FEEDBACK ON PROPOSED NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

To Ministry for the Environment
By email: nps-udconsultation@mfe.govt.nz

Name of submitter: Christchurch International Airport Limited (CIAL)

OVERVIEW

1 Christchurch International Airport Limited (CIAL) generally supports the Proposed National Policy Statement on Urban Development (NPS-UD) as set out in the Ministry for the Environment's "Planning for successful cities" discussion document (Discussion Document). There are however a number of matters that CIAL is concerned about and would like to provide feedback on, including recognition of strategic infrastructure and reverse sensitivity when providing for intensification and greenfield development, and timing.

2 While the consultation questions provided in the Discussion Document are useful, CIAL's concerns are of a broader nature than the questions posed. Therefore CIAL has opted to provide more general feedback on the provisions of the NPS-UD and the Discussion Document.

3 CIAL further notes its support of the feedback provided by NZ Airports Association on the NPS-UD and the Discussion Document.

CHRISTCHURCH INTERNATIONAL AIRPORT LIMITED

4 Christchurch International Airport (the Airport) is the largest airport in the South Island and the second-largest in the country. It connects Canterbury and the wider South Island to destinations in New Zealand, Australia, Asia and the Pacific. CIAL operates the Airport and is responsible for its efficient, safe and secure operation.

5 The Airport is significant infrastructure in a local, regional and national sense and is of strategic importance. It is recognised as such in the Canterbury Regional Policy Statement and in the Christchurch District Plan.

6 The Airport was estimated in 2017 to have a total economic impact on the Canterbury Region of $2.6 billion in GDP. There are approximately 6,000 people who call the Airport campus their place of employment – this includes 300 people directly employed by CIAL and overall the Airport creates employment for approximately 24,000 full time equivalent workers (FTEs) in the Canterbury region. It is also home to the Antarctic Programme. The onsite Antarctic operations deliver $80 million in direct benefits to the city annually and the airport helps to retain technicians and associated professionals within the region and New Zealand.

7 Just under seven million travelling passengers per year and their associated meeters and greeters currently pass through the Airport.¹ Combined Airport activities see

¹ Total achieved in 2018 calendar year.
between 25,000 and 30,000 people visiting the Airport every day. The Airport is home to several international Antarctic science programmes and their associated facilities. The Airport is also the primary air freight hub for the South Island, playing a strategic role in New Zealand’s international trade as well as the movement of goods domestically. On that basis, the Airport is a significant physical and economic resource in national, regional and local terms.

FEEDBACK

Strategic infrastructure and reverse sensitivity

8 Land uses around the Airport have the potential to impact on its efficient operations and development. Of particular relevance to urban development is the issue of sensitivity to noise generated by aircraft movements and engine testing. The Canterbury Regional Policy Statement and district planning documents contain noise contours which indicate the extent of noise effects generated by airport operations. Those contours act as planning constraints, restricting the establishment or intensification of noise sensitive activities. This constraint serves the dual purpose of:

8.1 ensuring noise sensitive activities are not allowed to establish in an environment where occupants will then be exposed to unacceptable noise levels; and

8.2 avoiding reverse sensitivity effects on Airport operations.

9 The Airport is also surrounded by land that has a predominantly rural zoning, which provides a further ‘buffer’ from the establishment of incompatible noise sensitive activities in proximity to the Airport due to limits on residential intensification. There are some limited areas of long-standing existing residentially zoned land falling within the noise contours, and some additional greenfield development was required following the Christchurch earthquakes in 2010 and 2011. However, CIAL remains concerned to ensure that any residential intensification or further greenfield development is avoided within the noise contours.

10 Reverse sensitivity issues are a real problem for the continuing operation of strategic infrastructure. Strategic infrastructure needs to be protected from inappropriate development. Residential dwellings and land uses such as educational or healthcare activities are particularly sensitive to the effects of airport operations.

11 Reverse sensitivity effects are already a reality for CIAL – it incurs significant costs associated with managing aircraft noise and engine testing noise. It also regularly deals with complaints and is often required to participate in court proceedings and planning processes related to opposition to airport activity on the basis of noise or to ensure that development does not result in adverse effects on airport operations.

12 CIAL understands the importance of providing for urban development and intensification. But it is essential that the operations of strategic infrastructure and the need to avoid reverse sensitivity are taken into account by local authorities when planning for, and consenting, urban development. Intensification and greenfield development in particular must be undertaken with these issues in mind.
CIAL considers that the NPS-UD should make reference to and provide for the protection of strategic infrastructure from the constraints of encroaching residential development. Larger scale infrastructure of regional importance should be integrated into considerations arising under the NPS-UD. This would allow for appropriate constraints on where residential development can occur and will assist authorities in identifying the most appropriate locations for further development and intensification.

Definitions

CIAL notes that the Discussion Document provides a definition for ‘development infrastructure’ and ‘other infrastructure.’ A number of the objectives and policies, however, do not use this terminology and refer simply to ‘infrastructure’ which is not itself individually defined. It is not clear what infrastructure is being referred to in those objectives and policies (i.e. whether it is intended to apply to development infrastructure, other infrastructure, or both). Those provisions must be drafted so that it is clear to decision-makers and users of the NPS what is covered.

In order to enable the objectives and policies of the NPS-UD to better protect strategic infrastructure from reverse sensitivity effects, CIAL considers it necessary to include a separate definition for ‘strategic infrastructure’ in the NPS-UD. CIAL suggests the following wording:

*Strategic infrastructure* means those necessary infrastructure facilities, services and installations which are of greater than local importance (including airports, ports and electricity transmission and distribution networks). It includes infrastructure that is regionally and nationally significant.

Development of Future Development Strategies

CIAL supports the recognition that reverse sensitivities must be appropriately managed with regard to plan changes for proposed greenfield development (discussed further below). However, that is the only mention of ‘reverse sensitivity’ in the entire Discussion Document. Reverse sensitivity effects do not solely arise as a result of greenfield developments and decision makers should be empowered to consider effects on strategic infrastructure throughout the NPS-UD.

In particular, CIAL considers reference to managing reverse sensitivity effects should be included in the objectives and policies relating to the development of FDSs. Below is some suggested wording for policies P1C and P1D(a):

*P1C: Every FDS must be informed by:*

* [...] *

*f) the need to avoid adverse reverse sensitivity effects on the operation of strategic infrastructure*

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2 For example O1, P1C, P1D, P1E, P1H, P1I, O2, P6A, P6B, and the greenfield development example policy.

3 As set out in paragraph (d) of the Example Policy on page 39 of the Discussion Document.
Every FDS must identify:

a) areas where evidence shows urban development must be avoided (including where urban development will result in adverse reverse sensitivity effects on the operation of strategic infrastructure)

18 As the operator of strategic infrastructure, CIAL should be included in any engagement or consultation a local authority may undertake when preparing its Future Development Strategy (FDS) – particularly in the setting of appropriate locations for future growth. Therefore, the NPS-UD needs to include mechanisms that empower local authorities to take into account the impacts on strategic infrastructure. CIAL considers this could be done through inclusion of strategic infrastructure in, for example, P1E, O10, and P10B. CIAL proposes the following suggested wording:

P1E: In addition to the policies P10A–P10C, when local authorities are developing or updating FDSs for a major urban centre they must:

... 

b) engage and consult with strategic infrastructure providers

O10: To ensure decisions within local authorities and across local authority boundaries are coordinated and aligned with the provision of development, strategic and other infrastructure.

P10B: Local authorities must work with providers of development, strategic and other infrastructure to

a) achieve integrated land use and infrastructure planning ... 

19 CIAL also wishes to note its support for the NZ Airports Association’s feedback in relation to the clarification and strengthening of consultation requirements for FDS.

Quality Urban Environments

20 CIAL considers recognition of reverse sensitivity effects on strategic infrastructure should be incorporated into the objectives and policies proposed under the "Describing quality urban environments," section of the Discussion Document. CIAL proposes the following suggested wording to objective O2 and policies P2A and P2B (for example):

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4 Page 26 Discussion Document.
O2: To enable quality urban environments that make it possible for all people, whānau, communities and future generations to provide for their well-being, including by:

...  

e) providing for the protection of strategic infrastructure from adverse reverse sensitivity effects

P2A: When making planning decisions that affect urban development, and the way and rate at which development capacity is provided, local authorities must have particular regard to:

...  

c) appropriately managing reverse sensitivity effects (including by avoiding reverse sensitivity effects on strategic infrastructure).

When making decisions on consent applications that affect urban development, and the way and rate at which development capacity is taken up, decision makers must have regard to the need, consistent with this NPS, to:

...  

f) appropriately manage reverse sensitivity effects (including by avoiding reverse sensitivity effects on strategic infrastructure).

21 CIAL considers similar wording to that suggested for policy P2A above should be included in policy P2B.

Providing for intensification

22 CIAL considers recognition of reverse sensitivity effects on strategic infrastructure should be incorporated into the objectives and policies proposed under the headings “Providing for intensification” of the Discussion Document. CIAL proposes the following suggested wording to policy P6D (for example):

P6D: Territorial authorities must include the following policy in their district plans:

When considering an application for a higher-density residential activity than is currently provided under this plan, the consent authority must have particular regard to whether:

...  

c) the development will avoid adverse reverse sensitivity effects on strategic infrastructure.

Page 35 Discussion Document.
23 CIAL also particularly supports the NZ Airports Association’s feedback in relation to policy P6A.

Providing for greenfield development

24 CIAL appreciates that to meet certain growth requirements, local authorities may need to provide for residential growth ‘out’ as well as ‘up.’ However, it is concerned about the effect that the proposed objectives and policies enabling greenfield development might have on its operations. The airport is surrounded by land that might well be considered viable for greenfield development.

25 CIAL considers that the policy proposed in the Discussion Document to guide decisions on plan changes for greenfield development needs to recognise that strategic infrastructure requires particular protection. While CIAL supports the reference to reverse sensitivity at (d) of the example policy, it does not consider it goes far enough to ensure protection against reverse sensitivity effects. Further, the wording suggests that reverse sensitivities are only experienced “within and adjacent to the location” that is subject to the plan change. CIAL notes that its noise contours extend well beyond properties adjacent to the Airport and there will likely be other instances around the country where reverse sensitivity effects may arise outside of the immediate vicinity of an area subject to a plan change. CIAL therefore proposes the following wording for the policy would be more appropriate:

When considering a plan change that enables urban development that is not otherwise enabled in the plan, local authorities must provide for urban development when all of the following apply:

... 

d. Reverse sensitivities effects will be are appropriately managed (including by avoiding reverse sensitivity effects on strategic infrastructure) within and adjacent to the location or locations that are the subject of the plan change.

Timing and integration with other processes

26 CIAL supports amendments to the NPS to ensure a better integrated approach to land and infrastructure planning. The FDS process must align with other local planning processes. CIAL agrees it is essential that Future Development Strategies “are informed by and encouraged to inform relevant long-term plans and infrastructure strategies required under the Local Government Act 2002, and regional land transport plans under the Land Transport Management Act 2003.”

27 Having just gone through the consultation process on Christchurch’s FDS – the Our Space 2018-2048 Greater Christchurch Settlement Pattern Update – CIAL was particularly frustrated at how the timing of other Council/planning processes did not align with the FDS process (in particular, with relation to strategic transport planning documents). Therefore, CIAL supports policies P1F(b), P1H and P1I.

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6 Example wording provided on page 39 Discussion Document.
7 Page 21 Discussion Document.
28 As a minor comment, CIAL notes that policy P1F(b) contains a reference to “documents referred to in [P2H]”, policy P1H contains a similar reference to a policy [P2F]. There is no policy P2H or P2F. CIAL has assumed that these are intended to be cross references to policies P1H and P1F.

CONCLUSION

29 CIAL acknowledges that the core concern of the NPS-UD is focused on quality urban growth and promoting necessary urban development. But in order for local authorities to be able to appropriately determine locations for growth and intensification within their regions while maintaining the policy and rationale behind the intent of the National Policy Statement, it is essential that some provision is made for recognising and managing the interface between development and existing strategic infrastructure such as airports.

30 CIAL seeks that the proposed wording outlined above is adopted in the final NPS-UD document.

31 CIAL would welcome any opportunity to further discuss any of the issues raised in its feedback with the Ministry should any further consultation be undertaken in developing the NPS-UD.

Signed for and on behalf of Christchurch International Airport Limited by its solicitors and authorised agents

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7 October 2019

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