

**Before the Independent Commissioners appointed by the Waimakariri District Council**

In the matter of            the Resource Management Act 1991 (**the Act**)

and

In the matter of            Proposed Waimakariri District Plan: Rangiora Airfield  
(Hearing Stream 12F)

and

In the matter of            Submission #10 Daniel Smith seeking rezoning of Rangiora  
Airfield and surrounding land as a Special Purpose: Airfield  
Zone.

**Supplementary submissions in support of Submission 10 – Daniel Smith, re  
Rangiora Airfield (HS12F)**

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Dated: 22 August 2024

Andrew Schulte (andrew.schulte@cavell.co.nz)  
Counsel for the submission

**CavellLeitch** >  
LIMITED

AJS-434615-178-54-V1-e

Level 3, BNZ Centre  
111 Cashel Mall  
PO Box 799, Christchurch  
T: +64 3 379 9940 F: +64 3 379 2408

## To the Independent Hearing Panel (Panel):

### Introduction

1. These supplementary submissions are provided in response to answers given by the s.42A reporting officer (**Mr. Powell**) to question posed by the Panel, in respect of the case presented in support of the original submission by Daniel Smith, for a rezoning of the land containing and surrounding Rangiora Airfield (**Airfield**) to a Special Purpose Airfield Zone (**SPZ-RA**).
2. There is an aspect of belt and braces to these submissions, on account of the indication in the officer's preliminary responses that:

“...given the timing of [the Panel's] questions, [the] preliminary responses in some instances have not been informed by consideration of evidence or legal submission lodged with the Council following the issue of [the] s42A report.”
3. This is again, perhaps, unfortunate as it means that the responses to issues and concerns offered in the supplementary evidence provided by the submitter do not appear to feature. In addition, despite offers to discuss and resolve or narrow issues, no meetings took place with Mr. Powell, which may have allowed some apparent assumptions in respect of the proposed special purpose zone (**SPZ-RA**), which may not be entirely accurate, to persist.
4. So, while as is pointed out, Mr. Powell will still have a right of reply, and conferencing may occur, the opportunity to engage on the issues in advance of the hearing has not been taken.
5. Regardless, the submitter's position is that, in reality, there appear few issues of any moment that might lead the Panel to question either the merits or scope of the SPZ-RA.

### Natural justice issues?

6. It remains clear that scope remains an issue or more accurately a potential issue in the mind of Mr. Powell. This indicated by his use of modal verbs like 'could' or 'may' when describing the possibility that scope issues could arise. Again, the key issue is the likelihood of aspects of the SPZ-RA might offend natural justice.

7. As argued previously, the approach risks mistaking issue which may be merits issues, such as whether any proposed permitted aircraft activities should be included, for issues of scope and jurisdiction.
8. This is submitted because the broad and simple original submission effectively raised one fundamental binary question for any persons concerned with activities at or around the Airfield: is a special purpose zone, which includes Airfield related commercial and residential activity, appropriate at that location, or not?
9. Because past that, it is submitted that the proposed SPZ-RA, and associated plan provisions, does what it says on the bottle. The concept of an “airpark” is not a novel or left-field idea. Rather, the elements of an airpark, that is focused on a particular airfield and concentrates activities that are commonly required to support airfield activities, are well understood.
10. In this instance, these aspects of the SPZ-RA have received detailed planning attention. It contains what an airfield related special zone would be expected to contain and, as importantly, what other people would expect it to contain.
11. Experienced experts have designed the SPZ-RA, based on Mr. Smith’s concept and as part of the Councils own planning assessments, including in particular the Airfield Master Planning exercise. The versions, included in the evidence of Mr. Brown, were further adapted in light of the proposal being suggested by Mr. Smith, and both the proposal and master plan were amended to better reflect a sustainable future plan for the Airfield.
12. The SPZ-RA has therefore been carefully considered. Which raises the question of why it must be inferred that any ‘missing’ submissions would be against the proposal, though it is accepted that it would be more unusual (though not unheard of) for supportive submissions to be made.
13. But, given the submission seeks to establish an airfield related zone, if you had concerns about the establishment of such a zone or didn’t consider there had been sufficient information provided, the solution is to submit, and no person made a further submission opposing Mr. Smith’s submission.
14. At the same time, it would also be unrealistic to expect that an interested but non-expert person would infer from the limited information provided that the submission would not be considered, in

part because it was clear about what it sought: a special purpose zone for the Airfield.

15. What cannot be assumed is that the inclusion of features that are common Airfield activities raises scope issues, simply because no submissions are received. These features include the need to taxi aircraft and start up and test aircraft engines, and the need for an Airfield to have some flexibility for its operations, which might include the option of extending runways, as described in the Airfield master plan.
16. The further reason that such features would not be unexpected is that they already exist at the Airfield. For example, in the case of aircraft taxiing, this already occurs within the designated Airfield, on the opposite side of Priors Road from the only land to the south of the Airfield (and proposed SPZ-RA) that is not owned by the submitter or the Council.
17. That land might also be a prime candidate for redevelopment under the RLZ rules that will apply to it under the Proposed Waimakariri District Plan (PWDP). That development in turn would be facilitated by the provision of services along Priors Road to the new development areas of the SPZ-RA.
18. This may, in part, answer another suggestion in Mr. Powell's preliminary response on the issue of other parties that are "potentially affected" by the SPZ-RA. Of the parties identified, it is difficult to envisage the interest or effect on the Christchurch International Airport, Civil Aviation Authority or Airways Corporation of New Zealand that is the reason for concern. Of the three classes of 'party' in closer proximity, all would be familiar with the existing Airfield activities and, more importantly, were they concerned about further development at the airfield, the submission alerted them that this was intended, and they were entitled to oppose that via submission.
19. Again, the specific issue alluded to is the "intensification of aircraft activities". But the existing noise contours already enable considerable intensification of aircraft activity: it is understood that existing contours are based on 88,000 aircraft movements with 70,000 movements providing a trigger for reconsideration of noise issues, while the current movement count is approximately 47,000 movements per annum<sup>1</sup>.

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<sup>1</sup> As at 2022, see: Aeronautical study, 1 Feb 2024, pg 42 (pg 177 of evidence of Chris Brown), noting also the prediction that an Airpark could increase the movements by 5000.

20. Accordingly, the intent of the SPZ-RA is not to increase intensification of aircraft activity in a way that would create a different character of effect. Though, overtime, a sustainable increase in the use of the Airfield, in a manner that maintains it's viability as a strategic asset, can be expected. But this is likely to be an evolution rather than a revolution and has some way to go before it will even approach the currently plan enabled Airfield capacity.
21. And, to the extent that the impact that is of concern is the potential extension of the Airfield's main runway, that is an outcome that has been considered for some time, with land ownership being the primary limiting factor. But most importantly, any proposed extension, as recognized by Mr. Powell requires further processes being carried out. These would include compliance with civil aviation rules, and while it may enable additional classes of aircraft to use the Airfield, with no current intention to seal the runway and no ability to operate at night, there are still limits to the level of intensification that can occur.
22. In the meantime, an important aspect of the SPZ-RA is that it is effectively self-contained. Where it borders other zones, the plan requirements<sup>2</sup> mean that noise rules applying in those adjoining zones will need to be complied with. As far as the RLZ is concerned, only areas already impacted by the Airfield contours, or in the submitter's ownership, are subject to any changes to the noise rules. The existence of the SPZ-RA will make no meaningful difference, except to enable further development within the 55dBA<sup>3</sup> but not 65dBA contour.

### **Opportunities/benefits/costs**

23. One aspect that cannot be overlooked is the extent that the creation of the SPZ-RA is likely to benefit the District and the Council. Rather than being a hole in the Council's pockets, requiring maintenance and further provision of services, as the status quo, the SPZ-RA provides the opportunity to enable enhancement of the Airfield as an asset, much of which will be financed by developers.
24. The Council will also obtain a further opportunity for income from the Airfield activities from access fees and other contributions. There will be additional land to lease, and the entire development will be an opportunity to increase the profile of the Airfield.

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<sup>2</sup> For example, see: Noise Chapter, Activity Rules, How to apply, "1. Noise Standards apply to the zone where the noise is received...".

<sup>3</sup> Noting that residential activities with sound insulation were already intended to be enabled within the 55dBA contour under the PWDP.

### **Strategic recognition**

25. Mr. Powell's response also indicates that he no longer supports adding the recognition of the SPZ-RA in the Strategic Directions chapter, as unnecessary and non-consequential. While it may be arguable whether such recognition is fundamental to the submission, it is clearly the case that Rangiora Airfield is recognized in the Canterbury Regional Policy Statement (**CRPS**), along with Christchurch International Airport and Timaru Airport, as regionally significant infrastructure.
26. Therefore, recognition in the PWDP Strategic Directions chapter can be considered an aspect of giving effect to the CRPS.
27. Thank you for the Panel's consideration of these additional matters.

Date: 22 August 2024



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**Andrew Schulte**

Counsel for the submission