

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Officer's Preliminary Response to written questions on Stream 12F:
Rangiora Airfield on behalf of Waimakariri District Council**

Date: 16 August 2024

INTRODUCTION:

- 1 My full name is Bryce Ashton Powell. I am employed as a Consultant Planner for Waimakariri District Council.
- 2 The purpose of this document is to respond to the list of questions published from the Hearings Panel in response to my s42 report.
- 3 In preparing these responses, I note that I have not had the benefit of hearing evidence presented to the panel at the hearing. For this reason, my response to the questions may alter through the course of the hearing and after consideration of any additional matters raised.
- 4 I also note that given the timing of these questions, my preliminary responses in some instances have not been informed by consideration of evidence or legal submissions lodged with the Council following the issuing of my s42A report.
- 5 Following the conclusion of this hearing, a final right of reply document will be prepared outlining any changes to my recommendations as a result of evidence presented at the hearing, and a complete set of any additions or amendments relevant to the matters covered in my s42A report.
- 6 The format of these responses in the table below follows the format of questions identified in within the Commissioner's minute.
- 7 I am authorised to provide this evidence on behalf of the District Council.

Date: 16 August 2024



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Bryce Powell

Paragraph or Plan reference	Question
Para 6	<p>How does what is sought through the SPZ relate and compare to the WDC-1 designation and its conditions?</p> <p>The Panel would like to see a copy of the notice of requirement as it was considered, so as to be clear as to what was applied for.</p>
<p>A copy of the notice of requirement decision for WDC-1 (Rangiora Airfield) has been provided as Attachment One to this response.</p> <p>Designation WDC-1 applies to the land that is occupied by the existing airfield. The airfield activities (enabled by Area A of the SPZ(RA)) would be across a land area that is larger than that which is designated. The runway extensions that are shown on the Outline Development Plan (ODP), which was attached to Dean Chrystal’s evidence in chief, would be located outside of designation WDC-1, as would many of the taxiways and ancillary aircraft activities that are also shown in Areas A and B of the ODP.</p> <p>The conditions of the WDC-1 designation are:</p> <ol style="list-style-type: none"> 1. All buildings shall be set back 100m from the centreline of the stopbank of the Ashley River / Rakahuri. 2. All buildings shall be set back 10m from a road boundary. 3. All buildings shall be set back 3m from an internal boundary. 4. There shall be no imbedded runway lighting. 	

Paragraph or Plan reference	Question
<p>Para 28</p>	<p>You state that:</p> <p>This report does not analyse whether the RLZ provisions are appropriate for the land subject to the submission. This topic is covered in separate s42A reports that were considered in earlier hearings.</p> <p>Were the proposed RLZ zoning provisions considered at another hearing stream specifically for the Rangiora Airfield?</p> <p>Do you not consider it is nevertheless appropriate in terms of a s32AA evaluation to evaluate whether the proposed zoning will better achieve the objectives than the current zoning (and therefore the appropriateness of the current zoning may be a relevant consideration)?</p>
<p>The proposed RLZ zone provisions were previously considered for the Rangiora Airfield as part of hearing stream 12B Rural Rezoning Requests. The Z Energy submission [286.12] sought to retain the RLZ, and this was supported by the s42A officer. This assessment was withdrawn as part of the s42A officer’s right of reply [para 68] on 5 July 2024 because it is being addressed as part of this hearing stream.</p> <p>I consider it appropriate to evaluate whether the proposed zoning provisions will better achieve the objectives than the current zoning in accordance with s32AA.</p> <p>I concur with the submitter’s planner (Mr. Chrystal) that the RLZ would not achieve what is sought by the submitter, being the development of the airfield and its surrounds as a strategically significant airpark, with private allotments being smaller than the minimum lot size in the RLZ. All activities envisaged by the SPZ(RA) would require resource consent for a discretionary activity under RLZ-R38 because aircraft activities are not listed as a permitted, controlled, restricted</p>	

Paragraph or Plan reference	Question
	discretionary, non-complying, or prohibited activity. Furthermore, retail (non-complying) and industrial (discretionary) would be subject to the same development controls that are intended to maintain an amenity and character associated with the RLZ.
<p>Para 32</p>	<p>It is noted there were no further submissions in opposition.</p> <p>Can you advise on the extent of notification in the District Plan Review process carried out for rezoning proposals such as this (including to any residents associations, community groups, or adjacent landowners).</p>
	<p>That is correct, there were no further submissions received in relation to Daniel Smith [10] or Z Energy [286.12].</p> <p>The summary of submissions was publicly notified, and further submissions were called for on 5th November 2022. Further submissions closed on Friday 21st November 2023¹. The notice was published in The Press, Northern Outlook and the Council website. Every original submitter was also sent an email.</p>
<p>Para 43</p>	<p>The last sentence seems to be incomplete:</p> <p><i>This process would occur independent of the district plan review and may not occur ahead of the consideration of [10].</i></p>
	<p>This was an error within the report. Paragraph 43 should read:</p> <p><i>Insufficient information has been provided by the submitter to understand whether subdivision R215364 has been given effect to, or whether the Council has initiated the road stopping process under</i></p>

¹ <https://letstalk.waimakariri.govt.nz/let-s-talk-about-the-proposed-district-plan>

Paragraph or Plan reference	Question
	<p><i>Schedule 10 of the Local Government Act 1974². This process would occur independent of the district plan review and may not occur ahead of the SPZ(RA) becoming operative. It is unclear how the road stopping would occur separately from the subdivision, if the subdivision proposal were not implemented.</i></p>
<p>Para 64</p>	<p>Can you please advise whether these consents have been progressed and can be considered as part of the existing environment.</p>
	<p>I am advised that Waimakariri District Council has not received an application under s223 or s224(c) of the RMA for RC215363 or RC215364 and therefore effect hasn't been given to these subdivision consents.</p> <p>In terms of whether the activities authorised by these consents form part of the existing environment, this is somewhat ambiguous. The 'environment' includes the future state of the environment as it may be modified by the implementation of a granted resource consent, provided it appears likely the consent will be implemented³. In this instance the resource consents have not yet lapsed so it is a matter of whether it appears they will likely be implemented.</p> <p>Resource Consent RC215363 relates to the site subject to this submission, being 172 Priors Road and 207 Merton Road. As the consent holder is also the submitter it is reasonable to assume the proposed SPZ(RA) zoning would supersede Mr Smith's intention to implement the consent should the Panel choose to accept his submission. As the submission seeks a different development than authorised by the consent, and there has been no survey plan lodged to progress the consent it does not appear to me that the consent will be implemented. It is therefore my view that the activities authorised by this consent do not form part of the existing environment in the context of this submission.</p>

³ As set out in Queenstown Lakes District Council v Hawthron Estate Ltd [2006] NZRMA 424 (CA)

Paragraph or Plan reference	Question
	<p>In consideration of RC215364 I note the area this consent pertains to does not overlap with the site subject to the submission. It is therefore reasonable to assume Mr Smith as the consent holder, may implement this consent regardless of whether submission is accepted. While no survey plan has been lodged under s223 of the Act there is a proposal for an infrastructure agreement in place to service the lots and the Panel may choose to see this as a sign of progress. In my opinion resource consent RC215364 may still be implemented and therefore the activities authorised by the consent should form part of the existing environment for the purpose of considering this submission.</p>
<p>Para 75</p>	<p>Is there any policy prerogative that reticulated servicing should be provided where possible, as opposed to on-site solutions? (it is acknowledged that your para 359 may provide a partial answer to this question).</p>
	<p>I have reviewed both the Proposed District Plan and Canterbury Land and Water Regional Plan in responding to this question. Both plans indicate a preference for connection into reticulated services where they are available.</p> <p>The Proposed Waimakariri District Plan prioritises connections into the public reticulated stormwater, wastewater and water supply systems where they are available and provides a pathway for the establishment of onsite systems where a public system is not available. This is filtered through into the rules which provide for the requirement for connection into the public system for sites within the existing Special Purpose Zones. I have identified the relevant policy below.</p> <p><i>EI-P2 Availability, provision and adequacy of, and connection to, energy and infrastructure</i></p> <p><i>Across the District:</i></p> <ol style="list-style-type: none"> <i>1. to benefit the social, economic, cultural and environmental well-being of the District:</i>

Paragraph or Plan reference	Question
	<p><i>a. ensure land use and development is coordinated with, and to the extent considered reasonably practicable, connected to and adequately serviced by energy and infrastructure, if available, including electricity, water supply, wastewater system and stormwater infrastructure; and</i></p> <p><i>2. where a public reticulated water supply or wastewater system is not available, adequate on site systems shall be installed consistent with maintaining public health and avoiding or mitigating adverse effects on the environment, while discouraging small scale stand alone systems.</i></p> <p>The Canterbury Land and Water Regional Plan does not include policies which indicate a preference for reticulated services within rural areas, it does however include the policies below which provides a clear directive that within urban areas stormwater and wastewater should be discharged to a reticulated system where available.</p> <p><i>Stormwater and community wastewater systems</i></p> <p><i>4.15 In urban areas, the adverse effects on water quality, aquatic ecosystems, existing uses and values of water and public health from the cumulative effects of sewage, wastewater, industrial or trade waste or stormwater discharges are avoided by:</i></p> <p><i>(a) all sewage, industrial or trade waste being discharged into a reticulated system, where available;</i></p> <p><i>(ab) all stormwater being discharged to land or into reticulated system, where a reticulated system is available</i></p> <p>There is no equivalent directive for water supply, although the polices do provide a strong emphasis on water takes being available for community drinking water supplies as a first priority and ensuring quality of this water is protected to ensure the drinking water standards for New Zealand are met.</p>

Paragraph or Plan reference	Question
<p>Overall, both plans indicate a preference for connection into the reticulated system where there is an existing system available but do not provide clear direction for circumstances where there is no existing three waters infrastructure.</p>	
<p>Para 80</p>	<p>Is there any indication in the LTP of the timing of this work?</p>
<p>The Environment Canterbury Long Term indicates expenditure for a secondary stop bank scheme is to occur between 2024 – 2034⁴.</p>	
<p>Para 88</p>	<p>The Panel request clarification on the relevance of the following statement:</p> <p><i>It is noted that any alteration to the designation that would provide for the extension of the runways would come with consequential amendments to the Rangiora Airfield Obstacle Limitation Surfaces.</i></p> <p>Do the special purpose zone provisions provide adequate control/assessment matters for determining an application to extend the runway?</p>
<p>WDC considered Designation WDC-1 and Plan Change 45 in 2022 where the aircraft operations enabled by the designation were considered alongside changes to the District Plan to facilitate the operation of the airfield, including the 55 dBA LN and 65 dBA LN noise contours and the Rangiora Airfield Obstacle Limitation Surfaces.</p> <p>Relief sought by the submitter would enable the extension of the runway outside of designation WDC-1, but no changes are proposed by the submitter to the noise contours or the Rangiora Airfield Obstacle Limitation Surfaces. Paragraph 29 of Dean Chrystal’s evidence in chief states that these</p>	

⁴ This is specified on page 123 of the [Environment Canterbury Regional Council Long Term Plan 2024-34 Te Mahere Pae Tawhiti 2024-34](#)

Paragraph or Plan reference	Question
	<p>changes would need to be resolved by a separate / additional plan change and notice of requirement to alter the designation to include the runways.</p> <p>I consider that the extension of the runways should be considered alongside changes to the Rangiora Obstacle Limitation Surfaces and the 55 dBA LN and 65 dBA LN noise contours, and such changes need to be informed by expert analysis, which has not been provided by the submitter.</p> <p>As discussed in my response to questions concerning Paragraph 183 of the s42A report, the SPZ(RA) provisions would enable the runways (an aircraft activity) to be extended as a permitted activity and without altering the designation. However, the use of the extended runway for aircraft operations will be subject to the performance standards listed in NOISE-R13. It is unclear whether an extended runway could be used in a limited capacity while complying with NOISE-R13 or whether this would lead to complications if the portion of the runway within WDC-1 were used in accordance with the purpose of the designation.</p> <p>The submitter may wish to consider omitting runways or extensions to runways from the definition of aircraft activities and the ODP until the required supporting information is made available.</p>
Para 96	Could a refuelling station be considered as part of the activities covered by the designation itself?
	<p>Yes, in my opinion a refuelling station could be encompassed within designation WDC-1. This would be dependent on the nature and scale of the activity. I'd consider it appropriate for service aircraft and ancillary machinery only, in line with the purpose of the designation being for Airfield Purposes. Any kind of commercial element, as often seen with at a traditional service station would be beyond the scope of what is provided for within the designation.</p>
Para 97	Whilst the RLZ also provides a consenting pathway for many of the activities that would be enabled by the SPZ(RA), is such a pathway an

Paragraph or Plan reference	Question
	<p>appropriate mechanism (in the context of the purpose of a rural lifestyle zone) for assessing activities directly related to aviation?</p> <p>That is, whilst the provisions may provide for some of the activities envisaged, and they may provide a pathway for other activities, does the RLZ envisage there being an airfield and aviation activities within the zone?</p>
<p>Airfield activities and activities that are ancillary to airfield activities are not envisaged within the RLZ and they are not supported by the objectives and policies of the zone. The objectives and policies of the RLZ are instead focused on supporting activities that rely on the natural and physical resources that are present and maintaining a predominant character of small rural sites.</p> <p>These objectives and policies would not be relevant to assessment of a resource consent application for a discretionary activity to establish a business that needs to locate near the airfield, or to support the current and future operation of the airfield, and the objectives and policies would not reflect the character anticipated by the more intensive nature of development enabled by the SPZ(RA).</p>	
<p>Para 103</p>	<p>You state that:</p> <p><i>The submitter proposes to change NOISE-R13 so that it applies to sensitive receivers within the SPZ(RA) and not the RLZ.</i></p> <p>Do you not consider this is outside of scope?</p>
<p>I consider that the requested changes to NOISE-R13 are needed to facilitate a change from RLZ to SPZ(RA) and they are consequential to the outcomes sought by Submission [10]. The change sought to NOISE-R13 is therefore within the scope of the submission.</p>	

Paragraph or Plan reference	Question
	<p>While NOISE-R13 sits within the district-wide rules, the rule applies exclusively to “aircraft operations at the Rangiora Airfield” and does not apply to other landholdings zoned RLZ. I therefore consider that the change to NOISE-R13 tidies up how the rule spatially applies, and it does not change the nature of the rule.</p> <p>There were three submissions on NOISE-R13. Two submissions [284.309 and 326.469] supported NOISE-R13. The NZAA [310.3] sought an amendment to NOISE-R13 to list agricultural aviation as an activity that operates from Rangiora Airfield. I have read paragraph 268 of the s42A report for Te orooro / Noise and I maintain that the changes sought in Submission [10] to change the zoning from RLZ to SPZ(RA) will not affect the Panel’s consideration of these submissions or introduce issues of natural justice.</p>
<p>Para 115</p>	<p>You state that:</p> <p><i>It is therefore my view that the scale and operation of the airfield was an important consideration for the hearing commissioner, who also noted that an airfield of this scale and function is not unusual in a rural environment.</i></p> <p>Is it your view that an airfield would be more unusual in an RLZ environment as opposed to a rural environment?</p>
	<p>This question identifies there is an important distinction between the anticipated land use within the Rural Zone in the Operative Plan and the Rural Lifestyle Zone in the Proposed Plan.</p> <p>The purpose of the Rural Zone was to provide open space for land based primary production activities where the potential reverse sensitivity effects on sensitive activities is minimised. The rural zone is characterised by large land holdings with a low density of built form. Noise sensitive</p>

Paragraph or Plan reference	Question
	<p>activities such as dwellings usually support the main use of the land. Residential occupation within the rural zone occurs at a much lower density than within Rural Lifestyle Zones.</p> <p>Conversely, the RLZ supports a higher density of residential occupation generally more small-scale farming activities on much smaller landholdings.</p> <p>In forming my response, I have reviewed the examples of similar Special Purpose Zones I provided within my s42A report to identify the underlying zone at the time the zones were established.</p> <p><u>Ardmore Aerodrome – Auckland Unitary Plan (Operative in Part).</u></p> <p>The Admore Aerodrome predates the Auckland Unitary Plan, having existed in some capacity since the 1940’s. Looking at the district plan controls over the modern Aerodrome the surrounding land is currently within the ‘Rural - Mixed Rural Zone’ within the Auckland Unitary Plan and was previously within the ‘Rural Plains Zone’ of the Papakura District Plan. The Rural – Mixed Rural zone has a focus on productive rural activities and avoiding the fragmentation of the land into smaller rural lots.</p> <p><u>Te Kowhai Airpark – Proposed Waikato District Plan – Appeals Version</u></p> <p>The Te Kowhai Airpark Zone is being created as part of the Proposed District Plan review. The previous underlying zoning of the site was Rural, with the land to the south zoned ‘Rural’ and land to the north adjacent to the town centre zoned ‘Village’. Under the Proposed District Plan the adjacent zone to the north is Future Urban Expansion Zone and the surrounding land to the south zoned ‘General Rural Zone.’</p>

Paragraph or Plan reference	Question
	<p><u>Pāuanui Beach Airfield – Thames Coromandel District Plan – Operative in Part</u></p> <p>The Pāuanui Beach Airfield is located within the Pāuanui township. The surrounding land is zoned residential and there are houses located immediately adjacent to the grass strip. There is a small area of commercial zone land adjacent to the Airfield Zone to the west.</p> <p>These examples demonstrate that Airfields have been established in a broad range of environments. Reflecting on these perhaps the appropriateness of them in the surrounding environment can be attributed to the character and scale of the airfield in question. For example, the Pāuanui Airfield is located within the residential township however the airfield is of a small scale and likely utilised primarily in the summer months. Reflecting on the current size of the Rangiora Airfield and the provision for future expansion I do consider it unusual to have an airfield within a Rural Lifestyle Zone due to the potential for reverse sensitivity effects on amenity and perceived safety risk. And in my view, this is more unusual than having an airfield within a Rural Environment where the residential density is significantly lower.</p> <p>However, in light of the above examples, I'd consider the airfield is not unusual in an RLZ setting, particularly one where a minimum lot size is 4ha applies, which is in my experience, a much lower density than generally found in areas where lifestyle blocks dominate.</p>
<p>Para 119</p>	<p>You state that:</p> <p><i>Under the SPZ(RA), many foreseeable airfield related works (e.g. navigation equipment) would be permitted by the underlying zone and would not require an OPW. Other airfield buildings that may not be in accordance with the designation (e.g. a terminal building) would also be permitted within Council consideration, despite arguably not being in accordance with the purpose of designation.</i></p>

Paragraph or Plan reference	Question
	<p>What is your view on that, i.e. is there a potential for duplication, and/or conflict, in some controls between the designation and the special purpose zone.</p>
<p>In my view there is potential for duplication or conflict between the designation and SPZ(RA).</p> <p>It is possible that airfield related activities occurring within the portion of the Area A that is within WDC-1 that would ordinarily require an Outline Plan of Works (OPW) would be assessed as a permitted activity under the underlying SPZ(RA). However, this will be controlled by mandatory requirement to obtain the written consent of the requiring authority to use, subdivide or development land within designation WDC-1 (section 176(1)(b) of the RMA). This provides some security that the establishment of buildings which would conflict with the use of the Airfield would be subject to the approval of the operator of the Airfield and this provides a pathway to prevent conflicting activities from being established.</p> <p>Beyond the designated land, there is no requirement to obtain approval from the requiring authority to ensure that the use, development and subdivision of the land does not affect the operation and function of the airfield. Furthermore, there is the ability to subdivide the land into freehold titles which could be developed without approval of the airfield (land within the designated area is currently leased). It is not clear from the submission whether the airfield would control this through a body corporate or some form of residents' or community association to manage the overall development of the airfield and the associated airpark to realise its strategic function and to ensure the safety of all users of the airfield. This is a question that could be posed to Mr Chrystal.</p> <p>All subdivision needs to occur in accordance with the ODP but there is not mandatory requirement to consult with the airfield should development proceed in a manner that is inconsistent with the ODP, which may affect the current and future operation of the airfield.</p>	

Paragraph or Plan reference	Question
Para 123	Is there sufficient evidence to establish these flood assessment overlay provisions are manageable on this site?
<p>The submitter has not provided any evidence to support that the flood assessment overlay and the related provisions are sufficient to manage the flooding risk at this site. The Flood Assessment Area overlay and related district plan controls were considered by the Panel as part of Hearing Stream 3.</p>	
Para 134	Would these provisions provide for in your view a significant intensification of residential activity compared to the current zoning provisions and the and designation?
<p>In my opinion the provisions of the SPZ(RA) would enable a greater intensification of residential activity than what the proposed RLZ or GRUZ would provide for. This could be considered significant in a local context.</p> <p>To answer this question, I have compared how many residential activities could be established within the proposed SPZ(RA) Zone compared to the proposed Rural Lifestyle Zone.</p> <p>In addition to the minimum lot sizes of residential lots in Area B, changes have also been proposed to the noise contour overlays that will provide increased development potential within the 55 dBN contour. Within Area A up to 30 residential units could be established, while in Area B up to 43 lots could in theory be established⁵. Based on the size of the land holding a total of 73 residential units could theoretically be established under the proposed SPZ(RA) provisions.</p>	

⁵ This was calculated within Paragraph 164 of the s42A report although I note this was likely not intended by the submitter.

Paragraph or Plan reference	Question
	<p>Under the provisions of the proposed plan the anticipated residential density is 1 dwelling per 4ha. Based on this density it is calculated 5 dwellings could be established in Area B being 21.5ha, and 4 dwellings within Area A (based on the additional 18ha of land propose to be incorporated into the airfield area). A total of 9 dwellings.</p> <p>Based on the densities anticipated within the Rural Lifestyle Zone the SPZ(RA) would represent a significant increase in residential density from what is proposed. This intensification can be considered significant in a local context. However, in a regional context, the SPZ(RA) would not constitute a significant intensification of residential activity, when compared to other areas in the region.</p>
<p>Para 137</p>	<p>With a proposed special purpose zone, accompanied by an Outline Development Plan to guide development, what value would you see in retaining a designation over the airfield?</p>
	<p>The designation allows the requiring authority expressive permission to utilise land for the purpose of the designation. This allows the requiring authority to ensure that the development of the SPZ(RA) zone will not conflict with the operation of the airfield. While the development of the SPZ(RA) should not hinder on the operation of the airfield, the level of detail on the ODP is insufficient to ensure this is the case. Specific detail of the configuration and scale of infrastructure and built form is deferred to the subdivision and land use stages.</p> <p>All subdivision needs to occur in accordance with the ODP but there is not mandatory requirement to consult with the airfield (or the requiring authority) should development proceed in a manner that is inconsistent with the ODP. This has the potential to affect the current and future operation of the airfield. Therefore, the value in retaining the designation is that it guarantees that there is a reasonable degree of coordination in the development of the airfield</p>

Paragraph or Plan reference	Question
	and 'airpark' areas while ensuring the operators of the airfield still have control of any activities that may affect the operation of the airport.
Para 138e	<p>Clause e) provides:</p> <p><i>Indicative future runway extensions and indicative locations of 55 dB and 65 dB noise contours should the runways be extended</i></p> <p>How do these translate and relate. Would people have anticipated intensification of activities and move to an airport rather than airfield through this submission?</p>
	<p><u><i>Implications of the 55 dB and 65 dB noise contours</i></u></p> <p>Any changes to the extent of the noise contour overlay, or the land affected by the overlay, would be out of scope because this was not clear in the relief sought by Submission [10] or in the description of the relief sought in the summary of submissions.</p> <p>The purpose of the overlay is two-fold - to manage potential reverse sensitivity issues and protect the interests and strategic function of the Rangiora Airfield (NOISE-R15); and to manage noise from aircraft operations to 65 dBA outside of the 65 dBA noise contour (NOISE-R13). Accordingly, the noise contour overlay has a role in managing the intensity of aircraft operations at the airfield.</p> <p>It isn't clear whether aircraft operations occurring within the designation and in accordance with its purpose would technically be subject to NOISE-R13 and the operating restrictions imposed by the noise contour overlay, as this is not a condition designation WDC-1.</p> <p>My understanding is that the proposed ODP for the SPZ(RA) shows the changes to the 55 dB LN and 65 dB LN noise contours that may result from extending the runways is provided by the submitter for information purposes only. The submission does not seek to increase the extent of the overlay, the land area affected by the overlay, or how the overlay triggers consideration of</p>

Paragraph or Plan reference	Question
	<p>NOISE-03, NOISE-P5, and NOISE-R15 (with the amendments sought by the Submitter). The contours shown on the ODP were not supported by any acoustic analysis and therefore they are at best indicative of what could materialise should the runways be extended.</p> <p>An additional plan change would be required to match the extent of the noise contour in the overlay with that shown in the ODP.</p> <p>For these reasons, it is my view that the indicative noise contours that are shown on the ODP have no statutory basis and should be removed to avoid interpretation issues.</p> <p>I have only a limited understanding of the methodology applied to draft the 55 dB LN and 65 dB LN noise contour, which is based on my review of the decision document for designations WDC-1 and WDC-2 and Plan Change 45. My understanding is that contours are informed by the performance standards relating to ‘aircraft operations’ in NOISE-R13, the present length of the runways, and by limiting take-offs and landings during hours of daylight (a condition of WDC-1). The submitter does not propose any changes to these parameters, apart from the runway extensions.</p> <p>Expert commentary would be required to confirm whether the extended runways could be operated in a manner that complied with the performance standards in NOISE-R13 (even if a limited capacity).</p> <p>An alternation to the designation to extend the runways would provide an opportunity for the noise contours to be reviewed and for any changes to be assessed.</p> <p><u>Runway extensions</u></p> <p>The submitter proposes new District Plan provisions that would authorise the physical extension of the existing runways (as shown in the ODP), as a permitted “aircraft activity,” provided that the extension complies with all other district plan rules, such as earthworks. (While improbable, I also</p>

Paragraph or Plan reference	Question
	<p>note that a third or new runway alignment would also be permitted under the SPZ(RA), subject to compliance with all plan rules and standards).</p> <p>The runway extensions shown on the ODP are located on land that falls outside of designation WDC-1 and would be subject to the rules of the District Plan. Under the RLZ, resource consent would be required for a discretionary activity under RLZ-R38 to undertake aircraft activities / establish airfield related facilities on RLZ land as the activity is not listed as a permitted, controlled, restricted discretionary, discretionary, or non-complying activity.</p> <p>There are no district-wide rules in the TRAN chapter relating to the operation and construction of the airfield that would override the zoning provisions.</p> <p>The operation of the airfield (including the use of any extended runways) would be subject to the performance standards in NOISE-R13. This is because the rule refers to the “Rangiora Airfield” and it does not refer to the designated airfield area. Furthermore, the definition of “aircraft operations” also refers to Rangiora Airfield. As I am not an acoustic expert or an expert in aircraft operations, I cannot confirm whether it would be possible to use the extended runways in a manner that complied with all the performance standards in NOISE-R13.</p> <p>In my view, it wasn’t clear that extension of the runways and the potential increase in intensity of aircraft operations / aircraft activities were part of the relief sought by the submitter and this may raise issues concerning scope and natural justice.</p> <p><u><i>Intensity of other aircraft operations not subject to the noise contour</i></u></p> <p>NOISE-R13 contains a list of aircraft operations that are not subject to the noise contours. Activities excluded from NOISE-R13 are aircraft taxiing and engine run-ups. This could occur within Areas A and B, outside of the current extent of the Rangiora Airfield. It isn’t clear whether Areas A and B would also be included in the Rangiora Airfield for the purpose of NOISE-R13.</p>

Paragraph or Plan reference	Question
	<p>This increase in the intensity of aircraft operations were not included in the description of the relief that was sought by the submitter or the summary of submissions and this may raise issues concerning scope and natural justice.</p>
<p>Para 154</p>	<p>The only opportunity that the Council would have to investigate these links would be through the building consent process or by requiring a Certificate of Compliance under s139 of the RMA.</p> <p>Can a Council require a consent notice?</p>
	<p>Yes, under section 221 of the RMA, if a subdivision consent is granted subject to a condition which is to be complied with on a continuing basis, the Council is required to issue a consent notice (subject to some exceptions). This is not a discretionary power.</p> <p>The relevant condition must be:</p> <ul style="list-style-type: none"> • granted on a continuing basis; and • a condition that is able to be imposed. <p>The Council has a broad power to impose conditions under section 108, provided either (see section 108AA):</p> <ul style="list-style-type: none"> • the applicant for the resource consent agrees to the condition; or • the condition is directly connected to 1 or more of the following: <ul style="list-style-type: none"> • an adverse effect of the activity on the environment;

Paragraph or Plan reference	Question
	<ul style="list-style-type: none"> • an applicable district or regional rule, or a national environmental standard; • a wastewater environmental performance standard made under section 138 of the Water Services Act 2021; • a stormwater environmental performance standard made under section 139A of the Water Services Act 2021. <p>Accordingly, provided the condition proposed in SUB-R12 meets the requirements of sections 108 and 108AA of the RMA, and is to be complied with on a continuing basis, the Council must issue a consent notice.</p>
<p>Para 159</p>	<p>Is it appropriate in your view to create potential intensification of noise sensitive activities where <i>“There are no standards relating to outdoor amenity spaces for residential units”</i>?</p>
	<p>With respect to outdoor amenity, my comments related to absence of standards that sought to achieve a minimum standard of onsite amenity for residential units within Area A, when compared with standards that apply for residential development or mixed-use development in urban areas, particularly where there is no minimum lot size and subdivision is based on a land use component.</p> <p>The appropriateness of establishing noise sensitive activities is addressed in my response to the Panel’s questions relating to paragraphs 235 and 271.</p>
<p>Para 167</p>	<p>Is it appropriate from a planning point of view to make numerous changes to district-wide provisions that would be specific to development in a single special purpose zone such as this one?</p>

Paragraph or Plan reference	Question
	<p>Introducing the SPZ(RA) zoning would require some district-wide provisions to be amended to align with the expected outcomes of the SPZ(RA) rather than the alternative approach of incorporating specific provisions for noise, transport and infrastructure within the SPZ(RA) section of the Plan.</p> <p>In forming a response, I have reviewed how the Proposed Plan is structured. This was also considered by the Hearing Panel as part of Stream 1⁶. Reviewing how other SPZ provisions are structured, I note all provisions relating to the Special Purpose Zones are fully contained within the SPZ chapter of the plan.</p> <p>In considering whether it is appropriate that the SPZ(RA) Zone is formatted in this same way I have looked back on how the management of the Airfield is currently structured within the Proposed Plan. The District Wide section includes the following note:</p> <p><i>Rangiora Airfield is provided for by designations, which contain conditions, and the District wide Transport and Noise chapters also contain provisions relating to the Airfield;</i></p> <p>As described, the transport and noise chapters both contain specific provisions that relate to the operation of the airfield. Given the management of the Airfield is structured in this way, it would be appropriate that the format of the SPZ(RA) is different from the 'self-contained' structure that other special purposes zones use.</p>

⁶ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0029/137756/OVERARCHING-MATTERS-AND-PART-1-S42A-REPORT.pdf

Paragraph or Plan reference	Question
	<p>In my view, the changes sought by the submitter reflect how the Proposed Plan was drafted and how the plan was intended to be administered. While it would be preferable to apply a consistent format to the structure of all special purpose zones, due to the structure of the proposed plan I consider it appropriate to deviate from this structure to align with the way the plan functions.</p>
<p>Para 178 - 183</p>	<p>Please comment on who/which parties might be adversely affected by the Panel accepting the scope issue, i.e. who might be affected by the potentially increased intensity of residential dwellings on the site, or the extension to the runway, or extending the 55 dBA LN noise contour. Are there any natural justice issues arising?</p>

Paragraph or Plan reference	Question
	<p>Persons or parties that are potentially affected by the relief sought by the submitter include:</p> <ul style="list-style-type: none"> • Neighbouring landowners. • Users of the airfield. • Existing airfield leaseholders. • Civil Aviation Authority. • Christchurch International Airport. • Airways Corporation of New Zealand. <p>The relief sought by the submitter focused on the rezoning of the airfield from RLZ to SPZ(RA) to enable ancillary activities to the airfield (i.e. to accommodate residential and commercial activities). This was reflected in the Submission Point Summary and the Relief Sought Summary (further submission table).</p> <p>Accordingly, there may be some natural justice issues related to the intensification of aircraft activities and aircraft operations (taxiing and engine testing), outside of the existing / designated airfield, which was not clearly identified in the submission. These activities may potentially be located closer to neighbouring properties, and noise from these activities would not be regulated by NOISE-R13(2).</p>
<p>Para 184</p>	<p>Similar to the above question, would other parties have envisaged a greater intensity of airfield activities and changes to the runways?</p>

Paragraph or Plan reference	Question
	<p>As stated in my response to your questions on paragraphs 178-183 of the s42A report, the extension to the runways, taxiways, and other aircraft related activities (e.g. engine testing) was not clearly reflected in the Submission Point Summary and the Relief Sought Summary (further submission table) and there could be some issues of natural justice.</p>
<p>Para 193</p>	<p>Same question as for para 137</p>
	<p>As discussed in my response to your questions on paragraph 137, I consider that there is value in rezoning the underlying land of a designation for special purposes and guiding its future development through ODP (or some other similar method, such as a Precinct Plan). A designation is an important tool used to secure the operational / functional requirements of the airfield, or at least the parts of the airfield where aircraft operations would occur.</p> <p>Paragraph 193 expresses my view that a combined plan change / notice of requirement approach would have better aligned the purpose of the designation with the SPZ(RA) provisions and provided for a more holistic consideration of the likely future of the airfield (including extensions to runways and the mix of aircraft using it), as well as the related redrafting of the noise contours and surface obstruction limitations.</p>
<p>Para 204 c</p>	<p>You raise a concern that:</p> <p><i>This ‘village’ would not have community facilities (other than the airfield) and would be located a considerable distance from community facilities and services needed to meet day to day living.</i></p> <p>Please clarify what distance is involved, and how does this compare to other rezoning proposals that we are also considering, for instance in Ashley or Waikuku.</p> <p>And would the permissive provisions for airport extensions impact on the well-functioning nature of other adjacent urban environments?</p>

Paragraph or Plan reference	Question
	<p>I have reviewed other rezoning proposals for Ashley and Waikuku areas, to understand what is sought by these requests.</p> <p>The Ashley Rezoning requests seek to extend the Settlement Zone around Auckland Street and to rezone adjacent areas from Rural Lifestyle Zone to Large Lot Residential Zone. These indicate an intensification and expansion of residential use within the area. Ashley township includes the Ashley Hotel and Pub and Ashley Primary School and Play Centre.</p> <p>The Waikuku Rezoning requests seek to rezone land from Rural Lifestyle to Large Lot Residential and Commercial and Mixed Use. Waikuku village contains a service station, and two mixed use commercial hubs including the Old School Collective and The Mill. Both of which have cafes and residential businesses.</p> <p>Both of these villages are well connected via SH1 (Old Main North Road) and Inland Scenic Route 72.</p> <p>The nearest township to the SPZ(RA) would be Rangiora and occupants living within the SPZ(RA) would be dependent on Rangiora for day to day living. The edge of the SPZ(RA) zone would be approximately 4km from the Rangiora Town Centre. The SPZ(RA) does have the Ashley River walking track in close proximity which provides recreational and amenity benefits, however the SPZ(RA) 'village' would not have the same services or amenities that already exist within Ashley or Waikuku.</p>
<p>Para 216</p>	<p>Please expand on your statement that:</p> <p><i>"... the submitter's zoning proposal can be contemplated as an "urban development.....expressly provided for in the CRPS."</i></p> <p>Can Objectives 6.2.1(9) and 6.2.1(11), which seek to integrate land use with strategic infrastructure and to optimise the use of strategic</p>

Paragraph or Plan reference	Question
	<p>infrastructure, be seen as anticipating/encouraging the proposed intensification of residential activity alongside an airfield?</p>
<p>The SPZ(RA) zoning that is sought by the submitter is unusual and was not foreseen / anticipated when CRPS were drafted. If it were a run of the mill, greenfield development proposal, it would be inconsistent with the objectives and policies of Chapter 6 of the CRPS.</p> <p>The s42A report states that further information is required from the submitter to demonstrate that the enabled residential capacity is needed to support the airfield and its strategic function, and the submitter provides further information relating to the infrastructure agreement to service the airfield and the development and activities that would be enabled by the SPZ(RA). That information is needed before I can assess whether the zoning proposal is consistent with Objectives 6.2.1(9) and 6.2.1(11).</p>	
<p>Para 217 c</p>	<p>Is your reference to Policy 3.5.1 of the CRPS correct?</p>
<p>This is an incorrect reference within the report, Para 217c should refer to Policy 6.3.5.</p>	
<p>Para 235 and Para 271</p>	<p>You state that:</p> <p><i>Noise sensitive activities are appropriate within the 55 dBA LN ...</i></p> <p>Earlier in the report you expressed concern that there are no controls protecting outdoor amenity of residents exposed to aircraft noise? Can this be reconciled?</p>

Paragraph or Plan reference	Question
	<p>I have relied upon the evidence of acoustic specialist Mark Lewthwaite to conclude that noise sensitive activities are appropriate within the 55 dBA LN overlay within the SPZ(RA), provided that the inhabitants have a link to the airfield and related airfield activities, and provided that the airfield continues to operate with a similar aircraft mix during daylight hours in accordance with the conditions of WDC-1.</p> <p>There is likely to be very little that can be done to reduce aircraft noise or its effects in outdoor spaces in Areas A and B, other than by managing the noise generating activities within the airfield or by linking the inhabitants to the airfield and ancillary businesses. In terms of outdoor spaces, it is noted that these spaces can be enjoyed outside of daylight hours when aircraft are not allowed to take off or land.</p>
<p>Para 244</p>	<p>Please clarify how the special purpose zones work alongside the designation provisions/conditions in these instances, is there a seamless integration between the zones and the designations?</p>
	<p>It is relatively commonplace to apply a special purpose zone where it underlies a designation for a public work such as the Rangiora Airfield. This is the case with the examples that have been provided in our response to the Panel’s questions on paragraph 115.</p> <p>The designation itself serves an important purpose in managing the function of the airfield and exempting designated activities from provisions of the underlying zone. This can include unforeseen operational issues that are potentially not captured by a plan rule, such as extended periods of emergency landings or noise from operating a generator in such emergencies.</p> <p>In my experience working with the Ardmore Airport Ltd provisions in the Auckland Unitary Plan, the special purpose zoning and precinct controls provide direction for activities that support the aerodrome but for which the requiring authority has no direct financial responsibility. For</p>

Paragraph or Plan reference	Question
	<p>example, the zone and precinct recognise the role of ancillary retail activities by capping GFA, but such activities would be inconsistent with the designated purpose, and it is unlikely that the Aerodrome would have financial responsibility for such activities.</p> <p>It is also necessary to have an appropriate underlying zone to guide the subdivision of land to ensure that the resulting lots and the activities that are enabled by creating the lots align with the function of the airfield and do not affect the operation of the strategic asset.</p>
<p>Para 249 b and Para 252</p>	<p>Is there scope for the Panel to make these changes to Objective SD-02, and to SD-04, to reference the SPZ(RA), i.e. as consequential changes?</p> <p>If the UFD chapter is to be amended to include a policy that relates specifically to the unique purpose and character of the SPZ(RA), what would be the wording of such a policy?</p>
	<p>I no longer support amendments to the Strategic Direction objectives to reference the SPZ(RA). I do not consider them to be necessary or a consequential amendment.</p> <p>While the airfield itself is a strategic infrastructure to the district, it may not be appropriate to include the ancillary activities that would be enabled by the SPZ(RA) as part of the strategic direction. I note that in this regard not all Special Purpose zones are referenced in the Strategic Directions chapter and SD-03 contains objectives around strategic and regionally significant infrastructure, which would be given effect to by the SPZ(RA).</p>
<p>Para 267</p>	<p>The Panel has already heard submissions on the Subdivision Chapter and so what would be the process for us considering proposed changes to SUB-MCD2 (Subdivision Design), that do not directly relate to the SPZ(RA).</p>

Paragraph or Plan reference	Question
	<p>I am aware the Panel has set an additional hearing at the conclusion of all other matters to address any items that may have subsequently changed as the result of other hearings. It is anticipated consequential changes to SUB-MCD2 could be included within this hearing stream should the Panel choose to accept the submission.</p>
<p>Para 271</p>	<p>As a planner do you support the method of registering consent notices on the title of any new lots created within the SPZ(RA), as good planning practice to manage potential reverse sensitivity issues that may eventuate from a rezoning such as this (i.e. intensification of residential activity near an airfield)?</p>
	<p>Consent notices are routinely imposed by territorial authorities under section 221 of the RMA as one method to manage potential reverse sensitivity issues. In my experience, they work best when applied alongside other methods built-in to the District Plan, such as setbacks and / limitations on where a sensitive land use can be located. There is also an element of sharing responsibility to manage reverse sensitivity issues, as often there are regulatory duties and responsibilities imposed on the activity to manage or internalise adverse effects as much as reasonably practicable. (Such as those imposed by section 16 of the RMA).</p> <p>I consider that the requirement for a no-complaints style consent notice is appropriate in this instance because it will be imposed as part of a suite of measures, being:</p> <ul style="list-style-type: none"> a) Noise sensitive activities are prohibited from establishing within the 65 dBN noise contour. (i.e. a setback). b) Restrictions on the number of units and linking residents to the operation of the airfield. Residential activity within Area A must be ancillary to airfield activities, where the

Paragraph or Plan reference	Question
	<p>residents are familiar with noise from aircraft and may be more accepting of a lower level of aural amenity than what may be experienced in other parts of the district.</p> <p>c) Limiting aircraft operations to hours of daylight.</p> <p>d) Internal acoustic insulation requirements for buildings that are intended to be used for sensitive land uses within 55 dBN.</p> <p>These measures are supported by acoustic specialist Mark Lewthwaite of Powell Fenwick Ltd who reviewed the submission on Council's behalf.</p> <p>In this case, I consider that measures are necessary to achieve a reasonable level of amenity within the SPZ(RA).</p>
<p>Para 276</p>	<p>It is noted that clause 3. Of the GCSP requires:</p> <p><i>Meet a need identified by the latest Housing and Business Development Capacity Assessment</i></p> <p>Does this stated imperative to establish a need also apply to provisions in the NPS-UD and CRPS?</p>
	<p>I have agreed with the submitter that the SPZ(RA) supports a strategic infrastructure asset rather than providing for a shortfall in capacity more generally, even the submitter had not submitted an economic assessment to demonstrate a need / market demand for the activities relating to the airfield.</p> <p>I note that this question interfaces with other hearing streams and I have not had an opportunity to consider and provide a response to this question. I will consider the question further before attending the hearing and it may assist to hear from the Panel prior to responding in my right of</p>

Paragraph or Plan reference	Question
reply.	
Para 285	Do you have any update on whether Council has engaged with Mahaanui Kurataiao Limited?
<p>Council has not engaged with Mahaanui Kurataiao on this submission. The Development Planning Unit (DPU) have only engaged with Mahaanui Kurataiao Limited in relation to the submissions that involve land containing a cultural overlay (Wahi Tapu, Wahi Taonga, Nga Wai, Ngaa Reporepo or Ngau Turanga Tupuna). As the Rangiora Airfield land does not contain a cultural overlay, DPU didn't seek comment from Mahaanui Kurataiao Limited in relation to this submission.</p> <p>Therefore, any engagement on this submission would be submitter led. It is not clear whether the submitter has engaged with Mahaanui Kurataiao Limited.</p>	
Para 344	The panel has already heard submissions on the NOISE chapter and therefore what would be the process for us now considering whether the internal acoustic level for "other habitable rooms" in Table – NOISE-1 should be lowered in response to the SPZ(RA) proposal.
<p>As stated under the question related to Para 267 above it is anticipated this consequential amendment could be made as part of the final hearing stream should the Panel choose to accept the submission.</p>	