

Before the Selwyn District Council

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*under:* the Resource Management Act 1991

*in the matter of:* Proposed private plan change 71 to the Operative  
Selwyn District Plan

*between:* **Four Stars Development Limited and Gould  
Developments Limited**  
*Applicant*

*and:* **Christchurch International Airport Limited**  
*Submitter and further submitter (PC71-0004)*

Statement of Evidence of Matthew William Bonis

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Dated: 31 January 2022

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## STATEMENT OF EVIDENCE OF MATTHEW WILLIAM BONIS

### INTRODUCTION

- 1 My full name is Matthew William Bonis.
- 2 I hold a Bachelor of Regional Planning degree, and have been employed in the practice of Planning and Resource Management for 23 years. I am a full member of the New Zealand Planning Institute.
- 3 I am an Associate at Planz Consultants in Christchurch. I have held this position since 2009.
- 4 I am familiar with the submission made by Christchurch International Airport Limited (*CIAL*) (submitter number PC71-0004) on 28 July 2021 and further submission made on 30 August 2021. I am familiar with the planning issues discussed in the submission and further submission. I have been authorised by CIAL to provide evidence on its behalf.
- 5 I am familiar with the operation and development of Christchurch International Airport, and planning mechanisms associated with the Air Noise Contours.
- 6 I am reliant on the evidence of Felicity Blackmore – Environment and Planning Manager, CIAL.
- 7 I have read:
  - 7.1 the Plan Change Request (PC71) dated 1 June 2022;
  - 7.2 the Section 42A Report as prepared by Ms Liz White, with Appendices including Urban Design Evidence by Mr Hugh Nicholson dated 17 January 2022; and
  - 7.3 the Applicant's evidence, including the planning evidence of Ms Fiona Aston and Urban Design evidence of Nicole Lauenstein on behalf of Four Stars Development Limited and Gould Developments Limited;
- 8 I am familiar with the site and surrounds.
- 9 I am familiar with operation and development of Christchurch International Airport (**Airport / CIA**), and planning mechanisms associated with the Specific Purpose Airport Zone and designation for Airport Purposes.

## CODE OF CONDUCT

- 10 While this is not a Court process, I confirm I have read the Environment Court's Code of Conduct for Expert Witnesses, and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## SCOPE OF EVIDENCE

- 11 My evidence will deal with the following:
- 11.1 The Plan Change Request – including draft provisions associated with the Operative Selwyn District Plan (**the Operative Plan**) and Canterbury Regional Policy Statement (**CRPS**) Chapter 6, Map A 50dB Ldn contours.
  - 11.2 Statutory tests for consideration of a Plan Change, including those provisions are to 'give effect' to the RPS<sup>1</sup>, and that rules are to implement policies<sup>2</sup>, and that these provisions are the 'most appropriate' to achieve the objectives, including assessing their efficiency and effectiveness<sup>3</sup>.
  - 11.3 Statutory recognition of Christchurch International Airport.
  - 11.4 The s42A Report and Applicant evidence in relation to the enablement of the proposed Living Z deferred zone within the Operative Plan and CRPS.
  - 11.5 Consideration of deferment as associated with the 50dB Ldn Airnoise contours.
  - 11.6 Conclusion and recommendations.

## SUMMARY OF EVIDENCE

- 12 Plan Change 71 to the Selwyn District Plan (**PC71**) seeks to rezone an approximately 54-hectare land area on the eastern edge of Rolleston Township - from Rural Inner Plains to enable residential development. Some 660 households<sup>4</sup> would be enabled through a

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<sup>1</sup> s75(3)(c)

<sup>2</sup> s75(1)(c)

<sup>3</sup> s32(1)(b)

<sup>4</sup> PC 71 Request [3(a)]

combination Living Z (some 440 households) and Living Z deferred (some 220 households<sup>5</sup>).

- 13 The Living Z deferred zone is that area of the Plan Change request falling within the Operative 50dB Ldn Airnoise contours (**the contours**) as contained in the CRPS<sup>6</sup> and Operative Plan<sup>7</sup> (and proposed for inclusion in the proposed Selwyn District Plan). The Operative Plan and CRPS provisions are directive, in that noise sensitive activities are to be 'avoided' under the contours.
- 14 CIAL has undertaken the first phases of a remodelling process associated with the airport noise contours, at the request of Canterbury Regional Council (**CRC**)<sup>8</sup>. That process is far from concluded., The contours (and associated provisions) in the CRPS and Operative Plan remain operative until they are replaced – and should be able to be relied on in terms of planning certainty. Furthermore, any remodelled contours and policy consequences will be systemic, requiring a cohesive approach to land use development in Greater Christchurch. That is not achieved through individual and pre-emptive plan changes such as that pursued through PC71.
- 15 PC71 seeks a deferred residential zoning for the land falling within the Contour, until sometime when the operative contours no longer apply to the plan change site. The Plan Change as notified does not appear to contain a clear rule provision for this proposed deferred zoning,<sup>9</sup> although it does seek:

*Add an additional rule to the Operative Selwyn District Plan which states that the Deferred LZ status of land currently under the Christchurch International Airport (CIAL) 50 dBA Ldn noise contour as shown on Rolleston Outline Development Plan Area 5 in Appendix 1 shall no longer apply if and when the CIAL airport noise contours are revised and become publicly available and no longer apply to this land<sup>10</sup>.*

- 16 As I understand it from a reading of the application materials, there are no changes sought to the Policies or Objectives. It would be anticipated that a bespoke deferment would, to be the most appropriate and promote plan integrity' be supported by an amendment or insertion of policy with regard to the deferred land.

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<sup>5</sup> PC71 Request [72]

<sup>6</sup> CRPS Policy 6.3.5(4)

<sup>7</sup> Policy B2.1.26

<sup>8</sup> CRPS Policy 6.3.11(3) and Method 4

<sup>9</sup> PC71 Request [133]

<sup>10</sup> PC71 Request 'The Proposed Change' [Page 2].

- 17 The s42A Reporting Officer recommends that this part of the Plan Change be rejected<sup>11</sup>. I agree with the Reporting Officer, on the basis that:
- 17.1 While the Airnoise contours are working through a remodelled process, the contours in the relevant RMA documents (Operative Plan, CRPS, District Development Strategy 2031<sup>12</sup>) should be able to be relied on. Incremental plan changes and zone deferment are not the 'most appropriate' mechanism to address this matter.
- 17.2 In terms of the architecture of the Plan Change, the Living Z deferment does not appear to integrate with, nor implement any amended associated policy. Declining an out-of-sequence noise sensitive activity would therefore be problematic. Accordingly, the mechanisms proposed in PC71 are not considered appropriate, even if it was accepted that the deferred zoning as a concept was appropriate (which it is not).
- 18 Lastly, I note that there is considerable discussion in the s42A Report and Applicant's evidence as to the appropriate approach in reconciling the NPS-UD and CRPS as to household supply, urban boundaries and Future Development Areas (FDA).
- 19 For my part, I have not discussed these matters. However, I consider that the implications of the operative air noise contours in policy terms represent a constraint regardless. Furthermore, I note the decision to reject the deferred zoning sought would not necessarily require a rejection of the balance areas of PC71 which fall outside of the Contour.
- 20 There is not anything in this evidence that would preclude the remaining 440 households in those areas not subject to the Airnoise contour being enabled (and adding to district wide and Greater Christchurch household capacity), were the Commissioner to conclude that such were appropriate in terms of the balance between the NPS-UD and operative provisions of the CRPS as these relate to urban boundaries and the FDA.

### **The Plan Change Request**

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<sup>11</sup> s42A [89, 162]

<sup>12</sup> s74(2)(b)(i)

- 21 The details of PC71 are set out in the Introduction to the Plan Change<sup>13</sup>, and s42A Report<sup>14</sup>.
- 22 In brief, I understand:
- 22.1 The request relates to a 53.88ha area between Levi Road, Lincoln Rolleston Road and Nobeline Drive.
- 22.2 The existing zoning of the site is Rural Inner Plains, with constraints including the 50dB Airnoise contour associated with Christchurch International Airport. The land under the contours, and to the north, is located outside the CPS Greenfield Priority Area – Residential as identified in MAP A, Chapter 6. The southern end of the request site is included as a Future Development Area<sup>15</sup>. Refer **Figure 1**.
- 22.3 The site is flat, located at the eastern edge of Rolleston, and is some 1km from the Rolleston Town Centre, via Masefield Drive. A substantial part of the site is used by All Stars horse training establishment and pastoral land uses.
- 22.4 The request seeks to rezone the site from Rural Inner Plains to Living Z and Living Z Deferred Zone. Densities under the Living Z include Low Density (min 500m<sup>2</sup>, average 650m<sup>2</sup>), Medium Density Small-lot (min 400, maximum average 500m<sup>2</sup>), and medium density comprehensive max average 350m<sup>2</sup>).
- 22.5 The proposed Deferred Zone would relate to that area under the 50dB Airnoise contour with the deferment to be removed *'if and when the CIAL airport noise contours are revised and become publicly available and no longer apply to this land'*<sup>16</sup>.

#### Alternatively

*'the land could be zoned Living Z with the inclusion of a rule that makes erecting a residential unit or establishing any other sensitive activity a non-complying activity until the reviewed contours are inserted into the appropriate planning document'*<sup>17</sup>.

- 22.6 There are no new, or amended policies and objectives introduced through PC71, including those that may be necessary to provide for the above rule amendments.

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<sup>13</sup> PC71 [page 1 and 2]

<sup>14</sup> s42A [9 – 15, 18 – 20]

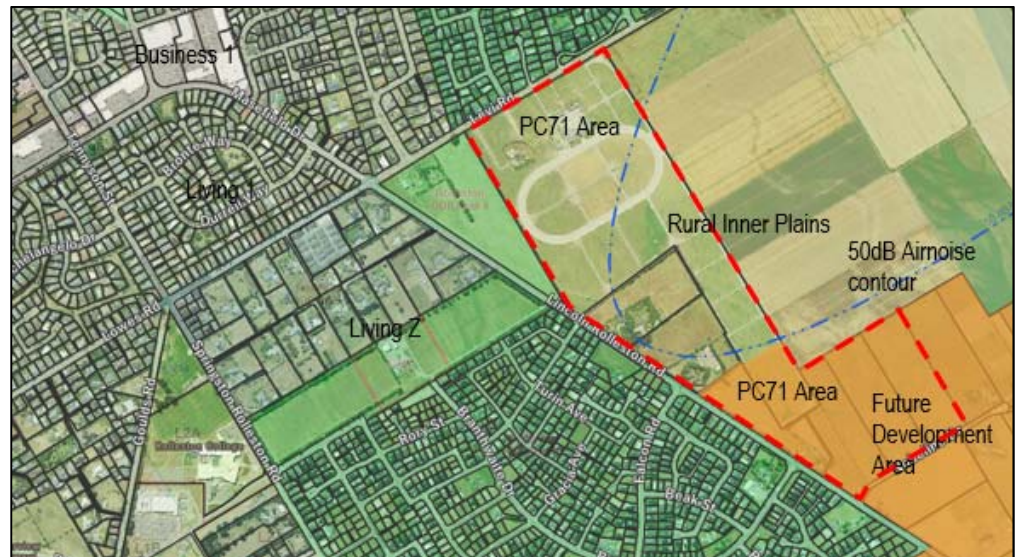
<sup>15</sup> Introduced through Change 1 to Chapter 6 (28 May 2021). Includes Policy 6.3.12.

<sup>16</sup> PC71 Request [Page 2]

<sup>17</sup> EIC Aston [16]

22.7 The area subject to 50db Airnoise contours is 17.3ha<sup>18</sup>, with a potential yield of 220<sup>19</sup> of the total 660 dwellings that would be enabled by PC71 were it approved.

**Figure 1- Overview Operative Zoning and CRPS Notations**



## CHRISTCHURCH INTERNATIONAL AIRPORT

- 23 I understand from the evidence provided by Ms Blackmore that:
- 23.1 At the end of the year ended March 2020 CIA contributed \$3.02b to the regional economy<sup>20</sup>, which is an increase from \$2.13billion in 2012. The contribution by the Airport to regional GDP is expected to increase to nearly \$4b by 2031.
- 23.2 CIA supports over 28,500 jobs (1 in 10 jobs in the region relies on the airport) within the regional community<sup>21</sup>.
- 23.3 CIA facilitates over \$1b in tourism spend,<sup>22</sup> supporting 9,000 jobs<sup>23</sup>.
- 23.4 The airport operations provide directly for over 200 jobs, while the 'campus' accommodates over 7,000<sup>24</sup>.

<sup>18</sup> PC71 [21]

<sup>19</sup> PC71 [72]

<sup>20</sup> EIC Blackmore [17].

<sup>21</sup> EIC Blackmore [19]

<sup>22</sup> EIC Blackmore [18]

<sup>23</sup> EIC Blackmore [18]

<sup>24</sup> EIC Blackmore [19]

## PLANNING FRAMEWORK

### *Statutory Tests for consideration of PC71*

- 24 The respective statutory tests for the consideration of a Plan Change are set out in the evidence of Ms White<sup>25</sup> and Ms Aston<sup>26</sup>.
- 25 For my part, I understand that the respective statutory requirements in terms of District Plan drafting are, referencing *Colonial Vineyards vs Marlborough District Council [2014] NZEnvC 55 [17]*.
- 26 In summary:
- (a) Provisions in the District Plan are intended to assist the Selwyn District Council in undertaking its functions under the Act<sup>27</sup>. This includes seeking to achieve the integrated management of the use, development and protection of land and associated natural and physical resources of the (Selwyn) District<sup>28</sup>.  
  
Important physical resources include both the land resource and its capacity to enable housing (and business), and Christchurch International Airport as Regionally Significant Infrastructure<sup>29</sup>. This requires consideration of the integrated management of the use, development and protection of these natural and physical resources within Selwyn District.  
  
That function is to be fulfilled by objectives, policies and methods within the District Plan, controlling any actual or potential effects of the use, development and protection of land<sup>30</sup>.
  - (b) Preparation of a district plan is to be undertaken in accordance with the provisions of Part 2, and any applicable regulations.
  - (c) 'A District Plan' must 'give effect to' the Regional Policy Statement<sup>31</sup>.

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<sup>25</sup> EiC White. Section 5 [26-27]

<sup>26</sup> EiC Aston [28]

<sup>27</sup> Section 74(1)(a), Section 31

<sup>28</sup> Section 31(1)a)

<sup>29</sup> As defined by the CRPS

<sup>30</sup> Section 31(1)(b)

<sup>31</sup> Section 75(3)(c)



- (d) Regard is to be had to any management plan prepared under other Acts<sup>32</sup>. Here, the District Development Strategy – Selwyn 2031 applies.
  - (e) The approach needs to align with the Council’s functions under the Act and other relevant instruments. These include:
    - a. that RMA processes and their associated provisions are timely, efficient and cost effective and proportionate to the functions being performed, and that plan drafting is clear and concise (Section 18A); and
    - b. When reaching a conclusion as to which provision is the ‘most appropriate’, the requirements of s32 is to be considered – this includes an assessment of efficiency and effectiveness of the provision.
- 27 PC71 does not seek to amend any policies or objectives in the Operative Plan. Accordingly, the tests are whether the zoning (including the Living Z Deferred Zone) and associated rules would be the most appropriate, having regard to their efficiency and effectiveness in implementing the existing objective and policy framework<sup>33</sup>.

#### *Overview of Noise Contours*

- 28 NZS6805:1992 Airport Noise Management and Land Use Planning is the basis for land use provisions associated with New Zealand’s commercial airports. The standard prescribes two boundaries used to control aircraft noise in order to protect community health, amenity values and manage the prospect of reverse sensitivity effects.
- 29 The boundaries are: the Air Noise Boundary (**ANB**) – being a 65dB Ldn contour which precludes noise sensitive activities<sup>34</sup>, and in the Canterbury context is located solely in the Christchurch District; and an Outer Control Boundary (**OCB**)<sup>35</sup> within which there shall be no new incompatible uses<sup>36</sup>.
- 30 In Canterbury a 50dB Ldn contour is used as the OCB.

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<sup>32</sup> s74(2)(b)(i)

<sup>33</sup> s75(1)(c) and s32(1)(b).

<sup>34</sup> NZS6805:1992 Table 1 [page 15]

<sup>35</sup> NZS6805:1992 Table 2 [page 15] identifies the OCB at 55dB, noting that clause

<sup>36</sup> NZS6805:1992 Clause 1.4.2.1

- 31 This means there are three contours used for planning purposes for Christchurch International Airport:
- 31.1 the Air Noise Boundary (in which new sensitive activities are prohibited);
  - 31.2 the 55dB contour (basis for acoustic mitigation and ventilation); and
  - 31.3 the 50dB contour (used for the purposes of the protection of community health and amenity values and discouraging urban development which would otherwise be located in close proximity to the Airport).
- 32 Neither the Air Noise Boundary or 55 dB contours are relevant to PC71.
- 33 The 50dB contour, and the requirement to *avoid* noise sensitive activities is enshrined in the Canterbury Regional Policy Statement<sup>37</sup>. In my view, such a directive policy is both necessary and appropriate for the purposes of ensuring a consistent approach to the management of reverse sensitivity effects on airport operations across the three Districts<sup>38</sup>. The contour provides a measurable benchmark pursuant to s104D(1)(b), whereas individual breaches of plan provisions may otherwise be assessed as leading to only minor effects (s104D(1)(a)). The accumulation of such effects decreases the integrity and purpose of the contour.
- 34 The 50dB Ldn contour has been used for planning purposes since the early 1980's Waimari District Scheme Review, where the operative Waimari Plan (1989) identified an Airport Noise Exposure Line which generally related to the (then) modelled 50dB contour. An associated rule required insulation where noise levels exceed 55dB Ldn.
- 35 The Christchurch City Plan (1999) mapped the 65dB and 55dB contour lines, as well as a revised 50dB Ldn contour.
- 36 The first-generation Canterbury Regional Policy Statement (1998) included a number of provisions seeking to discourage patterns of urban growth which would impact on the Airport operations. The explanation to Policy 4 identified the need to reinforce the OCB to ensure continuation of the efficient use of the Airport.
- 37 For Selwyn District the contours were included in the 2001 Selwyn District Plan. They were subject to appeal<sup>39</sup> and were remodelled through an Expert Panel process arising out of that appeal. The

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<sup>37</sup> CRPS Policy 6.3.5(4)

<sup>38</sup> s74(2)(c)

<sup>39</sup> DJ and AP Foster vs SDC C138/07.

revised contours (the operative contours) were incorporated in the Selwyn District Plan by way of Plan Change 23 (2010).

- 38     The operative plan 50dB Airnoise contour was then inserted into Chapter 6 of the operative CRPS, and both Christchurch and Waimakariri District Plans via the Land Use Recovery Plan (2013). Also inserted into the CRPS were **Policy 6.3.5(4)**<sup>40</sup>, the definition for *Noise Sensitive Activities*, as stated below.

**6.3.5 Integration of land use and infrastructure**

*Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:*

4.     *Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by **avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport**, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land; and ..*

Noise Sensitive Activities	<p>means</p> <ul style="list-style-type: none"><li>• Residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;</li><li>• Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the Christchurch District Plan;</li><li>• Travellers’ accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;</li><li>• Hospitals, healthcare facilities and any elderly persons housing or complex.</li></ul> <p>But does not include:</p> <ul style="list-style-type: none"><li>• Commercial film or video production activity</li></ul>
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- 39     The overview of the contours I have provided above highlights that:
- 39.1   The contours and associated statutory provisions, and impediments on Noise Sensitive Activities are applied in a cohesive and consistent manner within the Operative Canterbury Regional Policy Statement, Christchurch City Plan, Waimakariri District Plan and Selwyn District Plan. This in my view is appropriate given both the regional significance of

<sup>40</sup> Also Policy 6.3.9(5)(a) Rural Residential which seeks to avoid noise sensitive activities under the 50dB air noise boundary.

Christchurch Airport, and the need for a systemic approach to Airport operations, reverse sensitivity and amenity effects, which in my view are not appropriately considered in an incremental or disjointed manner.

39.2 The historical background to the contours identifies that the planning certainty that they provide is relative. However, the contours in the CRPS are the operative statutory contours and should be able to be relied on to provide planning certainty accordingly until they are reviewed and amended<sup>41</sup>.

39.3 They are of a directive nature (noting that the Airport is the only Regionally Significant Infrastructure in the RPS to have such an explicit provision as to addressing reverse sensitivity effects).

40 Ms Blackmore<sup>42</sup> outlines the current remodelling process as required by the CRPS<sup>43</sup>.

### *Operative Planning Framework*

#### National Policy Statement – Urban Development

- 41 Airports are defined as *nationally significant infrastructure*, the safe and efficient operation of such is consequently identified in Clause 3.32(c) as a qualifying matter from the application of Policy 3 / Policy 4 which seeks to otherwise enable further development capacity.
- 42 **Objective 1** requires New Zealand to have 'well-functioning' urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety, now and into the future. Well-functioning environments are set out in Policy 1.
- 43 I acknowledge the housing enabled by PC71 will provide additional housing capacity. However, I note that the RPS identifies areas where additional capacity should be provided first (Greenfield Priority Areas and Future Development Areas, neither of which apply to the land within the 50dB Ldn Air Noise Contour).
- 44 I consider that additional capacity should not be provided where the dwellings would be subject to amenity or annoyance effects

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<sup>41</sup> Including by District Plans (s79(4)).

<sup>42</sup> Ms Blackmore [32 – 37]

<sup>43</sup> Policy 6.3.11(3)

associated with airport operations as demarcated by the operative 50dB Ldn airnoise contour.

- 45 **Objective 6** requires Local authority decisions on urban development that affect urban environments to be: (a) integrated with infrastructure planning and funding.

#### Canterbury Regional Policy Statement

- 47 The Airport is identified as:
- 47.1 Regionally Significant Infrastructure.
  - 47.2 A component of the Strategic Transport Network (Greater Christchurch).
  - 47.3 Essential Infrastructure.
  - 47.4 Critical Infrastructure (in-so-far as this relates to Natural Hazards, and in this context is not relevant to the replacement Selwyn Plan).
- 46 **Objective 5.2.1(f)** requires that *'development is located so that it functions in a way that ... is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure'*. The explanation notes that regionally significant infrastructure provides considerable economic and social benefits to the region.
- 46.1 **Objective 6.2.1** states that: *'Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:... (10) achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs; (11) optimises use of existing infrastructure.'*
- 46.2 Unlike **Objective 5.2.1**, **Objective 6.2.1(10)** focuses more specifically on reverse sensitivity effects, including those that may limit the 'efficient operation, use and development' of regionally significant infrastructure.
- 47 **Policy 6.3.5** relates to achieving **Objective 6.2.1**. Clause (4) seeks to 'only provide' for activities that do not affect ... existing strategic infrastructure, including through defectively seeking to 'avoid' noise sensitive activities from being located within the 50dBA Ldn airport noise contour. Clause (4) in full states:

(4) Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land; and...

48 **Policy 6.3.11** 'Monitoring and Review' is also of importance for the consideration of PC71 in terms of reverse sensitivity effects and incompatible activities as associated with *land for development, any alteration to the Greenfield Priority Areas, or provision of new greenfield priority areas*. The relevant section of the Policy states:

(5) *Any change resulting from a review of the extent, and location of land for development, any alteration to the Greenfield Priority Areas, or provision of new greenfield priority areas, shall commence only under the following circumstances: ...*

a. ...

h. *the operational capacity of strategic infrastructure is not compromised*

49 **Policy 6.3.11** also imposes a requirement on the agency responsible for the operation of Christchurch Airport (CIAL) as follows:

(3) *Prior to initiating a review of this chapter, for the purposes of information the Canterbury Regional Council may request the organisation or agency responsible for the operation of Christchurch International Airport to undertake a remodelling of the air noise contours relating to the airport.*

50 Method (4) sets out the specific requirements as such:

*Any remodelling in terms of Policy 6.3.11(3) shall:*

- *involve an assessment of projected future airport business growth and operation, and shall take into account, but not be limited to aircraft movements, flight tracks, fleet mix and runway utilisation; and*
- *be accompanied by the report of an independent panel of airport noise experts who have undertaken a peer review of the inputs, assumptions and outcomes of the remodelling; and*
- *shall be provided to the Canterbury Regional Council in the form of a comprehensive report along with an executive summary or summary report*

51 Ms Aston has set out her understanding of the remodelling process being undertaken by CIAL<sup>44</sup>. I am not an expert in noise modelling and aviation and a number of the statements and assertions made by Ms Aston are beyond my area of expertise in this area. However, from an expert planning perspective I note the following:

51.1 The contour remodelling process is only partway through, and the outcome of the process is unknown. While Ms Aston is correct that the draft contours provided by CIAL's experts to CRC suggest the remodelled contours might retract from Lincoln Rolleston Road, it is not correct to assume that they will be fully removed from the PC71 site. This is a question that is yet to be determined by a panel of experts in the field of acoustics and aviation. Nor is it correct to assume that these represent the final contours. Further, the draft remodelled contours do not override the systemic application of the operative Airnoise contours in terms of landuse management as outlined through NZS6805:1992. In terms of achieving integrated management of natural and physical resource, the process for remodelling the Airnoise contours and incorporating updated contours into the planning framework is set out by Policy 6.3.11(3) and applies to Greater Christchurch. Until that process is complete, the operative Airnoise contours remain in the planning framework.

51.2 I understand that there are a number of matters and technical assumptions that are included in the 'bundle of matters' that go into the remodelled contours. CIAL has provided its draft remodelled contours to CRC for consideration by an independent expert panel (which I understand is yet to be appointed). That panel may challenge any number of matters that have gone into the model –which may consequently alter the spatial extent of the revised contours.

#### Operative Selwyn District Plan

52 **Objective B2.1.5** of the Township Volume seeks that:

*'The future, unrestricted operation of Christchurch International Airport is not jeopardised by "reverse sensitivity" effects from residential development in the Selwyn District'.*

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<sup>44</sup> EiC Aston [60 – 70]

- 53 Associated **Policy B2.1.26** is directive in achieving this Objective. It requires:

*Avoid[ance of] new residential development and other noise sensitive activities occurring on land which is located underneath the airport flightpath noise contours shown on Planning Map 013 for 50 dBA Ldn or greater.*

- 54 The associated explanation identifies that CIA is one of the few international airports that operates without restrictions:

*'At 50 dBA Ldn it is appropriate to restrict residential activities rather than requiring noise insulation. The reason is that the effects from aircraft noise at 50 dBA Ldn are mostly experienced outdoors or when windows are open'.*

- 55 The Method for achieving this policy is:

*'To assess plan change requests to rezone land for the expansion of townships; or resource consent applications for subdivision of land'.*

- 56 **Objective B3.4.3** seeks:

*"Reverse sensitivity" effects between activities are avoided.*

- 57 In terms of Section B4 Growth of Townships, **Policy B4.3.72** is directive seeking to:

*'**Avoid** rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013'.*

- 58 Importantly, PC71 does not seek to amend this directive policy. Nor does it insert a more focused provision that might provide policy support for its Deferred Living Z zone.

- 59 I acknowledge and agree with Ms White in terms of the resultant urban land use excluding that area notated with the 50dB Ldn air noise contour as conflicting with **Policy B4.3.3** which requires the avoidance of zoning patterns that leave three or more boundaries as zoned Living or Business. As identified in the Rolleston Structure Plan (2009) (**Attachment A**), this already appeared to be the District Council's long term vision for urban growth in the District, with the '100 hectare Regional Park' located further to the east. I consider that the conflict is a consequence of the Airnoise contour, and is anticipated regardless of whether PC71 is approved in its entirety, in part, or is rejected.



## District Development Strategy – Selwyn 2031

- 60 Selwyn 2031 identifies that that *'new development has the potential to create reverse sensitivity effects on existing strategic infrastructure'*. The corresponding action is<sup>45</sup>:

*"that the District Plan gives effect to RPS Policy 6.3.5 as part of a review of the District Plan".*

## Proposed Selwyn District Plan

- 61 I understand that s32(3) requires an examination of the amending proposal against the existing proposal (which includes the Proposed Selwyn District Plan as well as the existing operative plan).
- 62 At the outset I note that weighting of the Proposed Plan is limited. There are a number of submissions to the provisions of the Proposed Selwyn Plan, including both those from Four Star seeking deferral / future zone on specified lots that are subject to PC71<sup>46</sup>, and CIAL seeking more directive provisions restricting noise sensitive activities within the 50dB Airnoise contour. No decisions on any Chapters have been released by the Commissioner Panel.
- 63 The provisions in the Proposed Plan cover similar matters to the operative plan. Of note:
- 63.1 Terminology – Christchurch International Airport is defined as 'Important Infrastructure' and part of the 'Strategic Transport Network'.
- 63.2 Spatial notations – the 50dB Airnoise contour as notified is the same as included in CRPS MAP A and contained in the operative plan. The area subject to PC71 is notified as General Rural Zone (GRUZ), with only that portion south of the 50dB Ldn airnoise contour contained within the Urban Growth Overlay.
- 63.3 Relevant provisions include:
- (a) HPW14 Cross Boundary Matters – Infrastructure seeks to encourage a consistent approach to protecting the Christchurch International Airport from reverse sensitivity effects between adjoining district plans.

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<sup>45</sup> Selwyn 2031 [34]

<sup>46</sup> Submission DPR0344-007

- (b) SD-IR-1 seeks that the important infrastructure needs of the community are fulfilled, and their operation is protected.
- (c) SD-UD-O3 seeks that urban growth and development is well integrated with the efficient provision of infrastructure.
- (d) SD-UFD-02 seeks to ensure that there is sufficient feasible development capacity to meet anticipated demands for housing.
- (e) UG-P3 – directs the avoidance 'of the zoning of land to establish any new urban areas or extensions to any township boundary in the Greater Christchurch area of the District outside the Urban Growth Overlay'.
- (f) EI-P6 is aimed at avoiding incompatible activities with important infrastructure.
- (g) NOISE-P3 seeks to '*protect Christchurch International Airport from reverse sensitivity effects by avoiding residential activities on sites that do not meet a density of one residential unit per four hectares within the Christchurch International Airport Noise Control Overlays...*'

*Summary of Planning Framework – with respect to the 50dB air noise contours*

- 64 The evidence for Ms Aston in support of the Deferred Living Z zone appears to be predicated on two limbs:
- 64.1 The remodelling exercise of the Airnoise contours means that, in Ms Aston's words, it is "inevitable" that the 50dB Airnoise contours are removed from the subject site<sup>47</sup>;
  - 64.2 The Deferred Zone provides a mechanism whereby noise sensitive activities are excluded from the site until such time as the contour is removed – 'meeting the avoid' threshold of Policy 6.3.5 which would provide certainty to the landowners<sup>48</sup>.
- 65 For my part, I consider that the respective planning framework provides a plethora of planning provisions that recognises the need to integrate land use and infrastructure<sup>49</sup>. The planning framework

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<sup>47</sup> EIC Aston [13, 70, 97]

<sup>48</sup> EIC Aston [129]

<sup>49</sup> CRPS Objective 6.2.1(9) and (10), Policy 6.3.5

is particularly directive in seeking to avoid noise sensitive activities within the 50dB Airnoise contour<sup>50</sup>.

- 66 The 50dBA Airnoise contour as identified in both the Operative RPS and District Plan provides the spatial basis for the application of that direction to avoid noise sensitive activities. As identified, whilst there is a remodelling process being undertaken, it remains the applicable contour and should be applied until it is reviewed and amended.
- 67 PC71 has not sought to amend any policies or objectives to provide linkage to the proposed Living Z zoning.
- 68 In my view, the proposed Deferred Living Z zone under PC71 is not the more appropriate in terms of achieving these operative provisions. The proposed zoning simply creates an expectation for residential development, when the outcome of the CRPS Policy 6.3.11(3) process – and equally important policy response – is not yet known. The extent of the final updated contours is also, as a matter of evidence, not known.
- 69 Furthermore, this aspect of the Plan Change proposal cannot be said to implement operative **Policy B4.3.72** – it is neither effective nor efficient in achieving this policy which seeks to directly avoid rezoning land for new residential development under the operative 50dB Airnoise contour. The foundations for the avoidance of rezoning residential (either deferred or otherwise) also has support in terms of the District Development Strategy and CRPS Policy 6.3.11(5)(h).
- 70 Accordingly, I agree with Ms White at her paragraph 182 where she states that:

*[182] I consider that inclusion of land currently located within the Noise Contour, even on a deferred basis, is not the most appropriate way to achieve the purpose of the RMA. In my opinion, the Plan Change should only be approved if:*

*a. ...*

*b. the land shown on the proposed ODP as 'Living Z Deferred' is excluded from the rezoning, with its Rural Inner Plains zoning retained*

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<sup>50</sup> CRPS Policy 6.3.5(4), Operative Plan Objective B2.1.5, Policy B2.1.26

## PROPOSED DEFERRED LIVING Z ZONE

- 71 For completeness, I have also considered the proposed approach of using the Deferred Zone as a planning mechanism.
- 72 Deferred zoning can be a valid resource management method. It is used in District Plans across New Zealand.
- 73 However, my understanding of a deferred zoning is that it is appropriate where there is essentially 'agreement in principle' that the change in zoning is appropriate. In my experience, they are used to provide certainty (as to eventual enablement) so as to pursue resolution of a matter otherwise providing a hurdle to more immediate development.
- 74 The key here, in my view is that the matter to be resolved (i.e. where the final revised contours will lie) requires a high level of certainty which at present does not exist. Additionally, the trigger for deferred zoning should be within the control of the Applicant of the Plan Change, territorial authority resolution through functions under the LGA2002 (such as funding within an LTP) or alternatively be certain to happen in the near future (for example, a common trigger may be the completion of a roading project which is part-finished at the time that deferred zoning is introduced,). Without these circumstances, it cannot be said in terms of a s32 analysis that such a deferral is either efficient or effective.
- 75 My understanding from PC71, although it is not entirely clear, is that if successful:

*"...an additional rule [will be added] to the Operative Selwyn District Plan which states that the Deferred LZ status of land currently under the Christchurch International Airport (CIAL) 50 dBA Ldn noise contour as shown on Rolleston Outline Development Plan Area 5 ... shall no longer apply if and when the CIAL airport noise contours are revised and become publicly available and no longer apply to this land"<sup>51</sup>.*

- 76 However, I understand that deferred zonings are typically associated more with providing planning certainty and to ensure that appropriate supporting infrastructure support can be put in place, either as already identified within Council Long Term Plans, or where these fall on individual land developers. Examples include the provision of trunk infrastructure (for example Philpotts Road Christchurch for sewer outfall) or transport infrastructure (North West Belfast Christchurch as associated with the construction of the Western Belfast Bypass). Other deferrals have related to the

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<sup>51</sup> PC71 Proposed Change [page 2]

provision of land being vested to Council (Living HA Deferred Zone, Moncks Spur).

- 77 I am not aware of a similar instance to that suggested in PC71. In this instance deferral is predicated on a technical evaluation process, where not only the outcomes of that process, but equally policy considerations across Greater Christchurch remain uncertain.
- 78 PC71 documentation states that this process will be concluded by 2023, with the contours being shifted off the site<sup>52</sup>. However, as identified above, the eventual location of the contours, timing of the process, and the policy response remains unknown.
- 79 On that basis, I am of the view that the Deferred zoning is both premature and would not be efficient nor effective in achieving those provisions identified in the Operative Plan. Unlike infrastructure provision, or the vesting of land - neither the Selwyn District Council nor the Applicant is able to influence the timing, outcomes or delivery of the remodelled contours, nor Policy response across Greater Christchurch.

### **CHRISTCHURCH INTERNATIONAL AIRPORT'S RELIEF**

- 80 The CIAL submission opposes the Plan Change in its entirety<sup>53</sup>. I have confined my analysis to the land falling within the 50dB Ldn Airnoise Contour.
- 81 Based on the above analysis I am of the view that the part of PC71 proposing Deferred Living Z zone for land falling within the 50dB Airnoise contour is inappropriate and I agree with the Council Officer that it should be rejected.
- 82 Retaining Rural Inner Plains zone over that 17.3ha<sup>54</sup> portion of the subject site subject to the 50dB air noise contour reduces the overall potential yield of 660 households by 220 households, leaving a balance of 440 households<sup>55</sup>.
- 83 PC71 acknowledges the 50dB Airnoise contour through a deferred status. As outlined above, there is considerable process and time to be undertaken before any Airnoise contour in the CRPS is finalised and incorporated into the planning framework. This is accepted in part by Ms Aston<sup>56</sup>, who ultimately advises that 'avoidance' of noise

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<sup>52</sup> PC71 Overview [Page 7]

<sup>53</sup> CIAL Submission [paragraph 5]

<sup>54</sup> PC71 Request [21]

<sup>55</sup> PC71 Request [71]

<sup>56</sup> EIC Aston [128, 130]

sensitive activities can be achieved in the interim through deferral to provide 'confidence and certainty to the landowners'<sup>57</sup>.

- 84 Under either: an approach where the application of CRPS Policy 6.3.11(3) retracts the Airnoise contour restrictions from the subject site; or the deferred status is implemented, the 220 potential households would not be considered as 'short-medium term'<sup>58</sup> under the NPS-UD, including competitiveness margins under Clause 3.22 or plan-enabled for housing<sup>59</sup>.
- 85 However, the retention of the Rural Inner Plains zone over this portion of the PC71 site is the most appropriate outcome, in light of the operative Plan provisions and 50dB Airnoise contours referred to extensively in the planning framework.
- 86 The operative contours in the planning framework, including MAP A of the CRPS and Operative Selwyn District Plan provide the planning approach to managing airport noise and landuse. In my view, the contours do potentially have opportunity costs to individual landowners as criticised by Ms Aston<sup>60</sup>, but are reconciled against wider considerations and the benefits of protecting strategic infrastructure and community health and amenity. This underlying
- 87 The outcomes of the remodelling process required by Policy 6.3.11(3) of the CRPS provide a process where that consideration is able to be reconsidered. In the interim, I do not consider that planning certainty is achieved by considering plan change requests (or indeed resource consents) in an incremental or disjointed manner predicated on potential outcomes of that modelling and statutory process.
- 88 I accept that this issue may be a matter of timing, but even in the case that the contours are retracted under a revised CRPS, and in all other matters the deferred zoning area of PC71 is appropriate, any household yield would only be accounted for as 'medium term' development capacity regardless.
- 89 Ultimately, I consider that the operative contours provide for planning certainty of a broader issue associated with the management of community wellbeing and the protection of safe and efficient operations at Christchurch International Airport. Until repealed and replaced by alternative contours, they should be continue to be applied.

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<sup>57</sup> EIC Aston [129]

<sup>59</sup> NP-UD Clause 3.4(2) 'Meaning of plan-enabled' – *For the purpose of subclause (1) [Development Capacity] land is zoned for housing ... only if the housing ... is permitted, controlled, or restricted discretionary on that land*.

<sup>60</sup> EIC Aston [50]

- 90 I do not consider it appropriate to inform planning decisions on the basis of a remodelling process which is yet to commence technical peer review, and then subsequently be considered through the statutory process in terms of a revised CRPS. I also consider that a Deferred zoning is not the appropriate mechanism to account for any potential revised Airnoise contours in the CRPS, as the outcomes are not yet known, and neither the Applicant nor Selwyn District Council have any control or discretion over those outcomes.
- 91 Accordingly, I consider that both the mechanism (deferred zoning) and that part of PC71 subject to the 50dB Ldn airnoise contours in the CRPS and Operative Plan to not be the most appropriate in terms of achieving the provisions of the Operative Selwyn District Plan, nor give effect to the CRPS.

### **CONCLUSIONS**

- 92 In my view, rezoning that area of PC71 which is subject to the 50dBA Airnoise contour from Rural Inner Plains to Living Z Deferred is not the most appropriate way to achieve the purpose of the Act, as prescribed by both the operative Selwyn District Council Plan provisions which give effect to the CRPS as this relates to noise sensitive activities within the 50dB air noise contour as shown on MAP A and explicitly stated in Policy 6.3.5(4).

Dated: 31 January 2022



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Matthew William Bonis

# Attachment A: Planning Framework

## National Policy Statement – Urban Development 2020

### Clause 1.4 Interpretation

*development capacity* means the capacity of land to be developed for housing or for business use, based on:

- (a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and
- (b) the provision of adequate development infrastructure to support the development of land for housing or business use

*short term* means within the next 3 years

*well-functioning urban environment* has the meaning in Policy 1.

**Objective 1:** New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

**Objective 6:** Local authority decisions on urban development that affect urban environments are:

- (a) integrated with infrastructure planning and funding decisions; and
- (b) strategic over the medium term and long term; and
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.

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

- (a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

**Policy 8:** Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to wellfunctioning urban environments, even if the development capacity is:

- (a) unanticipated by RMA planning documents; or
- (b) out-of-sequence with planned land release.



### 3.4 Meaning of plan-enabled and infrastructure-ready

- (1) Development capacity is plan-enabled for housing or for business land if:
  - (a) in relation to the short term, it is on land that is zoned for housing or for business use (as applicable) in an operative district plan
  - (b) in relation to the medium term, either paragraph (a) applies, or it is on land that is zoned for housing or for business use (as applicable) in a proposed district plan.
  - (c) in relation to the long term, either paragraph (b) applies, or it is on land identified by the local authority for future urban use or urban intensification in an FDS or, if the local authority is not required to have an FDS, any other relevant plan or strategy.
- (2) For the purpose of subclause (1), land is zoned for housing or for business use (as applicable) only if the housing or business use is a permitted, controlled, or restricted discretionary activity on that land

### 3.22 Competitiveness margin

- (1) A competitiveness margin is a margin of development capacity, over and above the expected demand that tier 1 and tier 2 local authorities are required to provide, that is required in order to support choice and competitiveness in housing and business land markets.
- (2) The competitiveness margins for both housing and business land are:
  - (a) for the short term, 20%
  - (b) for the medium term, 20%
  - (c) for the long term, 15%

## Canterbury Regional Policy Statement

### Objective 5.2.1 – Location, design and function of development (Entire Region)

Development is located and designed so that it functions in a way that:

- (1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and
- (2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:
  - (a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;
  - (b) provides sufficient housing choice to meet the region's housing needs;
  - (c) encourages sustainable economic development by enabling business activities in appropriate locations;
  - (d) minimises energy use and/or improves energy efficiency;
  - (e) enables rural activities that support the rural environment including primary production;
  - (f) is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;
  - (g) avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;
  - (h) facilitates the establishment of papakāinga and marae; and
  - (i) avoids conflicts between incompatible Activities.

### **Objective 6.2.1 - Recovery framework**

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

- (1) identifies priority areas for urban development within Greater Christchurch;
- (2) identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;
- (3) avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;
- (4) protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;
- (5) protects and enhances indigenous biodiversity and public space;
- (6) maintains or improves the quantity and quality of water in groundwater aquifers and surface water bodies, and quality of ambient air;
- (7) maintains the character and amenity of rural areas and settlements;
- (8) protects people from unacceptable risk from natural hazards and the effects of sea-level rise;
- (9) integrates strategic and other infrastructure and services with land use development;
- (10) achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;
- (11) optimises use of existing infrastructure; and
- (12) provides for development opportunities on Māori Reserves in Greater Christchurch.

### **Objective 6.2.4 – Integration of transport infrastructure and land use**

Prioritise the planning of transport infrastructure so that it maximises integration with the priority areas and new settlement patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while:

- (1) managing network congestion;
- (2) reducing dependency on private motor vehicles;
- (3) reducing emission of contaminants to air and energy use;
- (4) promoting the use of active and public transport modes;
- (5) optimising use of existing capacity within the network; and
- (6) enhancing transport safety.

### **Policy 6.3.5 – Integration of land use and infrastructure**

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

- (1) Identifying priority areas for development to enable reliable forward planning for infrastructure development and delivery;
- (2) Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:
  - (a) optimise the efficient and affordable provision of both the development and the infrastructure;
  - (b) maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
  - (c) protect investment in existing and planned infrastructure; and

- (d) ensure new development does not occur until provision for appropriate infrastructure is in place;
- (3) Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;
- (4) Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 64); and
- (5) Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.

### **6.3.9 Rural residential development**

In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002, subject to the following:

- 5. The location and design of any proposed rural residential development shall:
  - a. avoid noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;....

### **6.3.11 Monitoring and Review**

In relation to development in Greater Christchurch:

- 3. Prior to initiating a review of this chapter, for the purposes of information the Canterbury Regional Council may request the organisation or agency responsible for the operation of Christchurch International Airport to undertake a remodelling of the air noise contours relating to the airport.

#### **Methods (6.3.11)**

- 4. Any remodelling in terms of Policy 6.3.11(3) shall:
  - involve an assessment of projected future airport business growth and operation, and shall take into account, but not be limited to aircraft movements, flight tracks, fleet mix and runway utilisation; and
  - be accompanied by the report of an independent panel of airport noise experts who have undertaken a peer review of the inputs, assumptions and outcomes of the remodelling; and
  - shall be provided to the Canterbury Regional Council in the form of a comprehensive report along with an executive summary or summary report.
- 5. The Canterbury Regional Council shall make the summary report of any remodelling under Method 4 publicly available as soon as practicable after receiving it.

### 6.3.12 Future Development Areas

Enable urban development in the Future Development Areas identified on Map A, in the following circumstances:

1. It is demonstrated, through monitoring of housing and business development capacity and sufficiency carried out collaboratively by the Greater Christchurch Partnership or relevant local authorities, that there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term targets set out in Table 6.1, Objective 6.2.1a; and
2. The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies including by:
  - a. Providing opportunities for higher density living environments, including appropriate mixed use development, and housing choices that meet the needs of people and communities for a range of dwelling types; and
  - b. Enabling the efficient provision and use of network infrastructure; and
3. The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5; and
4. The development would occur in accordance with an outline development plan and the requirements of Policy 6.3.3; and
5. The circumstances set out in Policy 6.3.11(5) are met; and
6. The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11.

## Operative Selwyn District Plan

### Objective B2.1.5

The future, unrestricted operation of Christchurch International Airport is not jeopardised by “reverse sensitivity” effects from residential development in the Selwyn District.

### Policy B2.1.26

Avoid new residential development and other noise sensitive activities occurring on land which is located underneath the airport flightpath noise contours shown on Planning Map 013 for 50 dBA Ldn or greater .

#### Explanation and Reasons

CIAL is one of the few international airports which currently operates without any restrictions on the type of aircraft or times of flights, to manage effects of aircraft noise. Unrestricted operation is very important to both the Airport and the South Island's economy because New Zealand is often the 'last leg' on the International Flight Schedule. Many overseas aircraft arrive at night. (The country's position on the International Flight Schedule is due to its geographic location.)

Christchurch International Airport Ltd (CIAL), the Airport Company, is anxious to maintain unrestricted operation in the future. Therefore, CIAL wants to prevent residential activities, or other activities which may be sensitive to aircraft noise, locating close to the airport and then lobbying for restrictions on the airport's operations.

In addition, persons residing or carrying out noise sensitive activities in the 50 dBA Ldn noise contour may experience adverse effects on amenity.

Therefore, [Policy B2.1.26](#) is intended to restrict new residential development at urban densities or other 'noise sensitive' activities, in areas subject to aircraft noise. The reason is both to reduce the potential for people trying to restrict the operation of CIAL in the future, as a means of mitigating noise effects, and also to avoid adverse effects on the amenity of persons living within the contours. New Zealand Standard 6805:1995 recommends such restrictions apply where aircraft noise exposure is 55 dBA Ldn or greater, but notes that greater protection

may be appropriate in some areas. CIAL advocates for land use restrictions from 50 dBA Ldn. Overseas research shows people become annoyed by aircraft noise at levels lower than 55 dBA Ldn, so the risk of “reverse sensitivity” effects occurs before then. At 50 dBA Ldn it is appropriate to restrict residential activities rather than requiring noise insulation. The reason is that the effects from aircraft noise at 50 dBA Ldn are mostly experienced outdoors or when windows are open.

[Objective B2.1.4](#) and [Policy B2.1.26](#) recognise that “reverse sensitivity” effects on CIAL must be avoided because of the importance of the unrestricted operation of CIAL to the Region’s and District’s economy.

The noise contours shown on the Planning Maps are those for aircraft noise from aircraft taking off or landing on the north east/south west runway at Christchurch International Airport. The noise contours are developed using a combination of loudness and frequency of flights (which is why the contours are much longer for the north/south runway than the less used east/west runway). The contours are based on the projected number of flights when CIAL is operating at full capacity on one runway. Therefore, some of the land shown under the noise contours is not affected by this level of aircraft noise now; and aircraft fly over areas now which will be less affected in the future. The reasons are:

- As the number of flights increase the dBA Ldn noise contours elongate (because they measure frequency as well as loudness).
- As the number of flights increase aircraft will have to join the approach path to the Airport sooner and queue. Aircraft will join the approach path further south than they do now.

#### **Method**

District Plan Policy

- To assess plan change requests to rezone land for the expansion of townships; or resource consent applications for subdivision of land.

#### **Objective B3.4.3**

“Reverse sensitivity” effects between activities are avoided.

#### **Policy B4.3.72**

Avoid rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013.

#### **Explanation and Reasons**

Land within Rolleston township is under an approach path for aircraft to Christchurch International Airport. [Policy B4.3.72](#) is consistent with [Policy B2.1.22](#).

## Proposed Selwyn District Plan

### HPW13 – Infrastructure

Issue	Local Authority	Process
Noise effects from aircraft utilising Christchurch International Airport.	Canterbury Regional Council, Christchurch City Council, and Waimakariri District Council.	<ul style="list-style-type: none"> <li>• Consultation between Councils and CIAL</li> <li>• Encourage a consistent approach to protecting the Christchurch International Airport from reverse sensitivity effects between adjoining district plans.</li> </ul>

#### SD-IR-01

The important infrastructure needs of the community are fulfilled, and their operation is protected.

#### SD-UFD-02

There is sufficient feasible development capacity to meet anticipated demands for housing and business activities.

#### SD-UFD-03

Urban growth and development:

- (1) is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and
- (2) has the ability to manage or respond to the effects of climate change.

#### UG-P3

Avoid the zoning of land to establish any new urban areas or extensions to any township boundary in the Greater Christchurch area of the District outside the Urban Growth Overlay.

## District Development Strategy – Selwyn 2031

### 1.3. Integration of Land Use and Infrastructure

Issues	Actions	Implementation
16. Reverse Sensitivity New urban development has the potential to create reverse sensitivity effects on existing strategic infrastructure.	Ensure that the District Plan gives effect to RPS Policy 6.3.5 as part of a review of the District Plan	District Plan Review

Rolleston Structure Plan (2009) [Excerpt]

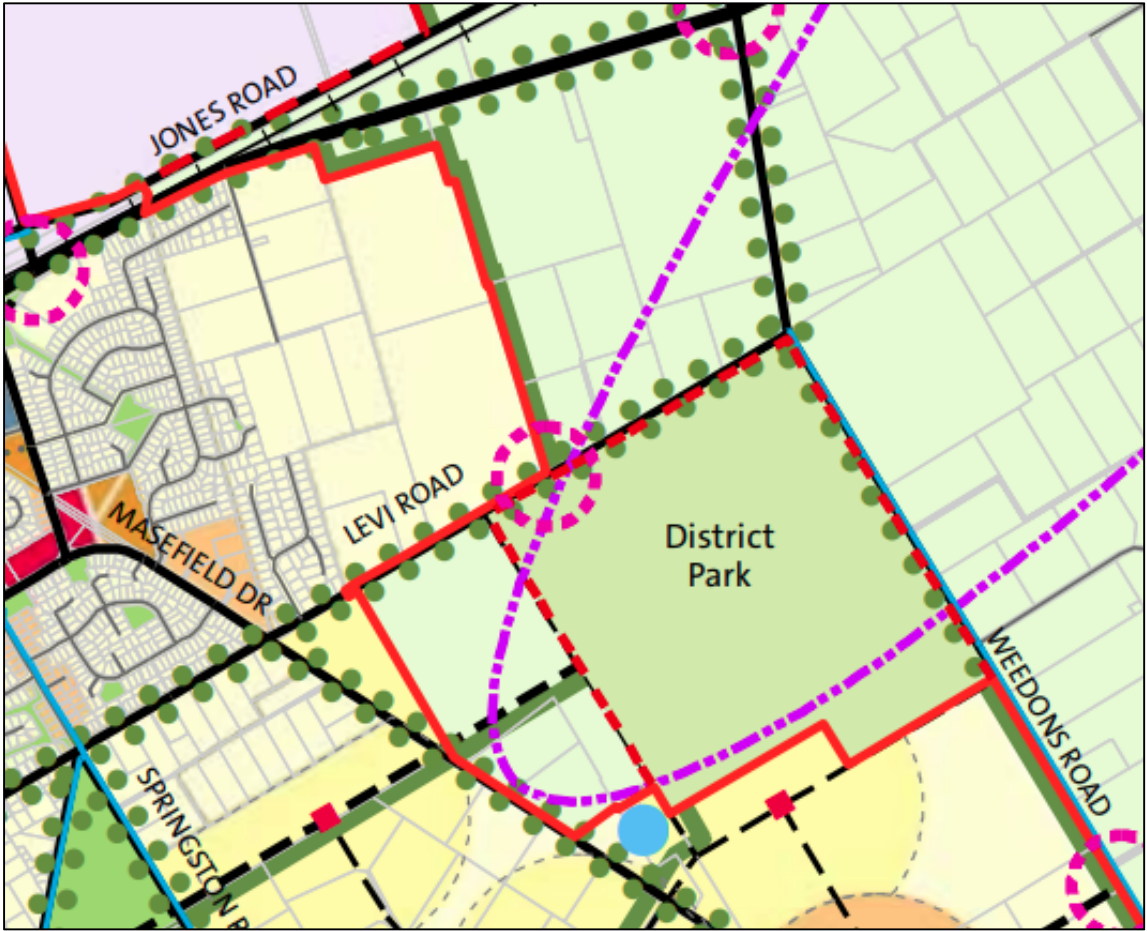


Figure 5.2: Rolleston Structure Plan

