

## **SUBMISSION ON THE DRAFT NATIONAL PLANNING STANDARDS**

**To** Ministry for the Environment

Name of submitter: Christchurch International Airport Limited (*CIAL*)

- 1 This is a submission on the Ministry for the Environment's (*MfE*) Draft National Planning Standards (the *Planning Standards*).
- 2 Christchurch International Airport Limited (*CIAL*) is interested in all of the provisions in the Planning Standards. Without limitation, the specific provisions of the Planning Standards that *CIAL*'s submission relates to are:
  - 2.1 S-ASM: Draft Area Specific Matters Standard;
  - 2.2 F-2: Draft Mapping Standard;
  - 2.3 CM-1: Draft Definitions Standard; and
  - 2.4 CM-2: Draft Noise and Metrics Standard.
- 3 *CIAL* wishes to be heard in support of the submission. It also reserves the right to raise other issues once it has read other submissions.

### **Introduction**

- 4 *CIAL* have made a considerable investment in land, buildings and plant at Christchurch International Airport.
- 5 *CIAL* owns approximately 859 hectares of land, with the majority of this (693 hectares) being within the 722 hectare Specific Purpose Airport zone. A wide variety of activities including those with no direct link to the aerodrome activities are enabled within the Specific Purpose Airport Zone.
- 6 The Airport also undertakes a number of additional 'value added' activities, including engine testing and Antarctic operations. These activities not only add to the regional importance of the Airport but are enabled due to the statutory recognition of reverse sensitivity considerations within broader Airport activities.
- 7 *CIAL* welcomes the opportunity to submit on the Planning Standards. *CIAL* is generally supportive of the rationale behind the Planning Standards, but is conscious that the Planning Standards will need to provide adequately for the continued operation, expansion and future development of Christchurch Airport, other airports around New Zealand and strategic infrastructure generally.
- 8 There is considerable diversity between airports within New Zealand; their integration with wider land use patterns; and their respective planning regimes in response to local context.

- 9 Whilst the principles related to standardising zoning, associated purpose statements<sup>1</sup> and acoustic metrics are supported, the Planning Standards should not remove such diversity to adapt to local community decisions and trade offs, or result in unintended consequences simply through an endeavour to achieve homogeneity.
- 10 The Planning Standards are likely to have major and wide ranging implications for all planning documents in New Zealand going forward. CIAL considers it important to be a part of this process to ensure its interests are acknowledged and catered for in the Planning Standards.
- 11 CIAL spent a great deal of time and resources in developing the Special Purpose (Airport) Zone in the Christchurch Replacement District Plan to ensure that its interests were adequately provided for. The result has been a planning framework which enables CIAL to operate, maintain and develop its facilities. CIAL seeks to ensure that the certainty it now has in terms of the efficient and effective operations of Christchurch International Airport is not inadvertently undone through the Planning Standards.
- 12 CIAL has had the opportunity of reviewing a draft of the submission that has been provided on behalf of NZ Airports Association of which it is a member (*NZ Airports*).
- 13 CIAL generally agrees with many of the points raised in NZ Airports' submission of but raises supplementary points, which highlight concerns about "standardisation" in the context of airports. The matters it raises in this submissions are additional and are of specific relevance to Christchurch Airport

#### **S-ASM: DRAFT AREA SPECIFIC MATTERS STANDARD**

##### **Zone Chapters: S-ZONES**

- 14 CIAL supports the inclusion of a standardised set of zones (and purpose statements) and considers it will provide greater consistency for New Zealand planning documents, as well as increasing efficiency for plan users.
- 15 CIAL has a particular interest in the special purpose "Airport Zone" and generally supports the concept being included in the Planning Standards.
- 16 However, CIAL does not consider that the purpose statement for the Airport zone is broad enough and it would not cover activities that are authorised to occur at Christchurch Airport. For Christchurch International Airport, the activities identified<sup>2</sup> do not reflect either the existing anticipated range of activities enabled for the Christchurch Specific Purpose (Airport) zone, or a line of cases where the Courts have examined the particular activities which are encapsulated in the modern meaning of the phrase "airport".
- 17 CIAL recommends that amendments be made to the purpose statement for the Airport Zone to make it clear that given airports represent substantial employment,

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<sup>1</sup> Draft National Planning Standards: S-ASM, Section 8, pg 44

<sup>2</sup> Initial Guidance for draft National Planning Standards: F-4 Spatial planning tools (district), S-ASM Area-specific matters – zone framework pg 15.

business and transport hubs there often needs to be commercial and industrial development to make airports economically efficient and those activities often have no obvious link to aeronautical activities. Such activities simply represent sustainable management through enabling activities, or connections and integration with transport infrastructure, logistics or freight. These activities go well beyond the phrase “operational, administrative, commercial and industrial activities associated with airports” as set out in the current zone description and the description incorrectly implies that the only activities enabled in the Airport Zone are those with a link to/or association with aeronautical activities.

- 18 The zone statement needs another bullet point along the lines of:
- Other commercial and industrial activities that provide for the efficient use and development of land, infrastructure, and operational facilities at the airport and which support an airport’s strategic importance..
- 19 CIAL opposes the standardisation of objectives, policies, and rules in the Airport Zone. CIAL has recently been through hearings to settle the content of the Special Purpose (Airport) Zone in Christchurch to represent the integrated management of the Airport resources within broader land use context of the Canterbury Region.
- 20 The zone sets out objectives and policies for Christchurch Airport and the activities that take place there as permitted activities. The zone is quite appropriately different from other Airport Zones around the country because of its unique economic and planning context and the applications and expectations of the local community.
- 21 If there are further processes in relation to establishing substantive rules for the Airport Zone in the Planning Standards, the content of those rules will obviously significantly impact CIAL. Accordingly, CIAL will be seeking to participate heavily in consultation with MfE.
- 22 CIAL further notes that it also has an interest in any substantive rules established for the other zones due to potential reverse sensitivity issues that may arise. In particular there is a need for stringent rules in all zones in the vicinity of airports to prohibit the establishment of noise sensitive uses.

## **F-2: DRAFT MAPPING STANDARD**

- 23 CIAL is generally supportive of the mapping standards as set out in this chapter and considers these will improve consistency between planning documents, making them more user friendly for plan users.
- 24 In particular, CIAL supports the inclusion of a noise contours overlay for ports and airports. However, CIAL agrees with the NZ Airports’ point that provision should be made in the Planning Standards for multiple noise contour symbols for plans where multiple types of noise contours are adjacent to each other (for example the Christchurch District Plan which provides different shades of fill colour within each of its three airport noise contours, and also provides for two engine testing contours).

- 25 CIAL also points out that there are different sources of noise at airports which are not appropriate for inclusion in one overall overlay. For example there may need to be different contours which distinguish between noise from aircraft taking off and landing and noise from ground running of engines/engine testing.
- 26 Again, CIAL will be interested in any substantive rules that are created for the various zones and overlays, as discussed above.

#### **CM-1: DRAFT DEFINITIONS STANDARD**

- 27 CIAL disagrees with the mandatory directions relating to the definitions. In particular, CIAL points to its experience in Christchurch Replacement Plan process which revealed that a definition will always take its meaning from the context in which it is used in a policy or rule; the two must be drafted in parallel. For that reason, in the Christchurch Replacement Plan process the Definitions chapter was left open as "interim" and was the last chapter to be finally decided at the very end of the whole process.
- 28 While generally supportive of the definitions proposed by the Planning Standards, CIAL is concerned about the potential implications that mandatory standardised definitions may have throughout all planning documents. The impact of the definitions, determined in a vacuum can obviously not be fully appreciated and will lead to unintended consequences; it is only after substantive rules are determined that this will be obvious. The mandatory directions prevent the use of "synonyms" and mandatory definitions are likely to result in perverse outcomes when viewed in context.
- 29 CIAL agrees with NZ Airports' submission and supports the following definitions: "habitable room," "reverse sensitivity," and "visitor accommodation." It notes however that visitor accommodation will need a different definition when it is used to describe a noise sensitive activity. For example a length of stay might need to be specified to define the point at which a visitor's stay become noise sensitive.
- 30 CIAL has not commented on the definition of "notional boundary" but wishes to ensure that the definition is not appropriate for use with respect to operational aircraft noise.
- 31 CIAL would support the inclusion of a definition of "noise sensitive activity" and "activities sensitive to aircraft noise" or similar terms. CIAL would expect to be consulted if any such definitions were to be included in the Planning Standards.
- 32 Without limiting its interests in any of the definitions, CIAL makes further recommendations on the following definitions:
- Commercial activity**
- 33 CIAL is supportive of a definition of "commercial activity" in the Planning Standards. However, it considers the proposed definition is too uncertain.

- 34 CIAL recommends that the definition be changed to reflect a similar definition to the Auckland Unitary Plan which includes nesting table, or that the definition in the Christchurch District Plan be adopted:

*means retail activities, offices and commercial services. It excludes industrial activities, high technology industrial activities and heavy industrial activities.*

### **Infrastructure**

- 35 CIAL is supportive of the definition of "infrastructure" in the Planning Standards, but also foresees issues with such a broad definition. The Christchurch District Plan deals with this issue by having a broadly drafted definition of "infrastructure", along with a definition for "strategic infrastructure". This allows for Objectives, Policies and Rules to be more specifically targeted where appropriate.
- 36 CIAL therefore seeks the inclusion of a definition for "strategic infrastructure" or similar term, which would include Christchurch Airport. CIAL notes the importance of the ongoing operation and development of Christchurch Airport as one of New Zealand's major domestic and international gateways, and the vital role it plays in local and domestic economy.
- 37 CIAL proposes the following wording for the definition of "strategic infrastructure":

*means those necessary infrastructure facilities, services and installations which are of greater than local importance. It includes infrastructure that is nationally significant and includes (but is not limited to):*

*(a) an airport as defined in section 2 of the Airport Authorities Act 1966;*

*(b) [...]*

### **CM-2: DRAFT NOISE AND VIBRATION METRICS STANDARD**

- 38 CIAL supports the reference to noise management methods set out in New Zealand Standards.
- 39 However it also seeks more clarity that in relation to NZS6805 that the only parts of the standard to be used are sections 2 and 3 and not section 1 which specifies noise limits and reverse sensitivity guidelines (land use planning).
- 40 NZS6805 specifically states that it shall not be used to downgrade contours existing at individual airports. Paragraph 1.4.3.8 specifically states that "councils can show contours in a position further from, or closer to the airport....."
- 41 Christchurch Airport has an outer control boundary set at the 50 Ldn contour which is different to other airports. The standards should not be used to standardise where the air noise boundary and outer control boundary are set. That is a decision for local authority decision makers in the context of their communities.

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



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