, and it has become clear via the master planning exercise that the Airport requires additional land to accommodate both its landside and airside activities, as well as remove existing operational constraints associated with a limited taxiway separation distance and shortage of stands during peak hours.
- A designation also provides WIAL with longer term certainty with regard to its future operational capacity. WIAL needs to be proactive in achieving appropriate control over land that is of strategic significance for the long-term safe and efficient operation of the Airport. In this instance, the designation is not only necessary to

provide for immediate and future forecasted passenger and/or aircraft demand, but also enable operational constraints to be lessened, and enhance safety by meeting international aviation regulations where this can be practically achieved.

I comment on the question of reasonable necessity in section 12 of my report.

## **5.4 Consideration of Alternatives**

Consideration of alternatives is provided in section 8 of both NORs.

The Main Site NOR notes WIAL's contention that an assessment of alternatives is not required because there will be no significant adverse effects arising from the designation.

With respect to the East Side Area NOR, WIAL notes that it has sought to acquire additional land adjacent to the Airport as and when opportunities arise. However, suitable sites for the proposed activities are scarce unless reclamation takes place in Lyall Bay, and the proposed site is ideally suited for expanded airside Airport activities, as well as retaining a good buffer between the Airport and other land use activities.

WIAL states that investment and expansion of the Airport at its current location also remains the most logical and efficient outcome. WIAL's investigations into alternative Airport locations within the Wellington region confirm that retention of the Wellington Airport at its current location remains the most appropriate, due to its close links to the Wellington CBD, and the existing investment and infrastructure already established at the site.

The East Side Area NOR sets out principles established by the Environment Court when examining the question of alternatives under section 171(1)(b). I accept that those principles apply in this case. I also accept WIAL's reasoning that:

- Airside activities, such as those proposed to be enabled through the NOR (i.e. aircraft taxiing and parking), have a functional need to be contiguous with existing terminal and runway airside facilities at the Airport. This inherently constrains the options available to WIAL to expand onto landholdings that are not directly contiguous to its airside operations.
- Locating the proposed expansion on the opposite (western) side of the runway is not suitably proximate to the terminal building area of the Airport, and does not lend itself to the further development of airside activities and associated aviation compliance requirements in the way that land on the terminal (eastern) side of the runway does.
- Investment and expansion of the Airport at its current location is a logical and efficient outcome.

I comment on alternatives in section 13 of my report.



## 6. BACKGROUND

### 6.1 Other Relevant Designations and Notices of Requirement

There are several district plan designations associated with or otherwise within the Airport Precinct, but their geographic extent is not necessarily limited to within the boundaries of the Airport Precinct.

The designations are:

**Table 3 – District Plan designations related to Wellington Airport**

<i>Designation Number</i>	<i>Requiring Authority</i>	<i>Purpose</i>	<i>Further Explanation<sup>11</sup></i>
M5 <u>Map 5</u>	Met Service	Meteorological Purposes, north of the Airways ILS bunker near the southern end of the runway	
A2 <u>Maps 5, 7, 39, 40</u>	Airways Corporation	Control tower height restrictions (for visibility)	“The objective of the restrictions is to limit any building, structure, pole, mast or other object which may obstruct visibility from the control tower of the Airport’s approach paths and runway, thereby inhibiting the safe and efficient operation of the Wellington International Airport.”
A3 <u>Map 7</u>	Airways Corporation	Air traffic control tower, 34-36 Tirangi Road	A3 covers the site, and A2 is the associated height restriction designation over other land
G2 <u>Maps 36, 37, 38</u>	WIAL	Airspace in the vicinity of Wellington International Airport. The designation includes the runway strip and flyover area, all take off and approach fans, transitional side and horizontal surfaces, and the instrument circling area	“The objective of the restrictions is to limit the construction of any structure including any building, aerial, antennae or other objects which may inhibit the safe and efficient operation of Wellington International Airport. Refer to Appendix F for details.”
G3 <u>Map 5</u>	WIAL	Runway End Safety Area Extension (RESA) – Southern End. The designation includes the southern end of the runway strip, the airspace above Moa Point Road, and an area of the sea wall to the south of Moa Point Road	“The designation includes both temporary and permanent components. The temporary designation covers the full extent of the RESA development area (including the permanent designation) and includes the surface of Moa Point Road. The temporary designation is intended to last for the duration of testing and construction. The permanent designation covers the RESA as finally built. It is in the form of a strata where it passes over Moa Point Road. The road surface and airspace below the RESA structure over Moa Point Road will remain legal road. Outline plans for the RESA development were submitted with and approved as part of the Notice of Requirement. See Appendix U for outline plan details and conditions attached to the designation.”
G4 <u>Map 7</u>	WIAL	Airport Purposes – Miramar South	“The designation is for Airport purposes, including flight catering, rental car storage, maintenance and grooming, freight reception, storage and transfer, ground service equipment storage, and associated

<sup>11</sup> Text in parentheses is quoted from the district plan

<i>Designation Number</i>	<i>Requiring Authority</i>	<i>Purpose</i>	<i>Further Explanation<sup>11</sup></i>
			carparking, signage, service infrastructure and landscaping. Refer to Appendix AC for details.”
58 <u>Map 5</u>	WCC	Drainage – Sewage Treatment	Appendix L “To make planning provision for the establishment of a sewage treatment plant, through a designation to treat Wellington sewage to a level sufficient to ensure that it is no longer a source of pollution on the south coast”

Designations A2 and G2 are somewhat complex. They relate to height (airspace) restrictions for the Tirangi Road control tower and the runway respectively.

In relation to control tower (A2) airspace restrictions:

- A general area is marked on Maps 5 and 7;
- ‘Quadrants’ with no supporting information are marked on Map 39; and
- A specific property by property height trigger<sup>12</sup> is marked on Map 40.

The control tower that was protected by designation A2 is no longer used. It was replaced by a new control tower granted resource consent in 2015 and erected within the carpark area of the Tirangi Road Retail Park.

In relation to the runway (G2) airspace restrictions:

- Map 36 shows the airspace restrictions at a city-wide scale;
- Map 37 shows the restrictions at an eastern-suburbs scale; and
- Map 38 shows property by property height limits<sup>13</sup> in the area around Bridge Street and Batten Street.

Some of the properties covered by the airspace designations shown on Maps 38 (runway) and 40 (control tower) are similar. However, as explained in footnotes 12 and 13, the two maps take different approaches to controlling when consent of the requiring authority is needed.

Stewart Duff Drive cuts through the Moa Point wastewater treatment plant (WWTP) designation (WCC 58). Although this through road is substantially relocated eastward under the East Side Area NOR, it still cuts through part of Designation WCC 58. It should be noted that the existing through road is not legalised as public road, with access being provided at WIAL’s discretion.

## 6.2 Overlap between NOR / Designations

There are four main locations where a proposed designation overlays another designation. They are:

- Main Site NOR overlaying part of designation G4 (the Kauri Street designation)
- East Side Area NOR overlaying part of the Main Site NOR
- Main Site NOR overlaying part of designation 58 (wastewater treatment plant)

<sup>12</sup> Indicating properties where consent of the requiring authority will be required for a building that exceeds the site’s permitted activity height limit.

<sup>13</sup> Indicating properties where consent of the requiring authority will be required for a building that exceeds the specified height limit shown on the Map.



- Main Site NOR overlaying part of designation G3 (runway end safety area)

Overlaps between designations are not unusual, and the RMA provides clear approaches to that situation. Those approaches are:

- Under section 182, part of either designation can be permanently ‘uplifted’ by the responsible requiring authority to fully remove the conflict; or
- Under section 176, the requiring authority for the latest designation can seek written approval from the requiring authority for the first designation, in order to carry out works.

As noted in the commissioners’ recommendation report for Kauri Street, the Main Site NOR, if confirmed, will likely be uplifted from that part of the Kauri Street designation<sup>14</sup>.

WIAL’s further information response, in relation to the overlaps between the Main Site / Kauri Street and Main Site / East Side Area was as follows:

“The other NOR’s [Kauri Street and East Side Area] are more limiting as to purpose and will be subject to more limiting conditions. This is to manage the effects of the activities that are proposed on these sites in a specific way. As such, those requirements will prevail if and when the two other NORs are ultimately confirmed for the land in question. If for any reason those NORs are not confirmed, then it is appropriate that the overlap areas shown in the plan above to remain within this designation and continue to be available for Airport purposes.”

Where the East Side Area and the Main Site overlap, the East Side Area NOR document notes that the Main Site designation will be uplifted if both NORs are confirmed as designations. This circumstance is provided for by Condition 32 of the East Side Area.

The Main Site NOR document acknowledges that it overlaps a small part of the Council’s wastewater treatment plant designation. The NOR documentation notes<sup>15</sup> that WIAL will need to seek WCC approval before undertaking any work on land subject to this existing designation. In response to a further information question, WIAL noted that: “Survey and land valuations have been completed and there is a willing seller / willing buyer arrangement in place between WIAL and the Council”.

This is correct, but Wellington Water has recently advised that “there would be issues with operation of the Moa Point Waste Water Treatment Plant and consent compliance if WIAL were to carry out proposed work in the overlap zone”<sup>16</sup>. At the time of writing my report, I understand that discussions between the parties about possible land swaps were still ongoing. Should agreement not be reached between the two parties, I intend that Wellington Water should provide relevant evidence to the commissioners at the hearing.

In addition to the four main overlap locations, the Main Site NOR fully overlays the small M5 (meteorological purposes) designation held by the Meteorological Service. I consider that this represents no conflict and authorised works under either designation would be readily managed under the process required by RMA section 176.

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<sup>14</sup> Paragraph 5.14, *Recommendation report of independent hearings panel* (7 Kauri Street, 2 and 6 Miro Street, and 335, 337, 341 and 343 Broadway, Miramar), 31 August 2020

<sup>15</sup> Section 5.6

<sup>16</sup> Email 15 April 2021, Richard Taylor (Wellington Water) to Mark Ashby (4Sight Consulting),

### 6.3 Resource Consents Required

There are no WCC resource consents sought as part of the NORs. Whether or not resource consents are required at later dates, if the designations are confirmed, will depend on whether proposed development complies with the designation conditions.

Earthworks for development of the East Side Area would involve some 590,000 m<sup>3</sup> of earthworks<sup>17</sup> and cover an area of around 15 ha. Consent as a discretionary activity would be required under the regional Proposed Natural Resources Plan, for earthworks exceeding 3,000 m<sup>2</sup>. Consent as a restricted discretionary activity would potentially be required under the operative Regional Soil Plan, for earthworks exceeding 1,000 m<sup>2</sup> on land exceeding 28° slope.

The Greater Wellington Regional Council Selected Land Use Register identifies land within or adjoining the proposed designations that was subject to Hazardous Activities and Industries List (HAIL) activities. Accordingly, resource consent may also be required under the NES for assessing and managing contaminants in soil to protect human health.

### 6.4 District Plan Review – Context

WCC is reviewing its district plan. Based on a current proposed timetable, which may be subject to change, a draft of the proposed district plan will be released in late 2021, the proposed version will be notified for public submissions in 2022, and the entire process is expected to be ongoing until 2023.

As part of the district plan review work, I have been tasked with drafting objectives, policies and rules for a new Airport Zone. The bulk of my work on the draft provisions was undertaken last year, although I anticipate further refinement over the next few months. The overall approach reflects the 2019 National Planning Standards, with an Airport Zone being required for an Airport. The NPS Airport Zone covers land use activities, whereas Airport noise would be subject to a noise overlay. I am not responsible for the noise overlay work in the district plan drafting.

The designations, if confirmed, will influence how the underlying District Plan zone provisions are ultimately drafted. However, and simply as a starting point for my work to date, I have assumed that the designations and the conditions proposed in the NORs are confirmed. I have taken that approach without prejudging the outcomes of the NOR process. The draft provisions will be capable of either standing alone or dovetailing with the overlying designations (if confirmed).

As part of the drafting framework, where future proposed development is not covered by the terms and conditions of the designations, resource consent may be required. A theoretical example is where a designation condition specifies a maximum building height, but WIAL decides to seek a greater height for a particular building. In that circumstance, resource consent would be required as assessed in relation to the underlying plan provisions.

My review against relevant objectives and policies of the district plan, under RMA section 171(1)(a), is set out in section 10.4 below.

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<sup>17</sup> See Earthworks report of Council's expert John Davies (Appendix F)

## **7. NOTIFICATION AND SUBMISSIONS**

### **7.1 Notification Report**

For the Main Site NOR, I prepared a notification report dated 8 September 2020. The notification report is attached as Appendix H to my s42A report.

A notification report was not prepared for the East Site Area NOR as WIAL requested<sup>18</sup> that it be jointly notified with the Main Site NOR.

### **7.2 Notification**

The notices of requirement were subject to public notification on 10 December 2020 in accordance with sections 95-95F of the Act. Public notices appeared in the Dominion Post on this date. To recognise that notification occurred shortly before the end of year holiday period, an extended submission period of 30 working days was agreed to by WIAL. The notices therefore specified a closing date of 12 February 2021 for submissions.

In addition to full public notice, direct notice was served on properties in the vicinity of the Airport. To reflect the different locations (and potential effects) of the two NORs, most parties received direct notice of the Main Site, whereas some other parties received notice of only the East Side Area. A plan showing the approximate boundaries of persons receiving direct notice is attached as Appendix I. Parts of the boundary for direct notice of the Main Site NOR were drawn to coincide with the district plan Air Noise Boundary.

The closing date for the East Side Area NOR was subsequently extended to 26 February 2021 due to WIAL's visual simulations and acoustic report having been omitted from upload to the Council's website. Persons who had received direct notice of the East Side Area NOR were re-notified by letter dated 1 February 2021.

### **7.3 Submissions**

A total of 289 submissions were received by the close of submissions. A further 38 submissions were received after that date but accepted with the agreement of WIAL – bringing the total number of submissions to 327. Submissions were received from the parties tabulated in Appendix J. The on time and late submissions are in separate tables.

Of the total submissions, 315 were opposed to the NORs, 2 were in support, and 10 were neutral.

A substantial number (285) were received from persons using a 'Generation Zero' form, all of which expressed general opposition through answers to series of questions on the form. A breakdown of the Generation Zero form and responses is also attached in Appendix J.

### **7.4 Summary of submissions/issues**

#### **(1) In Scope Issues**

Broadly, issues covered by the submissions raised matters related to the major themes set out below, including both impacts on the environment and impacts on individuals / communities:

- Climate change / aircraft emissions
- Noise

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<sup>18</sup> Letter dated 30 October 2020, WIAL to WCC

- Urban design / landscape
- Traffic and transport
- Earthworks / infrastructure

Climate change / aircraft emissions was the major focus of Generation Zero submissions<sup>19</sup>, although other submitters also referred to the issue. The Generation Zero submissions also referred to other issues such as traffic (although this also links to climate change), and impacts on urban design / amenity.

Noise was referred to by submitters, with exemplar submissions including:

24 <sup>20</sup>	Karunanidhi Muthu
30	Anna Marieke Boleyn
31	Anne Rogers
37	Board of Airline Representatives NZ (BARNZ)
60	Christopher Service
107	Guardians of the Bay (GOTB)
113	Helen Salisbury
136	Jefferey Weir
234/235	Regional Public Health <sup>21</sup>
242	Robyn Moriarty
249	Sam and Melody Holmes
267	Strathmore Park Community Centre Trust
280	Tim Jones
281	Tom Moynihan

Urban design / amenity was referred to by submitters, with exemplar submissions including:

1	A Gibson
20	A Thomas
23	G and A Rota
36	A Koning
72	D and B Dahya
93	Lynn Cadenhead (WCC Environmental Reference Group)
107	Guardians of the Bay (GOTB)
118	Heritage NZ <sup>22</sup>
136	Jefferey Weir
242	Robyn Moriarty
253	Sarah Free (WCC Councillor)
267	Strathmore Park Community Centre Trust
280	Tim Jones

Earthworks / infrastructure was referred to by submitters, with exemplar submissions including:

93	Lynn Cadenhead (WCC Environmental Reference Group)
107	Guardians of the Bay (GOTB)
115	Helena Tihanyi

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<sup>19</sup> Submission 101 was the head Generation Zero submission, supported by the other Generation Zero ‘form’ submissions.

<sup>20</sup> Numbered as late submission 24.

<sup>21</sup> Regional Public Health lodge two submissions, one for each NOR. It has withdrawn submission point 13 from its East Side Area submission (235).

<sup>22</sup> Heritage NZ Pouhere Taonga and WIAL have agreed to an archaeological assessment condition being added to the conditions of the East Side Area. HNZPT has therefore withdrawn its submission point on that matter, but its other interests remain live at the time of writing.

118 Heritage NZ  
213 Waka Kotahi NZTA<sup>23</sup>  
229 Powerco Limited<sup>24</sup>  
255 James Fraser  
280 Tim Jones

Traffic and transport were referred to by submitters, with exemplar submissions including:

101 The Generation Zero submissions  
56 Chris Watson  
93 Lynn Cadenhead (WCC Environmental Reference Group)  
101 Forest and Bird Youth  
107 Guardians of the Bay (GOTB)  
108 Wellington Regional Council  
113 Helen Salisbury  
127 James Barber  
136 Jefferey Weir  
207 Naomi Stephen-Smith  
213 Waka Kotahi NZTA  
253 Sarah Free (WCC Councillor)  
280 Tim Jones

Where relevant, the individual reports of Council's experts refer to specific submissions.

## (2) *Out of Scope Issues*

Based on language used in their submissions, some submitters appear to think that the NORs are intended to facilitate a southern extension of the Airport runway. I draw this inference from various references to a runway extension, marine ecology, reclamation, and the Lyall Bay surf break.

WIAL withdrew its resource consent application for the runway extension from the Environment Court in early 2019. In my view, there is no direct connection between the current NORs and any future actions that WIAL might take to revisit the runway extension. I base that view on matters I refer to in section 12 below.

The RMA does not provide the ability to issue a notice of requirement over coastal waters. Coastal reclamation is matter dealt with via the regional resource consent process (or in the case of the proposed southern extension, by direct referral to the Environment Court).

I therefore consider that reference in any submission to effects related to a coastal reclamation are out of scope when assessing the NORs.

## 7.5 Late Submissions

As noted above, 38 submissions were received after the notified closing period.

Pursuant to section 37 of the Act, the Council may extend a time period specified in the Act. Section 37A(4)(b) requires that in order to extend the time period either –

- Special circumstances apply (including special circumstances existing by reason of the scale or complexity of the matter); or

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<sup>23</sup> Waka Kotahi NZTA and WIAL have resolved the issues raised in the Waka Kotahi submission, but the organisation has confirmed it wishes to remain an interested party in the NOR process.

<sup>24</sup> Powerco has agreed to withdraw its submission, provided that condition wording amendments it has agreed with WIAL are confirmed.

- The applicant agrees to the extension.
- WIAL has agreed to the extension of time to lodge the submissions.

When considering extending the time period for submissions for this proposal, the consent authority must take into account the following matters (s37A(1)):

- The interests of any person who, in its opinion, may be directly affected by the extension; and
- The interests of the community in achieving adequate assessment of the effects of any proposal; and
- Its duty under section 21 to avoid unreasonable delay.

Council officers considered that there would be no persons affected by granting an extension of time for lodging submissions on this proposal that the submission raises relevant issues; and that extending the time limit would not result in any unreasonable delay. Notably the applicant agreed to the extension.

Based on the above, Council officers exercised their delegated authority to waive the time period and accept the late submissions accordingly. A file note setting out the full reasons for this decision is available on the property file.

## **8. SECTION 171 – Statutory Overview**

### *(1) RMA Assessment Process*

When considering a requirement and any submissions received under section 171, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to:

- (1)(a) any relevant provisions of—*
  - (i) a national policy statement;*
  - (ii) a New Zealand coastal policy statement;*
  - (iii) a regional policy statement or proposed regional policy statement;*
  - (iv) a plan or proposed plan; and*
- (1)(b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—*
  - (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
  - (ii) it is likely that the work will have a significant adverse effect on the environment; and*
- (1)(c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and*
- (1)(d) any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.*
- (1B) The effects to be considered under subsection (1) may include any positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from the activity enabled by the designation, as long as those effects result from measures proposed or agreed to by the requiring authority.*

## (2) Guidance on Assessment

WIAL's NOR makes the point that, in relation to considering a notice of requirement<sup>25</sup>:

*"It is also noted that section 171 relates to whether the public work is reasonably necessary, not the technique or method of using a designation (as opposed to using a resource consent process). It is therefore not open to argument that the designation is not the correct method or technique through which a project or work should be authorised because it is 'not reasonably necessary' as the resource consent option is available."*

The point being made by WIAL reflects Court decisions, in particular *Bungalo Holdings Ltd v North Shore City Council*. As noted by the Court in that decision<sup>26</sup>, the direction by section 171(1)(a) that the Council must consider "Whether the designation is reasonably necessary", "is an indication that the question to be considered concerns the particular designation proposed, rather than designation as a generic class of planning technique".

However, as also noted<sup>27</sup> by the Court in *Bungalo Holdings*, the introductory wording of 171(1)(a) – "Subject to Part 2" – is that the "general directions [of s.171] that follow do not apply where having regard to them would conflict with anything in Part II".

Therefore, the Council's 'role under s.171(1) is to consider the effects on the environment of allowing the NOR – while having particular regard to reasonable necessity (among other matters) – and as noted, subject to Part 2 of the RMA.

Subsequent sections of my report consider the effects of allowing the requirement. I first undertake a general assessment of the key effects that would be created by the designations, and then go on to make further assessments specifically against the matters set out by sections 171(1)(a) to (d). I conclude with an assessment against Part 2 of the Act.

## 9. SECTION 171(1) – Consideration of Effects

In this case I consider that the following matters and effects set out in sections 9.1 to 9.6 are relevant to the designations.

### 9.1 Assessment of Airport Climate Change / Emissions Issues

#### 9.1.1 Context for Climate Change Issues

The purpose of the designations, especially the East Side Area, is to provide for anticipated further growth in air traffic. Based on information lodged with the NORs, the growth is expected to be substantial over the next 30 years. The anticipated air traffic growth has informed WIAL's masterplanning and is a driver of the objective to expand onto the golf course land.

If air traffic growth occurs via 'business as usual' for the use of CO<sub>2</sub> emitting jet fuels, then an outcome of the designations will be to contribute to the causes of climate change.

It would be useful if WIAL provides the hearing with evidence that includes an update of growth projections – both in light of the falloff in travel due to Covid induced

<sup>25</sup> Page 37, section 9, Main Site NOR

<sup>26</sup> Paragraph 46, *Bungalow Holdings Ltd v North Shore City Council*. A52/01

<sup>27</sup> Paragraph 48, *Bungalow Holdings Ltd v North Shore City Council*. A52/01

circumstances, and due to any greenhouse gas constraints that might be legislatively (or voluntarily) imposed.

### 9.1.2 Submissions

Many submissions refer to climate change, and the role that aviation industry emissions play in this global issue. In particular, the standardised Generation Zero submission form included the following questions / response options related to emissions of climate change inducing gases:

*I also oppose the expansion of the Airport as it promotes the increased use of air travel and associated carbon emissions within Aotearoa New Zealand. I want to make it clear to WIAL and Wellington City Council that in order to meet our commitments under the Zero Carbon Act and Paris Accords, Aotearoa needs to significantly reduce its carbon emissions, including those from air travel.*

*I request that WIAL withdraw the Notice of Requirement. WIAL should then determine if the Airport expansion is appropriate given the likely increase in carbon emissions and the impacts on international air travel from COVID-19.*

*If WIAL decides withdraws the Notice of Requirement but decides to proceed with the expansion at a later date I ask that WIAL does not apply for a Notice of Requirement until 01 January 2022, from which point carbon emissions can be considered under the RMA and measures to reduce or offset emissions put in place.*

In short, a general sentiment expressed across many submissions is that climate change / aviation emissions should be a matter taken into account when considering the NORs.

Undertaking such a consideration needs to be seen in the context of relevant legislation. For that reason, below I set out some general information about climate change regulation in New Zealand, and the related approach to management of aviation emissions. In addition, I address the specific matter raised regarding consideration of carbon emissions under the RMA.

### 9.1.3 NZ Regulatory Background

#### (1) *Zero Carbon Act*

The *Climate Change Response (Zero Carbon) Amendment Act 2019* provides a framework by which New Zealand can develop and implement climate change policies. Policies developed under the Act are intended to:

- (i) contribute to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels; and
- (ii) allow New Zealand to prepare for, and adapt to, the effects of climate change.

The Act sets a NZ wide target of 'net zero' greenhouse gas emissions by 1 January 2050. Biogenic methane is excluded from that target, although it does have its own specific targets.

International (i.e., not domestic) aviation is excluded from the target. However, the Climate Change Commission must, no later than 31 December 2024, provide written advice to the Minister on whether the 2050 target should be amended to include emissions from international shipping and aviation (and, if so, how the target should be amended)<sup>28</sup>.

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<sup>28</sup> Part 1B, 5R, Climate Change Response (Zero Carbon) Amendment Act 2019



## (2) *Emissions Trading Scheme*

The purpose of the NZ ETS is to:

- assist New Zealand to meet its international obligations under the Paris Agreement; and
- help New Zealand to meet its 2050 target and emissions budgets.

The NZ ETS places a price on emissions of greenhouse gases. All sectors of New Zealand's economy, apart from agriculture, pay for their emissions through the NZ ETS. Businesses in the NZ ETS are required to buy units to cover their emissions. This helps businesses participating in the NZ ETS to consider emissions in their decision making and provides an incentive for them to reduce their emissions. The NZ ETS covers all sectors of New Zealand's economy. Different sectors participate in the NZ ETS in different ways.

All sectors covered by the NZ ETS must report their annual greenhouse gas emissions to the government. The sectors are:

- forestry
- agriculture
- waste
- synthetic gases
- industrial processes (such as manufacturers of iron and steel)
- liquid fossil fuels (such as petrol and diesel suppliers)
- stationary energy (such as electricity generation and industrial heating).

Surrender obligations mean that a business participating in the NZ ETS is required to buy and surrender to the Government, one NZU for every tonne of carbon dioxide equivalent emissions they produce. All sectors apart from agriculture have surrender obligations as well as reporting obligations.

The obligation for liquid fossil fuels (such as petrol, diesel and aviation fuel) is placed on the companies importing the fuel, rather than on the operators of fossil-fuelled vehicles. This makes it possible to put a price on emissions from the transport sector without directly involving, for instance, the millions of people who own cars.

However, the Climate Change Commission notes that “The Emissions Trading Scheme (NZ ETS) alone won’t get us to where we need to be. Action is needed across all sectors of the economy”<sup>29</sup>.

## (3) *Climate Change Commission*

The Zero Carbon Act covers the role of the Climate Change Commission. The purposes of the Commission are:

- (i) to provide independent, expert advice to the Government on mitigating climate change (including through reducing emissions of greenhouse gases) and adapting to the effects of climate change; and
- (ii) to monitor and review the Government’s progress towards its emissions reduction and adaptation goals.

As part of performing those roles, the Commission is required to review the 2050 target set in the Zero Carbon Act and provide advice to the Minister to enable the preparation of

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<sup>29</sup> Page 11, 2021 Draft Advice for Consultation, 31 January 2021

emissions budgets. The Minister need not accept the Commission's advice but must provide reasons for doing so.

The Climate Change Commission released its first package of advice for public consultation on 1 February 2021, and the submissions period closed on 28 March 2021. Having regard to submissions, the Commission's finalised advice will be provided to the Minister by 31 May 2021.

#### *(4) Control of Aviation Emissions*

As noted earlier, emissions from international aviation (and shipping) are not currently part of the 2050 emissions reduction target. In its recent report, the Climate Change Commission recognises that there will continue to be a need for liquid fuels for some transport uses, including aviation. The Commission also noted that "Aviation is particularly challenging to decarbonise. There is currently no commercially viable sustainable aviation fuel supply in Aotearoa"<sup>30</sup>. Notwithstanding that challenge, the Commission's report sets out a 'necessary action' in the first budget period (2022 to 2025) – being to increase the use of low carbon fuels for trains, ships, heavy trucks and planes. This includes recommendations to the Minister including the following steps, each of which is relevant to aviation:

- Set a target and introduce policies so that at least 140 million litres of low carbon liquid fuels are sold in Aotearoa by 31 December 2035.
- Introduce low carbon fuel standards or mandates to increase demand for low carbon fuels, with specific consideration given to aviation.
- Introduce incentives to establish low emissions fuel plants, such as biofuel sustainable aviation fuel, and make those fuels more competitive with traditional fossil fuels.

#### *(5) Greenhouse Gas Emissions Under the RMA*

As noted in 9.1.2 above, the Generation Zero submissions refer to "1 January 2022, from which point carbon emissions can be considered under the RMA and measures to reduce or offset emissions put in place". The submitters are correct in noting that the RMA will apply a new greenhouse gas regime from 1 January 2022. However, they misapprehend the nature of that change.

Under the Resource Management Amendment Act 2020, sections 17 to 21, 35, and 36, come into force on 31 December 2021. In effect, this repeals sections 70A / 70B and 104E / 104F of the RMA, removing restrictions that currently apply to considering discharges of greenhouse gas emissions. However, the discharges covered by those sections of the Act are limited to discharges that are (or can be) covered by regional plan rules. Aviation emissions are not covered by any of the regional plans.

### 9.1.4 Steps Towards De-Carbonising the Airport

#### *(1) Actions by WIAL*

Under the heading of Kaitiakitanga, the Airport's masterplan outlines steps that WIAL is taking or intending to take towards reducing fuel consumption by visiting aircraft, and to reduce the Airport's own operational emissions. This section of the masterplan also acknowledges international climate goals with a 'headline' reference to "Transition to a 1.5°C world". In relation to emissions reduction, proposed and current actions referred to in the masterplan include:

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<sup>30</sup> Section 3.8.1, 2021 Draft Advice for Consultation, Climate Change Commission, 21 January 2021

- A WIAL target of 30% reduction in carbon emissions by 2030.
- Decoupling growth from increased resource consumption, including through:
  - Working with airlines and Airways New Zealand to improve aircraft emissions and noise, including recently trialled Performance Based Navigation routes to enable quieter and more fuel-efficient arrivals into Wellington Airport.
  - Significant investment in the electrification of aircraft ground power and service equipment.
  - Adoption of alternative energy options.
- Establishing targets and taking all practical steps to reduce WIAL's operational greenhouse gas emissions.

The masterplan also highlights the International Air Transport Association (IATA) global commitment to a 50% net reduction in aviation carbon emissions by 2050. I understand that this commitment – originally made in 2009 – is linked to specified improvements in fuel efficiency and to having achieved carbon neutral growth (a net cap on CO<sub>2</sub> emissions) from 2020. Latest information from IATA<sup>31</sup> expresses confidence that net CO<sub>2</sub> emissions from international aviation can be stabilised from this year (2021), although I assume that this is partly reliant on emissions offsetting, as opposed to reducing actual growth in emissions.

## (2) Other Steps

As noted in 9.1.3(2) above, the New Zealand Emissions Trading Scheme (NZ ETS) requires suppliers of aviation fuel to buy units equivalent to the emissions generated. Airlines that are significant users of aviation fuel may participate directly in the NZ ETS, and this is the approach Air New Zealand has adopted for fuel used for domestic flights.

For international aviation emissions (i.e., non-domestic), the global community has adopted the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). The scheme was developed by the International Civil Aviation Organization (ICAO) and adopted in October 2016 by the 191 nations, including New Zealand, which are members of ICAO. CORSIA's goal was to achieve carbon neutral growth from 2020. It uses market-based environmental policy instruments to offset CO<sub>2</sub> emissions: aircraft operators have to purchase carbon credits from the carbon market. Starting in 2021, the scheme is voluntary for all countries until 2027.

The NZ Government has reconfirmed its decision to participate in CORSIA from 2021 and agreed to implement it through the Civil Aviation Bill (which is a wholesale overhaul of the Civil Aviation Act). The Bill is said to be “large and complex”, dealing with much more than just CORSIA. The Ministry of Transport anticipates that, subject to government priorities, the Bill may be passed in mid-2021.

IATA is a member of the Air Transport Action Group (ATAG), an independent coalition of member organisations and companies throughout the global air transport industry. Of relevance to emissions reduction at the Airport, ATAG has recently published “Waypoint 2050”<sup>32</sup>, a substantial document intended to show that there are potential options for the almost complete decarbonisation of air transport, with the industry at a global level able to meet net-zero emissions a decade or so after 2050 (and some regions and companies able to reach this point sooner). Among other things it highlights a wide range of existing and potential measures that can be investigated, implemented, or facilitated by airlines, Airports and air traffic management to reduce CO<sub>2</sub> emissions. Examples specific to Airports include:

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<sup>31</sup> April 2021 fact sheet

<sup>32</sup> Waypoint 2050: Balancing growth in connectivity with a comprehensive global air transport response to the climate emergency, ITAG, September 2020 [[Link to webpage](#)]

- Fixed electric ground power
- Assisted taxiing systems
- A-CDM<sup>33</sup>
- Continuous approach and departure
- New approach technologies and procedures<sup>34</sup>
- Infrastructure adaptations for sustainable aviation fuels
- Facilitating an increased share of passengers reaching the Airport by public transport
- Working with transport operators to improve connections between terminals and public transit stops
- Providing support to airlines for sustainable aviation fuel projects

As noted earlier, WIAL appears to be, or is intending to pursue, some of these measures.

#### 9.1.5 Conclusions and Recommendation

The question of aviation emissions (both domestic and international) exists within a complex local and international environment of legislation and industry initiatives. A designation process for an Airport is not the place for fully resolving the issues, especially as the Airport operator itself is not the emitter.

Having regard to the scheme of the RMA and the Zero Carbon Act, I have concluded that there is no need to delay a decision on the NORs (if that was possible) until after 1 January 2022 – as has been requested by some submitters. The RMA is not relevant in the sense assumed by the submitters, and there are no current obligations under the Zero Carbon Act which relate to the aviation sector.

However, climate change is widely acknowledged as a significant resource management issue and I consider that it must be given particular regard. Section 7(i) of the Act, as part of considering the NORs under section 171(1), requires the consideration of climate change. In making its recommendation, the Council can attribute such weight as it thinks fit to the effects of climate change, and therefore consider how that could be addressed in the context of the proposed designations.

With that in mind, I consider there are some steps the Airport could potentially take which would contribute to de-carbonisation of its use. Without drawing any conclusions about technical feasibility, I have outlined some of these steps in section 9.1.4 above. I note that WIAL's masterplan indicates the Airport already intends to take some of these steps.

My recommendation to the Commissioners is that the issue of climate change should be a factor that informs their deliberations and subsequent recommendation to WIAL. I have concluded that an appropriate way to incorporate climate change considerations is to recommend a condition or conditions that require WIAL to investigate, implement and report actions that contribute to the ongoing de-carbonisation of activities at the Airport. I propose a draft condition in section 14. I anticipate discussing the condition with WIAL's planning expert at conferencing before the hearing.

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<sup>33</sup> Airport collaborative decision-making (A-CDM) facilitates the exchange of information between the aircraft, ground handler, and air traffic control provider by enhancing information sharing. This provides more accurate turn-around information for airlines and allows for the effective use of slots, which can minimise delays and fuel burn.

<sup>34</sup> For example, performance-based navigation as noted in 9.1.4(1)

## 9.2 Assessment of Airport Traffic Effects

### 9.2.1 Context for Traffic Assessment

The purposes of the designations are to enable and manage future growth of air traffic at the Airport. Based on existing patterns of public use, growth in air traffic is likely to generate growth in ground traffic taking people to and from the Airport.

#### (1) Traffic Generation

Pre-Covid, there were estimated to be around 16,000 to 17,000 daily car trips to and from the Airport using the Cobham Drive route<sup>35</sup>. Of those, there is a near 50-50 split between cars and taxis for people going to and from the Airport. The estimate of a 50-50 split was based on visual observations, and the percentage of non-private transport is likely to be greater (i.e., people using Uber or similar services, which are provided by unbranded vehicles). Other public transport (e.g., bus) currently accounts for less than 10% of trips to/from the Airport<sup>36</sup>.

Traffic volumes in the vicinity of the Tirangi Road Retail Park (the Airport's West Side commercial area) are around 7,000 to 8,000 per day, and around 2,000 per day in nearby Kingsford Smith Street<sup>37</sup>.

Altogether, activities within the Airport may therefore generate around 23,000 to 25,000 trips per day.

#### (2) Mass Rapid Transit

The existence of the Airport, the traffic it generates, and the associated effects are one of the drivers for projects associated with the Let's Get Wellington Moving (LGWM) programme. A regional, multi-modal demand model used by LGWM to forecast demand between Ngauranga and the Airport is the Wellington Transport Strategy Model (WTSM), and output of which is shown below in Table 4.

**Table 4 – WTSM Road traffic forecasting to and from Airport**

Year	Daily air passengers		Daily car trips		Airport Annual Passengers (millions) <sup>38</sup>	
	Number	Growth over previous period	Number	Growth over previous period	Number	Growth over previous period
2013	14,023		14,800		5.25	
2023	17,523	25%	16,900	14%	6.75	27%
2033	21,523	23%	19,600	16%	8.55	27%
2043	21,523 <sup>39</sup>	0%	19,900	2%	11.00	29%

<sup>35</sup> Table 5, N2A Model, Technical Note 08: Forecasting Methodology, *Ngauranga to Airport Transport Model, Compiled Technical Documentation*, Beca, June 2019

<sup>36</sup> Planning for Growth, Issues and Opportunities Report, WCC, April 2019

<sup>37</sup> Figures from *Appendix 7, Transportation Assessment*, resource consent application for 57-59 Kingsford Smith Street, June 2017

<sup>38</sup> From WIAL forecasts in 2013. Note that this is somewhat less than the growth recently projected by WIAL and reported in its 2019 masterplan.

<sup>39</sup> The WTSM model assumes that passenger numbers are capped at 2033 levels. It also assumes no airport runway extension, but if the runway were extended, a further small 5% growth in patronage might occur between 2013 and 2043.

However, the WTSM modelling of Airport related demand is said to be relatively coarse at this stage and that a separate Airport sub-model should be developed. That aside, LGWM reporting has noted that high quality rapid mass transit (assumed, for the sake of modelling, to be light rail) could increase the public transport mode share (to and from the Airport) to around 35%<sup>40</sup>.

The LGWM programme includes the goal of a rapid mass transit connection at the Airport. The Airport Main Site NoR acknowledges that this is possible, but the designation conditions sought by the Main Site NoR do not specifically enable the activity. This is an example of where resource consent (or designation for the mass transit system) is the most likely means of enabling the activity.

Decisions about a rapid mass transit route under the LGWM programme will almost certainly impact on outcomes at the Airport. Although WIAL's Main Site NOR refers to the prospect of an Airport transit connection, there are no proposed designation conditions. Potential outcomes are that the project is subject to enabling legislation; or is designated; or is given effect via a resource consent.

For resilience reasons, a rapid mass transit route may be proposed beneath the Airport runway – connecting the western and eastern sides of the isthmus and peninsular. There will be safety and security issues that need to be addressed, as well as the efficient operation of the Airport transit terminal, and questions of urban design.

### (3) Airport Parking

Information about parking provision at the Airport was provided in WIAL's Kauri Street NoR<sup>41</sup>. It is unknown whether these projections take account of any modal shift that may occur due to LGWM projects, especially the development of a rapid mass transit connection at the Airport.

**Table 5 – WIAL existing and projected Airport parking<sup>42</sup>**

<i>Type of Park</i>	<i>Existing Number (2018)</i>	<i>Forecast Need (2047)</i>	<i>Increase (2018 to 2047)</i>	<i>Additional Area (m<sup>2</sup>)</i>
Premium	140	340	200	7,600
Terminal	1,825	3,465	1,640	55,760
Remote	800	1,365	565	16,950
Staff	795	2,095	1,300	39,000
Total	3,560	7,265	3,705	119,310

The Airport's multi-storey parking building accounts for 1,088 spaces of Terminal area parking. The consents for the Tirangi Road Retail Park (West Side area of the Airport land) require approximately 400 carparks<sup>43</sup> and there is no known significant kerbside parking issue.

Elsewhere however, issues have been reported with people parking in suburban streets as a means of avoiding paid parking at the Airport itself. To counter that problem, the Council introduced a time restricted 24 hour parking zone around the area bounded by Calabar, Broadway, Ellesmere and Caledonia. The southwest corner of the parking zone includes

<sup>40</sup> Section 10.7, *RPI and Indicative Modelling Package Report*, Let's Get Wellington Moving, June 2019

<sup>41</sup> *Notice of Requirement for Designation Former Miramar South School*, WIAL, 31 August 2018

<sup>42</sup> From: Table 4, page 11, *Notice of Requirement for Designation Former Miramar South School*, WIAL, 31 August 2018

<sup>43</sup> *Appendix 5, Traffic Assessment*, Section 42A report by Wellington City Council, SR325662, July 2015

the Kauri Street designation; parts of the Main Site NoR; and other residentially used land is owned by WIAL.

The Council's traffic expert Mr Spence notes that there are kerbside parking demand issues related to off-Airport rental car operations. In the areas surrounding the Airport, there are approximately ten rental car operations, located in: Tacy (2); Troy; Coutts (2); Jean Batten; Kingsford Smith; Broadway (2); and Kauri. There are a further nine rental car businesses located within the Airport itself.

Development within WIAL's Kauri Street designation, in part for rental car operators, may relieve some of the overflow parking pressure in surrounding areas. However, it is unknown how many operators will be catered to by the new site. The Kauri Street NoR for the development stated that it will provide parking space for 150 rental cars<sup>44</sup>.

The district plan currently includes parking rate standards and other measures, whereas the Main Site NOR includes no such requirements (which is consistent with the NPS-UD<sup>45</sup>). However, as an outcome of the further information process, the proposed Main Site NOR conditions do require WIAL to submit an annual report describing the current status of Airport car parking demand and supply.

#### 9.2.2 Council's Expert Traffic Assessment

The Council's expert traffic assessment is attached as Appendix E.

Mr Steve Spence is the Council's traffic expert and Chief Advisor Transport and Infrastructure. In undertaking his assessment, he reviewed the traffic and transport information in the NOR documents and relevant further information responses. He considers that WIAL has provided clear and comprehensive information, and full responses to the Council's requests for further information.

Mr Spence reviewed traffic and transport related submissions in his assessment. He identified some common themes across submissions, including:

- Traffic growth and its adverse effects, including a concern that Airport expansion will lead to an increase in traffic putting significant pressure on Wellington's transport system.
- The need for WIAL to work closely with LGWM and for a clear linkage to ensure WIAL traffic growth can be accommodated to an acceptable level on the City's road network.
- The need for greater emphasis on public transport<sup>46</sup>.
- The need for continued public access through the Airport.

With regard to public through access at the Airport, Mr Spence has recommended a condition which would require WIAL to work constructively with Council to explore the issue. He recommends a condition with a similar approach to addressing the issue of offsite parking and its effects on surrounding communities.

Mr Spence highlights the importance of WIAL working closely with the LGWM project if transport effects of future Airport growth are to be managed in an acceptable way. He also

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<sup>44</sup> Appendix G, *Transportation Assessment, Notice of Requirement for Designation, Former Miramar South School*, WIAL, 31 August 2018.

<sup>45</sup> Provisions requiring a minimum number of car parks must be removed from district plans of a tier 1, 2, or 3 territorial authority as a consequence of the National Policy Statement on Urban Development 2020

<sup>46</sup> Mr Spence specifically notes the submission of Wellington Regional Council which requests a specific condition relating to this issue

notes the need to address greenhouse gas emissions at a local level and anticipates this will affect transport policy and projects in ways that impact on Airport related transport. He therefore strongly supports the need for a joined-up approach between WIAL and LGWM, in an effort to avoid unacceptable transport outcomes at the Airport.

He recommends a number of conditions and advice notes as a means of securing better and more certain traffic and transportation outcomes.

Waka Kotahi NZTA lodged a submission on the East Side Area, calling for WIAL to work closely with it on how bulk earthworks and construction traffic effects on SH1 and wider transport network are managed. WIAL and Waka Kotahi NZTA subsequently agreed a relevant condition amendment, and the submission has been withdrawn (although Waka Kotahi remains an interested party). Mr Spence supports the need for careful management of construction traffic during development of the East Side Area.

### **9.2.3 Conclusions and Recommendation**

It is clear there are already adverse traffic (including on-street parking in areas outside the Airport) and transportation issues associated with the Airport. I accept the assessment of Mr Spence on these matters and support his recommended conditions. WIAL's engagement on traffic and transportation issues with relevant organisations and the community will be an ongoing and necessary part of achieving acceptable outcomes.

I also note the importance of other matters raised by the Wellington Regional Council submission (submission 108) which I refer to in section 11 of my report. I support conditions which require or encourage higher public transport access and use, and recommend that the commissioners take the Regional Council's submissions into account.

## **9.3 Assessment of Airport Noise Effects**

### **9.3.1 Context for Noise Assessment**

The purpose of both designations includes 'aircraft operations', plus associated conditions which enable (and control) noise emitted from aircraft and other sources. The designations also provide for growth in air traffic, including through developing a new apron / taxiway in the East Side Area currently occupied by the southern end of the golf course, adjacent to dwellings in Strathmore Park. Growth in air traffic will lead to increased noise levels at receiver sites adjacent to the East Side Area.

Airport noise is a significant environmental effect and is experienced well beyond the boundaries of the Airport. It can have a substantial effect on residential quality of life, as has been evidenced by survey results<sup>47</sup>. As noted in section 5.2 above, although the Main Site NOR includes an objective to ensure that "the impact of aircraft noise on the surrounding community is appropriately managed", the East Side Area objectives do not include the same wording.

The following subsections provide background context relevant to Wellington Airport and the assessment of noise. Section 9.3.2 draws from the Council's expert noise assessment, which is attached in full as Appendix C.

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<sup>47</sup> *Wellington International Airport Sound Abatement Survey*, as reported in PowerPoint presentation by Colmar Brunton for Wellington Air Noise Committee, February 2008



(1) *The District Plan*

The district plan permits Airport noise subject to a detailed set of noise rules / standards. The provisions in the district plan are substantially reproduced in the proposed designation conditions.

Another district plan measure to manage the effects of noise is the Air Noise Boundary (ANB) which is shown by district plan Map 35. The ANB is linked to district plan Rule 11.1.1.1 which requires as a permitted activity, that on a 90 day rolling average, a sound level of 65 dB L<sub>dn</sub> is not exceeded outside the ANB. The origin and relevance of 65 dB L<sub>dn</sub> as a boundary limit is outlined in section (2) below, part of which is adapted from a report prepared for Auckland International Airport<sup>48</sup>.

In response to Airport noise issues, an Air Noise Management Committee (ANMC) was formed in 1997 and a Noise Management Plan has been developed. The requirement for the ANMC and the Plan is enshrined in district plan provisions (see section (3) below). This management system has led to outcomes such as the Quieter Homes initiative (see section (4) below).

(2) *New Zealand Standard NZS 6805*

Activities Sensitive to Aircraft Noise (“ASAN”) located in areas affected by aircraft noise can result in adverse noise effects on those sensitive activities and can also cause reverse sensitivity effects on the Airport. NZS 6805:1992 *Airport Noise Management and Land Use Planning* (6805) provides guidance to territorial authorities on implementing appropriate land use controls and controls on the noise generated by aircraft using the Airport in order to manage these effects.

Clause 1.1.1 of NZS 6805 states the scope of the standard includes establishing “maximum acceptable levels of aircraft noise exposure around Airports for the protection of community health and amenity values whilst recognising the need to operate an Airport efficiently”. NZS 6805 recommends “practical land use planning controls and Airport management techniques to promote and conserve the health of people living and working near Airports, without unduly restricting the operation of Airports”.

NZS 6805 recommends that noise boundaries be developed to achieve its objectives. This involves fixing an Outer Control Boundary (“OCB”) based on 55 dB L<sub>dn</sub> and a smaller, much closer ANB based on 65 dB L<sub>dn</sub>. These boundaries represent noise limits which the Airport must not exceed, as well as guidelines for land use planning.

NZS 6805 recommends that inside the 65 dB L<sub>dn</sub> contour, new ASAN should be prohibited. Between 55 dB and 65 dB L<sub>dn</sub> new ASAN should also be prohibited “*unless a district plan permits such uses, subject to a requirement to incorporate appropriate acoustic insulation to ensure a satisfactory internal noise environment*”. It is understood that this qualification was inserted into NZS 6805 to accommodate new ASAN establishing within areas already zoned or designated for such development rather than to facilitate new zoning or designations. The 65 dB L<sub>dn</sub> boundary is also the location for future noise monitoring of compliance. The location of noise boundaries is established by calculating noise contours for a future operating scenario at the Airport. A future operating scenario allows for the expected growth of the Airport and NZS 6805 recommends a minimum 10-year projection period.

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<sup>48</sup> Auckland International Airport Proposed Northern Runway Assessment of Noise Effects, Rp 003 2013310a, Marshall Day Acoustics, 24 February 2017

(3) *Air Noise Management Committee and Plan*

The Wellington ANMC was formed in 1997, allowing community and industry representatives to advise on the Airport's Noise Management Plan. The ANMC is an independent body with representatives from residents, the Airport, The Board of Airline Representatives of New Zealand Inc, Airlines, Wellington City Council, Airways Corporation New Zealand and the New Zealand Defence Force. Acoustic experts provide technical advice to the ANMC.

Policy 10.2.5.4 of the district plan requires there to be a Noise Management Plan (NMP). The Policy's explanation sets out expectations for the NMP contents.

The NMP includes methods and processes for remedying and mitigating adverse effects of Airport noise including:

- Strictly governing the total noise for aircraft movements at Wellington Airport.
- Controlling hours of flight with a curfew in place (from midnight to 6am for domestic flights and international departures, and from 1am to 6am for international arrivals, with allowances for delayed flights and exemptions for emergencies).
- Implementing the Quieter Homes noise mitigation package (section below).
- Controlling engine testing and other land based activities.
- Improving the Airport's layout and equipment to reduce ground noise.

(4) *WIAL Quieter Homes Initiative*

WIAL offers homeowners within the ANB a subsidised package of acoustic mitigation treatment. The tailored treatments are designed to reduce aircraft noise in habitable rooms to a day/night average ( $L_{dn}$ ) of 45 dB. Homes built before March 2012 are eligible, with either a 100% or a 75% subsidy of the cost depending on the degree of aircraft noise experienced.

As keeping doors and windows closed substantially reduces the impact of external noise levels, all packages include a mechanical ventilation system. In some cases, ceilings, walls, windows and doors may require further treatments such as insulation, acoustic glazing or new seals.

The initiative's phased roll out had (as at May 2020) been offered to 119 properties. As a result, 104 applications have been received and 67 packages of treatment have been completed. The initiative commenced in 2016 and is programmed for completion in 2023. WIAL may wish to provide an update on outcomes from the initiative.

9.3.2 Council Expert Noise Assessment

The Council's expert noise assessment is attached as Appendix C.

Mr Matthew Borich is the Council's noise expert and Manager of Compliance and Advice. He has had a longstanding involvement with the ANMC and Plan. In undertaking his assessment, he reviewed the noise assessment prepared by WIAL's consultants Marshall Day Acoustics Limited (MDA). In his opinion, other than construction noise, the two predominant sources of Airport noise associated with the Airport, including future use of the East Side Area, are:

- Auxiliary Power Unit (APUs); and
- Single event aircraft taxiing (between the runway and the proposed new apron).

(1) *APU Noise*

An APU is an onboard jet fuel powered turbine engine with exhaust out the tail of the aircraft which provides electric power for aircraft cockpit and cabin systems. An APU may also be used to start the aircraft's engines. It is typically used when the aircraft is at the stand / gate in situations where power cannot be provided by a Ground Power Unit (GPU). The district plan provisions, and proposed Main Site designation conditions, restrict sound output from APU and GPU use, except:

- Where an aircraft is under tow.
- In the first 90 minutes after an aircraft has stopped at the stand / gate.
- In the 60 minutes prior to scheduled departure.
- For APUs in engine testing.

In contrast, the proposed East Side Area conditions restrict APU use to 20 minutes before departure and after stopping at the gate. The conditions would also stop APU operation in the East Side Area between 10pm and 7am.

Notwithstanding those restrictions, in Mr Borich's opinion, the noise effect of APUs operating in the East Side Area is understated in the MDA report.

This is because the MDA report solely makes a comparison between the predicted level from APUs operating in the East Side Area and the sound level from APUs currently operating on the existing stands. The result of that comparison is a 4 dB increase that MDA regards as 'just perceptible', and an acceptable increase in the context of the total noise environment at the Airport. MDA states that APU noise levels are predicted to range from 57 – 62 dB while APU's are operating on the eastern stands. In their view, APU noise is elevated for a residential environment but not unusual for residential sites near an Airport. Mr Borich does not accept that view, as the noise effects will arise from Airport activities moving closer to existing residential sites, increasing noise levels above acceptable criterion.

(2) *Single Event Taxiing*

The main noise effects of single event aircraft taxiing will take place with taxiing noise from the aircraft engines when taxiing between the runway and the proposed new aprons. Mr. Borich considers that reference to a slight increase in the  $L_{dn}$  90 rolling day average understates the effects on ESA receivers of single event noise from taxiing in the East Side Area.

(3) *Noise Annoyance Criterion*

Mr Borich draws attention to 55 dB  $L_{Aeq}$  being the upper recommended limit specified in NZS 6802:2008 Acoustics Environmental Noise (the standard). Clause C8.6.2 of the standard explains that the upper limit of 55 dB  $L_{Aeq}$  is recommended as 'few people are seriously annoyed' from activities with levels below 55 dB  $L_{Aeq}$ . In his view, the 55 dB level is only suitable for sites with high ambient (background) noise levels (such as the Airport) and that it is the upper acceptable level. He considers that exceedance of this level is likely to result in levels of noise that are unreasonable and that will cause undue levels of annoyance to some people.

Mr Borich notes that the total noise environment is dominated by short duration high energy noise events and that APUs are likely to be very audible between those events. He also notes that APU noise is currently audible in Bunker Way when aircraft are parked at the closest eastern stands. He concludes that if the existing level is undesirable, and / or the predicted increase in noise levels results in an unreasonable level of noise when compared to recommended acoustical criteria, and / or existing background ( $L_{A90}$ ) levels, the increase may cause undue levels of annoyance.

(4) *Construction Noise*

Mr Borich considers that construction noise can be adequately controlled through conditions requiring a detailed Construction Noise Management Plan (CNMP). His report recommends amendments to the earthworks and construction condition proposed by MDA. These changes are aimed at ensuring the best practicable option (BPO) is assessed and adopted, particularly where exceedance of the construction noise standard is predicted.

In response to a further information request, WIAL provided the Airport's Noise Management Plan<sup>49</sup>, which includes a CNMP prepared by AECOM<sup>50</sup>. This CNMP pre-dates the East Side Area NOR and does not specifically address works in that area.

(5) *Noise Expert's Overview*

In Mr Borich's opinion, noise from all Airport activities can be managed to a reasonable level except for single event levels from taxiing of jet aircraft and the operation of APUs during the day.

Mr Borich notes that when the district plan rules were established, the sound limits were set as controls for the existing Airport with existing dwellings. The development and use of the East Side Area will bring noisy activities closer to those dwellings.

Mr Borich therefore recommends further mitigation to prevent potentially significant adverse noise effects. Part of his recommended mitigation is a condition requiring a fully funded sound insulation and mechanical ventilation package to be provided to adversely affected properties outside of the current ANB. This is an extension of the Quieter Homes initiative which covers properties within the ANB, at either a 100% or 75% subsidy.

Even if the package is taken up by property owners to mitigate effects on internal amenity, Mr Borich notes that external amenity will remain affected to a significantly greater degree than it is currently.

9.3.3 Conclusions and Recommendation

Noise impacts are perhaps the most obvious adverse effect associated with ongoing use and development of the Airport. I accept the conclusions of Mr Borich that development of the East Side Area will adversely impact residents along its eastern margin to a greater degree than is acceptable. He makes the point that aircraft taxiing in that area will introduce a new and greater noise source in a location that is already subject to adverse noise impacts.

In my opinion, unless the increased noise can be successfully mitigated, it is a potential ground for recommending that the East Side NOR should be withdrawn. The community should not be expected to accept the environmental cost of the Airport's desire for expansion. As noted by Amanda Thomas (submission 20) the negative noise effects will fall on what she describes as an already deprived, low socio-economic community (excluding the same effects on Bunker Way).

I strongly support the mitigation conditions recommended by Mr Borich but note that they will only address indoor amenity. Affected residents will still suffer a significant decrease in outdoor amenity during the day – something which will disproportionately affect people whose days are spent at home, as well as the enjoyment of others for whom weekend days outdoors may be less relaxing than previously.

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<sup>49</sup> Wellington Airport Noise Management Plan, February 2018

<sup>50</sup> WIAL Construction Noise Management Plan, AECOM, 18 August 2017.

That said, I am encouraged by the future potential for quieter operations at the Airport. As noted in section 9.1.4(2) of my report, there are potential options for seeking to reduce carbon emissions – some which have the dual benefit of also leading to lower noise levels.

Having regard to the matters covered in this section of my report, I recommend that the commissioners consider conditions that require WIAL to investigate, report on and implement solutions for lowering the noise levels that would otherwise be received by residents on the Airport's eastern margin. I also recommend that development and use of the East Side Area be delayed until it can be shown that acceptable noise outcomes will be achieved.

In addition to the comments above relating to the proposed operations if both NORs are confirmed, I further support the recommendations of Mr Borich to prepare a CNMP as a requirement to manage noise effects during construction.

## **9.4 Assessment of Airport Urban Design and Visual Effects**

### **9.4.1 Context for Visual Effects Assessment**

The purpose of the designations is to enable ongoing growth at the Airport. Servicing that growth has implications for built outcomes that cater to the growth, such as Terminal expansion or the addition of new hangars. Other constructed outcomes include the proposed expansion into the East Side Area, which would create a large area of new apron / taxiways and require extensive land forming. Potentially, any built outcome or physical expansion may have an urban design / visual effect. Existing district plan urban design provisions are limited to 'design excellence' for development at Rongotai Ridge, and 'good urban design' elsewhere in the Airport.

The Airport buildings, both individually and as a group, already have a high degree of visibility from some parts of eastern Wellington. As a 'gateway' to the city it also influences impressions that visitors have of the city and region. Most Airport buildings are viewed from a distance, but the height and bulk of some existing or potential future buildings means that their effects are significant. Some Airport buildings, notably the Tirangi Road hangar and the Terminal car parking building, are significantly different in scale to their immediate or wider neighbourhoods.

The Terminal complex is home to substantial built development. The designation conditions proposed by WIAL within the Main Site NOR would allow development up to 25m high within the Terminal area as of right. Buildings between 25 and 30 metres high would be allowed, subject to an outline plan and guidance provided by design conditions. Buildings above 30m would require resource consent. As can be seen from the figures in Table 4, forecast parking demand will require a growing and significant addition to parking space area. Given the scale of that demand, it seems likely that more multi-storey parking will be developed in the future unless there is much greater provision and use of public transport.

West Side development also has an established visual presence, including the Tirangi Road Retail Park (including the air traffic control tower), and a large (17m high and 40m long) aircraft hangar near the corner of Tirangi and Coutts. However, those effects are mitigated by the location being opposite Business 1 zoned land. The designation conditions proposed by WIAL within the Main Site NOR include an allowance for hangars up to 20m high for widebody aircraft<sup>51</sup> (higher than the 18m allowed for other buildings).

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<sup>51</sup> For example, the Airbus A350-800 which is 60m long, 65m wingspan, and 17m tail height

WIAL has indicated that there is only one possible location for a 20m high widebody aircraft hangar. That is, next to the existing 17m high hangar on Tirangi Road. The combined outcome could potentially be a 100m near continuous length of tall (and largely featureless<sup>52</sup>) buildings hard up against the Tirangi Road boundary. There are currently mature pōhutukawa along the boundary where the widebody hangar might be developed. The canopy of the trees extends up to about 10 metres into the Airport land. The proposed Main Site designation conditions require all existing trees to be retained. However, the conditions also specify that where pōhutukawa trees adjacent to Tirangi Road need to be removed, they must be re-sited as close as practicable to the road boundary. It is unclear how this designation condition would work in practice and what the visual outcomes would be.

The East Side Area NOR seeks to allow a 30m high cut into a substantial length of the Strathmore Park hillside, along the southeastern edge of the proposed designation. Council's urban design expert estimates the length of potential cut as about 500 metres.

There are lesser potential visual edge effects at the boundary between the Airport's 'gateway' Broadway precinct and the adjoining residential area. There is existing development there, being a service station and fast food outlet. The proposed Main Site designation conditions limit building height to 12m but restrict development to only 3m high within 5m of a residential boundary.

The district plan limits free standing signs to 9m high within the Terminal area and 4m high elsewhere, with a face area limit of 8m<sup>2</sup>. The proposed Main Site designation conditions retain the height limit in the Terminal area but are silent about the area and height of free standing signs elsewhere.

#### 9.4.2 Council's Expert Urban Design Assessment

The assessment of Council's expert urban design adviser, Ms Robin Simpson, is attached as Appendix D. She has provided her assessments of the Main Site and East Side Area as two separate documents – with information common to both NORs included in the Main Site document.

Ms Simpson is an independent urban design professional and landscape architect, with substantial experience on urban design panels providing advice to local authorities, including Wellington City Council. In undertaking her assessment, she reviewed impact assessments, including visual simulations, prepared by WIAL's consultants Boffa Miskell and earlier work by Warren and Mahoney<sup>53</sup> which is not part of the notified Main Site NOR.

Overall, she considers that urban design and visual effects can be mitigated with conditions to reduce effects on residential amenity and effects on the character of adjacent recreational edges of the Main Site. She calls for the effects of the main terminal expansion to be managed through preparation of a Design Guide to ensure quality. Minor changes to conditions and a specific Design Guide are also recommended for ancillary buildings.

Ms Simpson identifies two locations as significant gateways. Rongotai Ridge creates one side of the gateway to Miramar. For that area, she considers that designation conditions are not an ideal mechanism, and that district plan management is a better approach.

The Broadway/Calabar Road intersection is a smaller gateway to the eastern suburbs and the Airport. Ms Simpson considers that it requires co-ordinated design to achieve good

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<sup>52</sup> The existing 17m high hangar on Tirangi Road has an entirely blank western façade.

<sup>53</sup> *WIAL Designation Planning*, Warren and Mahony, 30 August 2018 (Appendix F, Main Site NOR dated 31 August 2018)

urban design outcomes. In that regard she observes that the Kauri Street designation to the immediate north forms the other side of the gateway area, and that design issues there have been addressed by a condition requiring an Integrated Design Management Plan. She recommends that the same approach is adopted for the Broadway precinct, and integrated with the Kauri Street design planning.

Removal of a small hill to extend the taxiway south is assessed as a significant high negative effect to landscape character. The hill is characteristic of the south coast landform and forms part of the hill to flat land interface on the isthmus. It's removal without certainty of necessity is an undesirable outcome. WIAL is requested to provide information for the hearing, and consideration of staging until "reasonable necessity" for the hill's removal can be demonstrated. Reconsideration of site planning to avoid this effect is recommended.

Ms Simpson considers that to achieve certainty about design quality, guidance is required, and therefore recommends development of a Design Guide or Design Manual for buildings and public areas – especially in the Terminal precinct and for larger ancillary buildings. The Warren and Mahoney document reviewed by Ms Simpson includes assessment techniques for proportional management of building bulk in the Terminal precinct. She supports this technique and recommends that it be incorporated as a component of the Design Guide.

Appendix 2 of the Wellington Regional Policy Statement (RPS) sets out the region's urban design principles, which require consideration of Context; Character; Choice; Connections; Creativity; Custodianship; and Collaboration.

Table 5 in Ms Simpson's assessment summarises her findings in terms of those elements. She identifies a range of effect levels associated with the NORs, including both positive and negative effects. In the Table, she also notes subjects which require further information before a final determination could be made regarding consistency with the principles. As noted by RPS Policy 54, achievement of the urban design principles is a consideration in an NOR assessment process. Specific matters that Ms Simpson finds as being a moderate or greater effect in relation the principles include:

- Significant negative effect: loss of small hill to south.
- Moderate negative effect: ancillary buildings Tirangi Street.
- Negative effect: large, moving, commercial signs.

As noted above, she also considers that achieving positive outcomes in terms of character and creativity will require the development of design guides for the Terminal precinct and for ancillary buildings.

With regard to the East Side Area, Ms Simpson concludes that increased noise and light associated with operational activities will diminish the quality of residential amenity and have a negative effect on community resilience. In addition, she believes that the proposal for significant earthworks, including the significant retaining wall, needs particular consideration. This is due to the permanence and likely magnitude of the negative effects.

As noted elsewhere, Ms Simpson's assessments identify a range of matters where she believes additional information is required. I recommend that WIAL fully review Ms Simpson's Main Site and East Side Area assessments to consider what information should be presented to hearing.

#### 9.4.3 Council Lighting Assessment

Mr Nayan Swaminarayan is Council's lighting expert<sup>54</sup>. He reviewed the Beca lighting report provided for the East Side Area NOR, and the LDP document provided in response to the Council's further information request. Mr Swaminarayan has not been requested to provide a written assessment.

However, in an email dated 10 April 2020<sup>55</sup>, Mr Swaminarayan noted that he agreed with most of WIAL's responses to the Council's further information request but felt strongly that:

"The impact of the lighting on the surrounding area should be looked into against the criteria and limits prescribed in the recently published *"Control of the obtrusive effects of outdoor lighting AS/NZS 4282:2019"* rather than following the obsolete district plan NZS CP22:1962 and amendments. The reason for that is that the lighting technology has evolved since then from the old gas discharge lamp / High pressure sodium / mercury vapour lamp to current solid State Lighting (SSL) aka LED Luminaire which has its own unique attributes and characteristics that are best captured in the latest AS/NZS 4282:2019 and AS/NZS 1158.3:2020".

Mr Swaminarayan noted that, as part of the future design process, Council would like to see detailed lighting design calculations that demonstrate compliance with relevant codes and compliance.

#### 9.4.4 Conclusions and Recommendation

Ms Simpson concludes that the three areas (Main Site, East Side, and Kauri Street), when developed, will create a wider precinct of inter-related airport activities. For that reason, she believes their effects should be considered together, including any cumulative effects. I agree with that assessment, except to note that separate recommendations should be made on the two NORs.

Based on Ms Simpson's assessment, I conclude that the effects of development within the Main Site will be largely acceptable. However, that conclusion is subject to specific attention being paid, via conditions, to the urban design issues and opportunities detailed in her assessment. In particular I note and adopt her recommendation that development within the Terminal Precinct should be subject to a design guide (in addition to the design statement required by the currently proposed conditions). I agree it is possible that the work by Warren and Mahoney may form a useful basis for a design guide.

Building height outcomes immediately adjacent to the residential and golf course boundaries would be slightly more permissive with regard to development near residential boundaries. I consider that this would be acceptable.

### 9.5 **Assessment of Airport Earthworks and Infrastructure Effects**

#### 9.5.1 Context for Earthworks and Infrastructure Assessment

The East Side Area NOR mostly affects land currently used as part of Miramar Golf Course.

The undulating nature of the site and the steeper hillsides on its margins, means that substantial earthworks, approximately 590,000 m<sup>3</sup>, are required to progress development

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<sup>54</sup> Nayan Swaminarayan (BE Tech. Electrical – MEngNZ, AssocIES), Projects Engineer, Transport and Infrastructure, Wellington City Council

<sup>55</sup> Nayan Swaminarayan (WCC), to Mark Ashby (4Sight)



of the land for airport purposes. The Airport masterplan provides only a conceptual framework for understanding how the relocation and expansion of airport activities might unfold. Detailed design and construction methodologies are not yet known.

As noted in the East Side Area NOR, various Council services run through the proposed designation site. These include:

- A 375mm diameter wastewater trunk main, running approximately parallel with the northern boundary of the proposed designation site;
- A network of 750mm stormwater pipes originating from Raukawa Street and Bunker Way; and
- A 150mm wastewater main originating from Raukawa Street.

WIAL notes that as development occurs, they will have to assess whether these services should be relocated. They propose that the assessment will be completed in consultation with WCC as the asset owner. A Network Utilities Management Plan is proposed as a condition of the designation.

#### 9.5.2 Council's Expert Assessments of Earthworks and Three-Waters Infrastructure

##### (1) *Earthworks*

The Council's expert earthworks assessment is attached as Appendix F.

Mr John Davies is the Council's earthworks expert and an Earthworks Engineer in the Council's Consenting and Compliance Unit. He has significant experience gained from the mining industry, and from assessing resource consent applications. In undertaking his assessment, he reviewed the geotechnical assessment prepared by WIAL's consultants Beca Ltd. He supports the likely future works from an earthworks perspective, on the assumption that appropriate methodologies will be implemented.

His report provides a detailed set of recommended conditions to ensure that standard earthwork methodologies are implemented, to minimise potential effects. He notes that these conditions are similar to those applied via the recent Omāroto Reservoir Notice of Requirement process<sup>56</sup>.

Powerco Limited lodged a submission noting that it has a number of existing underground gas assets in the area to be designated for airport purposes. Its proposed condition wording aimed at ensuring the safety of persons and the assets during construction works. WIAL and Powerco have agreed on the condition wording, and Powerco has subsequently withdrawn its submission. Mr Davies agrees that the condition wording agreed by WIAL and Powerco is appropriate.

##### (2) *Three Waters Infrastructure*

Wellington Water Limited (WWL) has assessed the NORs and their report is attached as Appendix G. The WWL report notes that there may be potential issues regarding relocation of the Council's infrastructure and recommends ongoing discussion with the Council.

The WWL report notes a history of ponding on the golf course, and also recommends that a stormwater neutrality condition be imposed within the East Side Area, to ensure that no more runoff than that existing will flow from the site. WIAL has not proposed that development under these NORs be stormwater neutral but did accept a condition to that effect for its Kauri Street designation. At the stage of detailed design, and building consent,

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<sup>56</sup> The Omāroto project is for a 35 million-litre reservoir above the playing fields at Prince of Wales Park in Mount Cook

Wellington Water advises that minimum floor levels will be required depending on the use of buildings within the East Side Area.

Separate communication has been received from WWL in relation the Council's wastewater treatment plant (WWTP). The communication concerns an overlap of the WWTP designation and the proposed Main Site designation. As noted earlier, WWL advise that "there would be issues with operation of the Moa Pt WWTP and consent compliance if WIAL were to carry out proposed work in the overlap zone"<sup>57</sup>. A plan included in Appendix G shows the area concerned.

### 9.5.3 Conclusions and Recommendations

Notwithstanding concerns raised in section 9.4.2 about landscape impacts of the earthworks / retaining wall, from a technical perspective the works are accepted as feasible. Standard practices, in compliance with the conditions recommended by Mr Davies, will help to ensure that effects during construction are well managed. Given the scale of the proposed landforming, I support Mr Davies' view that conditions similar to the Omāroto project are appropriate.

With regard to Three Waters infrastructure, and given the scale of the site, I accept the recommendation of WWL that stormwater neutrality should be required. I note that this also accords with opinions of Ms. Simpson from an urban design perspective. I recommend use of the same stormwater neutrality condition attached to WIAL's Kauri Street designation.

As noted earlier, at the time of writing it is not clear that issues associated with overlap of the Main Site and WWTP designations has been resolved. Until those matters are settled, and the operational and compliance interests of the WWTP are appropriately protected, I recommend that the Main Site designation not be confirmed in the area of overlap.

## 9.6 **Positive Effects Arising from the Airport**

WIAL sets out a range of positive effects in sections 5.1 and 5.2 of its East Side Area NOR. I take these as applying to the Airport as a whole and accept that the Airport has the positive effects listed by WIAL. These effects should be taken into account in the same way as adverse effects, given that the RMA definition of effects includes any positive effect.

## 10. **SECTION 171(1)(a) – Higher Order Planning Documents**

In considering this application I have had regard to relevant provisions of the following planning documents:

- National Planning Standards
- National Policy Statements
- The New Zealand Coastal Policy Statement (NZCPS)
- The Regional Policy Statement (RPS)
- Wellington City District Plan

I have given regard to the higher order planning documents. It is my opinion that the National Policy Statement on Urban Development is relevant, as are the National Planning Standards with respect to use of NZS6805:1992 in managing noise emissions. The proposal is considered to accord with the general strategic direction of the Wellington Regional Policy Statement and is discussed further below. There are no National Environmental Standards or other National Policy Statements that are directly relevant to

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<sup>57</sup> Email 15 April 2021, Richard Taylor (Wellington Water) to Mark Ashby (4Sight Consulting),

the consideration of this proposal. Similarly, the New Zealand Coastal Policy Statement is not relevant.

### 10.1 National Planning Standards

Under the national planning standards, an Airport Zone (AIRPZ) is a Special Purpose Zone (SPZ). The national Zone Framework Standard states:

*“A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.”*

The Air Noise Boundary (ANB) shown by the district plan maps is treated as an Overlay by the national planning standards. The national planning standards require that any plan rule to manage airport noise emissions be in accordance with NZS6805:1992.

Development of the new district plan, currently in progress, must be consistent with the National Planning Standards.

### 10.2 National Policy Statement on Urban Development

It should be noted that the National Policy Statement on Urban Development (NPS-UD) is not just focussed on providing new housing supply but on urban development as a whole, which includes non-residential land uses to provide for the needs of people and communities.

The NPS-UD came into effect on 20 August 2020 and is relevant to this proposal. The NPS-UD recognises the national significance of urban environments and the need to enable such environments to develop and change, and to provide sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

The purpose of the NPS-UD is to enable development by maximising the benefits of intensification. The NPS-UD directs decision making under the Act to ensure that planning decisions enable development through providing sufficient development capacity for housing and business.

The objectives of the NPS-UD most relevant to this proposal are:

- **Objective 1:** New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- **Objective 4:** New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
- **Objective 5:** Planning decisions relating to urban environments take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- **Objective 6:** Local authority decisions on urban development that affect urban environments are:
  - a) integrated with infrastructure planning and funding decisions; and
  - b) strategic over the medium term and long term; and
  - c) responsive, particularly in relation to proposals that would supply significant development capacity.
- **Objective 8:** New Zealand’s urban environments:
  - a) support reductions in greenhouse gas emissions; and

- b) are resilient to the current and future effects of climate change.

The policies of the NPS-UD most relevant to this proposal are:

Policy 1 – Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

Policy 6 – When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
  - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
  - (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

Policy 9 – Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- (d) operate in a way that is consistent with iwi participation legislation.

Overall, I consider that future development of the Airport will need to give effect to the NPS-UD, and that the objectives and policy elements listed above are all potentially relevant. In my opinion, there are aspects of the NORs that are not clearly consistent with the NPS-UD, or focused on giving effect to some elements of the relevant framework. In particular, I note that development should:

- Provide good accessibility, including by way of public and active transport; and
- Support reductions in greenhouse gas emissions

In my view, there are outstanding questions about these matters that need to be clarified / resolved. For clarity, I note that the Policy 6 references to 'planned urban built form' are not relevant to the East Side Area NOR, as the district plan does not anticipate such development occurring.

WIAL may wish to provide the hearing with advice about any iwi consultation that has taken place regarding the NORs.

I note that the draft Wellington Spatial Plan (an online document) identifies the future of land on the margins of the East Side Area as being for 'Type 1' housing. That is, 1 to 2 storey detached or semi-detached infill housing. A question to consider is whether the presence of Airport operations in the East Side Area (with attendant noise and amenity effects), would 'blight' achievement of the Council's draft aims for development in that location. An associated question is how significant, if at all, that effect would be.

### 10.3 Wellington Regional Policy Statement (RPS)

The Wellington Regional Policy Statement (RPS) provides a framework of objectives and policies that are relevant to assessing the NORs. Policies identified as a 'consideration' are to be taken into account when assessing and deciding on resource consents, notices of requirement, or when changing, varying or replacing city, district or regional plans.

- (1) *Objective 10 – The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.*

Policy 39            Recognising the benefits from renewable energy and regionally significant infrastructure – consideration

Wellington International Airport is classified by the RPS as regionally significant infrastructure. In considering the NORs, due consideration must be given to the social, economic, cultural and environmental benefits. The proposed designations will enable the Airport to maintain its operations and to grow in response to demand. Overall, I consider that the NORs recognise the regionally significant importance of Wellington Airport and are therefore consistent with the above objective and associated policy.

- (2) *Objective 21 – Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the consequences of natural hazard events.*

Policy 51            Minimising the risks and consequences of natural hazards – consideration

The majority of the existing Airport and the proposed eastern expansion is contained within a ground shaking hazard overlay. There has also been historic flooding within the area. Wellington Water has recommended that a stormwater neutrality condition be imposed within the East Side Area to ensure that no more runoff than that existing will flow from the site. WIAL has not proposed that development under these NORs be stormwater neutral but did accept a condition to that effect for its Kauri Street designation. Provided that stormwater neutrality and building floor level considerations is adopted within conditions, I consider the proposed designation to be consistent with the above objective and associated policy.

- (3) *Objective 22 – A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network:*

Policy 54            Achieving the region's urban design principles – consideration

Policy 55            Maintaining a compact, well designed and sustainable regional form – consideration

Appendix 2 of the RPS sets out the region's urban design principles which require consideration of Context; Character; Choice; Connections; Creativity; Custodianship; and Collaboration. As noted in section 9.4.2 above, Ms Simpson's assessment has included a review against these elements. Overall, there are both positive and negative outcomes that would arise in terms of Policy 54 and these should be taken into account as a consideration

in assessing effects of the NORs. I consider that when considering Policy 55, matters outlined by the NPS-UD should be taken into account. In that regard see my comments under section 10.2.

**Policy 57**      Integrating land use and transportation – consideration

Policy 57 requires that particular regard be given to achieving key outcomes from the Wellington Regional Land Transport Strategy<sup>58</sup>. Key outcomes listed by the Policy include:

- Increased peak period passenger transport mode share.
- Increased mode share for pedestrians and cyclists.
- Reduced greenhouse gas emissions.
- Reduced severe road congestion.
- Improved regional road safety.
- Improved land use and transport integration.
- Improved regional freight efficiency.

All these outcomes are relevant to how the Airport relates, in a traffic and transport sense, to the rest of the city and region. I note comments by Mr Spence and in the Wellington Regional Council submission that link to the need for inter-agency coordination over traffic and transport matters, and consistency with the Regional Land Transport Plan. As noted in section 9.2 above, the Airport is a significant traffic generator, and it is not clear that the existing or expanded Airport designations will give effect to the RPS or RLTP. This may be capable of clarification via appropriate commitments made in conditions attached to the designations.

**Policy 58**      Co-ordinating land use with development and operation of infrastructure – consideration

As noted above, potential effects on infrastructure need to be addressed through coordination between the Airport and relevant parties. I am satisfied that such coordination is capable of taking place.

**Policy 67**      Maintaining and enhancing a compact, well designed and sustainable regional form – non-regulatory

I note that the draft Wellington Regional Growth Framework (see section 11.4 below) includes Wellington Airport in its current location, and has done so having had regard to maintaining and enhancing a compact, well designed and sustainable regional form.

Overall, I consider the proposed designations require appropriate conditions to address traffic and transport issues, before they can be considered consistent with the above objective and relevant policies.

## **10.4 Wellington City District Plan**

Other than some Outer Residential zoned land the NORs are located almost wholly within the Airport and Golf Course Recreation Precinct of the district plan. The Main Site NOR is located mostly in the Airport precinct, whereas the East Side Area NOR is located mostly in the Golf Course precinct.

Although the rules framework of the district separates the Airport and Golf Course areas into two parts (Chapter 11A and 11B respectively), Chapter 10 provides a single set of

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<sup>58</sup> Note that regional land transport strategies no longer exist, having been replaced by regional land plans. Even though Policy 57 refers to the RLTS, I consider it remains relevant in relation to the RLTP.

overarching objectives and policies that apply throughout the Airport and Golf Course Recreation Precinct.

10.4.1 Chapter 10 – Airport and Golf Course Recreation Precinct

(1) *Objective 10.2.1 – To promote the safe, effective and efficient operation of the Airport.*

Policy 10.2.1.1 Provide for activities which will ensure the safe, effective and efficient use of the Airport area as a strategic transport node for the city, region and nation.

Policy 10.2.1.2 Identify the Airport as an area within the precinct with a distinct character and uses.

Policy 10.2.1.3 Identify the Golf Course and recreation lands as the other area of the Precinct with a distinct character and uses.

Policy 10.2.1.4 Encourage energy efficiency and the development and use of renewable energy within the Airport and Golf Course Recreation Precinct.

Both NORs are consistent with Policy 10.2.1.1 with respect to providing for the Airport as a strategic transport node. However, as noted under section 10.3(3) of my report, there is some doubt about whether the Airport performs that role in an effective and efficient way with regard to land transport.

The Main Site NOR is consistent with the existing Airport precinct, but the East Side Area NOR is contrary to the character and uses of the Golf Course precinct.

Neither NOR is overtly encouraging of energy efficiency or the use and development of renewable energy. Both documents do refer to the Airport's aim of achieving a 30% reduction in emissions by 2030, but acknowledge that doing so, while expanding operations, will require WIAL to adopt energy efficient and sustainable construction into future development. The East Side Area NOR documentation includes the 2040 masterplan, which reiterates the emission reduction aim.

As noted elsewhere, I have recommended conditions focussed on issues related to emissions / energy. In my opinion the NORs are consistent with Policy 10.2.1.4.

(2) *Objective 10.2.2 – To provide for the continued use and development of the Golf Course lands for golf course and recreational purposes.*

Policy 10.2.2.1 Identify the Golf Course and recreation lands as an area of the Precinct with a distinct character and uses.

Policy 10.2.2.2 Provide for the ongoing use of the Golf Course and recreation activities within the buffer of land to the east of the Airport area.

The East Side Area NOR largely stands in opposition to this objective and its policies, although the potential provision of walking / cycle around the edge of the proposed apron is consistent with the recreation aspect.

(3) *Objective 10.2.3 – To provide for non-Airport activities and developments within the Airport area of the Precinct.*

Policy 10.2.3.1 Ensure non-Airport activities and developments do not compromise the ongoing and strategic transport role of the Airport to the city, region and nation.

Policy 10.2.3.2 Ensure non-Airport activities and developments integrate with, and respond appropriately to the surrounding environment.

Policy 10.2.3.3 Ensure that non-Airport retail activities and development in the Airport area do not detract from the viability and vitality of other town centres or the CBD and Central Area

Policy 10.2.3.4 Manage any potential adverse environmental effects of non-Airport activities and developments on the environment.

The existing Airport has been substantially developed / redeveloped while subject to these provisions. The fact that much of the development has occurred without the need for notification of consent applications demonstrates that Airport works are, and can be, broadly consistent with the objective and policies. Having regard to the conditions sought by WIAL (and amendments proposed by the Council's experts), I am confident that future works under the Main Site designation would continue to respect the overall aim of these provisions.

(4) *Objective 10.2.4 – Protect the character and amenities of identified areas within the Airport area from inappropriate non-Airport related uses and development.*

Policy 10.2.4.1 Allow for a wide range of buildings and activities in the Terminal Area to ensure the effective and efficient functioning of the Airport.

Policy 10.2.4.2 To maintain the visual and geomorphological importance of Rongotai Ridge.

Policy 10.2.4.3 To allow some development which results in modification of Rongotai Ridge provided it:

- demonstrates architectural and urban design excellence; and
- makes a significant contribution to the image and character of the locality and to Wellington City.

Policy 10.2.4.4 Strengthen the identity of the Broadway area as an important gateway to the Airport and to the residential suburbs of Strathmore and Seatoun.

Policy 10.2.4.5 Allow non-Airport activities in the south Coast Area in a manner which will protect and enhance the character of the south coast.

Policy 10.2.4.6 Encourage high quality retail and other non-Airport related activities in the West Side which will improve the shopping and business environment for the public and workers.

The objective and policies are relevant only to the Main Site NOR.

I consider that the NOR and its conditions are consistent with Policy 10.2.4.1 relating to the Terminal precinct, notwithstanding that the designation conditions would enable some additional building height. I accept the advice of the Council's urban design expert Ms Simpson that a design guide condition would play an important role in protecting character and amenity.

With regard to the Rongotai Ridge precinct, I note and accept the concerns of Ms Simpson about the need to limit visual impacts in this significant 'gateway' location. With regard to the conditions sought by WIAL, they only provide clear control over earthworks in the precinct, as opposed to any built development. The NOR provides no information about WIAL's future intentions for the ridge, although I accept that most built development would be limited by the OLS – with the exception of land at the base of the hill, as demonstrated by diagrams in the Warren and Mahoney document (see Ms Simpson's appendices).

In the absence of height control via the OLS, the district plan rules would allow built development up to 12m high, and freestanding signs up to 4m high – outcomes which



themselves seem inconsistent with Policy 10.2.4.2. In saying that, I recognise there is an inherent tension between Policies 10.2.4.2 and 10.2.4.3.

Ms Simpson recommends that the Rongotai Ridge precinct should not be designated. I provisionally agree with her recommendation on the grounds that necessity<sup>59</sup> for including Rongotai Ridge in the designation has not been established by WIAL. However, with regard to the risk of adverse visual outcomes, I judge this to be similar under the district plan as under the proposed designation.

With regard to Policy 10.2.4.4, the Broadway area / precinct covers land on both sides of Broadway, including some land which overlaps WIAL's Kauri Street designation. Ms Simpson notes the importance of this area as a gateway to southern Miramar and to the Airport itself. She recommends that design outcomes in the precinct be strengthened through suitable conditions. This is consistent with the direction of the Policy and is also consistent with the design focussed conditions accepted by WIAL on its Kauri Street designation. As a preliminary approach<sup>60</sup>, I recommend that relevant design and landscape conditions attached to the Kauri Street designation be adopted for the Broadway precinct as a whole. This would help to strengthen the identity of the Broadway area, as sought by Policy 10.2.4.4.

The West Side area / precinct contains the Tirangi Road Retail Park, which was established following the grant of resource consent on 30 October 2002, subsequent to public notification and a hearing. Among its purposes, the Main Site NOR specifies retail activities, but limits these to the Terminal precinct. Any new retail or other non-Airport activities in the West Side precinct would be subject to the district plan and likely need for resource consent.

*(5) Objective 10.2.5 – To protect the amenities of areas surrounding, and within, the Precinct from adverse environmental effects.*

Policy 10.2.5.1 Exercise an appropriate level of control over Airport and ancillary activities for the avoidance or mitigation of adverse effects.

Policy 10.2.5.2 Ensure a reasonable protection of residential and school uses from Airport activities by providing controls on bulk and location, ensuring sufficient space is available for landscape design and screening, and by retaining a buffer of land of a recreational nature to the east of the Airport.

Policy 10.2.5.3 Control the interrelationship between building forms and the space around buildings to ensure a high level of visual amenity.

Policy 10.2.5.4 Manage the noise environment to maintain and where possible enhance community health and welfare.

The objective and policies address what could generally be referred to as 'edge' effects. That is, at the interface between the Airport and immediately adjoining neighbours. The district plan includes rules and standards that address these edge effects, and their intent has been carried through to the Main Site NOR conditions, including in relation to adjacent building heights. Policy 10.2.5.3 has a wider relevance beyond immediate edge effects. I consider it relevant to the overall urban design impact of the Airport, especially development within the Terminal precinct. To support the intent of Policy 10.2.5.3, I accept the recommendation of Ms Simpson that a design guide should be developed for the Terminal precinct.

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<sup>59</sup> This is a section 171(1)(c) consideration

<sup>60</sup> Subject to outcomes from conferencing by the urban design and planning experts

As currently proposed, the Main Site NOR conditions include the requirement for a 'design statement' to demonstrate the achievement of specified outcomes. The design statement would be required when an outline plan is required for the development of any building. Although the design statement approach is supported, I agree with Ms Simpson that it would be more effective when coupled with a design guide.

Ms Simpson has other specific concerns such as the Broadway gateway precinct, the impact of a Code E hangar on Tirangi Road, and the removal of a small hill from the southern part of the Airport.

As noted above, I accept her concerns regarding the Broadway precinct and recommend consistency with relevant design and landscape conditions attached to the Kauri Street designation. With regard to the Code E hangar, I agree that design principles need to be established and accept her recommended conditions including in relation to a design guide for ancillary buildings.

The small hill in the southern part of the Airport rises to a height of about 30 metres (25m above the surrounding land) and is located opposite the entry to Council's wastewater treatment plant. Although it now reads as an isolated hill, it appears to be the remnant of a ridge that was severed from other land by the formation of Stewart Duff Drive. Ms Simpson regards its removal as a high negative effect in terms of character and visual amenity. Although this effect can be considered under Objective 10.2.5 generally, it does not clearly fall under any of the associated policies.

The Council's urban design expert is generally accepting of other outcomes under the proposed Main Site designation.

Finally, I note that the East Side Area NOR is not consistent with the full intent of Policy 10.2.5.2, as the full width of the golf course land is not retained as a buffer between the Airport and residential properties to the east. However, I do support WIAL's concept of a landscape buffer to the east of the proposed new apron, and note its consistency with the wording of the policy.

Chapter 10 of the district plan does not include a Noise objective. Policy 10.2.5.4, which relates to protecting amenity, provides the policy framework for consider noise effects. As noted in section 9.3 above, and the assessment of Mr Borich, there will be significantly adverse effects on residential amenity arising from increased noise – if aircraft operations proceed within the East Side Area. As noted earlier, for some nearby residents, existing amenity (with regard to noise) will not be maintained or enhanced with noise levels of up to 65 dB. The submission of Regional Public Health (submission 235) notes the potential for significant adverse health effects at noise levels *less than* 65 dB. On the above basis, I consider that aircraft operations in the East Side Area would be inconsistent with Policy 10.2.5.4.

- (6) *Objective 10.2.6 – To ensure signage is designed and located in a way which will not detract from the character of the locality, and will not cause a traffic hazard.*

Policy 10.2.6.1 Manage the scale and placement of signs in order to maintain and enhance the visual amenity of the host building, site, and locality.

Policy 10.2.6.2 Ensure any signage located in and along State Highway 1 and the coastal roads contribute positively to the quality of these routes and the natural landscape.

Policy 10.2.6.3 Ensure any signs located on Rongotai Ridge respect the important cultural and natural qualities of this landform.

The Main Site NOR includes design criteria for signage which will ensure that adverse effects from proposed signage is managed to ensure that amenity and traffic safety will not

be adversely affected. The design criteria are supported by Council's urban design expert. As such, I consider the proposed designation to be consistent with the above policy.

- (7) *Objective 10.2.8 – To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.*

Policy 10.2.8.1 Identify the hazards that pose a significant threat to Wellington and ensure that areas of high hazard risk are not occupied or developed for vulnerable uses or activities.

Policy 10.2.8.2 Ensure that critical facilities and lifelines are not at risk from hazards.

Trunk sewer mains, taking the city's wastewater to the Moa Point Treatment Plant, run parallel to the western and southern margins of the runway – buried beneath the roadway. Another trunk main runs underneath the southern part of the runway. The roadway, sewer mains, and Airport runway are jointly protected by a seawall of large concrete blocks. The seawall lies outside of the designation boundaries sought by WIAL. Notwithstanding that fact, a purpose of the Main Site NOR is to allow "structures to mitigate against the impact of natural hazards" – with these of course being limited to within the designation area.

Civil Defence has mapped Wellington City in terms of tsunami evacuation zones, using a 'red, orange, yellow system'. The southern half of the runway, lying generally at about 5m amsl, is within an orange zone. The Orange Zone may be evacuated by Civil Defence for large earthquake in the Pacific, such as near South America, causing a tsunami wave of up to 5 metres at the Wellington coastline. The northern part of the runway (which rises to 10m amsl), the Terminal area, and the area covered by the East Side Area NOR lies within a yellow (self-evacuation) zone.

Wellington's 2019 lifelines report<sup>61</sup> identified the southern part of the runway as being seismically vulnerable to settlement. Strengthening was identified in that report as a future project.

Having regard to these matters, I am satisfied that the NORs are not inconsistent with the objective and policies.

#### 10.4.2 Chapter 24 – Designations

- (1) *Objective 24.2.1 – To provide for designations, only where they are necessary, to ensure the efficient functioning and operation of public works.*

Policy 24.2.1.1 Maintain only those designations for which Council has financial responsibility that are necessary to secure land and to provide for the safe and efficient functioning and operation of public works.

Policy 24.2.1.2 Encourage the removal of designations in favour of the management of public works through District Plan rules.

Policy 24.2.1.3 Avoid, remedy or mitigate adverse environmental effects of public works by including management provisions for their operation in the District Plan.

The matter of these policies was addressed during the hearing for WIAL's Kauri Street designation. In their findings, the commissioners accepted that little if any weight should

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<sup>61</sup> *Wellington Lifelines Project, Protecting Wellington's Economy Through Accelerated Infrastructure Investment Programme Business Case, Revision 3 – Date 04 October 2019*

be placed on these policies, as they purport to restrict WIAL's rights as a requiring authority. I agree with that finding.

#### 10.4.3 Conclusions

As set out above, the proposed Main Site designation is consistent in various respects with the objectives and policies of the District Plan. However, there are some areas of inconsistency which help to point out the need for considering additional designation conditions in some specific locations and for some specific purposes. Conditions have been recommended in expert assessments, and my report also recommends subject matter for additional conditions. These are summarised in section 14 of my report. If appropriate conditions are confirmed, I consider that the Main Site designation is capable of being deemed consistent with the objectives and policies of the district plan.

Unsurprisingly, the East Side Area designation is generally inconsistent with district plan objectives and policies that were specifically developed to apply to the golf course area. With regard to more general provisions, the policy of most concern is Policy 10.2.5.4 *"Manage the noise environment to maintain and where possible enhance community health and welfare"*. Based on the assessment of the Council's noise expert, and the submission of Regional Public Health, noise arising from aircraft movement in the East Side Area will not maintain the current state of community health and welfare, and will certainly not enhance it. Although this finding is relevant to a relatively small number of properties, the effect on those persons would be significant.

The inconsistency arising from this policy in particular points to the need for conditions that address the issue. If appropriate conditions cannot be developed I consider that the East Side Area designation, if confirmed, will remain contrary to Policy 10.2.5.4.

### **11. SECTION 171(1)(d) – Other Matters**

#### **11.1 Wellington International Airport Masterplan 2040**

The Wellington Airport Masterplan 2040 forms the basis for spatial outcomes sought under the two NORs. It is based on and contains information about anticipated air traffic growth, and also indicates WIAL's intentions with regard to the management of carbon emissions. As such, I consider the masterplan to be a relevant other matter for the commissioners to consider, and I have taken account of it in my own assessments.

#### **11.2 Te Atakura – First to Zero**

Te Atakura – First to Zero, is a City Council blueprint focused on making Wellington City a zero carbon capital (net zero emissions) by 2050. One of the four target areas set out in this blueprint is transport. The blueprint notes that almost 60% of our carbon emissions are from the way we move about. A large portion of that comes from the airport. When broken down, road transport makes up about a third of the city's emissions. A key outcome of our next ten years needs to be a significant shift away from moving about in petrol driven cars. Walking, bikes, buses, trains and hot new technologies all have a role to play. I consider that the objectives of Te Atakura are a relevant other matter with respect transport and traffic issues associated with the Airport.

#### **11.3 Regional Land Transport Plan**

The Wellington Regional Council (submission 108) notes the significance of the Regional Land Transport Plan. The RLTP sets the direction for the Region's transport network for the next 10 to 30 years. The RLTP is required to be consistent with the Government Policy Statement. It outlines the region's long-term vision, identifies regional priorities and sets out the transport projects proposed for investment over the next six years. The draft RLTP

identifies ambitious targets to be achieved over the next ten years, including of particular relevance to the Airport:

- A 40% increase in active mode and public transport travel; and
- A 30% reduction in carbon emissions.

As noted in section 9.2 of my report, the Airport is a significant generator of traffic (and associated emissions) but only a small percentage of journeys to and from the Airport are via high capacity public transport, e.g., bus or rail. I consider that the RLTP is a relevant other matter especially the achievement of its strategic priority of “an efficient, accessible and low carbon public transport network” achieved through mode shift, decarbonisation of the public transport fleet and improving customer experience.

#### **11.4 Draft Wellington Regional Growth Framework**

The draft Wellington Regional Growth Framework (WRGF) is not a statutory document for consideration under s.171(1)(a). It is a spatial plan that has been collaboratively developed by local government, central government and iwi partners in the Wellington-Horowhenua region<sup>62</sup> to provide Councils and iwi in the region with an agreed regional direction for growth and investment, and to deliver on the Urban Growth Agenda objectives of the Government. It is not a Future Development Strategy as required under the National Policy Statement on Urban Development (NPS-UD). However, it has been developed with this in mind and with the expectation that the next iteration of the Framework will meet the NPS-UD requirements. The public submission period on the draft WRGF will close on 10 May 2021.

The WRGF identifies the route to the Airport as a national high volume road, being part of the strategic road network connecting key regional destinations and links to regional centres.

In developing the draft WRGF, numerous ideas for change arose but were not included in this version of the draft Framework for varying reasons, including that they would likely not be feasible. One such idea was moving the Airport. The concept was raised in workshops as an idea to find a location that was less exposed to concerns around climate change and sea level rise as well as other natural hazards. However, a conclusion was reached that the idea was not expected to be either practical or feasible<sup>63</sup>.

I consider the WRGF to be a relevant other matter, as it represents extensive collaborative work by bodies with a stake in governance and spatial outcomes for the region. I accept the finding of the WRGF that relocating the Airport is not feasible.

#### **11.5 Warren and Mahoney Design Work**

Version 2 of the Main Site NOR includes Appendix F (parts A and B), which is a report by Warren and Mahoney. The work includes a detailed massing (height and volume) analysis for the Terminal precinct, and less detailed analyses for the Rongotai Ridge, West Side, Broadway, and South Coast precincts. The analyses were used as the basis for proposed conditions which set out height limits in sub-areas of the Terminal precinct, and volume controls in the main Terminal sub-area.

Ms Simpson, the Council’s urban design expert, considers the Warren and Mahoney work to have value and it has helped shape her own professional opinions.

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<sup>62</sup> For the purpose of the Framework the region includes the territorial authorities of Masterton, Carterton, South Wairarapa, Upper Hutt, Lower Hutt, Wellington, Porirua, Kāpiti Coast and Horowhenua.

<sup>63</sup> Page 69, Draft Wellington Regional Growth Framework, February 2021

Although this work is not part of the Main Site NOR (version 3) it is the only professional design analysis I am aware of that has been undertaken for how the Terminal area might be developed – and which has regard to urban design / visual impacts. For this reason, I consider the Warren and Mahoney work can be considered an ‘other matter’ to which the Council can have regard.

## **12. SECTION 171(1)(c) – Necessity for the Designation**

### **12.1 Development Under the Current District Plan**

WIAL’s outline of reasonable necessity (see section 5.3 above) includes the following points:

- The section 176A outline plan process provides flexibility and more certainty to WIAL in meeting its objectives in comparison to reliance on District Plan land use provisions, as well as allowing it to respond efficiently in its day to day operational needs as well as to growth.
- Greater efficiency and flexibility will also be achieved by designating the site because WIAL will not be subsequently required to undertake resource consent processes for land use activities. Where a designation and supporting conditions are in place, the outline plan process generally takes significantly less time than similar resource consent processes and the process incurs lower costs.

To broadly understand how the district plan provisions affect ongoing development at the Airport, the Council has undertaken two evaluations of resource consents. One covered the period from 2007 to 2012, and the other covered the period from 2009 to 2019. I was not involved in preparing either report.

The 2019 review covered resource consents within the Airport and Golf Course Precinct, and also outside the Airport within the Air Noise Boundary area<sup>64</sup>. In total, 59 resource consents were analysed. Of these 35 were within the Air Noise Boundary and 24 were within the Airport and Golf Course Precinct. None of the consents related to the golf course area.

The majority of the 24 consents within the Airport over the 10 year period from 2009 to 2019 were for discretionary activities. Twenty three of the 24 consent applications were processed as non-notified. No consents were declined. The biggest triggers of consents in the Airport and Golf Course Precinct were earthworks (13 consents), non-Airport activities (9 consents) and vehicle access and parking (5 consents).

The 2012 review identified that nine resource consents had been processed for the Airport. These consents were predominantly for excavation of contaminated material (4 out of 9), followed by earthworks (4 out of 9).

### **12.2 Reasonable Necessity for Achieving WIAL’s Objectives**

Legal counsel acting for the Council have informed me that the merits of WIAL’s objectives are a matter for the requiring authority only and are not to be judged by the Court (or the Council). However, I also understand that if the objectives are not clear, then Council can seek clarification from the requiring authority.

The Main Site NOR provides forecasts of anticipated passenger growth, and associated estimates of required aircraft stands. The forecasts / estimates have been prepared by

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<sup>64</sup> The consent applications outside of the Airport were not lodged by WIAL

AirBiz, although no separate or detailed reporting is appended to the NOR. The same forecasts / estimates are included in the East Side Area NOR, again with no supporting report.

I do not question that WIAL's objectives of facilitating growth and change are clearly achieved by proposed designations over the Main Site and East Side Area. However, I believe that clarity needs to be provided about whether those objectives, likely formulated in 2019 for the East Side Area and 2016 for the Main Site, remain current or are supported by up to date modelling.

In my view, forecasts go to the heart of the necessity for the East Side Area, and the need for taxiing aircraft to closely approach adjacent dwellings. In the absence of such a report about the modelling being included in either NOR, I recommend that WIAL provide the hearing with evidence to support the growth modelling. Specific aspects related to modelling that I consider require clarification are:

- Whether modelling assumes the forecast growth is facilitated by a future runway extension.
- Whether the objective of accommodating the forecast growth can be achieved with a different mix of aircraft.
- Whether less land in the East Side Area would be necessary if different assumptions are made about the types of aircraft used to service the forecast growth.
- The extent to which forecast growth has changed in light of circumstances not previously considered. Example circumstances might include changes in demand patterns / volumes related to:
  - The global pandemic.
  - The flying public's responses to climate change issues.
  - Future regulatory restrictions that might arise, reflecting NZ's global and local commitments to reducing greenhouse gas emissions.

### **13. SECTION 171(1)(b) – Consideration of Alternatives**

(1) *When considering a requirement and any submissions received, a territorial authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to:*

- ...
- (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work*

In section 8 of the Main Site NOR, WIAL states that an assessment under s.171(1)(b) is not required because section 5 of the document does not identify that there will be any significant effect. Based on expert findings, especially those of Ms Simpson, I disagree that there would be no significant effects associated with the Main Site NOR. I interpret 'methods of undertaking the work' to include different approaches to and types of designation conditions.

The East Side Area NOR goes into greater detail. In particular, section 8 of the NOR states that "Airside activities, such as those proposed to be enabled through this NOR (i.e. aircraft taxiing and parking), have a functional need to be contiguous with existing terminal and runway airside facilities at the Airport. This inherently constrains the options available to WIAL to expand onto landholdings that are not directly contiguous to its airside operations. ... suitable sites for the proposed activities are scarce, and the proposed site is ideally suited for expanded airside airport activities, as well as retaining a good buffer between the Airport and other land use activities".

As noted in the East Side Area NOR, the process of considering alternatives is important – it should not just be a cursory exercise. In that light, I consider that s.171(1)(b) provides



additional weight (if any is necessary) to the need to carefully consider alternative designation conditions for the purpose of managing potential effects arising ongoing activities in the Main Site.

The East Side Area is more problematic. I accept that WIAL's options for developing additional land for the purpose of an expanded apron are significantly limited by genuine practicalities. WIAL has, I think, adequately considered the circumstances in terms of spatial relationships and reasonably concluded that the East Side Area meets its perceived needs. However, in my opinion (and that of Ms Simpson and Mr Borich) there are adverse environmental effects to be considered. As with the Main Site NOR, I conclude that WIAL has focused more on the land than on considering 'alternative methods of undertaking the work'. In other words, I consider there is further scope for developing conditions to address effects.

#### 14. SECTION 171(2)(c) – Conditions

##### (1) Main Site

The proposed Main Site designation and its associated conditions have a specific 'structural' relationship with the district plan provisions. Works under the designation would be able to proceed under the designation, subject to meeting the designation conditions.

Several of the conditions set requirements where failure to comply would mean resource consent would be required or compliance action could occur. These are conditions that relate to aircraft operations noise (conditions 6-10); engine testing (condition 11); GPUs/APUs (condition 12); land based noise (condition 13); noise management plan (conditions 14-17); and a car parking demand and supply report requirement (condition 18).

However, there are other 'conditions' under the heading 'Need for Outline Plan – Criteria' (conditions 1-5) that seek to include a pre-approved section 176A(2) waiver provision (conditions 1 and 2), and conditions where certain requirements would need to be met with an outline plan lodged under 176A such as building height limits that would need to be met and information requirements (conditions 3-5).

In relation to building works it appears that the intent of condition 1 is that it would be applied in conjunction with condition 3 such that building works under the designation would be able to proceed, subject to the designation conditions:

- *without the need for an outline plan of works*<sup>65</sup>, if the works are within defined 'first-level' thresholds; or
- *with the submission of an outline plan* to Council, if the works are above a first-level threshold (and in some case, also below an upper 'second-level' threshold); or
- *with the submission of a resource consent application* if proposed buildings are above a second-level threshold.

As noted under the third bullet above, the district plan would act as a 'backstop' to manage building development not covered by the thresholds specified in the designation conditions. For instance, buildings over 30m height in the Terminal precinct would require resource consent under the district plan.

In all other cases, it appears the intent is that non-compliance with condition 1 would simply trigger the circumstance outlined by the second bullet point above. That is, the

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<sup>65</sup> Which would otherwise be required under section 176A of the RMA



proposed work / activity could proceed, subject to the submission of an outline plan to Council. This would apply specifically to non-aviation lighting, landscape design, electromagnetic radiation, site access for vehicles, and signage.

Notwithstanding my description above (which should be confirmed by WIAL) I have residual concerns about the general structure of the Main Site conditions. Conditions need to be clearly understood by those implementing or affected by them. Clarity leads to consistent implementation and avoids arguments around their meaning. I reserve my opinions about structure and clarity until after discussions with WIAL's planning expert at witness conferencing.

*(2) Conditions Proposed by Council and Others*

As set out in the assessments by Council experts appended to my report, a significant number of conditions and conditions amendments are proposed. I also note that WIAL has reached agreement with various parties regarding new or amended condition wording.

I have also recommended a condition or conditions that commit WIAL to investigation, reporting on, and implementing measures that help to reduce carbon emissions at the Airport. Some of these may serve the dual outcome of leading to noise reductions.

All proposed and potential conditions will be reviewed through witness conferencing and are likely to change. In these circumstances it is better to address conditions as an outcome of conferencing, rather than seeking to provide a version in my s42A report. Working with WIAL and the experts representing various parties, including Council, I propose to prepare and circulate a consolidated conditions document prior to the hearing that shows where remaining areas of difference lie.

*(3) East Side Area Lapse Period*

RMA section 184 specifies that a designation lapses on the expiry of five years after the date on which it is included in the district plan unless given effect to. As a condition, WIAL seeks a 15 year lapse period for the designation, to provide sufficient time for the engineering, design and construction of the proposed aircraft operational area over time.

In my view, a lapse period of this length may potentially, and unduly, 'blight' the surrounding community through uncertainty about when the development will take place. I recommend that the lapse period be reduced to 10 years or less and /or that staging of the development be subject to conditions so that progress can be advanced or paused as necessary. I also note that section 184 allows the requiring authority to seek an extension of the lapse period if necessary.

## **15. ASSESSMENT UNDER PART 2 OF THE ACT**

### **15.1 Section 5 - Purpose**

The Commissioners' consideration of the NOR is subject to Part 2 of the RMA. Section 5 defines the purpose of the RMA as being '... to promote the sustainable management of natural and physical resources.'

In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

In undertaking my assessment under section 5, I have also had regard to the matters outlined below under sections 6 and 7.

Enabling growth and development at the Airport allows people and communities to provide for their social, economic, and cultural well-being. The Airport is regionally significant in terms of the contribution it makes to the economy and to people's lives. However, in achieving these benefits, it also imposes costs on people and the environment. Notable among those costs are visual amenity and excessive noise, and as noted by the submission of Regional Public Health, noise can also be an adverse health effect. I note the general duty under the Act (s.16) to avoid unreasonable noise. These outcomes are relevant considerations via sections 7(c) and 7(f), and in relation to the overriding purpose of section 5 with respect to reference to the health of people and communities. Just as significant, if not more so, are the environmental risks and costs associated with climate change; a matter for particular regard under section 7(i) and which also has relevance under section 5(b).

With regard to the overall purpose of sustainable management, I consider that it can be met in relation to the Main Site – subject to avoiding, remedying, or mitigating adverse effects via readily developed and enforced conditions. With regard to the East Side Area I consider there is greater doubt that the purpose of sustainable management can be achieved when having regard to the issue of growth in carbon emissions enabled by the expansion. I also consider that social well being and health, with regard to noise impacts on nearby occupants, throws further doubt on achievement of the section 5 purpose. However, these adverse outcomes may be capable of being avoided, remedied, or mitigated if appropriate conditions can be successfully developed and enforced. I therefore reserve my overall opinion about the section 5 outcome until after the discussion of conditions at witness conferencing, and after hearing the evidence presented at the hearing.

Part 2 of the Act requires the Council to recognise and provide for matters of national importance (section 6); have particular regard to other matters (section 7); and to take into account the principles of the Treaty of Waitangi (section 8). These matters are addressed below.

## **15.2 Section 6 – Matters of National Importance**

Section 6 sets out the matters of national importance which are to be recognised and provided for in relation to all decisions under the Act, including these notices of requirement for designation.

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

The Airport does exist within the coastal environment. Although it is a highly modified environment, surrounded by other urban development, the nearby coastline still retains the rugged drama that Wellington's south coast is known and valued for. It has both natural values and recreational values, such as Lyall Bay and its well enjoyed surf break. These values will not suffer direct physical modification, although continued growth of the Airport over time may have an accumulating impact on the public's appreciation of the area.

- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

As there are no outstanding natural features listed by any statutory plan, I consider this section of the Act is not relevant.

- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

I am not aware of any significant indigenous vegetation, either listed by a statutory plan, or otherwise identified. In any event, areas of potential ground disturbance (the East Side Area) are highly modified as part of the golf course. I therefore consider this section of the Act is not relevant.

- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

The Airport is sited in close proximity to the coastal margin. However, the boundaries of the Main Site do not extend down to the waterline and existing available access along the coast will remain as it is at present. The East Side Area is removed from the coast and has no affect on access. For these reasons, I consider this section of the Act is not relevant.

- (e) *The relationship of Maori and their culture and traditions with ancestral lands, water, sites, waahi tapu, and other taonga:*

This section of the Act is potentially relevant, but I am not aware of any impacts that the proposed designations would have on sites, wāhi tapu or other taonga. Regardless, I have asked that WIAL provide a statement of any consultation that it has had with Māori, and Council's urban design and landscape expert has recommended an accidental discovery condition.

- (f) *The protection of historic heritage from inappropriate subdivision, use, and development.*

I am not aware of any historic heritage that would be impacted by development within the proposed designations. I note that Heritage NZ Pouhere Taonga and WIAL have agreed on an archaeological assessment condition. I therefore consider historic heritage, if present, will be ultimately protected.

- (g) *The protection of protected customary rights.*

This section of the Act is potentially relevant, but I am not aware of any protected customary rights or potential impacts.

- (h) *The management of significant risks from natural hazards.*

As noted in section 10.4.1(7) of my report, the coastal nature of the Airport puts it at risk in relation to larger tsunamis. However, at a minimum, the Main Site runway lies a minimum of 5 metres above mean sea level. The Terminal Area lies across the boundary between the Yellow and Orange response zones identified by Civil Defence, as do the South Coast and West Side Areas. The Airside Area (runway) also lies across both of these areas. The Orange area is predominantly to the south adjacent to Lyall Bay and is defined as a Civil Defence Emergency Management evacuation zone, whereas the Yellow area is defined as a self evacuation zone. I do not consider seismic or tsunami risk to be relevant to the NORs.

### 15.3 Section 7 – Other Matters

Section 7 includes matters that the consent authority shall have particular regard to. In this case the relevant section 7 matters are as follows:

- Section 7(b) – the efficient use and development of natural and physical resources
- Section 7(c) – the maintenance and enhancement of amenity values
- Section 7(f) – maintenance and enhancement of the quality of the environment
- Section 7(g) – any finite characteristics of natural and physical resources
- Section 7(i) – the effects of climate change

I note that ‘amenity value’ is defined under section 2 of the Act as:

*“those natural or physical qualities or characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”.*

(1) *Section 7(b) – efficient use and development*

Establishing a designation over the Airport Main Site will enable efficient use and development within its boundaries. Establishing a designation for the East Side Area is an efficient use of land in a constrained environment.

(2) *Section 7(c) – amenity values*

As assessed by the Council’s noise expert, Airport operations within the East Side Area will have a significant effect on the occupants of some nearby properties. Council’s urban design and landscape expert considers there are potential visual amenity effects arising in various locations – some which she categorises as ‘high negative’. Increases in traffic generated by growth in the Airport can also be considered to have an impact on amenity values in a much wider neighbourhood. Amenity would be neither maintained nor enhanced.

(3) *Section 7(f) – quality of the environment*

Effects referred to under sections 7(c), 7(g) and 7(i), taken together, contribute to overall reductions in the quality of the environment. In some parts of the Airport development, environmental quality would be neither maintained nor enhanced. This applies particularly within the East Side Area.

(4) *Section 7(g) – finite characteristics*

A significant effect of the East Side Area would be to remove over 15 hectares of open, recreational land from the neighbourhood. This would be a permanent loss of a finite resource. WIAL is constrained in its options for facilitating development and growth at the Airport; the location and availability of suitable land to achieve the Airport’s objectives is a relevant finite characteristic of the development.

(5) *Section 7(i) – climate change*

The issue of climate change applies to the Airport as a whole but is particularly exacerbated by the additional air traffic growth and associated emissions that would be enabled by development of the East Side Area. Regulatory and management initiatives surrounding carbon emissions and climate change are global, national, local, and complex. WIAL has indicated moves towards enabling local reductions. The effectiveness of those initiatives is uncertain, but the need for them applies regardless of whether one or both designations are confirmed. Some of those initiatives may have the potential dual benefit of also reducing noise levels.

#### **15.4 Section 8 – Treaty of Waitangi:**

I am not aware of any relevant section 8 matters, although I have requested that WIAL provide advice about any consultant undertaken with iwi.

## 15.5 Summary

Overall, the proposed Main Site designation is considered to meet the stated intention of Part 2 of the Act in that it represents the sustainable management of a physical resource. The East Side Area remains a concern in terms of whether it can readily achieve the Act's purposes.

## 16. HEARING INFORMATION FROM WIAL

The following points bring together matters I have referred to elsewhere in my report as being useful information that WIAL could provide at the hearing, by way of evidence presented by experts. The matters include:

- Updates to the forecast growth figures both in light of the falloff in travel due to Covid induced circumstances, and due to any greenhouse gas constraints that might be legislatively (or voluntarily) imposed (see Table 1, section 9.1.1, and section 12.2).
- Latest information about the Quieter Homes initiative, with a particular focus on areas near the East Side Area (see section 4.2 and 9.3.1(4)).
- Advice about any iwi consultation which has taken place (see section 10.2).
- Whether title has been issued to the golf course land.
- Providing and overlay of the OLS generally, and more specifically with a focus on the Terminal precinct (see section 4.1).
- A response to overlap issues with the WWTP designation, if those issues are not resolved prior to the hearing.
- Any other information requested via the WCC technical reports, in particular that of Ms Simpson.

## 17. CONCLUSION

Taking into account my assessment above, I consider that the Main Site designation is in keeping with Part 2 of the Act, and – subject to appropriate conditions – generally in keeping with the provisions contained in section 171 of the Act. The East Side Area is also in keeping with much of Part 2 of the Act, but amenity impacts – principally noise – under s.7(c) and (f) remain a concern. I have identified this as a potential reason for recommending that the East Side Area designation is not confirmed.

The effect of climate change under s.7(i) is an additional overlying matter of concern for both the Main Site and the East Side Area.

There remains an outstanding concern about the reasonable necessity for requiring the East Side Area, which I anticipate WIAL will address during the hearing.

I have had regard to planning documents, including the Wellington Regional Policy Statement and the District Plan. I conclude the Main Site has a good degree of consistency with those documents, which is unsurprising given that the Airport is recognised as regionally significant infrastructure and the Main Site is supported by relatively enabling objectives, policies, rules and standards. However, I have found that existing and likely future traffic and transportation outcomes are out of step with the policy directions of those documents and the expectations of the local authorities. This is a matter that will require collaborative consideration and action by all parties, not just WIAL. With regard to the East Side Area, it is consistent with the RPS in terms of regionally significant infrastructure, but inconsistent with the district plan in many respects.

The effects of future buildings/activities have been discussed above. Overall, I consider that effects will be acceptable in the Main Site, subject to appropriate conditions. As noted

elsewhere, noise impacts arising from use of the East Side Area will create an unacceptable loss of amenity for some nearby residents. Although the noise levels can be mitigated to some degree, residual effects on amenity will remain significant.

## **18. RECOMMENDATION**

It is my recommendation:

### **A: Airport Main Site**

1. That the Hearing Commissioners recommend to WIAL as 'Requiring Authority', that its requirement for the Main Site be confirmed under section 171(2)(a) of the Resource Management Act 1991, subject to the addition of conditions imposed under section 171(2)(c) of the Resource Management Act 1991.
2. That to give effect to Recommendation (1) above, appropriate conditions are drafted for inclusion in the Wellington City District Plan.

### **B: Airport East Side Area**

1. That the Hearing Commissioners recommend to WIAL as 'Requiring Authority', that the requirement for the East Side Area be withdrawn under section 171(2)(d) of the Resource Management Act 1991, unless appropriate noise and climate change conditions are developed and accepted under section 171(2)(c) of the Resource Management Act 1991.
2. That to give effect to Recommendation (1) above should appropriate noise and climate change conditions be possible, appropriate conditions are drafted for inclusion in the Wellington City District Plan.

My recommendations are based on the information provided to date. I reserve the right to reconsider these positions, or any aspects of them, should any new information or expert evidence eventuate prior to or at the hearing.

Report prepared by:



Mark Ashby  
Planning Consultant for Wellington City Council

**Appendix A:**  
**Land Titles**

MAIN SITE	Legal Description	Title Reference
Main Operational Airport Areas (including RESA Areas and Bridge St)	Pt Lot 1 DP 78304 Pt Sec 1 SO 37422 Sec 2 - 3 SO 37422 Sec 3 SO 38205 Sec 1 and 5 SO 342914 Section 1 SO 38354	518352 22946
250 Coutts St	Lot 1 DP 7159 and Lot 1 DP 33243	WN10B/942
252 Coutts St	Lot 2 DP 7159	WN355/113
254 Coutts St	Lot 3 DP 7159	WN358/16
2 Miro Street	Lot 5 DP 2385	WN295/38
3 Miro Street	Lot 3 DP 2385	WN287/226
3 Miro Street	Lot 4 DP 2385	WN305/266
7 Miro Street	Lot 6 DP 78304	WN45A/78
9 Miro Street	Lot 5 DP 78304	WN45A/77
11 Miro Street	Pt Lot 19 DP 5210	WN896/19
13 Miro Street	Part Lot 20 DP 5210 Lot 4 DP20924	WN863/60
15 Miro Street	Lot 21 DP 5210	WN300/140
17 Miro Street	Lot 22 DP 5210	WN298/224
19 Miro Street	Lot 23 DP 5210	WN298/135
335 Broadway	Lot 6 DP 2385	WN42B/707
337 Broadway	Lot 7 DP 2385	WN42B/708
341 Broadway	Lot 8 DP 2385	WN42B/710
343 Broadway	Lot 9 DP 2385	WN42B/709
77 Wexford Road	Sec 1 SO 3187	WN36D/925
366 Broadway / 28 Stewart Duff Drive	Lot 7 DP 5054	WN45A/74 and WN327/110
350 Broadway	Lot 4 DP 5054	WN317/104
362 Broadway	Lot 5 DP 5054	WN374/298
364 Broadway	Lot 1 And 2-3, 6 DP 5054	WN47D/260
368 Broadway	Lot 8 DP 5054	WN357/296
370 Broadway	Lot 9 DP 5054	WN356/267
Road Reserve – Moa Point Road	Section 1 and 2 SO 536355 Licence to Occupy	Road Reserve
Tirangi Road	Lot 37 – 38 DP 21360 Lot 39 – 51 and Lot 66 DP 21360 Sec 1 SO 303569	WN46C/667 WN46C/668 62499
234 Coutts Street	Lot 16 DP 6741	WN370/155
236 Coutts Street	Lot 17 DP 6741	WN366/246
238 Coutts Street	Lot 18 DP 6741	WN454/120
240 Coutts Street	Lot 19 DP 6741	WN409/112
242 Coutts Street	Lot 20 DP 6741	WN357/174
244 Coutts Street	Lot 21 DP 6741	WN34D/142
Road Reserve – off Coutts Street	Section 1 SO 536353	Road reserve
EAST SIDE AREA	Legal Description	Title Reference
Overlap within existing Main Operational Airport Area	Sections 2-4 Survey Office Plan 37422, Section 3 SO 38205, and Part Lot 1 Deposited Plan 78304	518352
Miramar Golf Course – southern end	Part Lot 1 Deposited Plan 3177, Lot 1 Deposited Plan 51082, Part Lot 1 Deposited Plan 9192, Lot 2 Deposited Plan 80630, Section 1 Survey Office Plan 38205 and Section 4 Survey Office Plan 37422	17852



**Appendix B:**  
**Further Information Requests and Responses**

**Appendix C:**  
**Council Noise Assessment**

**Appendix D:**  
**Council Urban Design Assessment**

**Appendix E:**  
**Council Traffic Assessment**

**Appendix F:**  
**Council Earthworks Assessment**

**Appendix G:**  
**Wellington Water Limited Advice**

**Appendix H:**  
**Notification Report (Main Site)**

**Appendix I:**  
**Direct Notice Areas**



**Appendix J:**  
**Submission Tables**