



PROPOSED INVERCARGILL CITY DISTRICT PLAN

Decision No. 28G

**Invercargill Airport Ltd
Designations**

Hearings Committee

Councillor Darren Ludlow (Chair)

Councillor Neil Boniface

Councillor Graham Sycamore

Keith Hovell

11 October 2016

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INTRODUCTION

The Hearing to consider the matters set out in this recommendation was held in the Council Chambers of the Invercargill City Council on 2 and 3 March 2015.

In this recommendation, the following meanings apply:

"Hearings Committee" means the District Plan Hearings Committee established by the Council under the Local Government Act.

"IAL" means Invercargill Airport Ltd.

"Proposed Plan" or "Proposed District Plan" means the Proposed Invercargill City District Plan 2013.

"RMA" means the Resource Management Act 1991.

At the commencement of the hearings, Crs Boniface and Ludlow declared an interest as Directors of PowerNet Limited, Cr Sycamore declared an interest as a Director of Invercargill City Holdings Limited and Commissioner Hovell declared a conflict of interest in relation to submissions lodged by Cunningham Properties Limited. The Councillors and Commissioner took no part in deliberations in relation to the submissions of the submitters referred to.

The Council is required by Section 171 to make a recommendation to the requiring authority where a designation is modified. The Invercargill City Council may recommend the modification be confirmed, with or without further modification, or withdrawn.

Invercargill Airport Ltd lodged notices of requirement requesting modification to their three existing designations:

- Invercargill Aerodrome
- Airport Approach and Land Use Controls
- Airnoise Boundary

The Committee received a Section 42A report on Designations from Liz Devery, Senior Policy Planner with the Invercargill City Council.

Invercargill Airport Ltd was represented at the Hearing by Kirsty O'Sullivan of Mitchell Partnerships Ltd, and Chloe Surrige, the General Manager of Invercargill Airport Limited.

INVERCARGILL AERODROME

This designation pertains to the land within the Airport Operations Zone of the Proposed Plan. Invercargill Airport Ltd sought a number of modifications to the aerodrome designation which the company believe are required for accuracy, clarity and ease of use. No changes to the area of the aerodrome designation are proposed.

Section 42A Report

Mrs Devery's Section 42A report outlined that this designation had been modified as part of Plan Change 10 to the Operative District Plan and that further modification was now being requested. She considered that amendments to the legal descriptions and locality information ensure that the designation is clear and accurate and only includes those allotments located partially or wholly within the aerodrome designation.

In reference to modifications sought to Condition 3 – Nature of Requirement, Mrs Devery did not object to the changes to details of the type of activities that are covered by the designation. However, she did make note of the potential implications of removing reference to the Airport’s Master Plan from the conditions. The Master Plan specifies details relating to the length and orientation of runways. She raised concerns that if not specified in the designation, any future extensions to runways or changes in their orientation could have off site impacts such as on flight paths and the Obstacle Limitation Surface and noise boundaries. She did acknowledge though that the outline plan process could address these matters.

Evidence on behalf of Invercargill Airport Ltd

Mrs O’Sullivan, of Mitchell Partnerships, supported the recommendations in the Section 42A Report for Designation 71 Aerodrome Purposes.

Consideration of Issues

The Committee noted that all parties are in agreement with the modifications to the conditions and it is appropriate to recommend their adoption. Minor amendments to the Noise condition have been made however to ensure that the terminology is consistent with the Proposed District Plan and relevant New Zealand Standards.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for Invercargill Aerodrome be confirmed subject to the provisions and conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
Invercargill Airport Limited	Invercargill Aerodrome	60, 68, 69, 72, 73, 75, 76, 77, 82, 84, 86, 92, 94, 96, 99, 100, 106 Airport Avenue, 38, 80, 140 Longford Road, 47, 94 Co-Bakker Road and 148 Curran Road, Invercargill	Lot 1 DP 9671 Lot 2 DP 13069 Lots 1 - 8 and Part Lot 9 DP 362692	5,8	73
<p>1. Reasons</p> <p>The Aerodrome designation is defined to protect the operational capability of the existing airport and provide for associated airport development for a minimum 20 year planning period from the date the designation is confirmed in the District Plan.</p> <p>2. Physical Description of the Site to which the Requirement applies</p> <p>Refer to Designation ref. No. 73 in the Appendix IV table and District Planning Maps 5 and 8. The boundary of the designation is identified on the District Planning Maps.</p> <p>3. Nature of the Requirement</p> <p>The nature of the activities covered by this designation is described as follows:</p> <p>(a) Aircraft operations including domestic and international aircraft traffic, scheduled services, general aviation, private aircraft traffic, rotary wing aircraft operations.</p> <p>(b) Runways, taxiways, aprons and other aircraft movement areas.</p>					

- (c) Terminal, hangars, cargo storage transportation and handling areas, rescue facilities, control tower, navigational aids, aircraft maintenance and servicing facilities, aircraft catering facilities, air freight facilities, air transport quarantine and incineration facilities.
- (d) Aircraft fuel storage and fuelling facilities.
- (e) Vehicle access, vehicle parking and storage areas, rental vehicle facilities, vehicle valet facilities and public transport facilities.
- (f) Retail, restaurant, takeaway food facilities, industrial and commercial activities which are ancillary to and in connection with the use of the Airport.
- (g) Associated activities, buildings and infrastructure, lighting and offices.
- (h) Ancillary uses of the buildings for recreation, conference and function purposes.
- (i) Erosion, silting and flood management systems.

4. Conditions

- (i) Engine testing
 - (a) No person shall start or run an aircraft propulsion engine for the purposes of engine testing between 2200 and 0700 hours, except to carry out essential unscheduled maintenance.
 - (b) None of the prohibitions above applies if engine testing can be carried out in compliance with the following maximum noise levels on any residential site:
 - Monday to Saturday 0700 to 2200 – 55dB $L_{Aeq(15hr)}$
 - All other times – 45 dBA $L_{Aeq(9hr)}$
 - All days 2200 to 0700 – 75 dBA L_{Amax}
- (ii) The grassed areas are managed and maintained to avoid aggregation of birds and to satisfy airport operational requirements.

AIRPORT APPROACH AND LAND USE CONTROLS

This designation sets out the Obstacle Limitation Surface (OLS) required to enable aircraft to operate safely and efficiently, making full use of the runway length available.

This designation directly affects the potential development rights of landowners below the OLS. The OLS is effectively an invisible surface which acts as a height control over buildings, structures or trees that may grow up to and through the OLS. The OLS extends well beyond the land designated or owned by the Requiring Authority. The requiring authority is seeking to amend this designation to provide for the relocation and extension of the grass runways and runway strips, which effectively alters the OLS.

Section 42A Report

In her Section 42A report, Mrs Devery noted that the the OLS extends well beyond the land designated or owned by the Requiring Authority. It sits over parts of the Otatara and Rural 1 Zoned land to the west of the runway. To the east, it sits over a band of land encompassing parts of the Industrial 1, Industrial 2, Business 3 and Residential 1 Zones.

Mrs Devery outlined that the modification to this designation is intended to provide for the relocation and extension of the grass runways and runway strips, which effectively alters the OLS. She also noted that there had been an error in the OLS as shown on District Planning Map 34 of the Proposed Plan as notified, and provided a corrected version in the appendix

to the Section 42A Report. She recommended that the maps be amended on the grounds that the effects of the alteration are minor as they reduce the impacts of the Designation, with less properties and a smaller area being subjected to the height restrictions. She stated that IAL had consented to the amendments.

Mrs Devery also discussed the proposed modifications to conditions 3, 4 and 7. Her overall recommendation that the modifications be confirmed subject to confirmation by the requiring authority of the effects of the modification to condition 4.2(a)(2), where modifications were sought with little discussion of their effects.

Evidence on behalf of Invercargill Airport Ltd

Kirsty O'Sullivan of Mitchell Partnerships appeared on behalf of IAL, together with Chloe Surridge, General Manager of IAL.

Mrs O'Sullivan supported the recommendations in the Section 42A Report to change the maps for Designation 72 Airport Approach and Land Use Controls Designation. She clarified that it is necessary to shift the grass cross-wind runway 30 metres to the west because the current location restricts the ability for the parallel taxiway to be used, and the height restrictions associated with the runway's current location will restrict future development of the terminal area at the Airport. The evidence noted that the most restrictive height controls are on IAL owned land and the affected land not owned by IAL is zoned Rural with a maximum height limit of 10 metres. The total area of land which is not owned by IAL and subject to a more restrictive height restriction than the permitted 10 metres is 2.15 hectares, of which 1.75 hectares is land owned by the Council.

Mrs O'Sullivan also in relation to Designation 72 referred to Appendix 36 of the Section 42A Report, where changes were made to the text setting out the "Reasons" for the designation. She noted that the wording had been altered and saw no reason for this, and requested that the text originally submitted by IAL be used.

Consideration of the Issues

The evidence from Mrs O'Sullivan sufficiently clarified why the modifications were made to condition 4.2(a)(2) and these are accepted by the Committee.

IAL questioned the wording notified under Condition 1 – Reasons, which differed from the wording sought in the Notice of Requirement. It would appear that the wording for this part of the designation was inadvertently carried over from the Operative District Plan and does not reflect the alterations formally made to the conditions in 2011, or the Notice of Requirement seeking the roll-over of the IAL designations with modifications as part of this current process. The wording promoted by IAL clearly stipulates the reasons for the Designation and including this, instead of the notified wording, would not alter the overall intention or application of the terms of the Designation. It is considered that the effects of this alteration would be no more than minor, as are the other modifications to the conditions sought by IAL for this designation.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for Airport Approach and Land Use Controls be confirmed subject to the provisions and conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP NO.	DESIG. NO.
Invercargill Airport Limited	Airport Approach and Land Use Controls	Airspace surfaces for aircraft operations	Consult District Planning Maps 34 and 35 and Note B	Airport Approach and Land Use Controls- Overview: Map 34. Airport Approach and Land Use Controls – Detail: Map 35	74

Conditions

1. Reasons

Obstacle limitation surfaces are a mandatory requirement to enable aircraft to operate safely and efficiently, making full use of the runway length available. Limitations apply at most aerodromes and by inclusion of this designation, IAL is updating the protection requirements in line with current New Zealand Civil Aviation rules and ICAO recommendations. The limitation surfaces will accurately reflect the current and expected future operations of Invercargill Airport. Without the limitation surfaces, the ability of the airport to allow the efficient and safe operation of some anticipated aircraft types would be adversely affected.

2. Physical Description (Noting Distinguishing Characteristics) of the Site to which the Requirement applies

Overview

- (a) The following height restrictions are based on combinations of various Civil Aviation (AC 139.06A) and ICAO Annex 14 obstacle limitation surfaces.
- (b) All elevations in this notice are provided in metres AMSL (Above Mean Sea Level) unless otherwise stated. (The Aerodrome Reference height is 1.0m AMSL.)
- (c) The height restrictions apply to land uses and activities located beneath the obstacle limitation surfaces.

3. Runways

3.1 Main Runway

The main runway which is 2,210m long x 45m wide is orientated on a bearing of 64°48'14"T. Runway identification is 04-22.

Provision is made for a 50m runway extension to the east and conversion of the existing 50m long eastern starter extension into runway to provide a maximum length of 2,260m.

3.2 Main Strip

The runway strip is to be 2,380m long by 300m wide. This width is greater than the 150m required for non-precision approaches. The strip length allows for the future 50m runway extension and conversion of the existing 50m starter extension into runway and 60m end clearance at both ends of the extended runway, and for the introduction of precision approach operations in the future. 240m x 150m RESAs are to be provided from the end of each runway strip along the runway centreline.

3.3 Grass Runways

The characteristics of the grass runways are as follows:

Runway Identification	Runway Length (m)	Runway Width (m)	Strip Length (m)	Strip Width (m)	Bearing
04 – 22	865	20	985	60	64°48'14"
07 – 25	446	20	506	40	270°34'10"
12 – 30	866	55	986	90	140°45'50"

4. Invercargill Airport Protection

4.1 General

To safeguard the standards that are implicit in the long term development of Invercargill Airport provision is made in this Plan for height and land use restrictions as follows:

- (a) Height restrictions associated with the runway strips, take-off climb and approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces affecting the areas defined in paragraph 4.2 below for the main runway and the three grass runways.

4.2 Height Restriction

- (a) Take-off Climb and Approach Surfaces

- (i) There is a take-off-climb and approach protection surface at each end of each runway strip. The take-off and approach surfaces differ in detail, but both are protected by a slope extending upward and outward from each end of the strip.
- (ii) Each take-off climb and approach protection surface extends over a horizontal distance specified below and is symmetrically disposed about the centre-line of the height protection surface, with its sides diverging uniformly outwards from each end of the length of inner edge at each strip end.

The take-off and approach control surfaces vary as shown in the following table:

ELEMENT	MAIN RUNWAY 04 – 22				GRASS RUNWAYS 04 - 22, 07 - 25, 12 - 30	
	TAKE-OFF SURFACE (WESTERN END)	APPROACH SURFACE (WESTERN END)	TAKE-OFF SURFACE (EASTERN END)	APPROACH SURFACE (EASTERN END)	TAKE-OFF SURFACE	APPROACH SURFACE
Inner Edge Length	180m	300m	205m	318m	80m for 04-22 and 07-25 110m for 12-30	80m for 04-22 and 07-25 110m for 12-30
Divergence	1V:8H	1V:6.6H	1V:8H	1V.6.6H	1:10	1:10
Slope	1V:62.5H	1V:50H	1V:62.5H	1V:50H	1:25	1:30
Length	18,750m	15,000m	18,750m	15,000m	2500	2500

(All elevations in this designation are provided in metres above mean sea level (AMSL) origin DP362692 (1.447m) unless otherwise stated. All co-ordinates below are in terms of the Geodetic D 2000 – Bluff Circuit)

Schedule of Coordinates for the Inner Edge

Main Runway 04-22	Coordinates for the Inner Edge
Take Off Surface (Western End)	820104.09mN 396713.10mE
Approach Surface (Western End)	820159.44mN 396830.73mE
Take Off Surface (Eastern End)	821117.35mN 398866.77mE

Approach Surface (Eastern End)	821049.24mN 398721.99mE
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For airport protection the surface profile has been adopted as follows:

(iii) **West end of main runway 04-22**

Take-off Surface

The take-off surface commences at the inner edge and rises at a gradient of 1V:62.5H (1.6%) until reaching a total distance of 18,750m from the inner edge, measured along the centreline of the surface. At that point the surface ends. The edges of the surface commence at the inner edge 90m either side of the strip centreline and expand outward at 12.5% (1V:8H) of the distance along the centreline until a distance of 4080m from the inner edge. At that point the edges of the surface become parallel to the centreline and are located 600m either side of the centreline. The surface edges continue to the end of the surface at 18,750m from the inner edge.

Approach Surface

The approach surface at the west end commences at the inner edge and rises at a gradient of 1V:50H (2.0%) until a distance of 15,000m from the inner edge. At that point the surface ends. The edges of the approach surface commence at the inner edge 150m either side of the surface centreline and expand outward at 15.0% (1V:6.6H) of the distance along the centreline until the end of the surface. The final total width of the approach surface is 4800m at 15,000m from its inner edge.

(iv) **East end of main runway 04-22**

Take-off Surface

The take-off surface commences at the inner edge and rises at a gradient of 1V:62.5H (1.6%) until reaching a total distance of 18,750m from the inner edge, measured along the centreline of the surface. At that point the surface ends. The edges of the surface commence at the inner edge 102.5m either side of the strip centreline and expand outward at 12.5% (1V:8H) of the distance along the centreline until a distance of 3980m from the inner edge. At that point the edges of the surface become parallel to the centreline and are located 600m either side of the centreline. The surface edges continue to the end of the surface at 18,750m from the inner edge.

Approach Surface

The approach surface at the east end commences at the inner edge and rises at a gradient of 1V:50H (2.0%) until a distance of 15,000m from the inner edge. At that point the surface ends. The edges of the approach surface commence at the inner edge 159m either side of the surface centreline and expand outward at 15.0% (1V:6.6H) of the distance along the centreline until the end of the surface. The final total width of the approach surface is 4818m at 15,000m from its inner edge.

(b) **Transitional Surfaces**

- (i) These extend upwards and outwards from the sides of the main runway strip at a gradient of 14.3% (1V:7H) to intercept the inner horizontal surface at an elevation of 46.0m and at a gradient of 1V:5H for the grass runway strips.
- (ii) Transition slopes extend at the same heights beyond each end of the runway strip to intercept the approach protection surfaces.

(c) **Inner Horizontal Surface**

The inner horizontal surface is a plane surface at an elevation of 46m enclosed within a 4,000m distance from the sides and ends of the main runway strip, and a 4,000m radius from the corners. The inner horizontal surface locus for the grass runways is 2,500m from the strip edge.

(d) Conical Surface

The conical surface extends from the periphery of the inner horizontal surface upwards and outwards at a slope of 5.0% (1V:20H) to an elevation of 151m.

5. Nature of Work

No work is proposed within the airspace restriction since its purpose is to keep the airspace required clear for the safe and efficient entry and exit of aircraft in and out of Invercargill Airport.

6. Restrictions

No building, structure, mast, pole, tree or other object, shall penetrate any of the approach surfaces, horizontal surfaces and the surrounding conical surfaces or the Transitional surfaces shown in the Maps accompanying the District Plan, except with the prior approval of the Invercargill Airport Ltd in the first instance.

Pursuant to Part 77 of the Civil Aviation Rules, a person proposing to construct or alter a structure must notify the Director of Civil Aviation of the proposal if the proposed structure or alteration to a structure is located below the approach or take-off surfaces described in this designation as shown on the District Planning Maps and extends to a height greater than a surface extending outwards and upwards at one of the following:

1. Extends more than 60 metres in height above ground level at its site, or;
2. Exceeds the general tree height in the area by 18m and is located in an area of low level aerial activity or other low flying activity or in a low flying zone or low level route as prescribed under part 71, or;
 - (a) is located below the approach or take off-surfaces of an aerodrome and extends to a height greater than:
 - (b) a slope of 1:83 from the fan origin or the take-off surface of a runway where the runway is used or intended to be used by aircraft with a MCTOW above 5,700kg
 - (c) a slope of 1:50 from the fan origin of the take-off surface if a runway where the runway is used or intended to be used by aircraft with a MCTOW at or below 5,700kg
 - (d) a slope of 1:25 from the nearest point of the safety area of a heliport, or
3. Penetrates the conical, inner horizontal, or transitional side slopes described in this designation.

Notification must be in the form specified in Rule 77-13 and be submitted at least 90 days before the proposed date of commencement of construction or alteration.

Notes:

Where Invercargill Airport Limited undertakes to manage vegetation, the vegetation will be generally maintained at a height of 2 metres below the approach surfaces, horizontal surfaces or the surrounding conical surfaces or the Transitional surfaces shown in the Maps accompanying the District Plan.

7. Explanation – Approach and Land Use Controls

The foregoing description is a part of a Requirement of the Invercargill Airport Ltd pursuant to Section 168 of the Resource Management Act 1991. This designation protects Invercargill Airport from possible intrusion of over height obstacles into the necessary approach and take-off slopes. This provides for the safe use of the airport by all types of aircraft likely to use the Airport. It is necessary to protect for this in recognition of the Airport's role as an integral part of the District's transportation infrastructure.

AIRNOISE BOUNDARY

This designation defines the area within which noise sensitive activities will be adversely affected by aircraft noise and stipulates the noise levels for aircraft operations at the Airport and seeks to avoid reverse sensitivity effects by restricting certain activities within that boundary. It extends over land presently in airport or rural use where no noise sensitive activities exist.

Section 42A Report

Mrs Devery's Section 42A report noted that the modifications to Conditions 1, 2 and 3 are minor and correct wording errors. In respect of condition 4, she considered that the wording of (a) would have the effect of making farming activities a permitted activity within the Airnoise Boundary.

Mrs Devery questioned whether this is what was intended, given that agricultural activities are not provided for as permitted activities within the Airport Operations Zone in the Proposed District Plan.

Mrs Devery considered that modifications to Condition 4(b) would clarify responsibilities of applicants seeking resource consent. Condition 4(c) would exclude airport related activities from the prohibited activity status. Mrs Devery questioned what airport related activities may be enabled by this exemption, particularly given that the definition of Noise Sensitive Activities also allows for training related to airport and aircraft operations. She also pointed out that the activity status for airport related activities is addressed in the Airport Operations and Airport Protection Zones anyway. However, overall she saw the modification as minor. Mrs Devery also had no objection to the removal of the condition stipulating a lapsing period for the designation on the grounds that the designation has already been given effect to.

Mrs Devery considered that the notice of requirement met the requirements under Section 171 of the RMA and recommended that the modifications be accepted.

Evidence on behalf of Invercargill Airport Ltd

Referring to Designation 73 Airnoise Boundary, Mrs O'Sullivan's evidence accepted Mrs Devery's comments on farming and agreed it did not need to be listed as a permitted activity in Condition 4(a). She also noted that there was an error in the heading of Condition 4, as the notice of requirement had sought to change it the heading from "Proposed Restrictions" to "Restrictions" and requested that this be amended.

Consideration of Issues

The Committee considers the modifications to this Notice of Requirement are relatively minor in effect. The land encompassed by the Airnoise Boundary overlays land within the Airport Operations and Airport Protections Zone. The majority of the land is owned by the Invercargill Airport Ltd, and essentially the requiring authority has the ability to manage the activities proposed within this area anyway.

At the Hearing, Mrs Devery acknowledged that there was an error in the Heading of Condition 4 in Notice of Requirement and agreed with the amendment.

Recommendation

Pursuant to Section 171(2) of the RMA, it is recommended that the requirement for Airnoise Boundary be confirmed subject to the provisions and conditions set out below.

REQUIRING AUTHORITY	PURPOSE	LOCALITY	LEGAL DESCRIPTION	MAP No.	DESIG. No.
Invercargill Airport Limited	Airnoise Boundary	60, 68, 69, 72, 73, 75, 76, 77, 82, 84, 86, 92, 94, 96, 99, 100, 106 Airport Avenue; 47, 94 Co-Bakker Road and 148 Curran Road, Invercargill	Lot 1 DP 13285 Lot 1 DP 9671 Lot 2 DP 13069 Lots 5 - 9 DP 362693	5, 8	75

Conditions

1. Reasons

The Airnoise Boundary designation defines the area within which noise sensitive activities will be significantly adversely affected by aircraft noise and are therefore prohibited. The imposition of this designation is intended to protect and provide for the operational capability of the airport and the health and amenity of surrounding residents by controlling levels of aircraft noise and land use activities. The Airnoise Boundary extends over land presently in airport or rural use where no residential or other noise sensitive activities currently exist.

2. Physical Description of the Site to which the Requirement applies

Refer to Designation 75 in the Appendix IV table and District Planning Maps 5 and 8. The extent of the Airnoise Boundary is shown on the District Planning Maps. The Air Noise Boundary follows, where practicable, legal property boundaries.

3. Nature of Work

Noise from aircraft operations at Invercargill Airport shall be so managed that the rolling three month average 24 hour night weighted sound exposure does not exceed 65Ldn at or outside the Airnoise Boundary. This approach is in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning, which applies to airport operations.

Aircraft operations which involve:

- (a) aircraft landing in an emergency
- (b) aircraft using the airport as a planned alternative to landing at a scheduled airport
- (c) military aircraft movements

shall be excluded from the calculation of the three month average.

4. Restrictions

- (a) Resource consent for any new activity inside the Airnoise Boundary, shall not be granted without the prior approval of Invercargill Airport Limited.
- (b) New or relocated residential, school, hospital and other noise sensitive activities, other than airport related activities are prohibited inside the Airnoise Boundary

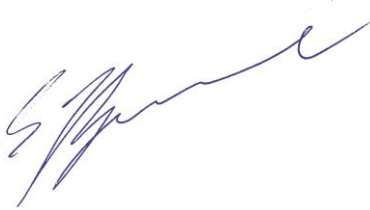
Dated at Invercargill this 11th day of October 2016



Councillor Darren Ludlow (Chair)



Councillor Neil Boniface



Councillor Graham Sycamore



Keith Hovell