

Before an Independent Hearings Panel  
appointed by the Waimakariri District Council

---

*under:* the Resource Management Act 1991 (*RMA*)

*in the matter of:* Submissions and further submissions in relation to the  
proposed Waimakariri District Plan, Variation 1 and  
Variation 2

*and:* Hearing Stream 7: Residential, Large Lot Residential,  
Ecosystems and Indigenous Biodiversity, Variation 1  
and Variation 2

*and:* **Christchurch International Airport Limited**  
Submitter 254

Summary Statement of John Kyle (planning)

---

Dated: 17 September 2024

---

REFERENCE: JM Appleyard (jo.appleyard@chapmantripp.com)  
ME Davidson (meg.davidson@chapmantripp.com)

chapmantripp.com  
T +64 3 353 4130  
F +64 3 365 4587

PO Box 2510  
Christchurch 8140  
New Zealand

Auckland  
Wellington  
Christchurch



## **SUMMARY STATEMENT OF JOHN KYLE**

### **INTRODUCTION**

- 1 My full name is John Clifford Kyle. I hold an honours degree in Regional Planning from Massey University, obtained in 1987. I am a founding director of the firm Mitchell Daysh Limited, which practices as a planning and environmental consultancy throughout New Zealand.
- 2 I prepared a brief of evidence addressing the relief sought by Christchurch International Airport Limited (*CIAL*) on the proposed Waimakariri District Plan and Variations 1 and 2 as relevant to Hearing Stream 7. This summary statement focusses on matters relating to the Christchurch City Council's proposed Housing and Business Choice Plan Change (*PC14*) recommendations and its relevance to these proceedings. I also respond to several points raised in the planning evidence submitted by Mr Allan on behalf Momentum Land Limited (*Momentum*) as they pertain to CIAL and the PC14 recommendations.
- 3 Key issues relevant to CIAL in the PC14 recommendations report include:
  - 3.1 the adverse health effects of aircraft noise;
  - 3.2 outdoor noise effects and the limitations of acoustic insulation; and
  - 3.3 potential operational restrictions as a result of reverse sensitivity effects.
- 4 My summary of evidence focusses on the latter two points, as I believe Ms Smith's evidence effectively addresses the adverse health effects of aircraft noise.

### **ACOUSTIC INSULATION**

- 5 The PC14 recommendations relied on acoustic insulation as a key method to manage aircraft noise effects and allow for greater intensification. I believe that this approach has deficiencies that were not adequately addressed by the PC14 Panel, and it is my view that acoustic insulation is a less desirable option compared to avoiding the effects of airport noise through appropriate land use controls. This is supported by the evidence of Ms Smith, and the recent *Auckland International Airport Limited* decision,<sup>1</sup> in which the High Court accepted that addressing airport noise requires considering the impact on outdoor spaces and residents who prefer open windows, not just indoor acoustic standards.

---

<sup>1</sup> *Auckland International Airport Ltd v Auckland Council* [2024] NZHC 2058.

## **REVERSE SENSITIVITY EFFECTS**

- 6 In my view, the PC14 Panel recommendations had significant shortcomings in their understanding of the concept of reverse sensitivity. The PC14 Panel has taken a very narrow view about what reverse sensitivity is in the context of Christchurch Airport and has effectively adopted a “locked in time” approach to quantifying the extent of the effect. I disagree with this position for two main reasons.
- 7 Firstly, this view does not properly recognise that Christchurch Airport is authorised to generate more operational noise than is currently experienced at locations (such as Kaiapoi) via the operative noise contours. In short, operations have not yet reached full potential in terms of the existing contour allowances and land use planning decisions should at least properly account for that – not the current state noise signature.
- 8 In my evidence, I highlight how even minor adjustments to aircraft noise can provoke considerable concern among communities, as demonstrated recently in Wellington where updated flight paths have led to legal action from residents who are currently exposed to noise in the order of 45 – 50 dB Ldn.<sup>2</sup> The change was sufficiently subtle to not require the noise contours that apply at that airport to be altered. As a result of the residents’ concerns, Wellington International Airport Limited is currently undertaking a review of the flight path with the potential options resulting in either greater track miles or diminished safety and efficiency.<sup>3</sup> In my opinion, this provides a stark example of how community concerns about airport noise can potentially constrain existing airport operations, even within the currently authorised envelope of effects.
- 9 Secondly, in my view, the PC14 Panels’ approach is imbued with a fundamental misunderstanding about the nature of operational commercial airports and the need for such facilities to adapt operations to meet future demands over long time periods. This misunderstanding stems from an apparent lack of regard for the national and regional significance of Christchurch Airport, which in my opinion is at odds with the important policy recognition the airport has in the Regional Policy Statement and lower order Plans.
- 10 Critically, commercial aviation is dynamic and demand for services (including at Christchurch Airport) is forecast to increase over time. It is for this reason that the Airport’s air noise contours have been remodeled – to account for expected changes

---

<sup>2</sup> Evidence of L Smith, dated 30 August 2024, paragraphs 49-50.

<sup>3</sup> Evidence of L Smith, dated 30 August 2024, paragraphs 49-50.

in airport noise patterns. It is important to properly understand this context in undertaking land use planning on land likely to be impacted by aircraft noise over time. Christchurch Airport is an intergenerational community asset, which is likely to be located where it is for generations to come.

- 11 For this reason, a forward-looking approach should be applied to this exercise. If it is not, then in the longer term it is likely that there will be considerable pressure for operations at Christchurch Airport to be curtailed and if it is, there will come a point where it will likely to be necessary to replicate airport operations at an alternative location. In my view this is likely to be very difficult and will not benefit either CIAL or the community.

### **RESPONSE TO SUBMITTER EVIDENCE**

- 12 In his evidence, Mr Allan appears to conflate reverse sensitivity effects with airport noise complaints.<sup>4</sup> This aligns with the view of the PC14 Panel but is a misinterpretation of the concept of reverse sensitivity, which broadly relates to how new activities, like residential intensification, can compromise or restrict existing lawful activities. Specifically, the PDP's definition of reverse sensitivity is *the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity*. It is my view that by conflating reverse sensitivity with airport noise complaints, the issue has been dismissed too lightly by Mr Allan.
- 13 Mr Allan also fails in my view to properly recognise that the health of the community is a key contributor to a well-functioning urban environment. As set out in Ms Smith's evidence, aircraft noise above 45 dB L<sub>dn</sub> is associated with adverse health effects. In my view, increasing the community's exposure to such health risks is undesirable and does not align with Objective 1 of the National Policy Statement on Urban Development 2020.
- 14 Mr Allan also relies on the PC14 recommendations, which in my view have significant shortcomings, as I set out above.

**Dated:** 17 September 2024

**John Kyle**

---

<sup>4</sup> Paragraphs 21 and 40 of the Statement of Evidence of Mark David Allan, dated 30 August 2024.