

Before the Independent Hearings Panel  
at Rolleston

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*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions in relation to the  
proposed Selwyn District Plan

*and:* Strategic Directions Proposal

*and:* **Christchurch International Airport Limited**  
*Submitter DPR-0371*

Statement of Evidence of Matthew William Bonis (Planning)

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Dated: 23 July 2021

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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 practise 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 DPR-0371) on 11 December 2020 and the planning issues discussed in that submission, and the further submissions. I have been authorised by CIAL to provide evidence on its behalf.
- 5 Christchurch International Airport is national and regionally important infrastructure. Whilst that infrastructure is located within Christchurch District, land use activities within the Selwyn District could, without careful management, compromise the efficient operations of the Airport. This is a cross boundary issue.
- 6 I am familiar with operation and development of Christchurch International Airport, and planning mechanisms associated with the Specific Purpose Airport Zone and designation for Airport Purposes in the Christchurch District Plan.
- 7 I am reliant on the evidence of:
  - 7.1 Felicity Blackmore – Environment and Planning Manager, CIAL.
  - 7.2 Philip Osborne – Senior Economist, Property Economics Ltd.
  - 7.3 Sebastian Hawken – Aviation and Airport Planning Advisor, Airbiz.
- 8 I have read:
  - 8.1 Selwyn District Council (**SDC**) – Section 32 Report, Strategic Directions.
  - 8.2 SDC Section 42A Report – Overview, Robert Love.
  - 8.3 SDC Section 42A Report – Strategic Directions, Robert Love.
- 9 I have also provided a brief of evidence on behalf of Lyttleton Port Company Limited (DPR-0453). In the interests of efficiency, I have referred to and adopted sections of that evidence.

### CODE OF CONDUCT

- 10 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the code of conduct for expert witnesses contained in part 7

of the Environment Court Practice Note 2014. I have complied with it in preparing my evidence. I confirm that the issues addressed in this statement 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.

## SUMMARY OF MY EVIDENCE

- 11 As outlined in my evidence for LPC:
  - 11.1 [9] The Strategic Directions provide overarching objectives for guidance for the subsequent provisions.
  - 11.2 [12] There is no hierarchy between the Strategic Objectives.
  - 11.3 [13] The importance of the Strategic Directions in terms of guiding the framework and architecture of the remaining plan provisions is critical (Section 32(1) and Section 75(1)).
- 12 The Strategic Directions provisions are seen as being deficient in terms clearly articulating the:
  - 12.1 recognition of;
  - 12.2 management of effects on; and
  - 12.3 management of effects of;

*Important Infrastructure* and the integration of such with land use and development.
- 13 Christchurch International Airport (**the Airport** or **CIA**) is identified in the replacement Plan as Important Infrastructure.
- 14 The economic significance of the Airport to New Zealand, the Canterbury Region, and Selwyn District has been confirmed in previous Environment Court hearings.
- 15 There is little point in 'gilding the lily' in terms of the narrower economic value of the Airport to the Region, Mr Osborne has identified that CIA contributed some \$3.02 billion to the regional economy in the year ending March 2020<sup>1</sup>.
- 16 Ms Blackmore has also identified the critical importance of the Airport in terms of connectivity and resilience for both economic and social wellbeing<sup>2</sup>, as has Mr Hawken<sup>3</sup>.
- 17 The recommended provisions, contained in this evidence, relate to embedding principles associated with Important Infrastructure from the higher order statutory framework into the Strategic Directions Chapter of the Replacement Plan.

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<sup>1</sup> EIC Osborne [23].

<sup>2</sup> EIC Blackmore [15-18]

<sup>3</sup> EIC Hawkin [10.5, 21, 38 - 41]

- 18 The CRPS directs territorial authorities to avoid reverse sensitivity effects and incompatible land-uses in proximity to strategic infrastructure and transport hubs. This includes specific policy direction that new development should not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure (**Policy 6.3.5(4)**); and activities that have the potential to limit the efficient and effective provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs should be *avoided* (**Policy 6.3.5(5)**).
- 19 The CRPS provisions are relatively prescriptive and directive in this respect and are to be given effect to by the replacement Plan (s75(3)(c)).
- 20 The 'principles' that I consider should be enshrined in Strategic Directions relate to inserting greater clarity as to:
  - 20.1 Appropriately recognising the benefits of Important Infrastructure, and thereby providing the nexus for differentiating from Infrastructure, and providing support for the former.
  - 20.2 Managing the effects of Important Infrastructure, including recognising and providing for its appropriate development, and that not all adverse effects can be reasonably internalised.
  - 20.3 Managing the effects on Important Infrastructure, including reverse sensitivity effects.
- 21 This statement concludes that CIAL's relief, as amended is the 'more appropriate'. Those amendments are appended as Attachment A.

## **SCOPE OF EVIDENCE**

- 22 In my evidence I will, briefly, address:
  - 22.1 Christchurch International Airport's operation – economic and social benefits.
  - 22.2 The statutory context.
  - 22.3 Principles associated with the relief.
  - 22.4 Why the CIAL (and LPC) relief is more appropriate in terms of the higher order statutory documents.

## **CHRISTCHURCH INTERNATIONAL AIRPORT'S OPERATION**

- 23 CIAL owns 859 hectares of land, from which core airport operations – such as the terminal, runways and taxiways occur – along with supporting airport activities, freight, logistics and industrial activities. CIAL's wider interests (including the land leased by CIAL) is 1052 hectares. All of this land is located within the jurisdiction of Christchurch City Council. The edge of Runway 02 (RWY02) is some 6km from the edge of Selwyn District.

- 24 As outlined in the evidence of Ms Blackmore:
- 24.1 There are approximately 7,000 people employed directly at the Airport campus, including over a 1,000 associated with Air New Zealand's maintenance programme<sup>4</sup>.
  - 24.2 There are just under 7 million travelling passengers per year (2018 year), exclusive of meters and greeters at the terminal<sup>5</sup>.
  - 24.3 CIA is responsible for transporting over \$1.6 billion of cargo a year to other ports<sup>6</sup>. Importantly, as set out in the evidence of Ms Blackmore, the established connections and a reliance on freight has also resulted in retention of routes during the ongoing Covid19 pandemic<sup>7</sup>.
  - 24.4 There are a number of 'value added' activities undertaken as explicitly linked with Airport operations, including engine testing and Antarctic operations. These activities add to the regional importance of the airport (in terms of economic and social wellbeing).
- 25 As the economic and social benefits of airport operations are felt across the region, so also are some of the tangible effects that are not able to be internalised. Particularly in terms of:
- reverse sensitivity – the risk of restrictions being placed on airport operations due to noise from aircraft operations affecting sensitive land uses that locate in areas subject to higher levels of aircraft noise; and
  - the potential incompatibility between activities that attract birds that could present the risk of strike with aircraft.

### **IMPORTANCE OF THE AIRPORT TO THE DISTRICT**

- 26 The Airport is anticipating significant growth. The growth projections to 2040 are expected to rise from 6.9m pax (2018) to 11.7m pax (2040). Associated passenger aircraft movements are anticipated to increase over the same period from 72,000 (2018) movements to 111,000 (2040)<sup>8</sup>. Specific cargo aircraft movements increase from 3,100 (2018) to 4,200 (2040).
- 27 As outlined in the evidence of Mr Osborne, at the end of the year ended March 2020 CIA contributed \$3.02b to the regional economy<sup>9</sup>. I understand that this is an increase

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<sup>4</sup> EiC Blackmore [9]

<sup>5</sup> EiC Blackmore [11]

<sup>6</sup> EiC Osborne [13]. This represents exports outside of the affected economy, representing additional economic activity

<sup>7</sup> EiC Blackmore [17]

<sup>8</sup> EiC Blackmore [25.2]

<sup>9</sup> EiC Osborne [23].

from \$2.13billion (2012). The contribution by the Airport to regional GDP is expected to increase to nearly \$4b by 2031.

28 In addition:

28.1 CIA supports over 28,500 jobs (1 in 10 jobs in the region relies on the airport) within the regional community;

28.2 CIA facilitates over \$1b in tourism spend supporting 9,000 jobs; and

28.3 The airport operations provide directly for over 200 jobs while the 'campus' accommodates over 7,000.

29 The CRPS Chapter 6, Map A 50dB Ldn contours were produced in January 2008 as a result of a methodology and modelling approach agreed between a panel of noise experts in the course of expert conferencing before the Environment Court.

30 The 50dBa Ldn contours are now enshrined in the CRPS. **Policy 6.3.5(4)** unequivocally seeks to 'avoid' noise sensitive activities within the contours, with minor exceptions relating to permitted activities in existing living zones or activities permitted with rural activities in rural zones (none of the exceptions are relevant in the Selwyn context).

30.1 Method (3) to **Policy 6.3.5** requires local authorities give consideration to infrastructure projects in terms of the orderly and efficient development of priority areas.

30.2 **Policy 6.3.11(3)** of the CRPS requires, prior to any review of Chapter 6, that the Airport Authority undertake a remodelling of the air noise contours relating to the Airport. Method (3) of this policy sets out the process by which that remodelling exercise is to be undertaken, and provided to the Canterbury Regional Council. I understand that CIAL has discussed this process with the Regional Council and the delivery of the remodelled contours and accompanying report.

30.3 **Policy 6.3.9(5)(a)** precludes the location and design of rural residential development within the 50 dBA L<sub>dn</sub> air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport.

30.4 Plan Change 23 incorporated these contours into the operative plan. The contours are also included in the operative Christchurch District Plan (through the 2015 – 2016 IHP Plan process), and in Waimakariri District (via the Canterbury Earthquake Recovery Section 27 Notice). The RMA 1991 s72(2)(c) requires a territorial authority to have regard to the extent to which provisions are consistent with the plans of adjacent territorial authorities.

*In summary*

31 I consider, based on the strategic importance of the Airport (as set out by Ms Blackmore) and the benefits to regional social and economic wellbeing (as set out in the evidence of Mr Osborne and Mr Hawken), that Christchurch International Airport is

appropriately identified as *Important Infrastructure* for the purposes of the replacement Selwyn District Plan.

- 32 Christchurch International Airport thereby warrants both recognition at a strategic level in the Selwyn Plan and protection from adverse effects (incompatible activities and reverse sensitivity) on Airport operations<sup>10</sup>.
- 33 I acknowledge that such protection involves a trade-off – in the sense of otherwise limiting development opportunity. Such a trade-off, in my view accords with Part 2 of the RMA, on the basis of the economic and social benefits accrued to the wider regional community, including Selwyn. In terms of avoiding noise sensitive activities as located within the 50dB Ldn contour, that trade-off is directed by the CRPS.

### STATUTORY CONTEXT

- 34 Aerodrome and airport are defined in a range of ways across the relevant statutes. The definition of “airport” in the Resource Management Act 1991 which similarly to the other statutes<sup>11</sup> provides:

*“Airport means any defined area of land or water intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft:”*

- 35 Section 3 (and 4) of the Airports Authorities Act 1966, confers the power on CIAL to establish, improve, maintain, operate and manage the Christchurch International Airport.
- 36 The Airport Authorities (Christchurch International Airport Limited) Order (SR 1988/70) provided that with effect from 1 April 1988, Christchurch International Airport Limited (CIAL) was to exercise the powers conferred on local authorities by s 7 of the Airport Authorities Act 1966.
- 37 I have set out the respective statutory requirements in terms of District Plan drafting, referencing *Colonial Vineyards vs Marlborough District Council* [204] NZEnvC 55 at [17] in my statement of evidence for Lyttelton Port Company (and at Attachment A of that EiC).
- 38 In summary, and as related to CIAL:
- (a) Provisions in the District Plan are to assist the Selwyn District Council in undertaking its functions under the Act<sup>12</sup>. This includes the function of seeking to

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<sup>10</sup> Provision for the management of effects from the Airport is controlled through Christchurch District Plan rule 6.1.6.2.5 which requires noise from aircraft operations not to exceed 65 dB L<sub>dn</sub> outside the 65 dB L<sub>dn</sub> Air Noise Compliance Contour (which does not extend into Selwyn District). There are also requirements as to Airport Noise Management Plan, Acoustic Treatment and Airport Noise Liaison Committee.

<sup>11</sup> The Civil Aviation Act 1964, The Airport Authorities Act 1966, The Public Works Act 1981, The Civil Aviation Act 1990

<sup>12</sup> Section 74(1)(a)

achieve the integrated management of the use, development and protection of land and associated natural and physical resources of the (Selwyn) District<sup>13</sup>.

- (b) An important physical resource in the region is Christchurch International Airport, as important infrastructure, which requires consideration in terms of the integrated management of the use, development and protection of the natural and physical resources of Selwyn District.
  - (c) 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>14</sup>.
  - (d) The preparation of the District Plan is to be undertaken in accordance with the provisions of Part 2, and any applicable regulations.
  - (e) The approach needs to align with the Council's functions under the Act and other relevant instruments.
    - i. That processes (and provisions that drive processes) are timely, efficient and cost effective and proportionate to the functions being performed, and that plan drafting is clear and concise (Section 18A); and
    - ii. When reaching a conclusion as to which provision is the '*most appropriate*' the requirements of s32, having regard to the efficiency and effectiveness of the provision is to be considered.
- 39 The purpose and format of Strategic Directions is generally consistent with the approach set out in the **National Planning Standards**<sup>15</sup>. However, in terms of appropriately recognising and providing for reverse sensitivity effects and incompatible activities with airport operations at CIAL, a specific Strategic Directions Policy is considered both necessary and appropriate. Accordingly, I have recommended SD-IR-P1 (**Attachment A**).
- 40 In terms of the rationale for such a provision, there is clear higher order policy direction associated with the 50dBA  $L_{dn}$  noise contour for Christchurch International Airport and Map A in Chapter 6 of the CRPS. As discussed, the infrastructure itself which generates these effects is located with Christchurch District, yet the effects (and need for management) also relate to the Selwyn District.
- 41 Such a directive and prescriptive Policy (**the how**) is not included within the Strategic Directions Chapter nor the Energy and Infrastructure Chapters of the Plan. As can be expected CIAL has submissions on both Chapters.
- 42 The only explicit notified policy I can find is located at NOISE-P3 which is narrow in its focus.
- 43 Such a narrow provision would not guide or direct decisions associated with rezoning, subdivision or urban growth, nor encompass the need for consistency between plans of

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<sup>13</sup> Section 31(1)a)

<sup>14</sup> Section 31(c)

<sup>15</sup> NP Standards [Part 4, Table 4]



adjacent territorial authorities<sup>16</sup>. I support SD-IR-P1 as recommended on the basis that:

- 43.1 CIA, which generates the effect, is located outside of the Selwyn District territorial authority boundary, with effects extending over a substantial spatial area;
- 43.2 the statutory obligation associated with the Air Noise Contour provides a constraint requiring consideration as associated with broader urban growth and development considerations; and
- 43.3 the effects associated with noise sensitive activities on Airport operations tend to be cumulative, and levels of annoyance to airport operations differs between individuals – therefore reaching a threshold of a significant adverse effect on airport operations predicated on incremental noise sensitivity activities or intensification pursuant to s 104(1)(a) is almost impossible.

- 44 In terms of the National Planning Standards framework, Section 7. District-wide Matters Standard of the National Standards explicitly identifies that Policies (the how) are mandated (*must be located*) in Strategic Directions to address objectives, *unless those policies are better located in other more specific chapters*. The provision in full is:

*Mandatory directions*

*Strategic direction*

1. *If the following matters are addressed, they must be located under the Strategic direction heading:*
  - a. *an outline of the key strategic or significant resource management matters for the district*
  - b. *issues, if any, and objectives that address key strategic or significant matters for the district and guide decision making at a strategic level*
  - c. **policies that address these matters, unless those policies are better located in other more specific chapters**
  - d. *how resource management issues of significance to iwi authorities are addressed in the plan.*
2. *Rules must not be included under the Strategic direction heading.*  
(emphasis underlined)

- 45 The relevance of the **National Policy Statement – Urban Development**, is as set in my EiC for LPC.

- 45.1 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.
- 45.2 Objective 6, which is to be given effect to, requires Local authority decisions on urban development that affect urban environments are: (a) integrated with infrastructure planning and funding.

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<sup>16</sup> Section 74(2)(c)

- 46 In relation to the **Canterbury Regional Policy Statement (2013)**, I have identified the relevant provisions in the evidence prepared for LPC. Attachment B to that evidence includes the text of the provisions referred to.
- 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 not relevant to the replacement Selwyn Plan).
- 48 Chapter 5 'Land Use and Infrastructure' is relevant in terms of:
- 48.1 **Objective 5.2.1(f)** which 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.
  - 48.2 **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.*
- 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.
- 49 Chapter 6 'Recovery and Rebuilding of Greater Christchurch' is relevant in terms of:
- 49.1 **Policy 6.3.5** which 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...

(emphasis added)

49.2 **Policy 6.3.9(5)(a)** which precludes the location and design of rural residential through avoiding such activities *'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'*.

49.3 **Policy 6.3.11** 'Monitoring and Review' is also of importance to both the necessity for the Selwyn District Plan to both provide explicit provisions relating to protecting Important Infrastructure from 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*, and locating such within the Strategic Directions Chapter. 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*

50 Chapter 9 'Ecosystems and Indigenous Biodiversity' is relevant in terms of **Objective 9.2.2** which seeks the restoration or enhancement of ecosystems and indigenous biodiversity, and associated **Policy 9.3.4** which seeks to promote the enhancement and restoration of Canterbury's ecosystems and indigenous biodiversity, in appropriate locations, with associated Method (3) stating that territorial authorities are to:

*"Ensure that enhancement or restoration activities are managed so that they are compatible with adjacent existing and consented land use activities, including airports".*

51 I have addressed the *Mahaanui Iwi Management Plan* and *Local policies; plans or strategies* in my evidence for LPC.

### **Summary in terms of statutory context**

52 The statutory context in setting the Strategic Directions provisions is that the replacement Plan must *give effect to*<sup>17</sup> the NPS-UD and Canterbury Regional Policy Statement (2013) and *have regard to* other relevant plans including Selwyn 2031.

53 With regard to Strategic Directions and the efficient operation and development of the CIAL, these provisions broadly seek to:

53.1 Ensure development is located and designed so as to be compatible with, and will result in the safe, efficient and effective use of regionally significant infrastructure (the definition of which includes CIAL) (**Objective 5.2.1, Objective 6.2.1**).

53.2 Manage the effects of land use activities on infrastructure, through avoiding activities (or rezoning) that would limit the efficient and effective provision, operation, development, maintenance and upgrade of strategic infrastructure and freight hubs (CPRS **Objective 6.2.1, Policy 6.3.5, Method (3), Policy 6.3.9(5)(a)**, or limit their operational capacity **Policy 6.3.11(5)**).

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<sup>17</sup> Section 75(3)(c) RMA

- 53.3 Integrate transport infrastructure and land use to manage network congestion and optimise existing capacity on the network (CRPS **Objective 6.2.4, 6.3.5, Policy 6.3.4, Policy 6.3.5(5)**).
- 53.4 Recognise the benefits of strategic infrastructure to community wellbeing and provide for their functional needs. (CPRS **Policy 6.3.5**).
- 53.5 Manages the implications of habitat enhancement and restoration to ensure compatibility between bird strike risk and airport operations (CRS **Policy 9.3.4, Method (3)**).
- 54 The framework of the National Planning Standards (Section 7. District-wide Matters Standard) specify that Policies that address objectives that address *key strategic or significant matters* are mandated for inclusion in the Strategic Directions Chapter, unless better located in other more specific chapters.

## PRINCIPLES ASSOCIATED WITH THE RELIEF

- 55 As outlined in my evidence for LPC, I consider that there is a shortcoming as to the way the Strategic Directions Chapter appropriately responds to, and gives effect to, the higher order framework relating to the integration of Important Infrastructure and Land use.
- 56 The three principles that I consider should be appropriately reflected in Strategic Directions are:

### 56.1 **Principle 1 – Distinguishing Important Infrastructure from Infrastructure.**

Strategic Directions should distinguish between Important Infrastructure (**CRPS Objective 6.2.1(10)**) and Infrastructure (**CPRS Objective 6.2.1(9)**), **Policy 6.3.5**) predicated on their benefits to community enablement and wellbeing and conferring greater prominence and protection to the former. This provides the nexus (s75(1)), or basis for distinguishing between Important Infrastructure<sup>18</sup> and Infrastructure<sup>19</sup>, as these two terms are defined<sup>20</sup>.

### 56.2 **Principle 2 – Managing the effects of Important Infrastructure**

Managing the effects of:

- (a) the efficient operation, use, development, appropriate upgrading and safety of Important Infrastructure is explicitly provided for<sup>21</sup> – as identified in the CRPS (**Policy 6.3.5(3) and (4)**); and
- (b) Important infrastructure, recognising community benefits (**CRPS Definition Strategic Infrastructure – Greater Christchurch**), and that not all effects can be reasonably internalised within the site. Such effects will have consequences in terms of amenity and the quality of the environment for proximate / affected areas.

<sup>18</sup> SD-IR-01, SD-IR-02, SD-IR-03.

<sup>19</sup> SD-IR-02, SD-UFD-03

<sup>20</sup> Noting that this is also not undertaken in EI-01

<sup>21</sup> Done in part in proposed SD-IR-02

### 56.3 Principle 3 – Managing the effects on Important Infrastructure

Managing the effects of land use activities on infrastructure, through avoiding activities that would limit the efficient and effective provision, operation, development, maintenance and upgrade of strategic infrastructure and freight hubs (**CPRS Objective 6.2.1, Policy 6.3.5, 8.3.6/Method 3**). Noting that the statutory framework distinguishes between both reverse sensitivity effects and conflicts between incompatible activities<sup>22</sup>.

In terms of the level of prescription, Mr Love identifies<sup>23</sup> that the relief from CIAL seeking a directive and prescriptive provision associated with reverse sensitivity (noise sensitive activities within the 50dB L<sub>dn</sub> contour) and incompatible activities to aircraft operations (bird strike), is *'more typical of a policy rather than a strategic objective... additionally these specific issues are more effectively addressed in the Energy and Infrastructure, Noise and General Rural Zone Chapters'*.

As above, I consider that Policies (the **how**) are mandated within Strategic Directions; policies in the Strategic Directions Chapter are not precluded as implied by Mr Love.

I also consider, especially as associated with the 50dBA L<sub>dn</sub> airport noise contour that a greater level of specificity is required to provide guidance on this issue as a *key strategic* or *significant matter*. Such a provision is not present in the Chapters identified by Mr Love.

- 57 The relief from CIAL seeking to insert these principles is as set out in **Attachment B**, alongside a synopsis of the s42A Report's recommendation. It is noted that Mr Love has not accepted any of that relief.

## RELIEF

### *Points of Contention and Discussion*

- 58 I have met with Mr Dean Chrystal, Ms Melanie Foote and Ms Nicola Rykers (which collectively represent planning experts associated with Orion (DPR-0367), CIAL (DPR0371), Fonterra (DPR-370), Synlait (DPR-0420), and LPC (DPR0453)).
- 59 In the interests of narrowing points of contention, the Planners associated with each of the parties met on Monday 19<sup>th</sup> July and continued discussions over that week prior to finalising evidence. The agreed provisions are appended (**Attachment A**).
- 60 The recommended amendments are based on:
- 60.1 Ensuring that there is **appropriate coverage** of the Principles associated with Important Infrastructure, that is:
- (a) Clarity in the provisions as **recognising the benefits of important infrastructure**, so as to distinguish these from Infrastructure, and therefore provide a nexus for the definitions **CRPS Objective 6.2.1(10)** and Infrastructure (**CPRS Objective 6.2.1(9)**), and policy provisions which provide prominence and protection to the former **Policy 6.3.5**.

<sup>22</sup> CRPS Objective 5.2.3(2)(b); Policy 6.3.6.

<sup>23</sup> s42A [13.4.5]

- (b) Improved clarity as to **managing the effects of Important Infrastructure**, including providing for operation and appropriate development, and recognition that the effects of Important Infrastructure where not reasonably able to be internalised will affect the quality of the environment and amenity of proximate or affected areas (**Policy 6.3.5(3) and (4)**).

I agree with Mr Love that the explicit protection from incompatible activities for individual Important Infrastructure should be found within policy. However, I do not read the National Planning Standards as precluding such in Strategic Directions; I have also concluded that such prescription within the District Wide Chapter(s) is appropriate.

- (c) Greater precision **as to the management of effects on Important Infrastructure**, including through avoiding activities that would limit the efficient and effective provision, operation, development, maintenance and upgrade of strategic infrastructure and freight hubs (**CPRS Objective 6.2.1, Policy 6.3.5, 8.3.6/Method 3**).

60.2 Inclusion of reference to both **Reverse Sensitivity** and **Incompatible activities**, noting that both these terms are used within the CPRS.

60.3 Extending reverse sensitivity considerations to both **existing and consented important infrastructure**.

61 The following amendments (**Attachment A**), are recommended:

61.1 **Recognising the benefits of Important Infrastructure (Principle 1):**

- (a) **Amendments to SD-IR-O1:** through recognising the subnational/regional importance/significance in terms of social, economic, environmental and cultural benefits that *Important Infrastructure* provides, and hence differentiating such from *Infrastructure*, and providing the basis for managing development and consequential effects. The Heading is recommended to be amended from the vague 'Community Needs' to 'Benefits of Important Infrastructure'. For clarity it is noted that CIAL sought to retain SD-IR-O1 as notified, with LPC seeking amendments. I support LPC's changes.

61.2 **Effects of Important Infrastructure (Principle 2):**

- (a) **Amendments to SD-IR-O2 (renumbered O3):** Recognition that the adverse effects of such infrastructure, and the enablement of their development and operation, will have consequences for the quality of the surrounding / affected environment. The adverse effects should be managed (rather than minimised), noting that management confers avoidance, remediation or mitigation.

61.3 **Effects on Important Infrastructure (Principle 3):**

- (a) **Amendments to SD-IR-O1 / O2, through the insertion of explicit Objective SD-IR-O2.** Greater specificity as to the protection from activities that would otherwise compromise the operational capacity of Important Infrastructure.
- (b) **Insertion of Policy SD-IR-P1** through establishing the 'how' as to ensuring that new development that does not affect the efficient and effective operation of Important Infrastructure (as that term is defined), including by, in relation to CIAL avoiding noise sensitive activities within

the 50dBA  $L_{dn}$  noise contour, and managing activities that could give rise to increased bird strike risk to aircraft.

61.4 **Accounting for both incompatible activities and reverse sensitivity effects** through amendments to SD-DI-O2 and SD-IR-O2. I consider the terms to be overlapping but different. These terms are also separately referenced in the CRPS. Examples as associated with CIAL operations is:

- (a) **Reverse sensitivity effects** - sensitive activities proximate to aircraft operations given both: tangible amenity and health effect (noise); and potential intangible perceived effects (annoyance, reduction in the quality of an environment) that could lead to regulatory actions to curtail or constrain airport operations.
- (b) **Incompatible activities** - The potential for bird strike, associated with activities that could increase the propensity and attractiveness of 'high risk' bird species. Such activities such as large water bodies, refuse dumps, abattoirs, freezing works and landfills could, through a combination of proximity to the airport and management practices increase the risk potential of bird strike.

61.5 Accounting for **existing and consented Important Infrastructure** through amendments to SD-UFD-O3. As outlined in my evidence for LPC, I consider that provisions to protect Important Infrastructure from reverse sensitivity effects should also account for where operation, use and development of that Infrastructure has been **consented** (or authorised through a plan or designation), but may not yet be established.

*SD-IR-P1 Provisions associated with 50dBA Air Noise Contours and Birdstrike*

- 62 The Strategic Directions Chapter as notified, contains only objectives. These objectives, in their totality are to provide a broad base of support for individual and community wellbeing, and to underpin the enablement provisions and environmental considerations expressed throughout the remainder of the Plan in a holistic manner.
- 63 I consider that notified Plan is deficient in providing substance, by way of directive policy as associated with managing effects on Important Infrastructure.
- 64 In terms of the architecture of the Plan, I consider that such provisions have broader implications in terms of urban form and growth (CRPS **Policy 6.4.5(4)** and **Policy 6.4.11**), can extend across a number of zones, and relate to matters associated with Noise and Subdivision.
- 65 The Airport infrastructure is located in Christchurch District, albeit effects (and the need for management in a District Plan) occur within Selwyn District. This requires consideration in terms of cross territorial boundary effects s74(2)(c), and the need for consistency across territorial boundaries. In this respect the Strategic Directions in the Christchurch District Plan explicitly identify the need to avoid noise sensitive activities within the 50dB  $L_{dn}$  contour and manage risk of bird strike.
- 66 Specific directive policy provides explicit guidance to subsequent rules. Prescriptive policy, in my view provides a measurable benchmark pursuant to s104D(1)(b),

whereas individual breaches of plan provisions may otherwise lead to only minor effects (s104D(1)(a)), with the accumulation of such effects decreasing the integrity or purpose of the constraint.

- 67 In terms of the rationale for the provisions themselves in SD-IR-P1, what is being requested through this planning evidence is recognition at this time that should the Panel be satisfied based on the further evidence to be provided at later hearings that such provisions are warranted that they are considered for inclusion in Strategic Directions once all the evidence has been heard and evaluated.

*Why provisions relating to Aircraft Noise and Birdstrike ideally should be appropriately located within Strategic Directions*

- 68 As discussed, I consider these matters are both strategic and of significance to warrant inclusion as District Wide Matters, and as appropriate through SD-IR-P1 as included in Strategic Directions. This is through a combination of the following:

68.1 matters (explicitly for air noise contours) are not confined to noise and relate to strategic provisions directed through the CRPS imposing constraints on urban form and growth, noise sensitive activities and rural residential development.

68.2 the infrastructure itself is located outside the District.

68.3 matters associated with reverse sensitivity effects and incompatible activities traverse a substantial spatial area.

- 69 Specific consideration in relation to Aircraft Noise and Birdstrike are provided below.

### **Aircraft Noise**

- 70 Both the CRPS and the notified replacement Plan contain the 50L<sub>dn</sub> Air Noise Contour relating to aircraft operations. The 50 Ldn Air Noise Contour has had a presence in the Canterbury planning context for a number of years including in:

70.1 The operative Selwyn District Plan (as introduced through Plan Change 23).

70.2 Proposed Change 1 to the Regional Policy Statement 1998.

70.3 Chapter 6 (2013) to the CRPS as introduced through Appendix 1 to the LURP.

- 71 Predating these mechanisms, the impact of airport noise on residents, and associated reverse sensitivity issues, has formally been a Canterbury planning issue since 1958.

71.1 The 1958 Christchurch Regional Planning Scheme specifically provided for a 'Special Rural Area' precluding residential, industrial or commercial purposes in proximity to the Airport.

71.2 The 1978 Second Review of the Regional Planning Scheme established a 'green belt' around the Christchurch urban area. Associated objective and policies protected the Airport and its growth from encroachment by urban development.



- 71.3 The first NZS6805:1992 contours were developed in 1994 and included in the Paparua and Ellesmere County District Schemes.
- 72 The revised Air Noise Contours developed via expert panel conferencing in the *Foster* appeal on the Selwyn District Plan Review (January 2008, *DJ & AP Foster vs Selwyn District Council* C138/07 – the ‘Foster Appeal’) were applied in the Land Use Recovery Plan (2013) amendments to the CRPS and City Plan.
- 73 I understand that the air-noise contours as now incorporated into the CRPS and notified replacement plan are prepared under the guideline methodology set out in NZS6805:1992. In this regard, the contours are designed to provide for the separation of noise sensitive land uses from airport operations.
- 74 Reverse sensitivity effects in the planning context are well recognised. For the Airport, there is a risk that new noise sensitive activities that choose to locate near the established Airport may object to the effects from Airport operations and seek to constrain the Airport’s operations.
- 75 The impact of reverse sensitivity related to noise is demonstrated by past events at other airports. For my part, I am aware of:
- 75.1 Wellington Airport’s night time curfew (in addition to a short runway) which significantly limits the Airport’s capacity.
- 75.2 Complaints and submissions on the Auckland Unitary Plan that have arisen in terms of the 2014 change in flight tracks associated with Auckland Airport over Mt Eden / Three Kings (the Smart Approaches trial) despite acoustic advice that aircraft noise was significantly less than that recognised as problematic under NZS6805:1992.
- 75.3 Closer to home, I consider the example of Ruapuna Raceway, where the Christchurch City Council in responding to noise complaints resolved to purchase seven affected properties at a cost of \$5.3million, and engage with the Speedway to formally discuss, “*impos[ing] restrictions on operating hours... and plac[ing] limits on the future expansion of the track*” (Item 19(f)). This matter was the subject of Plan Change 52.
- 76 Christchurch Airport, despite being in a location designed from 1958 to avoid these land use conflicts has not been immune to both noise complaints and regulatory approaches to curtail Airport operations.
- 77 The Noise Boundary concept involves fixing an “Outer Control Boundary” (OCB). NZS6805:1992 prescribes that this outer boundary is for the protection of amenity values<sup>24</sup>. I understand that NZS6805 focuses upon minimum requirements needed to protect people and communities from the adverse effects of aircraft noise, in terms of both amenity effects and impacts on human health.

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<sup>24</sup> NZS6805:1992. Section 1.1.5(b).

- 78 The OCB for Christchurch has now been set at Ldn 50dB<sup>25</sup> through a series of Court cases and explicitly in the CRPS (**Policy 6.3.5(4)**, and **Policy 6.3.9(5)(a)**).
- 79 Accordingly, in *giving effect* to that direction both the contour (as a spatial overlay in the planning maps) and directive policy should be contained in the replacement District Plan. Current provision in the notified Plan is only within the NOISE Provisions (P3), or a more general statement in Urban Growth (UG-P11). In my view this is insufficient. Given the overarching spatial considerations I consider such a directive policy as recommended in SD-IR-P1 is the more appropriate, where such would inform wider urban form and development considerations.

### **Birdstrike**

- 80 Ms Blackmore has provided Corporate Evidence in terms of both CIAL's concerns and efforts as associated with managing birdstrike risk.
- 81 I accept that bird strike is a real risk to Airport operations<sup>26</sup>. I also consider that the costs associated with a bird strike incident could well be considerable. These costs are an effect under the ambit of s3(f) '*A[ny] potential effect of low probability which has a high potential impact*'.
- 82 CCA Advisory Circular AC139-71<sup>27</sup> requires an aerodrome operator to have an environmental management programme for minimising or eliminating the wildlife hazard where wildlife presents a hazard to aircraft operations at the aerodrome. As outlined by Mr Hawken, the CAANZ 'Good Aviation Practice Guide' identifies that aerodrome operators need to work with local authorities to mitigate the risks posed by bird-feeding sites, including landfills and rubbish dumps<sup>28</sup>.
- 83 As with 50L<sub>dn</sub> Air Noise Contour, I consider that the management of bird strike is a District Wide Matter and could be appropriately placed within Policy for Strategic Directions.
- 84 The statutory foundation is **CRPS Objective 6.2.1(10)** and **Policy 6.3.5**.
- 85 I acknowledge that CIAL will need to provide an appropriate s32AA associated with the efficiency and effectiveness of such a policy (and associated rules). I understand from legal counsel that that evidential material is to be provided in a comprehensive manner associated with later hearings.
- 86 Lastly, in relation to the specified submission relief, I do not consider that an approach that would 'avoid' activities that increase the risk of bird strike risk to be the more appropriate and support a management approach. I signal at this stage that the wording I am likely to recommend is:
- Managing the risk of birdstrike to aircraft using Christchurch International Airport.*
- 86 I acknowledge that the specific wording is a matter to be more fully discussed at later hearings when evidence regarding bird strike risk is given.

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<sup>25</sup> NZS6805:1992 identifies that an approach differing from the recommended 55dB is acceptable, and that the Standard shall not be used as a mechanism to downgrade existing or future noise controls designed to achieve a high standard of amenity or environmental health. Section 1.1.4

<sup>26</sup> EiC Blackmore [71]

<sup>27</sup> [https://www.aviation.govt.nz/assets/rules/consolidations/Part\\_139\\_Consolidation.pdf](https://www.aviation.govt.nz/assets/rules/consolidations/Part_139_Consolidation.pdf)

<sup>28</sup> EiC Hawken [57]

## Conclusion

- 87 As set out in my evidence for LPC I consider that the amendments to the Strategic Directions Objectives are the most appropriate to achieve the purpose of the Act, and to *give effect* to the higher order statutory documents.
- 88 As defined in the CRPS, and as based on the evidence of Ms Blackmore, Mr Osborne and Mr Hawken, there is no dispute that CIA represents Important Infrastructure which provides for substantial social, cultural and economic wellbeing, and health and safety benefits for the Canterbury Region as a whole, and for Selwyn District.
- 89 The manner in which land use is managed with and responds to CIA (as Important Infrastructure) is of strategic importance and significance in terms of the integrated management of the of the effects of the use, development or protection of land and associated natural and physical resources within Selwyn District.
- 90 Accordingly, it is considered that the Amendments proposed to the Strategic Directions Chapter (Attachment A), as agreed to by a number of planning experts better articulate and provide necessary overarching direction as associated with:
- a. Recognising the benefits of Important Infrastructure.
  - b. Accounting for effects of Important Infrastructure; and
  - c. Ensuring that effects on Important Infrastructure do not compromise the operational capacity of Important Infrastructure.
- 91 I consider the amendments proposed provide greater clarity and guidance for subsequent provisions, and the manner in which future resource consents and plan changes would be considered.

Dated: 23 July 2021



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Matthew William Bonis

## Attachment A: Recommended Amendments

### SD-DI-O2 District Wellbeing and Prosperity

Selwyn's prosperous economy is supported through the efficient use of land, resources, and infrastructure, while ensuring existing activities are protected from incompatible activities **and reverse sensitivity effects**<sup>29</sup>.

### SD-IR-O1 – Community Needs **Benefits of Important Infrastructure**

The important infrastructure needs of the community are fulfilled ~~and their operation protected~~: **recognising the social, economic, environmental and cultural benefits that important infrastructure provides**<sup>30</sup>.

### SD-IR-O2 Effects of on Important Infrastructure

~~The development, upgrade, maintenance, and operation of all important infrastructure is enabled in a way that minimises adverse effects, while having regard to the practical constraints and the logistical and technical practicalities associated with important infrastructure.~~

**The safe, efficient and effective development, upgrade, maintenance and operation of important infrastructure is enabled**<sup>31</sup> **and protected from incompatible development, activities and reverse sensitivity effects**<sup>32</sup>.

### **SD-IR-P1 Reverse Sensitivity and Incompatible Activities**<sup>33</sup>

**Only provide for new development that does not affect the efficient and effective operation of Important Infrastructure, including by:**

1. **Avoiding noise sensitive activities within the 50dBA L<sub>dn</sub> noise contour for Christchurch International Airport;**
2. **Managing the risk of birdstrike to aircraft using Christchurch International Airport;**
3. **Avoiding noise sensitive activities within the Port Zone 55dBA LA<sub>eq</sub> noise control overlay;**
4. **Avoiding sensitive land uses establishing in proximity to the Dairy Processing Zone;**
5. **Avoiding adverse effects on the electricity network and significant electricity distribution lines, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for.**

### SD-IR-023 Effects of Important Infrastructure

<sup>29</sup> Submission origin: submissions from DI-O2 CIAL and Orion. Scope: 371-16, 367-1.

<sup>30</sup> Submission origin: submissions from IR-O2 Clause (a) All parties. Scope: 367-2, 453-15.

<sup>31</sup> Submission origin: submissions from IR-O2 Clause (a) All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

<sup>32</sup> Submission origin: submissions from IR-O1 LPC and Orion. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

<sup>33</sup> Submission origin: submissions from IR-O2 All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

**The adverse effects of developing, up-grading, maintaining and operating important infrastructure on the surrounding environment are managed, having regard to the social and economic benefits, technical and operational requirements of that important infrastructure<sup>34</sup>.**

SD-IR-O~~3~~<sup>4</sup> Natural Hazards....

SD-UFD-O2 Urban Growth and Development

There is sufficient feasible development capacity **in appropriate locations**<sup>35</sup> to meet anticipated demands for housing and business activities

SD-UFD-03 Integration of Land Use and Infrastructure

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; **and**
3. **manages reverse sensitivity effects and conflict between incompatible activities, including avoiding development which would limit the operation or development of existing and consented Important Infrastructure**<sup>36</sup>.

<sup>34</sup> Submission origin: submissions from IR-O2 Clause (a) and (c) All parties. Scope: 367-3, 370-18, 371-17, 453-16, 420-F1.

<sup>35</sup> Submission origin: submissions from UFD-O2 CIAL and LPC. Scope: 371-19, 453-17.

<sup>36</sup> Submission origin: submissions from UFD-O3 Orion, Fonterra, CIAL and LPC. Scope: 367-6, 370-21, 371-20, 453-18.

**Attachment B: Assessment of Infrastructure Principles within proposed Strategic Directions**

Submission	Principle	S42A Recommendation.	Issue
<p>SD-IR-02</p> <p>SD-IR-02 <del>Effects of</del> Important Infrastructure</p> <p><del>The development, upgrade, maintenance, and operation of all important infrastructure is enabled in a way that minimises adverse effects, while having regard to the practical constraints and the logistical and technical practicalities associated with important infrastructure.</del></p> <p><u>a. The social, economic, environmental and cultural benefits of important infrastructure are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and</u></p> <p><u>b. Important Infrastructure is protected by avoiding adverse effects from incompatible development and activities, including reverse sensitivity effects. This includes:</u></p> <p>...</p> <p>i. <u>avoiding noise sensitive activities within the 50dB Ldn Air Noise Contour for Christchurch International Airport, except within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A ; and</u></p> <p>ii. <u>avoiding land use activities that increase the risk of bird strike to aircraft using</u></p>	<p>Principle 1 – Distinguishing</p> <p>Principle 2 – Managing effects of...</p> <p>Principle 3 – Managing effects on...</p>	<p>Repeats SD-IR-01. Purpose of SD-IR-02 is to look at development of infrastructure and effects arising from it.</p> <p>Clause (a) repeats the Act and RPS, but is too liberal</p> <p>Clause (b) incompatible development is already covered in SD-IR-01. Clause (b)(i) is more appropriately addressed in policy rather than a Strategic Direction.</p> <p>Clause (c) largely repeats notified objective, but narrows the application of the objective to the consideration of economic benefits.</p>	<p>Objective is reductive, does not given effect to higher order statutory framework as to <b>Principle 1</b> that is distinguishing Important Infrastructure (predicated on community wellbeing and needs); and thereby Clause (a) <b>Principle 2(a)</b> which recognises that Important Infrastructure has subnational/regional importance/significance which should, in achieving the overall purpose of the Act be balanced against environmental effects, and providing for appropriate operation and development (which then appropriately flows through the provision in Chapter EI.</p> <p>Clause (b) reiterates <b>Principle 3</b> (and the relief in SD-IR-02) albeit with greater specificity and prescription – the need to 'avoid' adverse effects. With amendment to SD-IR-01, this provision could be appropriately contained in O2.</p> <p>Clause (c) provides explicit recognition, as set in <b>Principle 2(b)</b> to recognise that effects from the operation of Important Infrastructure are not always able to be internalised, affecting the quality of the environment and amenity at the interface / affected areas.</p> <p>Whilst I agree that the 'how' of protection for individual infrastructure is</p>

<p><u>Christchurch International Airport.</u></p> <p><u>c. The adverse effects of important infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of that important infrastructure.</u></p>			<p>more appropriate in policy, I do not agree that such is precluded in Strategic Directions. I consider that reference to the 50dB Ldn contour is appropriate at a strategic level, as is the management of risk associated with bird strike. These could be appropriately contained with SD-IR-P1.</p>
<p>SD-UFD-O1</p> <p>There is sufficient feasible development capacity <u>in appropriate locations</u> to:</p> <p>(1) meet anticipated demands for housing and business activities <u>and</u></p> <p>(2) <u>promote well-functioning urban environments.</u></p>	<p>Principle 2</p> <p>Principle 3</p>	<p>Requirement for 'appropriate locations' and 'promote well-functioning urban developments' is addressed in UFD-O1 and UFD-03</p>	<p>The addition of the qualifier '<i>in appropriate locations</i>' is necessary to ensure that the provision of housing and business supply through this objective is linked to those SD provisions which manage the conditions by which growth is to be provided. Especially given the 'Overview' Statement that there is no hierarchy of provisions, nor primacy.</p> <p>Without the qualifier 'appropriate' there is no statutory requirement for the other SD provisions to prevail, where housing and business supply conflicts with consolidation, cultural values, natural landforms etc....</p> <p>The term 'well-functioning urban environment' reflects the phrase used in the NPS-UD (Policy 1) and would act as a qualifier for the provision of housing and business land. These matters are not apparent in the SD Chapter but are reflected in the Urban Growth Chapter, accordingly the s42A Officer is agreed with in this instance.</p>
<p>SD-UFD-O3</p> <p>Urban growth and development:</p>	<p>Principle 1</p> <p>Principle 3</p>	<p>The Officer recommends that these matters are rejected as they are, in his</p>	<p>As identified, it is not considered that the SD framework appropriately</p>

<p>1. is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and</p> <p><b><u>2. does not affect the efficient operation, use, development, appropriate upgrading and safety of important infrastructure, and</u></b></p> <p><b><u>23.</u></b> has the ability to manage or respond to the effects of climate change.</p>		<p>view, contained within existing SD Objectives.</p>	<p>'gives effect' to these CPRS matters as identified in the Principles above.</p> <p>The recommended provision is considered to be a fundamental component in terms of managing both urban growth and integration with infrastructure, and recognising and managing activities between incompatible activities and reverse sensitivity effects. I however, consider that the LPC relief as contained within that evidence is the more appropriate.</p>
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