

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV – 2025 – CHC –

**I MUA I TE KOOTI TAIAO
KI ĀTAUATAHI**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an appeal under clause 14(1) of the First
Schedule of the Act in relation to Decisions on
the proposed Mackenzie District Plan

BETWEEN

THE DIRECTOR-GENERAL OF CONSERVATION

Appellant

AND

MACKENZIE DISTRICT COUNCIL

Respondent

NOTICE OF APPEAL

Dated 4 September 2025

Department of Conservation

Department of Conservation
Private Bag 4715
Christchurch 8011
Phone: 027 408 3306
Solicitor: S C Newell

To: The Registrar
Environment Court/ Te Kooti Taiao o Aotearoa
Christchurch

And to: The Respondent

1. The Director-General of Conservation (the Director-General) appeals against parts of the Decision of Mackenzie Council on Plan changes 29 and 30 to the Mackenzie District Plan (the plan changes).
2. The Director-General made a submission on the plan changes.¹
3. The Director-General is not a trade competitor for the purposes of section 308D of the Act.
4. The Director-General received notice of the decision on 24 July 2025.
5. The decision was made by an Independent Hearing Panel appointed by Mackenzie District Council (the Council).
6. The parts of the decision the Director-General is appealing are:
 - a) The decisions on plan changes 29 and 30 that relate to provisions for the management of airport activities associated with non-conventionally-powered aircraft (particularly rocket-powered aircraft) in the Glentanner Special Purpose Zone, during times that are critical for the Kākī/black stilt breeding program.
7. The relevant provisions are set out in the attached Table 1.
8. The reasons for the appeal are as follows:
 - a) The decision fails to recognise and protect adjacent significant habitat for indigenous species, notably kākī/black stilt.
 - b) Kākī are a critically endangered species that occupy the Tasman River Delta near the Glentanner Airport Zone. Fledgling kākī chicks in the Tasman river delta are supported with supplementary feeding and are less

¹Submissions dated 21 January 2025.

likely to survive if they are disturbed during the period when they are provided with supplementary feeding. Other indigenous species in the area are also susceptible to disturbance.

- c) The decision provides for permitted activities which present risks to kākī and to other threatened indigenous species which inhabit the Tasman River Delta.
- d) The decision provides for the application of exclusion zones for activities which adversely effect conservation activities.

9. I seek the following relief:

- 9.1. In relation to the parts of the Decision appealed, the relief set out in the attached Table 1.
- 9.2. Costs.
- 9.3. Such further and other relief as may be required to address the appeal.

10. I attach the following documents to this notice:

- a) a copy of my submissions (**Annexure A – Relevant Parts of the Director-General’s Submissions**).
- b) a copy of the relevant parts of the Decision (**Annexure B – Relevant Decisions of Council**).
- c) a list of names and addresses of persons to be served with a copy of this notice (**Annexure C – Parties served with this notice**).



Susan Newell

Counsel for Director-General of Conservation

Dated 4 September 2025

Address for service of appellant:

Director General of Conservation
 Department of Conservation
 Private Bag 4715
 Christchurch 8011

Contacts

Murray Brass, Senior Resource Management Planner
 Ph: (027) 213 3592
 Email: mbrass@doc.govt.nz

Susan Newell, Senior Solicitor – Legal Services
 Ph: (027) 408 3306
 Email: snewell@doc.govt.nz

How to become party to proceedings

You may be a party to the appeal if,—

- (a) within 15 working days after the period for lodging a notice of appeal ends, you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, you serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the relevant application (or submission) and (or or) the relevant decision (or part of the decision). These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Table 1: Points of Appeal on Decisions on Plan Change xxx to the Mackenzie District Plan

Decision Version	Relief sought
<p>GSPZ-R12 Airport Activity GSPZ Tourist Development Area Activity Status: PER Where: 1. The use is restricted to a helicopter landing area located on the south side of Twin Stream where no more than eight helicopter movements are undertaken per day.</p> <p>Activity status when compliance is not achieved with R12.1: DIS</p> <p>GSPZ Ecological Open Space Activity Status: NC</p> <p>GSPZ Airport Area Activity Status: PER</p>	<p>GSPZ-R12 Airport Activity GSPZ Tourist Development Area Activity Status: PER Where: 1. The use is restricted to a helicopter landing area located on the south side of Twin Stream where no more than eight helicopter movements are undertaken per day.</p> <p>Activity status when compliance is not achieved with R12.1: DIS</p> <p>GSPZ Ecological Open Space Activity Status: NC</p> <p>GSPZ Airport Area Activity Status: PER <u>Where:</u> <u>2. The use of rocket-powered aircraft during the Kakī / Black stilt breeding season, being August through to December (inclusive), is restricted to no more than one launch in any 24-hour period, taking place between the hours of 9:00am to 3:00pm.</u></p>

	<p><u>Activity status when compliance is not achieved with R12.2: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> <u>a. The noise arising from rocket-powered aircraft and any resulting disturbance to Kakī / Black stilt.</u> <u>b. Effects of any disturbance on Kakī / Black stilt breeding success.</u> <u>c. The functional need and operational need for additional launches and/or launches to take place outside the prescribed times during the Kakī / Black stilt breeding season.</u> <u>d. The adequacy of any mitigation measures.</u>
<p>NOISE-R12 Noise Associated with Airport Activities and Airport Support Activities</p> <p>Airport Area within the GSPZ Activity Status: PER</p>	<p><i>Amend to either apply a noise limit consistent with the rural environment, or limit the permitted activity to conventionally-powered aircraft used for rural, tourism and passenger purposes. Non-compliance to be a restricted discretionary activity, with the matters of discretion to include noise limits and the duration and frequency of the activity.</i></p>

Form 5: Submission on notified proposal for policy statement or plan, change or variation

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991

To: Mackenzie District Council (the **Council**)

Name of submitter: Director-General of Conservation (the **Director-General**)

1. This is a submission on **Proposed Plan Change 30 (Special Purpose Zones)** to the Mackenzie District Plan.
2. I could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that my submission relates to, and the detailed decisions sought, are set out in **Attachment 1** to this submission.
4. I **seek** the following decision from the Council:
 - a. That the particular provisions of Proposed Plan Change 30 that I support, as identified in Attachment 1, are retained;
 - b. That the amendments, additions and deletions to Proposed Plan Change 30 sought in Attachment 1 are made; and
 - c. Further or alternative relief to like effect to that sought in 4. a. and 4. b. above.
5. The decisions sought in this submission are required to ensure that the Mackenzie District Plan:
 - a. Gives effect to the relevant national direction;
 - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and has particular regard to the other matters in section 7 of the Act;
 - c. Promotes the sustainable management of natural and physical resources; and
 - d. The changes sought are necessary, appropriate and sound resource management practice.

6. I wish to be heard in support of my submission, and if others make a similar submission, I will consider presenting a joint case with them at the hearing.



Di Finn

Manager Operations

Te Manahuna/Twizel

Department of Conservation

Acting pursuant to delegated authority on behalf of the Director-General of Conservation

Date: 21 January 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

Attn: Murray Brass, Senior RMA Planner

mbrass@doc.govt.nz

027 213 3592

Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

ATTACHMENT 1:

**PROPOSED PLAN CHANGE 30 TO THE MACKENZIE DISTRICT PLAN
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

The Chapters that my submission relates to are set out in the table below. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from the Proposed Plan Change is shown in *Italics*. The wording of relief sought shows new text as underlined and original text to be deleted as ~~strikethrough~~.

Unless specified in each submission point, my reasons for supporting are that the provisions are consistent with the purposes of the Act.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Entire Plan Change	Support in part	I support the overall approach of providing for Special Purpose Zones as giving effect to the relevant higher order documents. For the avoidance of doubt, provisions which are not specifically addressed below are supported for the reasons given in the s32 Report.	Retain as notified, except where specific changes are requested below.
Definitions:			

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Airport activity	Oppose	This definition would include activities beyond the expected scope of airports, such as aviation research including recent use for rocket-powered supersonic flight. Dawn Aerospace describes a flight from Glentanner Airport on 12 November 2024 as “the first civil aircraft to fly supersonic since ‘the Concorde’”, which is clearly beyond what would reasonably be anticipated for a small rural airport.	Amend to limit the definition to conventionally powered aircraft used for normal purposes as follows, or words to like effect: “means land and buildings used wholly or partly for the landing, departure, and surface movement of aircraft <u>for rural, tourism and passenger activities</u> (including fixed wing, helicopter, rotary, hot air balloons and unmanned aerial vehicles, <u>but excluding rocket-powered vehicles</u>)... ...d. Aviation research and testing laboratories...”
Airport Special Purpose Zone:			
AIRSPZ – entire chapter	Support in part	These provisions generally provide an improved framework management of the Airport Special Purpose Zone, compared to the Operative Plan.	Retain as notified, except where specific changes are requested below.
AIRSPZ-O1 Zone Character and Amenity Values	Oppose in part	This objective fails to recognise and protect the ecological values of surrounding land which could be affected by airport activities. As PC18 only controls specific impacts on vegetation, it cannot be relied upon to protect those values, and direct recognition in the zone provisions is required.	Amend clause 4 as follows, or words to like effect: “4. Achieves a high standard of amenity reflective of the role and function of the AIRPZ, but also does not compromise the landscape character, <u>and</u> visual amenity <u>and natural values</u> of the surrounding Te Manahuna/Mackenzie Basin <u>ONL</u> .”
AIRSPZ-P1 Airport and supporting activity	Oppose in part	This policy fails to recognise and protect the ecological values of surrounding land which could be affected by airport activities. As PC18 only controls specific impacts on vegetation, it cannot be relied upon to protect those values, and direct recognition in the zone provisions is required.	Amend clause 4 as follows, or words to like effect: “4. Ensuring built development achieves a standard of amenity reflective of the role and function of the AIRPZ, but also does not compromise the landscape character, <u>and</u> visual amenity <u>and natural values</u> of the surrounding Te Manahuna/Mackenzie Basin <u>ONL</u> .”

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Glentanner Special Purpose Zone:			
Objectives GSPZ-O1 and GSPZ-O2, Policy GSPZ-P4, and Rules GSPZ-R12 and GSPZ-R13	Oppose in part	<p>The objectives and policies are generally appropriate for the zone, and recognise the environmental values and reasonably-anticipated uses of the zone. However, when read in conjunction with the proposed definition of 'airport activity' the provisions would provide for activities which are not appropriate and pose a risk to the critically threatened Kakī / Black stilt and other threatened species in the area. As well as noise (as addressed in PC29) there are also risks associated with failure or crash of the vehicle, and restrictions on conservation activities due to a required exclusion area. Permitting this activity would fail to avoid, remedy or mitigate effects, and would be inconsistent with s6(c) and s31(1)(b)(iii) of the RMA and with Objectives 9.2.1-9.2.3 and associated policies and methods of the Canterbury Regional Policy Statement.</p>	<p>If the definition of 'airport activity' is not amended as above, amend these provisions to restrict their application to conventionally powered aircraft used for normal purposes.</p> <p>For Rules GSPZ-R12 and GSPZ-R13, non-compliance to be a restricted discretionary activity, with the matters of discretion including noise limits and the duration and frequency of the activity.</p>
Glentanner Special Purpose Zone Structure Plan	Support in part	Subject to the above submission point regarding the scope of airport activity provided for, the proposed structure plan appropriately recognises the airport and tourism use of the zone and its ecological values.	Retain as notified, subject to the above submission point.
Pūkaki Downs Special Purpose Zone:			

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
PDSPZ – entire chapter	Support in part	<p>These provisions generally provide an appropriate framework for management of the Pūkaki Downs Special Purpose Zone.</p> <p>In particular, provisions which recognise and protect ecological and biodiversity values are important to give effect to higher order documents, and should be retained.</p>	Retain as notified, except where specific changes are requested below.

<p>Pūkaki Downs Special Purpose Zone Structure Plan</p>	<p>Oppose in part</p>	<p>There are a number of conservation covenants within the structure plan area (brown cross-hatching shown below), and it appears that at least Built Development Area 3 in the structure plan encroaches into those covenants.</p>  <p>The structure plan would also allow significant built development within a few hundred metres of the Pūkaki Scientific Reserve, with no s32 assessment of potential effects on the Reserve.</p>	<p>Amend the structure plan as required to ensure that identified Built Development Areas and Land Development Areas do not conflict with existing conservation covenants or adversely affect the Pūkaki Scientific Reserve.</p>
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PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
		<p>There is also a historic water race protected by a conservation covenant which is partly within the area shown as Land Management Area 1:</p> 	
Pūkaki Village Special Purpose Zone:			
PVSPZ – entire chapter	Support in part	<p>These provisions generally provide an improved framework for development of the Pūkaki Village Special Purpose Zone, compared to the Operative Plan. In particular, the use of a structure plan and outline development plans, and provisions which recognise and protect ecological and landscape values, are important to give effect to higher order documents and should be retained.</p>	Retain as notified, except where specific changes are requested below.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
	Oppose in part	<p>The proposed Special Purpose Zone location includes significant indigenous vegetation, and is adjacent to the Lake Pūkaki Terminal Moraine Conservation Area. The Boffa Miskell report identifies that the site would qualify as a Significant Natural Area under the Canterbury RPS criteria, and in addition to the reported values the site has additional value due to the critically threatened status of dryland moraines. Those SNA values are contiguous with the adjoining two already-identified SNAs and the Conservation Area.</p> <p>It is difficult to see how those values within and adjoining the site could be maintained while allowing development for up to 1000 people, so there is a risk that the proposed zone will not be able to be implemented at the outline development plan stage.</p>	<p>Review the proposed approach to ensure that the level of development anticipated by the zone provisions is within the level that can realistically be achieved:</p> <ol style="list-style-type: none"> 1. through outline development plans; and 2. while maintaining the significant indigenous biodiversity values of the site and its surrounds.

Form 5: Submission on notified proposal for policy statement or plan, change or variation

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991

To: Mackenzie District Council (the **Council**)

Name of submitter: Director-General of Conservation (the **Director-General**)

1. This is a submission on **Proposed Plan Change 29 (Open Space and Recreation Zones, Noise, Signs and Temporary Activities)** to the Mackenzie District Plan.
2. I could not gain an advantage in trade competition through this submission.
3. The specific provisions of the proposal that my submission relates to, and the detailed decisions sought, are set out in **Attachment 1** to this submission.
4. I **seek** the following decision from the Council:
 - a. That the particular provisions of Proposed Plan Change 29 that I support, as identified in Attachment 1, are retained;
 - b. That the amendments, additions and deletions to Proposed Plan Change 29 sought in Attachment 1 are made; and
 - c. Further or alternative relief to like effect to that sought in 4. a. and 4. b. above.
5. The decisions sought in this submission are required to ensure that the Mackenzie District Plan:
 - a. Gives effect to the relevant national direction;
 - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and has particular regard to the other matters in section 7 of the Act;
 - c. Promotes the sustainable management of natural and physical resources; and
 - d. The changes sought are necessary, appropriate and sound resource management practice.

6. I wish to be heard in support of my submission, and if others make a similar submission, I will consider presenting a joint case with them at the hearing.



Di Finn

Manager Operations

Te Manahuna/Twizel

Department of Conservation

Acting pursuant to delegated authority on behalf of the Director-General of Conservation

Date: 21 January 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

Attn: Murray Brass, Senior RMA Planner

mbrass@doc.govt.nz

027 213 3592

Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

ATTACHMENT 1:

**PROPOSED PLAN CHANGE 29 TO THE MACKENZIE DISTRICT PLAN
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

The Chapters that my submission relates to are set out in the table below. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from the Proposed Plan Change is shown in *Italics*. The wording of relief sought shows new text as underlined and original text to be deleted as ~~strikethrough~~.

Unless specified in each submission point, my reasons for supporting are that the provisions are consistent with the purposes of the Act.

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
Entire Plan Change	Support in part	I support the overall approach of providing for Open Space and Recreation Zones, Noise, Signs and Temporary Activities as giving effect to the relevant higher order documents. For the avoidance of doubt, provisions which are not specifically addressed below are supported for the reasons given in the s32 Report.	Retain as notified, except where specific changes are requested below.
Noise:			
Noise – entire chapter	Support in part	These provisions generally provide an appropriate framework for management of noise within the District.	Retain as notified, except where specific changes are requested below

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
NOISE-R12 Noise Associated with Airport Activities and Airport Support Activities	Oppose	<p>This rule would permit any level of noise associated with use of the Glentanner Airport. For example, this would include recent use for rocket-powered supersonic flight, which is significantly noisier than existing or normally-anticipated use of the airport, and poses a risk to the critically threatened Kakī / Black stilt and other species. Allowing for unlimited noise with no controls would fail to avoid, remedy or mitigate effects, and would be inconsistent with s6(c) and s31(1)(b)(iii) of the RMA and with Objectives 9.2.1-9.2.3 and associated policies and methods of the Canterbury Regional Policy Statement.</p>	Amend to either apply a noise limit consistent with the rural environment, or limit the permitted activity to conventionally powered aircraft used for rural, tourism and passenger purposes. Non-compliance to be a restricted discretionary activity, with the matters of discretion to include noise limits and the duration and frequency of the activity.
Natural Open Space Zone:			
NOSZ – entire chapter	Support	<p>These provisions provide an appropriate framework for management of Aoraki / Mount Cook National Park, and have been developed in consultation with the Department of Conservation and Kāi Tahu.</p> <p>Most activities in the Park are already directly controlled through the Conservation Act 1987, National Parks Act 1980 and the Aoraki/Mount Cook National Park Management Plan. The proposed approach in the NOSZ chapter would avoid unnecessary duplication with those controls, while providing a policy framework and retaining the listed plan provisions to address relevant other matters.</p>	Retain as notified
Open Space Zone:			

PLAN PROVISION	SUPPORT/OPPOSE	REASON	RELIEF SOUGHT
OSZ – entire chapter	Support	<p>The proposed provisions will appropriately manage these areas and protect their open space values, particularly for existing reserves and OSZs. For open space adjacent to water bodies, the provisions will also assist to maintain the values of those water bodies.</p> <p>In particular, providing for conservation and recreation as permitted activities provides for appropriate use of open space areas.</p>	Retain as notified

**Form 6: Further submission in support of, or in opposition to,
submission on notified proposed policy statement or plan, change or
variation**

Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991

To: Mackenzie District Council

Name of submitter: Director-General of Conservation (the **Director-General**)

1. This is a further submission in support of a submission on proposed **Plan Change 30 to the Mackenzie District Plan – Special Purpose Zones** (the **Proposal**):
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions¹. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage². Section 2 of the CA defines 'conservation' to mean '*the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations*'.
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
4. I wish to be heard in support of my further submission.
5. If others make a similar submission, I would consider presenting a joint case with them at a hearing.
6. A copy of this submission has been served on the original submitters.

¹ Refer section 53 Conservation Act 1987.

² Conservation Act 1987, section 6.



Di Finn

Manager Operations

Te Manahuna / Twizel

Acting pursuant to delegated authority on behalf of Penny Nelson, Director-General of Conservation

Date: 24 February 2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

Attn: Murray Brass, Senior RM Planner

mbrass@doc.govt.nz

027 213 3592

Department of Conservation

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140

Copy to:

Heliventures New Zealand Limited	Mark Geddes	mark@perspective.net.nz
Royal Forest and Bird Protection Society	Nicky Snoyink	n.snoyink@forestandbird.org.nz

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
Heliventures New Zealand Ltd (02.01 – 02.07)	I oppose incorporating the relief they seek if the Proposal is granted	This submission seeks to increase the development capability of the Airport Special Purpose Zone. Increased development could significantly adversely affect conservation values within and around those zones, including within Public Conservation Land.	I seek that the whole of this submission be declined.
Royal Forest and Bird Protection Society (05.01 – 05.29)	I support incorporating the relief they seek if the Proposal is granted	The changes sought in this submission would improve protection of the conservation values of the Glentanner Special Purpose Zone.	I seek that the whole of the supported submission be allowed.



Mackenzie
DISTRICT PLAN REVIEW
TOMORROW'S MACKENZIE
KA AWATEA HŌU

Plan Change 30 Part B

**Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to Plan Change 26
Variation 3 to Plan Change 27**

Decision Report

24 July 2025

Table of Contents

1.	Purpose of Report.....	1
2.	Hearing and Submitters Heard	1
3.	Our Approach	2
3.1	Statutory Framework	2
3.2	Out of Scope Submissions	2
3.3	General Submissions.....	2
3.4	Uncontested Provisions	3
3.5	Section 32AA Assessments	3
4.	Definitions	3
4.1	Assessment.....	3
4.2	Decision	3
5.	AIRPZ Objectives (AIRPZ-O1 and AIRPZ-O2)	3
5.1	Assessment.....	3
5.2	Decision	4
6.	AIRPZ Policies (AIRPZ-P1 and AIRPZ-P2).....	4
6.1	Assessment.....	4
6.2	Decisions	4
7.	AIRPZ Rules	4
7.1	Assessment.....	4
7.2	Decision	6
8.	AIRPZ Standards and Mapping	6
8.1	Assessment.....	6
8.2	Decision	6
9.	GSPZ Introduction	6
9.1	Assessment.....	6
9.2	Decision	6
10.	GSPZ Objectives (GSPZ-O1 and GSPZ-O2)	6
10.1	Assessment.....	6
10.2	Decision	7
11.	GSPZ Policies (GSPZ-P1 to P4 and New)	7
11.1	Assessment.....	7
11.2	Decision	8
12.	GSPZ Rules	8
12.1	Assessment.....	8
12.2	Decision	9
13.	GSPZ Standards and Matters of Discretion.....	10
13.1	Assessment.....	10
13.2	Decisions	10
14.	GSPZ Structure Plan.....	10
14.1	Assessment.....	10
14.2	Decision	11

Appendix 1: Amended Provisions for Plan Changes 30 Part B

Appendix 2: Amended Planning Maps

Appendix 3: Appearances and Tabled Evidence

List of submitters addressed in this report:

Submitter Ref	Further Submitter Ref	Submitter Name	Abbreviation
PC29.24		Totally Tourism Ltd	
PC30.02		Heliventures New Zealand Ltd	Heliventures
PC30.03		Timothy Rayward	NZAAA
PC30.05		Forest and Bird	F&B
PC30.06	FS30.07 FS30.08 FS30.09	Glentanner Airport Ltd/Glentanner Station Ltd	Glentanner
PC30.07	FS30.10 FS30.11 FS30.12	Glentanner Park Ltd/Glentanner Ltd	Glentanner
PC30.10	FS30.04	Meridian Energy Ltd	Meridian
PC29.19 PC30.11	FS30.13	Director General of Conservation	DOC
PC30.12		NZ Transport Agency/Waka Kotahi	NZTA
PC30.13		Canterbury Regional Council	CRC
PC30.14		Nova Energy Limited	Nova
PC30.16		New Zealand Defence Force	NZDF
PC30.18		Robyn McCarthy	
	FS30.01	Rayward Aviation Limited	RAL
	FS30.02	James Leslie	
	FS30.03	Dr Michael Speck	
	FS30.14	Air Safaris & Services Limited	ASSL

Abbreviations used in this report:

Abbreviation	Full Text
AIRPZ	Special Purpose Airport Zone
CAA	Civil Aviation Authority
CON	Controlled
CRPS	Canterbury Regional Policy Statement
CRPMP	Canterbury Regional Pest Management Plan
DIS	Discretionary
EIB Chapter	Section 19 - Ecosystems and Indigenous Biodiversity
GSPZ	Glentanner Special Purpose Zone
GSPZ-SP	Glentanner Special Purpose Zone Structure Plan
GRUZ	General Rural Zone
MDC	Mackenzie District Council
MDP	Mackenzie District Plan
MDPR	Mackenzie District Plan Review
NATC	Natural Character Chapter
NC	Non complying
NFL	Natural Features and Landscapes
NPSET	National Policy Statement on Electricity Transmission
NPS-REG	National Policy Statement for Renewable Electricity Generation
NPSIB	National Policy Statement for Indigenous Biodiversity
NP Standards	National Planning Standards
ODP	Outline Development Plan

ONL	Outstanding Natural Landscape
PC13	Plan Change 13 – Rural Zone – Mackenzie Basin
PC18	Plan Change 18 – Indigenous Biodiversity
PC20	Plan Change 20 – Strategic Direction Chapters
PC23	Plan Change 23 - General Rural Zone, Natural Features and Landscapes, Natural Character
PC26	Plan Change 26 - Renewable Electricity Generation and Infrastructure
PC27	Plan Change 27 - Subdivision, Earthworks, Public Access and Transport
PC29	Plan Change 29 - Open Space and Recreation Zones, Noise, Signs and Temporary Activities, Var 1 to PC23, Var 2 to PC 26, Var 2 to PC27
PC30	Plan Change 30 – Special Purpose Zones, Var 2 to PC23, Var 3 to PC26, Var 3 to PC27
PER	Permitted
RDIS	Restricted Discretionary
RMA	Resource Management Act 1991
SH80	State Highway 80
SONS	Site of Natural Significance
TRAN	Transport

Airport Special Purpose Zone
 Glentanner Special Purpose Zone
 Variation 3 to PC26
 Variation 3 to PC27

1. Purpose of Report

1. Pursuant to section 43(1) of the Resource Management Act 1991 (RMA), the Mackenzie District Council (MDC) has appointed a combined Hearings Panel of three independent commissioners¹ to hear and decide the submissions and further submissions on Plan Change 30 Part B addressing the:
 - Special Purpose Airport Zone (AIRPZ) Chapter
 - Special Purpose Glentanner Zone (GSPZ) Chapter
 which form part of the Mackenzie District Plan Review (MDPR).
2. This Decision Report sets out the Hearings Panel's decisions on the submissions and further submissions received on Plan Change 30 Part B.
3. The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for PC30 Part B were:
 - Section 42A Report Part B: Section 42A Report Part B: Plan Change 30 (and Variation 2 to Plan Change 23, Variation 3 to Plan Change 26 and Variation 3 to Plan Change 27), Airport Special Purpose Zone, Glentanner Special Purpose Zone. Report on submissions and further submissions. Author: Nick Boyes. Date: 24 April 2025.
 - Section 42A Report: Plan Change 30 (and Variation 2 to Plan Change 23, Variation 3 to Plan Change 26, and Variation 3 to Plan Change 27) Part B: Airport Special Purpose Zone, Glentanner Special Purpose Zone. Reply Report. Author: Nick Boyes. Date: 19 June 2025.
4. In our Minute 6 dated 7 May 2025 we posed a number of questions to Mr Boyes (the Section 42A Report author). We received written answers to those questions².
5. The Hearing Panel's amendments to the notified provisions of PC30 Part B are set out in Appendix 1, including any definitions relevant to PC 30 Part B. Amendments recommended by Mr Boyes that have been adopted by the Hearing Panel are shown in ~~strike-out~~ and underlining. Further or different amendments made by the Hearing Panel are shown in red font as ~~strike-out~~ and underlining. Amendments to the District Plan planning maps are shown in Appendix 2.

2. Hearing and Submitters Heard

6. There were 14 submissions on the AIRPZ chapter and 17 submissions on the GSPZ chapter.
7. Further submissions are generally not discussed in this Decision, because they are either accepted or rejected in conformance with our decisions on the original submissions to which they relate.
8. The Hearing for PC30 Part B was held in Fairlie and Twizel over the period Tuesday 27 May 2025 to Thursday 29 May 2025. Three submitters attended the Hearing:

Submitter Ref	Submitter Name
PC30.06	Glentanner Airport Ltd/Glentanner Station Ltd
PC30.07	
PC30.10	Meridian
PC30.13	Canterbury Regional Council
PC28.03	Pukaki Airlodge ³

9. The individuals we heard from are listed in Appendix 3. Four submitters tabled evidence but did not appear at the Hearing and they are also listed in Appendix 3.

¹ Megen McKay, Ros Day-Cleavin and Rob van Voorthuysen.

² Section 42A Reporting Officer's Response to Hearings Panel Questions, 20 May 2027

³ We include Pukaki Airlodge as Mary Murdoch addressed the AIRPZ provisions. However, we discuss her submission in our Decision on PC28 Part A.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

10. Copies of all legal submissions and evidence (either pre-circulated or tabled at the Hearing) are held by the MDC. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Decision. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the Hearing.
11. We received opening legal submissions from MDC's legal counsel Michael Garbett who addressed the statutory framework. We also received 'overview' evidence from Julie-Anne Shanks regarding the current stage of the MDPR, the PCs notified as part of Stage 4 of the MDPR and their integration with existing operative District Plan provisions.

3. Our Approach

12. We have decided to structure this Decision in the following manner.
13. Mr Boyes' Section 42A Report and his Section 42A Reply Report both sequentially addressed the submissions under the following topic-based headings:
 - Special Purpose Airport Zone (AIRPZ) Chapter
 - Special Purpose Glentanner Zone (GSPZ) Chapter
14. For the ease of readers of this Decision, we have adopted the same approach here and mimic the headings used in the Section 42A Report.
15. The submissions received on the provisions covered by each of these headings were summarised in the Section 42A Report. We adopt those summaries, but do not fully repeat them here for the sake of brevity.
16. Where, having considered the submissions and the submitters' evidence and legal submissions, we nevertheless accept Mr Boyes' final recommendations, we state that we adopt his assessment and recommendations as our reasons and decisions. Where we disagree with Mr Boyes' final recommendations, we set out our own reasons based on the evidence received and state our decisions on the relevant submissions.
17. The consequence of our approach is that readers of this Decision should also avail themselves of the Section 42A Reports listed in paragraph 3 above.

3.1 Statutory Framework

18. We adopt the statutory framework assessment set out in section 6 of the Section 42A Report. We note that to be consistent with the framework described by Mr Garbett in paragraphs 5 and 6 of his opening legal submissions.

3.2 Out of Scope Submissions

19. In our Minutes 2 and 5 we resolved that the submission of Robin McCarthy PC30.18 was out of scope. Consequently, we decline to consider the matters raised in that submission.

3.3 General Submissions

20. Several general submissions⁴ were received that either supported the notified PC30 Part B provisions or supported them subject to amendments sought in subsequent submission points. We adopt Mr Boyes' recommendations that these 'general submissions' should either be accepted or accepted in part⁵ as set out in sections 7, 9 and 10 of the Section 42A Report.

⁴ Nova (14.01, 14.04, 14.05, 14.10, 14.11), DOC (11.01, 11.03), Meridian (10.01), CRC (13.02, 13.03, 13.04, 13.05, 13.06, 13.07, 13.08), Transpower (09.01), Glentanner (06.01, 07.01), F&B (05.01).

⁵ Other than Heliventures (12.01) which is rejected.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

3.4 Uncontested Provisions

21. Table 1 of the Section 42A Report listed provisions within PC30 Part B (AIRPZ and GSPZ) were either not submitted on, or any submissions received sought their retention. Table 1 also listed the relevant submissions. We accept the submissions listed in Table 1 and consequently those provisions are retained as notified (unless a clause 10(2)(b) or clause 16(2) change has been made to them).

3.5 Section 32AA Assessments

22. Where we adopt Mr Boyes' recommendations, we also adopt his s32AA assessments. For those submissions we are satisfied that Ms Boyes' recommendations are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the District Plan and for giving effect to other relevant statutory instruments.

23. Where we differ from Mr Boyes' recommendations, we are required to undertake our own s32AA assessment at a level of detail that corresponds to the scale and significance of any changes we recommend to the notified District Plan provisions. In that regard we are satisfied that any such amendments are a more efficient and effective means of giving effect to the purpose and principles of the RMA and the higher order statutory instruments, for the reasons we set out in this Decision.

4. Definitions

4.1 Assessment

24. CRC (13.01) and Meridian (10.02, 10.03, 10.04) supported the definitions of the terms 'airport activity', 'airport building', 'airport support activity' and 'aviation related visitor accommodation'. NZDF (16.01) supported the definition of 'airport activity'.

25. DOC (11.02) opposed the definition of the term 'airport activity' as they were concerned about the effect of aviation research and more specifically recent rocket-powered aircraft operated by Dawn Aerospace at Glentanner Airport. DOC sought to restrict 'airport activity' to aircraft for rural, tourism and passenger activities. Numerous further submitters opposed DOC's relief and in our view the reasons for their opposition (summarised at paragraph 103 of the Section 42A Report) are well founded. Consequently, we are not persuaded that granting DOC's relief would achieve the AIRPZ objectives.

4.2 Decision

26. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions.

27. The above definitions are retained as notified (unless a clause 10(2)(b) or clause 16(2) change has been made to them).

5. AIRPZ Objectives (AIRPZ-O1 and AIRPZ-O2)

5.1 Assessment

28. CRC (13.09, 13.10) supported both AIRPZ-O1 and AIRPZ-O2. Meridian (10.05, 10.06) and DOC (11.04) sought amendments to those objectives.

29. DOC tabled a statement saying that as a result of discussion with MDC officers, the concerns raised in their submissions had largely been addressed, such that there are no outstanding matters that warranted their appearance at the Hearing.

30. For CRC Rachel Tutty⁶ advised that she supported Mr Boyes' recommendations.

31. For Meridian Sue Ruston⁷ advised she agreed with Mr Boyes' recommended amendments⁸ to AIRPZ-O1, but suggested additional wording relating to "aviation related residential activities". We are satisfied that the

⁶ CRC Principal Planner.

⁷ Consultant planner.

⁸ Section 42A Report, paragraph 58.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

Meridian submission as a whole provides scope for those amendments. Ms Ruston no longer sought to delete AIRSP-O2.2 and agreed with Mr Boyes' recommended amendments to that provision.

32. We agree with Ms Ruston that an expansion of AIRPZ-O1 would appropriately foreshadow the provisions that follow. In that regard we agree with her that users of the plan should not need to look to the rules to decipher the meaning of the objectives and policies. We accept the submission of Meridian (10.05).
33. We accept Mr Boyes' analysis that:
 - AIRPZ-O2.2 should refer to both airport activities and "*airport support activities*" which is a defined term; and
 - it would be inappropriate to insert the term "natural values" into AIRPZ-O2.4 as sought by DOC due to the narrow focus of that provision on landscape character and visual amenity.

5.2 Decision

34. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions, other than as outlined above.
35. The AIRPZ provisions are amended as set out in Appendix 1.

6. AIRPZ Policies (AIRPZ-P1 and AIRPZ-P2)

6.1 Assessment

36. CRC (13.11, 13.12) and NZTA (12.01) supported the policies as notified.
37. DOC (11.05) opposed AIRPZ-P1 for the same reason that they opposed AIRPZ-O2.4 and we find that submission should similarly be rejected. However, in terms of the issue raised by DOC, we find that because AIRPZ-P1.3.i and AIRPZ-P1.3.4 both refer to character and amenity, it should be clarified that AIRPZ-P1.3.i refers to the character and amenity of the Airport SPZ.
38. In terms of the matter raised by Meridian (10.07), Sue Ruston recommended that, because Pūkaki Airport is in the HI Overlay, to 'give effect to' or 'be consistent with' Policy D of the NPS-REG, Policy 16.5.3(1) of the CRPS, ATC-O4, ATC-O6, HI-O1 and HI-P1, AIRPZ-P2 should require that activities not directly related to airport operations within the Pūkaki Airport should be avoided. Ms Ruston proposed an additional clause that would explicitly reference activities to be avoided at the Pūkaki Airport. We are not persuaded that is appropriate as we understand that would mainly affect activities requiring consent under non-complying activity rules AIRPZ-R9 Residential Visitor Accommodation and AIRPZ-R10 Commercial Visitor Accommodation. Amending AIRPZ-P2 in the manner sought by Ms Ruston to require those particular activities to be explicitly avoided would make a section 104D(1)(b) assessment moot as the activity would be contrary to the amended policies.
39. We consider that AIRPZ-P2 provides sufficient guidance on those matters as notified, particularly AIRPZ-P2.3. We also note Mr Boyes' observation that for Pūkaki Airport HI-O1 and HI-P1 would also be relevant to any assessment under those rules.

6.2 Decisions

40. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions, other than as outlined above.
41. AIRPZ-P1.3.i is amended as set out in Appendix 1.

7. AIRPZ Rules

7.1 Assessment

42. CRC (13.13) and Meridian (10.14, 10.15) supported various rules. Meridian⁹ sought greater restrictions on activities at Pūkaki Airport because it is located in the Hydro Inundation Hazard Overlay.

⁹ 10.10, 10.11, 10.12 and 10.13

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

43. Heliventures¹⁰ sought fewer restrictions for residential activity, staff accommodation and commercial visitor accommodation. We note Mr Boyes' advice that Heliventures currently has a resource consent application lodged with the MDC to construct a helicopter hanger and associated facilities, along with staff, client and visitor accommodation on land at Pūkaki Airport (being 15 and 17 Harry Wigley Drive)¹¹.
44. Meridian sought for the Pūkaki Airport rules to restrict the combined residential occupancy, staff occupancy and aviation related visitors to six people overnight. Occupancy limits are already provided for staff accommodation (AIRPZ-R4) and aviation related visitor accommodation (AIRPZ-R5). The issue is whether a cap should be placed on the occupancy of residential units.
45. We do not think that is necessary because a 'residential unit' is by definition "a building that is used for a residential activity exclusively by one household". That in our view is an appropriate cap.
46. Meridian sought that AIRPZ-R8 Activities Not Otherwise Listed be amended to NC status at Pūkaki Airport. We find that this would be unduly onerous and are satisfied that a DIS status sufficiently enables decision-makers assessing activities exceeding the AIRPZ-R1 to R7 permitted activity thresholds to have appropriate regard to the AIRPZ objectives and policies. At Pūkaki Airport they would also have to have regard to HI-O1 and HI-P1.
47. In his Reply Report Mr Boyes discussed the relief sought by Meridian to make all staff accommodation and aviation visitor accommodation activities NC at Pūkaki Airport. Those activities are a PA as notified. We note under HI-R3 'residential visitor accommodation' is already NC at Pūkaki Airport by virtue of that airport being in the HI Overlay. We find that to be appropriate as it is not an aviation related activity.
48. Mr Boyes recommended the insertion of two new rules in the HI chapter for 'staff accommodation' and 'aviation visitor accommodation' at Pūkaki Airport that would make non-compliance with AIRPZ-R4 and AIRPZ-R5 respectively default to a NC consent. Under the AIRPZ rules those activities default to DIS. We are not persuaded that the new rules recommended by Mr Boyes are appropriate because decision-makers assessing a DIS activity must have regard to the relevant objectives and policies in both the HI and AIRPZ chapters. We find that provides sufficient guidance and adding additional rules to the HI chapter for those two aviation related activities create unnecessary complexity.
49. Consequently, the submissions of Meridian on those matters are rejected.
50. Regarding the submissions of Heliventures, we note Mr Boyes' advice that the notified provisions deliberately limit the combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation to 150m² in order to avoid reverse sensitivity and distributional impacts on the provision of residential and commercial accommodation within adjoining townships. We find that to be appropriate.
51. We are not persuaded that relaxing the rules governing those activities in the AIRPZ would be the most appropriate, efficient or effective way of achieving AIRPZ-O1 and AIRPZ-O2.3. We agree with Mr Boyes that the provision for residential and commercial visitor accommodation within the AIRPZ needs to be carefully managed. Enabling 50% of a hanger building's total gross floor area for residential, staff or visitor accommodation with no cap on occupancy numbers would not achieve AIRPZ-O2.3 or give effect to AIRPZ-P2. Nor are we persuaded that AIRPZ-R9 and AIRPZ-R10 should be deleted. That would not achieve AIRPZ-O2.3 or be consistent with AIRPZ-P1.2 and AIRPZ-P1.3.
52. Finally, we agree with Mr Boyes' Reply Report recommendation that the AIRPZ rules should remain to be expressed on a 'per building' basis. We accept his evidence that amending those rules to refer to a 'site' would be problematic because Pūkaki Airport is made up of numerous freehold sites ranging from approximately 1,000 to 2,000m², each held in their own Record of Title. A much larger balance title is held by the MDC. All of the existing developed freehold sites include only a single airport building (being a hangar). In contrast, Lake Tekapo Airport is a single large site held in the same ownership. Approximately eight individual airport buildings are established on the single site, ranging from small storage sheds to larger aircraft hangar buildings.

¹⁰ 02.02, 02.03, 02.04, 02.05 and 02.06

¹¹ MDC resource consent reference RM240144.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

7.2 Decision

53. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions, other than as outlined above.
54. AIRPZ-R1 to AIRPZ-R11 are amended as set out in Appendix 1. No consequential amendments are made to the NH chapter rules.

8. AIRPZ Standards and Mapping

8.1 Assessment

55. CRC (13.14) and NZTA (12.02) supported the standards. Heliventures (02.07) submission seeking additional standards relating to 'no complaints covenants' and an associated management plan is rejected because we have rejected their relief seeking a relaxation of the AIRPZ rules for visitor accommodation.
56. We agree with Mr Boyes analysis that the submission from Timothy Rayward (03.01) should be accepted, and the Scenic Viewing Area mapping is removed from Lake Tekapo Airport.

8.2 Decision

57. We adopt Mr Boyes' analysis and recommendation as our reasons and decision, along with our assessment set out above.
58. The Scenic Viewing Area mapping is removed from Lake Tekapo Airport.

9. GSPZ Introduction

9.1 Assessment

59. Glentanner (06.01, 07.01) and Nova (14.04) supported the GSPZ Chapter in its entirety, as notified. CRC supported the Introduction in part, seeking to replace "landslide erosion" with "landslides." F&B (05.01) made a general submission that GSPZ development requires stronger management to protect natural character and biodiversity, consistent with sections 6 and 7 of the RMA and the NPSIB. They also sought amendments to the Introduction to prioritise natural values over development (05.02). We agree with Mr Boyes' recommendation to accept CRC's amendment and to adopt F&B's proposed amendments to the Introduction, including minor corrections and the addition of a reference to natural character. We also agree that the remainder of F&B's proposed changes are unnecessary, unclear, and may unduly constrain airport development.

60. We note that F&B did not attend the Hearing nor tabled any evidence in support of their submission.

9.2 Decision

61. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions.
62. The amended GSPZ Introduction is set out in Appendix 1.

10. GSPZ Objectives (GSPZ-O1 and GSPZ-O2)

10.1 Assessment

63. CRC (13.17) supported retaining all objectives and policies, noting they align with the CRPS. In contrast, DOC (11.06) opposed several GSPZ provisions - including the Objectives - on the basis that, when read alongside the proposed definition of airport activity, they would enable activities that pose risks to the critically threatened Kakī / Black Stilt and other species, particularly from rocket-powered aircraft. DOC sought restrictions on non-conventional aircraft only. F&B also opposed both Objectives, arguing they focused too heavily on ecological enhancement rather than the preservation of natural character and indigenous biodiversity, and sought amendments to better reflect RMA and NPSIB obligations.
64. We support Mr Boyes' recommendation to accept these submissions in part, including the addition of references to recreation, conservation, natural character, and biodiversity in GSPZ-O1. We also support the replacement of the term 'airport development' with the term 'airport activities.' We agree with Mr Boyes

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

that broader structural changes to GSPZ-O2 are unnecessary and may risk over-emphasising development activities. We also accept his assessment that proposed additions to GSPZ-O2 regarding the preservation of natural character values outside the zone are more appropriately addressed through the NFL Chapter.

65. The specific concerns raised by DOC about risks to threatened species, particularly Kakī, are addressed in the discussion and recommendations on GSPZ-R12 and R13 below.
66. As noted above, Forest & Bird did not attend the hearing or provide evidence. The Department of Conservation likewise did not appear or present evidence in support of its submission.

10.2 Decision

67. We adopt Mr Boyes' analysis and recommendation as our reasons and decisions.
68. Amended GSPZ-O1 and GSPZ-O2 are set out in Appendix 1.

11. GSPZ Policies (GSPZ-P1 to P4 and New)

11.1 Assessment

69. CRC (13.17) supported retaining all GSPZ policies as notified. NZTA (12.03) requested deleting GSPZ-P1 and replacing it with an Outline Development Plan (ODP) process to assess effects on the adjoining State Highway. F&B (05.05, 05.06, 05.07, 05.08) opposed all GSPZ policies, seeking amendments to better reflect section 6 of the RMA, improve clarity and enforceability, protect biodiversity and natural character, and introduce new policies to avoid commercial forestry and wilding conifer planting. Glentanner (01.12) opposed the addition of GSPZ-P4.3, on the grounds that no airport activities occur outside the GSPZ and therefore no policy was required.
70. As noted above, F&B neither attended the Hearing nor tabled any evidence in support of their submission.
71. With respect to the proposed new GSPZ-P4.3, we note that Glentanner opposed its inclusion on the grounds that no airport activities occur outside the GSPZ, aside from aircraft in flight. While no evidence was presented to the contrary at the Hearing, GSPZ-R12.1 (which restricts rocket-powered aircraft activity to within the zone) remains in the rule framework. On balance, we have not recommended deleting GSPZ-P4.3, as it provides policy context for that rule. However, we acknowledge that its necessity is marginal.
72. Having considered the submissions and evidence on the remainder of the submissions, we accept Mr Boyes' analysis that:
 - An ODP is unnecessary, given the adequacy of existing access provisions and the Transportation Chapter rules;
 - GSPZ-P1 should be retained as notified to ensure that built form is located in accordance with the Structure Plan, thereby protecting amenity values, the adjacent ONL, water quality, and landscape values;
 - The proposed introductory sentence for GSPZ-P2, P3, and P4 stating where the policy applies is redundant, as the policy headings already clearly identify their scope;
 - While referencing "lawfully established" primary production and grazing in GSPZ-P3 has merit, replacing the term "pastoral intensification" with "primary production" or adding "lawfully established stock grazing" is unnecessary because grazing is already permitted under the existing rule framework;
 - No new specific policy is required for commercial forestry or woodlots within the GSPZ, as the existing objectives and policies provide sufficient guidance; however, an explicit exclusion for 'commercial forestry' should be added to relevant provisions to align with the rule framework;
 - GSPZ-P4 should be amended to recognise and manage potential adverse effects of airport activity on indigenous biodiversity and natural character values beyond the zone boundary; and
 - GSPZ-P4 be amended to acknowledge and manage potential adverse effects of airport activity on indigenous biodiversity and natural character values beyond the zone boundary.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

73. We are not persuaded that a regulatory restriction on rocket launches during the Kakī / Black Stilt breeding season is justified on the evidence available to us. Further discussion of this issue is provided in the rules section of the Decision Report. This decision does not affect our acceptance of an amendment to GSPZ-P4 regarding the effects of airport activity on indigenous biodiversity and natural character.

11.2 Decision

74. We adopt Mr Boyes' analysis and recommendations as the basis for our decisions on the amendments to the GSPZ policies, with the exception of his proposed restrictions on rocket launches during the Kakī / Black Stilt breeding season, which we have not accepted. The resultant amendments to the GSPZ objectives and policies are shown in Appendix 1.

12. GSPZ Rules

12.1 Assessment

75. CRC supports retaining the rules as notified, while NZTA seeks a new rule for ODP approval to manage State Highway effects. F&B seek stronger environmental protections through tighter controls on airport activities, buildings, tourism, earthworks, and primary production to safeguard indigenous biodiversity and natural character. They propose converting certain permitted activities to restricted discretionary status and adding matters of discretion and ecological standards. As noted above, DOC also submitted in support of greater protection for the Kakī / Black Stilt, particularly in relation to aircraft activity, but did not appear at the Hearing. Glentanner opposed additional restrictions on aircraft operations, particularly those affecting rocket-powered activity.

76. As noted above, neither DOC or F&B attended the Hearing nor tabled any evidence in support of their submission.

77. We acknowledge the ecological advice of Ms Anderson, the Council's ecologist, which informed Mr Boyes' original recommendation to restrict rocket-powered aircraft activity during the Kakī / Black Stilt breeding season. Her advice was based on a single bird survey by Mr Langlands in July 2024, which identified the presence of river birds in the Western Tasman Delta. While Ms Anderson supported a precautionary restriction, she also acknowledged the limited nature of the available field evidence.

78. Having considered the submissions and evidence, we accept Mr Boyes' analysis that the relief sought by NZTA is not required, as amendments to GSPZ-R1 to manage vehicle access or the introduction of a new rule requiring ODP approval are unnecessary; potential State Highway effects, including those related to vehicle access, can be adequately managed through existing plan provisions and the nature of activities anticipated within the zone.

79. Having considered the submissions and evidence, we accept Mr Boyes' analysis that the amendments sought by Forest & Bird are not required. In particular:

- Existing NATC provisions and ecological buffers sufficiently address the ecological risks Forest & Bird raised, including setbacks from surface waterbodies, earthworks, and recreational or tourism activities;
- Airport activities, including buildings and support activities, are separately regulated or already managed to avoid sensitive areas, so elevating their activity status (including under GSPZ-R13, R15, R16, and R17) is unnecessary and would create inconsistency with other zones;

80. The request to make all airport activities discretionary is not the most effective or efficient way to manage effects on the Kakī / Black Stilt, given the zone's purpose and existing controls; and

- The notified definition of wilding conifers in GSPZ-R19 is clear, aligns with the Canterbury Regional Pest Management Plan, and requires no amendment.

81. As noted in section 7.1 above, we accept Mr Boyes' Reply Report recommendation that the AIRPZ rules should remain expressed on a 'per building' basis. As a consequential amendment, and to maintain consistency across the Plan, we also agree that GSPZ-R11.2 Staff Accommodation and GSPZ-R14.2 Aviation Related Visitor Accommodation should be clarified to confirm that the maximum building occupancy applies per building.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

82. However, we do not agree with Mr Boyes' recommendation to amend GSPZ-R12 to restrict the use of rocket-powered aircraft during the Kakī / Black Stilt breeding season, for the following reasons:

- The ecological evidence underpinning that recommendation is limited to a single river bird survey conducted by Peter Langlands on the Western Tasman River Delta on 24 July 2024¹². That evidence was contested by submitter Glentanner due to it being based on observations from a single day, which in the submitter's view did not constitute a robust or reliable basis for imposing specific restrictions;
- Ross Ivey tabled a letter from James Powell from Dawn Aerospace advising that in September 2024 two DOC rangers conducted observations to assess the impact of Dawn Aerospace on the Kakī / Black Stilt at Glentanner, including the closest nesting sites around 340m from the runway. Mr Powell advised that the ranger's observation concluded that there was no noticeable effect on the birds. However, we note this material is hearsay and, while informative, cannot be treated as probative expert evidence, and therefore we give it little weight;
- The Department of Conservation did not attend the Hearing to provide ecological evidence of probative value regarding the effects of Dawn Aerospace activities, leaving us uncertain about the validity and completeness of the purported July 2024 ecological assessment. It behoved DOC to provide a sound evidential basis for any restrictions sought;
- While Ms Anderson, the Council's ecologist, is the only qualified expert to provide evidence on this matter, she acknowledged that the field observations underpinning her advice were limited. We do not consider that this provides a sufficient evidential basis to support a rule restriction.
- In the absence of definitive ecological evidence regarding the effects of Dawn Aerospace launches on the Kakī / Black Stilt at Glentanner, we are reluctant to impose restrictions on their activities. Doing so would in our view be inconsistent with the requirements of section 32(2) of the RMA; and
- In making that finding we consider Mr Ivey's contention that Dawn Aerospace activities are unlikely to be any more obtrusive than the several low-level helicopter flights departing from and returning to the airport most days to be plausible. We also accept Ms Hornsey's submission that the noise generated by the Dawn Aviation rocket powered aircraft activities at Glentanner is comparable to that of a helicopter. Accordingly, in terms of section 32(2)(c) of the RMA, we assess the risk of not acting to impose restrictions on Dawn Aerospace activities unlikely to be any more than minor.

83. We acknowledge that in his Reply Report, Mr Boyes revised his earlier recommendation, now proposing to remove the restriction on hours of operation and allow up to two rocket-powered aircraft launches per 24-hour period during the Kakī / Black Stilt breeding season. Notably, he also suggests that if the Panel considers this amendment of limited utility, it would be appropriate to revert to the notified version of GSPZ-R12. While we appreciate his reconsideration and the updated ecological context, we remain of the view that no specific restriction is warranted. Given the limited and contested evidential basis we consider that retaining GSPZ-R12 as notified is the most appropriate outcome.

84. We note that legal submissions presented on behalf of Glentanner also challenged the adequacy of the ecological evidence and submitted that the proposed restriction would not satisfy the requirements of section 32 of the RMA. We accept those submissions.

85. Consequently, we find the recommended restriction on rocket-powered aircraft activity during the breeding season premature and unjustified. Therefore, we do not accept Mr Boyes' recommendation to amend GSPZ-R12.

12.2 Decision

86. For the reasons set out above, we recommend that all submission points relating to the GSPZ rules are accepted or rejected in accordance with the Section 42A Report, except that we do not accept the recommended amendment to GSPZ-R12 regarding rocket-powered aircraft activity.
87. The amended GSPZ Rules are set out in Appendix 1.

¹² Section 42A Report Appendix 2, Memorandum from Trudy Anderson (e3 Scientific) to Nick Boyes, dated 23 April 2025.

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

13. GSPZ Standards and Matters of Discretion

13.1 Assessment

88. CRC (13.19) supported the standards as notified. NZTA (12.05) sought the addition of a matter of discretion addressing the safe and efficient operation of the State Highway network. F&B (05.26, 05.27, 05.28, 05.29) requested that all matters of discretion triggered by non-compliance with standards include reference to protection of significant indigenous vegetation, habitat, natural character, and biodiversity. Specific concerns were raised in relation to the standards on boundary setbacks (GSPZ-S1), site coverage (GSPZ-S4), and fencing (GSPZ-S5).
89. As noted above, F&B neither attended the Hearing nor tabled any evidence in support of their submission.
90. Having considered the submissions and evidence, we accept Mr Boyes' analysis that:
 - No additional matter of discretion related to access and parking is needed within the GSPZ, as these matters are already addressed by the TRAN Chapter introduced through PC27;
 - It is unnecessary to include additional matters of discretion relating to the protection of indigenous vegetation, fauna habitat, natural character, and biodiversity in the standards, as existing district-wide provisions already address these matters;
 - The setbacks provided in GSPZ-S1—from roads or internal boundaries—are sufficient, and additional setbacks from the Land Development Areas identified on the Structure Plan are not needed;
 - The 10% site coverage standard is appropriate when read in combination with other controls, such as GSPZ-S8 (maximum building footprint), and provides for a balance between development and open space; and
 - Permitting stone walls up to 1.2 metres in height reflects the district's rural character and is unlikely to materially contribute to habitat fragmentation. The retention of GSPZ-S5 as notified is therefore appropriate.

13.2 Decisions

91. We adopt Mr Boyes' analysis and recommendations as our reasons and decisions. The submission from CRC (13.19) is accepted. All other submissions are rejected.
92. The GSPZ Standards and Matters of Discretion are retained as notified and are set out in Appendix 1.

14. GSPZ Structure Plan

14.1 Assessment

93. DOC (11.07) partially supported the GSPZ Structure Plan, while referencing submission 11.06 regarding the scope of airport activities and associated risks to the Kakī / Black Stilt, particularly from rocket-powered vehicles. We also note that Glentanner did not seek any amendments to the Structure Plan, asserting that the notified version appropriately reflected the Zone's operational footprint and already avoided sensitive ecological areas.
94. Having considered the submissions and evidence, we accept Mr Boyes' analysis that:
 - The Structure Plan appropriately recognises the zone's ecological values; and
 - A consequential amendment arising from F&B submissions (05.01 and 05.02) should be made to include an additional 'No Build Area' at the southern end of the existing runway adjacent to Twin Stream.
95. That amendment is minor in nature and reinforces the ecological intent of the notified Structure Plan. We do not consider it inconsistent with the position taken by Glentanner.

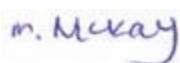
Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

14.2 Decision

96. We adopt Mr Boyes' analysis and recommendation as our reasons and decision. The submission from DOC (11.07) is accepted in part.
97. The GSPZ Structure Plan is amended as set out in Appendix 1.



Rob van Voorthuysen (Chair)



Megen McKay



Ros Day-Cleavin

24 July 2025

Appendix 1: Amended Provisions

Airport Special Purpose Zone
Glentanner Special Purpose Zone
Variation 3 to PC26
Variation 3 to PC27

Appendix 2: Amended Planning Maps

Airport Special Purpose Zone
 Glentanner Special Purpose Zone
 Variation 3 to PC26
 Variation 3 to PC27

Appendix 3: Appearances

Sub. Ref	Submitter Name	Name	Role
PC30.06	Glentanner Airport Ltd/Glentanner Station Ltd	Nicola Hornsey	Legal counsel
PC30.07	Glentanner Park Ltd/Glentanner Ltd	Ross Ivey	Director
PC30.10	Meridian Energy Ltd	Elanor Taffs Susan Ruston Andrew Feierabend James Walker William Veale	Legal Counsel Planner Corporate Planner Operational Dam Expert Regulatory Dam Safety Expert
PC30.13	Canterbury Regional Council	Rachel Tutty Jolene Irvine Nick Griffith Helen Jack	Planner Team Leader – Rivers Planning Natural Hazards Scientist Natural Hazards Scientist
PC28.03	Pukaki Airlodge	Mary Murdoch	Self

Tabled Evidence

	Submitter	Name	Role
PC30.06	Glentanner Airport Ltd/Glentanner Station Ltd	James Powell	Dawn Aerospace
PC30.07	Glentanner Park Ltd/Glentanner Ltd		
PC30.11	Director General of Conservation	Di Finn	Manager Operations
FS30.13			
PC30.12	NZ Transport Agency/Waka Kotahi	Jeremy Talbot	Principal Planner
OC30.16	New Zealand Defence Force	Rebecca Davies	Principal Statutory Planner