

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

**Report to Auckland Council
Hearing topic 045**

Airports

July 2016

Report to Auckland Council - Hearing topic 045 Airports

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1. Hearing topic overview

1.1. Topic description

Topic 045 addresses district plan, and some coastal and regional plan provisions of the Proposed Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	IHP reference
Airport zone	D.8.1 Airport zone I.15 Special Purpose - Airport Zone	H23 Special Purpose – Airports and Airfields Zone
Approach path	E.1.1 Airport Approach Path J.1.1 Airport Approach Path	D23 Approach Surface Overlay
Airport Noise Overlay	E.1.2 Aircraft Noise J.1.2 Aircraft Noise	D24 Aircraft Noise Overlay
Precincts	F.6 South F.6.1 Ardmore 1 F.6.2 Ardmore 2 F.6.3 Auckland Airport K.6 South K.6.1 Ardmore 1 K.6.2 Ardmore 2 K.6.3 Auckland Airport	I401 Ardmore Airport Precinct I402 Auckland Airport Precinct I513 Kaipara Flats Airfield Precinct I525 North Shore Airport Precinct
Designations	Part 7	K Designations
	200 Ardmore Airport	200 Ardmore Airport
	1100 Auckland International Airport 1101 Auckland International Airport – Renton Road Area 1102 Obstacle Limitation, Runway Protection and Ground Light Restriction	1100 Auckland International Airport 1101 Auckland International Airport – Renton Road Area 1102 Obstacle Limitation, Runway Protection and Ground Light Restriction
	4310 Whenuapai Airbase	4310 Whenuapai Airbase
	4311 Whenuapai Airfield Approach and Departure Path Protection	4311 Whenuapai Airfield Approach and Departure Path Protection
Appendices	Part 5	M Appendices
	Appendix 2.1 Airport	Appendix 12 Airport

	approach path	approach path surface Appendix 19 Auckland Airport Future Noise Contours (FANC) – Aircraft Noise Overlay
Definitions	Part 4	J Definitions

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for this topic. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel’s recommendations.

1.2. Summary of the Panel’s recommended changes to the proposed Auckland Unitary Plan

- i. The Airport Zone becomes the Special Purpose – Airports and Airfields Zone which is a shell zone. Each airport or airfield has its own precinct.
- ii. The residential-type areas that are attached to some airports become a sub-precinct within the overall precinct.
- iii. The Approach Path Overlay provisions are retained with minor amendments.
- iv. The Airport Noise Overlay provisions are retained with amendments.
- v. Provisions for land use restrictions within aircraft noise areas are retained with amendments.
- vi. The precincts for Ardmore Airport and Auckland International Airport are retained with amendments.
- vii. A new Kaipara Flats Airfield Precinct and sub-precincts are created.
- viii. The modifications to designations for Ardmore Airport (200), Auckland International Airport (1100, 1101, 1102), and Whenuapai Airbase (4310 and 4311) are recommended to be confirmed with amendments. These designations are reported on separately.
- ix. Appendix 2 (now 12) in the proposed Auckland Unitary Plan is unchanged and a new Appendix 19 is recommended for Auckland Airport.
- x. Recommendations on definitions in plan provisions (except designations) are provided for in topic 065 Definitions reporting.

- xi. Recommended definitions for designations are contained in the individual designation documents.

1.3. Overview

This narrative provides an explanation of the Panel's recommendations on the proposed Auckland Unitary Plan provisions relating to airports, airfields and airbases in Auckland which were heard in Topic 045 Airports.

Ardmore Airport

All provisions for Ardmore Airport were agreed in mediation between Auckland Council and interested parties. The mediated agreement was set out in the evidence of Auckland Council. The Panel's recommendations adopt the agreed position with few changes. The designation for Ardmore Airport is reported on separately by the Panel.

Auckland Airport

Mediation was successful in resolving many issues between Auckland Council, Auckland International Airport Limited and some other submitters. However significant issues relating to airport noise remained outstanding and were addressed at the hearing.

Expert conferencing on aircraft noise management matters also took place and reached agreement on some issues, as set out in the Expert Conference Joint Statement dated 27 January 2015.

The Panel has not made any recommendations relating to the control of aircraft flying over Auckland on their way to and from the airport.

The Panel recommends adopting the modifications to the Auckland International Airport designations in the proposed Auckland Unitary Plan, and the further modifications made in mediation, subsequent evidence and closing statements of Auckland Council, Auckland International Airport Limited and Board of Airline Representatives of New Zealand. In addition, the Panel has recommended an additional condition on temporary noise mitigation in designation 1100 Auckland International Airport as proposed by Auckland International Airport Limited. These designations are reported on separately by the Panel.

The Panel recommends that the noise overlay maps (now D24 Aircraft Noise Overlay) for Auckland Airport (including the high and moderate aircraft noise areas) be amended.

The Panel generally supports the agreed positions of parties on matters related to zones, precincts and citywide rules, subject to some amendments recommended for clarity, and changes recommended to address remaining issues, such as the amenity effects of billboards, stormwater, coastal protection works above mean high water springs and the appropriateness of water-sensitive design.

Kaipara Flats Airfield

The Panel supports inclusion of the mediated precinct to allow for residential activity, but with some changes to simplify the provisions.

North Shore

The majority of the issues relating to North Shore Airport were resolved by mediation and subsequent evidence exchange.

The Panel supports the agreed positions of parties to these processes and made recommendation as in respect of remaining minor matters not agreed recommends as follows:

Springhill

The Panel did not support changes sought by submitters to the Airport Approach Path Overlay (now D23 Approach Surface Overlay) for Springhill Airfield and rezoning of the Springhill Airfield to Special Purpose – Airports and Airfields Zone.

Whenuapai air base

The majority of these issues were resolved by mediation and the subsequent evidence exchanges and submissions. These mediated agreements are supported by the Panel.

The Panel does not recommend amending the Aircraft Noise Overlay (now D24 Aircraft Noise Overlay) to be more enabling of development as requested by one submitter.

1.4. Scope

The Panel considers that the recommendations in 1.2 above and the changes made to the provisions relating to this topic are within scope of submissions.

For an explanation of the Panel's approach to scope see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

1.5. Documents relied on

Documents relied on by the Panel in making its recommendations are listed below in Section 12 Reference documents.

2. Ardmore Airport

2.1. Statement of issue

No issues remained unresolved after mediation.

2.2. Panel recommendation and reasons

The Panel has adopted the agreed positions of the parties for the reasons given in evidence. However amendments are recommended to improve the clarity and functionality of the provisions in the precincts.

Ms Reaburn, planner for Ardmore Airport Limited, proposed in evidence that the definition of activities sensitive to aircraft noise should be amended to allow activities that were ancillary to aviation within the airport. Mr Vinall planner for Auckland Council clarified that his evidence supported Ms Reaburn's evidence on this point.

The Panel disagrees that the definition of activities sensitive to aircraft noise should provide for ancillary activities at airports. This is because the effects of allowing activities sensitive to noise in areas subject to high aircraft noise levels likely to arise at Ardmore Airport are not an acceptable public health outcome. The Panel therefore recommends that the definition of activities sensitive to aircraft noise remain unchanged. The Panel produced a separate recommendation report on Designation 200 Ardmore Airport (see Report to Auckland Council – Hearing topic 045 Airports – Ardmore Airport May 2016).

3. Effects of noise from aircraft flying over Auckland

3.1. Statement of issue

Auckland The Plane Truth Incorporated, Huia Private Reserve Limited, K E and H M Turner, B J Turner, B J Hollewande, K Kevany, N Cartmell and the South Epsom Planning Group (Incorporated) generally opposed increased overflying of aircraft at low altitude on their way to and from Auckland International Airport. Their evidence made reference to SMART Trials, other changes to flight paths and the general increase in air traffic over urban Auckland. Their principal concern was the effects of aircraft noise. In addition, Huia Private Reserve Limited, K E and H M Turner and B J Turner opposed increased overflying of the Waitakere Ranges as inconsistent with the Waitākere Ranges Heritage Area Act 2008.

Auckland International Airport Limited opposed Unitary Plan control of aircraft flying over Auckland on the grounds of a lack jurisdiction for the Unitary Plan to control aircraft flying over Auckland.

It was not disputed that the control of effects of noise from the operation of the airport is within the jurisdiction of the Unitary Plan. This includes noise from planes taking off and landing.

3.2. Panel recommendation and reasons

The Panel believes the correct legal approach is that agreed by counsel (including counsel for Auckland Council, Auckland The Plane Truth Incorporated (Plane Truth), and Auckland

International Airport Limited at the pre-hearing meeting of 11 December 2014. This is that the scope of the Unitary Plan's jurisdiction to control aircraft under section 9(5) of the Resource Management Act 1991 is limited to aircraft taking off or landing within a height of 1000 feet height from ground level at an urban airport. There is no jurisdiction for the Unitary Plan to control aircraft above this altitude. In addition, the Waitākere Ranges Heritage Area Act 2008 does not override this. Therefore the Panel has not made any recommendations relating to the control of aircraft flying over Auckland on their way to and from the airport.

4. Control of noise from aircraft taking off and landing and Auckland Airport

4.1. Statement of issue

The proposed Auckland Unitary Plan provides for the control of noise from aircraft taking off and landing through the conditions of Designation 1100 Auckland International Airport. The conditions control noise from aircraft. Control is to be exercised over flight paths within the control zone set out in Figure 2 of the designation. The conditions also set an obligation for Auckland International Airport Limited to provide noise mitigation upgrades to noise-affected residential and other activities sensitive to aircraft noise. In addition, the conditions of Designation 1100 provide for a noise management plan, an aircraft noise community consultative group and monitoring of noise emissions. Designation 1101 also controls noise emissions from aircraft operations.

Plane Truth requested changes to the conditions governing the composition, operation and influence of the aircraft noise community consultative group and other restrictions. These included provisions for: good faith; reasons in responses from Auckland International Airport Limited to recommendations of the aircraft noise community consultative group; a 'truly' independent chair; widening of the community representation on the aircraft noise community consultative group; a public forum; and that meetings be open for public observation, among other matters.

Plane Truth also requested a new condition be inserted in Designation 1100. This condition was stated to reflect in part the existing requirement from Part 93.65 of the Civil Aviation Rules.

In response, Auckland International Airport Limited and the Board of Airline Representatives of New Zealand proposed amendments to the aircraft noise community consultative group conditions which are summarised in paragraph 2.5 of Auckland International Airport Limited's legal submission dated 30 April 2015. These are:

- i. adding six local boards to the aircraft noise community consultative group;
- ii. providing for access to technical expertise;
- iii. limiting the term of the chairperson to five years;
- iv. providing for aircraft noise community consultative group monitoring of the airport's processes for noise complaints;
- v. providing for internet publication of the aircraft noise community consultative group's documents;

- vi. notification of other local boards of relevant issues; and
- vii. good faith provisions.

Auckland International Airport Limited and the Board of Airline Representatives of New Zealand did not agree to all of Plane Truth's requests and specifically opposed changes seeking:

- i. that the appointed chairperson have no connection with any of the aircraft noise community consultative group members;
- ii. that the chairperson be appointed by the Council alone;
- iii. replacement of local board representatives with community representatives;
- iv. addition of a representative from Plane Truth;
- v. removal of industry representatives;
- vi. reduction of representatives from Auckland International Airport Limited and the Board of Airline Representatives of New Zealand;
- vii. specified minimum three-monthly meetings;
- viii. a public forum at the start of each meeting; and
- ix. the additional condition.

4.2. Panel recommendation and reasons

The Panel agrees with the changes to the designation proposed by Auckland International Airport Limited and the Board of Airline Representatives of New Zealand and their reasons for not agreeing to all the changes requested by Plane Truth.

The Panel notes that the inclusion of additional local boards on the aircraft noise community consultative group from a much wider geographic spread of Auckland is a significant change, in that it does provide a formal and ongoing opportunity for dialogue between the requiring authority (Auckland International Airport Limited) and the local boards about the effects of and management of aircraft noise beyond the noise boundaries in the Unitary Plan.

Therefore the Panel recommends adopting the modifications to the Auckland International Airport designations in the proposed Auckland Unitary Plan, and the further modifications made in mediation, subsequent evidence and rights of reply of Auckland Council, Auckland International Airport Limited and Board of Airline Representatives of New Zealand. The Panel has recommended an additional condition on temporary noise mitigation in designation 1100 Auckland International Airport as proposed by Auckland International Airport Limited. This condition relates to the amended D24 Aircraft Noise Overlay addressed in section five below. The Panel has produced a separate recommendation report on the Auckland International Airport Limited designations (see Report to Auckland Council – Hearing topic 045 Auckland International Airport designations July 2016).

5. Management of activities sensitive to aircraft noise

5.1. Statement of issue

The proposed Auckland Unitary Plan controls activities sensitive to aircraft noise within flight paths by the aircraft noise overlay (now D24 Aircraft Noise Overlay) provisions. In the context of Auckland Airport the overlay is divided into concentric areas of decreasing noise along flight paths referred to as the high aircraft noise area (HANA) moderate aircraft noise area (MANA) and aircraft noise notification area (ANNA). The proposed Auckland Unitary Plan has rules that regulate the establishment and modification of activities sensitive to aircraft noise such as housing within the high aircraft noise area and moderate aircraft noise area.

Auckland International Airport Limited's submission requested that the noise overlay maps be changed to provide for forecasted increase in air traffic using the airport. This request effectively involves increasing the noise energy levels at ground level represented by a moderate outward expansion of the noise overlays. In other words, the land use controls would be modified in anticipation of the airport being allowed to emit more aircraft noise in the future. The proposed extent of the high aircraft noise area and moderate aircraft noise area are set out in annexures 9 and 10 of Mr Osborne's evidence for Auckland International Airport Limited dated 26 March 2014.

Aircraft noise limits and runway length provisions in the designation had not been altered to provide for the forecast increased air traffic at notification of the proposed Auckland Unitary Plan. Neither did Auckland International Airport Limited request that change in its submission on the designation. A separate notice of requirement process would be needed to do that. That process had not been initiated at the time of the hearing. Even if it had been initiated prior to the hearing, it would not have been part of the Panel's hearing process.

Nevertheless, amendments to the designation conditions proposed by Auckland International Airport Limited in evidence would require Auckland International Airport Limited to provide some funding for noise mitigation measures for buildings in advance of the notice of being altered to provide for increased northern runway length. These proposed 'transitional mitigation conditions' are set out in Annexure 11 of Mr Osborne's evidence for Auckland International Airport Limited dated 26 March 2014.

Auckland Council's planning and noise experts, Auckland International Airport Limited, the Board of Airline Representatives of New Zealand and the Minister of Education had, as a result of mediation and the evidence exchange process, reached agreement on changes to the Aircraft Noise Overlay, which would anticipate the airport designation being amended in future to cater for increased flights. However, counsel for Auckland Council stated that elected members did not agree with the noise contours in the overlay being changed in advance of the notice of requirement process to amend the airport designation.

Housing New Zealand gave evidence opposing in part rules restricting residential land uses within areas affected by aircraft noise on take-off and departure. Housing New Zealand also opposed the Auckland International Airport Limited submission seeking to provide for revised noise overlay maps anticipating increased noise in the future from increased air travel using the airport. The Auckland Kindergarten Association also opposed aspects of the land use rules that apply to their activities. Both requested a more permissive approach.

5.2. Panel recommendation and reasons

The Panel is satisfied that the primary purpose of noise overlay controls is to protect public health. They also manage, to a degree, the effect of reverse sensitivity on the airport.

Overall, the Panel is persuaded by the evidence of Auckland Council's planner, and the Auckland International Airport Limited and Board of Airline Representatives of New Zealand experts. The Panel does not agree with the evidence provided by Housing New Zealand and the Auckland Kindergarten Association experts. Particular matters are set out below.

- i. The Panel agrees with the appropriateness of extending the high aircraft noise area and moderate aircraft noise area now rather than waiting for a further alteration of the designation for the reasons set out in Mr Osborne's evidence and the evidence, legal submissions of and right of reply from Auckland International Airport Limited, Board of Airline Representatives of New Zealand and Auckland Council's planner. The Panel thinks that Auckland International Airport Limited has acted responsibly in bringing this matter forward through the proposed Auckland Unitary Plan hearing process. In this context the Panel believes the changes provide for the reasonable foreseeable needs of future generations for air travel and the mitigation of noise from aircraft. The Panel also notes that the economic evidence of Mr Colgrave regarding the substantial strategic economic importance of the airport was not contested.
- ii. The Panel agrees that activities sensitive to aircraft noise should generally be a prohibited activity in the high aircraft noise area. This is because the evidence demonstrated that:
 - a. the noise effects on people are unacceptable and the outcome of an alternative non-complying status would be too uncertain;
 - b. this is a health and well-being effect, not just an amenity effect;
 - c. that NZS6805 sets the 'avoid' starting point for management of noise at between 55 and 65dBLn (the evidence of Day, Lloyd and Peakall – noise effects at 65dBLn were always unacceptable, particularly outdoors);
 - d. noise mitigation for the interior of buildings is useful but the effectiveness of this is limited by lifestyle preferences for open windows, doors and outdoor living space, and therefore cannot be fully relied upon to mitigate effects.
- iii. However, the Panel also agrees that tertiary education should be a non-complying activity in the high aircraft noise area at Auckland Airport and has relied on the views of the majority of experts in the Expert Joint Statement dated 27 January 2015 (pages 5 and 6) regarding tertiary education facilities.

The principal recommendations are that the noise overlay maps (now D24 Aircraft Noise Overlay) for Auckland Airport (including the high aircraft noise area and moderate aircraft noise area) be amended as requested by Auckland International Airport Limited and that that all related plan provisions and designation conditions be amended as agreed between Auckland Council's planner, Auckland International Airport Limited and the Board of Airline Representatives of New Zealand during mediation and including all subsequent amendments agreed in evidence, rebuttal and legal submissions.

6. Other issues related to airport zones, precincts and citywide rules

6.1. Statement of issue

The majority of these issues were resolved by mediation and the subsequent process of evidence and exchange and submissions. The agreed changes included: removal of framework plan provisions; other changes to simplify the rules; and amendments to address concerns of Mana Whenua.

Auckland International Airport Limited and Auckland Council had reached general agreement on a suite of 'bespoke' rules for Auckland Airport covering matters such as parking, stormwater and earthworks. However agreement was not able to be reached on billboards, references to water sensitive design in stormwater assessment criteria, the consent status of infrastructure and the consent status of coastal protection works above mean high water springs.

6.2. Panel recommendation and reasons

The Panel recommends the agreed positions of parties to these matters for the reasons they gave, subject to some amendments recommended for clarity, and changes recommended for issues that remained unresolved, as set out below.

The Panel agrees with Auckland Council's position on billboards for the reason that the amenity effects of these are better dealt with through consistent Auckland-wide provisions. The Panel also agrees with Auckland Council that there needs to be regulation of coastal protection works above mean high water springs for the purpose of integrated management.

The Panel does not agree that it is appropriate to require water-sensitive design in the particular context of the airport. This is because efficient use of this area will necessitate a high degree of impermeable surfaces making 'end of the pipe' stormwater solutions a likely outcome, and because aircraft safety must be paramount. The Panel has also recommended changes to integrate the bespoke Auckland Airport provisions with the Panel's recommended Auckland-wide provisions.

7. Kaipara Flats Airfield

7.1. Statement of issue

Dentarra Holdings Limited's submission requested amendments to include provision for residential activity at the airfield in the Unitary Plan similar to that included in the Auckland Council District Plan – Operative Rodney Section. Auckland Council and Dentarra Holdings agreed on new precinct provisions for Kaipara Flats Airfield. The agreed provisions were included in Auckland Council's evidence.

7.2. Panel recommendation and reasons

Under other circumstances the Panel believes it would not be appropriate to provide for residential activity so close to a runway. However, the particular circumstances are that

aircraft use and therefore noise is relatively lower at Kaipara Flats Airfield than at the other airports discussed above, and the residential activity previously approved is for people with an active interest in aviation and wanting to live on an airfield. Therefore the Panel recommends inclusion of the mediation precinct, but subject to changes to simplify the provisions.

8. North Shore Airport

8.1. Statement of issue

The majority of the issues relating to North Shore Airport were resolved by mediation and refined further in the subsequent process of evidence exchange where additional agreement was reached.

Ms Lane, Planner for North Shore Aero Club, gave evidence on the following issues on which agreement had not been reached with Mr Vinall, Auckland Council's planner. North Shore Aero Club suggests that proposed Auckland Unitary Plan Rule 2.1.2 of the Approach Path Overlay (now D23 Approach Surface Overlay) would better located in Activity Table 1 (now Table D23.4.1).

Ms Lane requested that the new Policy 2 in the Aircraft Noise Overlay (now D24 Aircraft Noise Overlay) be amended so that it applies to Auckland Airport only. Policy 2 of the Aircraft Noise Overlay requires the avoidance of tertiary education facilities within the 65 dB Ldn noise contour unless certain design conditions are met. Ms Lane thought that establishment of tertiary education would be inappropriate in the 65 dB Ldn noise contour at North Shore Airport and that this policy conflicts with the prohibited activity status.

Ms Lane also requested a new policy similar to Policy 4 applying to future urbanisation of the area within the 55 dB Ldn and 65dB Ldn noise contours at North Shore Airport. Mr Vinall disagreed, stating that in his view the matter was already provided for in Policy 3a and the proposed agreed amendments to Policy 3a.

Ms Lane proposed changes to the subdivision rules in Activity Table 1 (now Table D24.4.1). Ms Lane's concern was that separating subdivision and development activity in the table created ambiguity as subdivision does not create the activity, but rather it creates the land on which to establish the activity. Ms Lane preferred subdivision rules similar to that used for Ardmore Airport which relies on the subdivision consent application identifying legal mechanisms on land titles to avoid activities sensitive to aircraft noise establishment; although recognising enforcement difficulties with this approach. Mr Vinall suggested combining development and subdivision as a better way of addressing Ms Lane's concern.

8.2. Panel recommendation and reasons

The Panel recommends the agreed positions of parties to these processes for the reasons they gave. In regards to the matters not agreed, the Panel makes recommendations as set out below.

The Panel prefers the location of Rule 2.1.2, which specifies a prohibited activity status, within Table 1 (now Table D23.4.1), rather than listing it as a separate development control rule. In considering this matter the Panel also realised that there is no rule that specifies the

activity status of buildings not infringing the approach surface diagrams. To remove uncertainty, the Panel has inserted a rule in Table D23.4.1 to clarify that this is a permitted activity unless overridden by a zone rule.

The Panel is of the view that Policy D24.3 (2) adequately addresses the location of tertiary education facilities. The Panel agrees that Policy 3a (now D24.3(3)(a) as amended adequately addresses future urbanisation within the 55 dB Ldn and 65dB Ldn noise contours at North Shore Airport and no additional policy is recommended.

The Panel is of the view that the identification of subdivision in Table D24.4.1 is appropriate.

9. Springhill Airfield

9.1. Statement of issue

Vision Wellsford requested an Airport Approach Path Overlay (now D23 Approach Surface Overlay) for Springhill Airfield and rezoning of the Springhill Airfield to the Airport Special Purpose Zone. Vision Wellsford relied on its further submission on a North Shore Aero Club submission. Auckland Council did not agree to this.

9.2. Panel recommendation and reasons

The issue of scope to make the changes requested was discussed during the hearing and is also addressed in Auckland Council's closing statement which indicates that the Council believes the requests are out of scope of submissions. The Panel feels it has insufficient evidence on the effects on potentially affected landowners or that they had agreed to the height controls and rezoning, to be able to recommend the changes requested by Vision Wellsford. The Panel also thinks that the requested changes are out of scope of submissions. Therefore the Panel does not recommend these changes.

10. Whenuapai Airbase

10.1. Statement of issue

The majority of these issues were resolved by mediation and the subsequent process of evidence and exchange and submissions. The Panel notes that the Minister of Defence advised the Panel that the Minister would not pursue submission points seeking to modify the airport noise boundaries in Designation 4310 and would instead pursue that aim through a separate notice of requirement process to be lodged in the future.

Submissions from Heritage New Zealand applying to the Whenuapai airbase designations were not included or heard in Topic 045 Airports and were addressed in Topic 074 Designations. Reference should be made to the Panel's Report to Auckland Council – Hearing topic 074 Designations July 2016.

Submissions from the Minister regarding the zoning of the airbase were heard in the relevant rezoning topic.

Mr and Mrs S Nuich Trust requested amendments to the aircraft noise overlay (now D24 Aircraft Noise Overlay) policy and rules to make the provisions more enabling for development within the overlay. Both Auckland Council and the Minister of Defence opposed these changes in their evidence in rebuttal.

10.2. Panel recommendation and reasons

The Panel agrees with the mediated agreement. The Panel also agrees with the reasons given by Auckland Council and the Minister of Defence for not amending the Aircraft Noise Overlay to be more enabling of development and therefore does not recommended the amendments requested by the Trust.

11. Consequential changes

11.1.Changes to other parts of the plan

There are no consequential changes to other parts of the Plan as a result of the Panel's recommendations on this topic.

11.2.Changes to provisions in this topic

There are no changes to provisions in this topic as a result of the Panel's recommendations on other hearing topics.

12. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the aupihp website (www.aupihp.govt.nz) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the aupihp website. Note this may not be the same as the date of the document referred to in the report.)

12.1.General topic documents

Panel documents

[045- Submission Point Pathway Report - 5 December 2014](#) (5 December 2014)

[045- Parties and Issues Report- 31 March 2015](#) (24 April 2015)

[045 - Joint Mediation Statement - Session 4 \(25 February 2015\)](#) (16 March 2015)

[045 - Mediation Joint Statement - Session 1 \(16 February 2015\)](#) (16 March 2015)

[045 - Mediation Joint Statement - Session 2 \(17 February 2015\)](#) (16 March 2015)

[045 - Mediation Joint Statement - Session 3 \(24 February 2015\)](#) (16 March 2015)

[045-Expert Conference Joint Statement \(27 January 2015\)](#) (5 February 2015)

Auckland Council marked up version

[045- Proposed Markup Version \(Airport Zone Objectives and Policies\)](#) (12 February 2015)

[045- Proposed Markup Version \(Airport Zone Rules\)](#) (12 February 2015)

[045- Proposed Markup Version \(Ardmore 1 Rules\)](#) (12 February 2015)

[045- Proposed Markup Version \(Ardmore 2 Objectives and Policies\)](#) (12 February 2015)

[045- Proposed Markup Version \(Ardmore Airport Designations\)](#) (12 February 2015)

[045- Proposed Markup Version \(Auckland Airport Designation\)](#) (12 February 2015)

[045- Proposed Markup Version \(Auckland Airport Objectives and Policies\)](#) (12 February 2015)

[045- Proposed Markup Version \(Auckland Airport Precinct Rules\)](#) (12 February 2015)

[045- Proposed Markup Version \(Kaipara Flats Precinct Obj & Pols\)](#) (18 February 2015)

[045- Proposed Markup Version \(Kaipara Flats precinct rules\)](#) (18 February 2015)

[045- Proposed Markup Version \(Overlay Aircraft Noise Objectives and Policies\)](#) (12 February 2015)

[045- Proposed Markup Version \(Overlay Aircraft Noise Rules\)](#) (12 February 2015)

[045- Proposed Markup Version \(Overlay Airport Approach Path Rules\)](#) (12 February 2015)

[045- Proposed Markup Version \(Overlay Flight Path Objectives and Policies\)](#) (12 February 2015)

[045- Proposed Markup Version \(Whenuapai Airbase Designation\)](#) (12 February 2015)

Auckland Council closing statement

[Hearing Evidence - CLOSING STATEMENT - Joint memorandum of Counsel for Auckland Council and AIAL - 25 May 2015](#) (26 May 2015)

[Hearing Evidence - CLOSING STATEMENT - Joint memorandum of Counsel for Auckland Council and AIAL on Hard Protection Structures- 5 June 2015](#) (7 June 2015)

12.2. Specific evidence

Ardmore Airport Ltd

[Hearing Evidence - Catherine Reaburn \(Planning\) TABLED](#) (7 April 2015)

Auckland Council

[Hearing Evidence - Nigel Lloyd \(Acoustic\)](#) (6 April 2015)

[Hearing Evidence - Nigel Lloyd \(Acoustic\) - REBUTTAL](#) (21 April 2015)

[Hearing Evidence - Nigel Lloyd \(Summary Statement\)](#) (7 May 2015)

[Hearing Evidence - Mark Vinall \(Planning\)](#) (6 April 2015)

[Hearing Evidence - Mark Vinall \(Planning\) - REBUTTAL](#) (21 April 2015)

[Hearing Evidence - Mark Vinall - Attachment B5 - \(A\) Proposed Amendments to Akld Intl Airport Precinct Objectives and Policies \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment A \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B1 - \(A\) Proposed Amendments to Aircraft Approach Path Overlay Objectives and Policies \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B1 - \(B\) Proposed Amendments to Airport Approach Paths Overlay Rules \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B2 - \(A\) Proposed Amendments to Aircraft Noise Overlay Objectives and Policies \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B3 - \(A\) Proposed Amendments to Airport Zone Objectives and Policies \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B3 - \(B\) Proposed Amendments to Airport Zone Rules \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B4 - \(A\) Proposed Amendments to Ardmore 1 Precinct Rules \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B4 - \(B\) Proposed Amendments to Ardmore 2 Precinct Objectives and Policies \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B5 - \(B\) Proposed Amendments to Akld Intl Airport Precinct Rules \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B6 - Proposed Amendments to Ardmore Airport Designation \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B7 - Proposed Amendments to Auckland Airport Designations \(7 April 2015\)](#)

[Hearing Evidence - Mark Vinall - Attachment B8 - Proposed Amendments to Definitions \(7 April 2015\)](#)

Auckland International Airport Ltd

[Hearing Evidence - Legal submissions \(28 April 2015\)](#)

[Auckland Airport - 045 Evidence - Chris Day \(Noise\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Chris Day \(Appendix B\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Chris Day \(Appendix C\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Chris Day \(Appendix D\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Chris Day \(Appendix E\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Fraser Colgrave \(Economic\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Planning\) \(26 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 2\) \(27 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 3\) \(27 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 4\) \(27 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 5\) \(27 March 2015\)](#)

[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 6\)](#) (27 March 2015)
[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 7\)](#) (27 March 2015)
[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 8\)](#) (27 March 2015)
[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 9\)](#) (27 March 2015)
[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 10\)](#) (27 March 2015)
[Auckland Airport - 045 Evidence - Greg Osborne \(Annexure 11\)](#) (27 March 2015)
[Hearing Evidence - Reply submissions](#) (30 April 2015)
[Hearing Evidence - Reply submissions - 8 May 2015](#) (8 May 2015)
[Hearing Evidence - Reply submissions - Annexure A](#) (30 April 2015)

Auckland Kindergarten Association

[Hearing Evidence - Graeme Roberts \(Planning\)](#) (7 April 2015)
[Hearing Evidence - Graeme Roberts \(Planning\) - Appendix A \(Plan 1\) Existing Noise Contours](#) (7 April 2015)
[Hearing Evidence - Graeme Roberts \(Planning\) - Appendix A \(Plan 2\) Proposed Noise Contours](#) (7 April 2015)
[Hearing Evidence - Graeme Roberts \(Planning\) - Appendix B](#) (7 April 2015)
[Hearing Evidence - Richard Hall](#) (7 April 2015)

Auckland the Plane Truth Inc

[Hearing Evidence - Air NZ new navigation procedures March 2011](#) (6 April 2015)
[Hearing Evidence - Lorraine Clark](#) (6 April 2015)
[Hearing Evidence - Peter Milner \(Aircraft Noise in Auckland City\)](#) (6 April 2015)
[Hearing Evidence - Appendix 1 \(Cunniff\)](#) (7 April 2015)
[Hearing Evidence - Appendix 2 \(Cunniff\)](#) (7 April 2015)
[Hearing Evidence - Castalia Report \(Economic analysis\)](#) (6 April 2015)
[Hearing Evidence - Email \(Gordon to Gullery\)](#) (6 April 2015)
[Hearing Evidence - Legal Submissions](#) (29 April 2015)

Board of Airline Representatives of New Zealand

[Hearing Evidence - Gill Chappell \(Legal\)](#) (28 April 2015)
[Hearing evidence - John Beckett \(BARNZ\) - REBUTTAL](#) (21 April 2015)
[Hearing Evidence - John Beckett \(corporate\)](#) (26 March 2015)
[Hearing evidence - Richard Thomson \(corporate\)](#) (26 March 2015)

Housing New Zealand Corporation

[Hearing evidence - Amelia Linzey \(Planning\) - LATE](#) (7 April 2015)
[Hearing evidence - Amelia Linzey \(Planning\) - Attachment A](#) (30 April 2015)

[Hearing evidence - Amelia Linzey \(Planning\) - Attachment B \(30 April 2015\)](#)
[Hearing evidence - Amelia Linzey \(Planning\) - Attachment C \(30 April 2015\)](#)
[Hearing evidence - Amelia Linzey \(Planning\) - Attachment D - updated 30 April 2015 \(1 May 2015\)](#)
[Hearing evidence - legal submissions \(30 April 2015\)](#)
[Hearing evidence - Nevil Hegley \(Noise\) - LATE \(8 April 2015\)](#)
[Hearing evidence - Response to panel question on value of HNZC assets in HANA and MANA \(1 May 2015\)](#)

Huia Private Reserve Ltd

[Hearing Evidence - Summary Statement \(29 April 2015\)](#)
[Hearing Evidence - Summary Statement - Appendix A \(29 April 2015\)](#)

North Shore Aero Club

[Hearing Evidence - Attachment 1 \(7 April 2015\)](#)
[Hearing Evidence - Cherie Lane \(Planning\) \(6 April 2015\)](#)
[Hearing Evidence - Photographs \(1 May 2015\)](#)
[Hearing Evidence - Stephen Peakall \(Acoustic\) - LATE \(8 April 2015\)](#)

South Epsom Planning Group

[Hearing Evidence - Submissions \(29 April 2015\)](#)

Vision Wellsford

[Hearing Evidence - Lionel Foster \(7 April 2015\)](#)
[Hearing Evidence - Lionel Foster - Overview of Evidence \(1 May 2015\)](#)
[Hearing Evidence - Sherman Smith - Letter \(1 May 2015\)](#)

Individual submitters

[Hearing Evidence - Bernard Hollewand \(6 April 2015\)](#)

Bronwen J Turner

[Hearing Evidence - Summary Statement \(29 April 2015\)](#)
[Hearing Evidence - Summary Statement - Appendix A \(29 April 2015\)](#)

Kenneth E and Helen M Turner

[Hearing Evidence - Summary Statement \(29 April 2015\)](#)
[Hearing Evidence - Summary Statement - Appendix A \(29 April 2015\)](#)
[Hearing Evidence - Kevin Kevany \(29 April 2015\)](#)
[Hearing Evidence - Nigel Cartmell \(7 April 2015\)](#)
[Hearing Evidence - Nigel Cartmell \(summary of evidence\) - TABLED \(29 April 2015\)](#)

Mr and Mrs S Nuich Trust

[Hearing Evidence - Karen Joubert \(Planning\)](#) (7 April 2015)