

Before an Independent Hearings Panel  
appointed by the Waimakariri District Council

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*under:* the Resource Management Act 1991

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

*and:* Hearing Stream 5: Noise, Notable Trees, Historic Heritage, Signs, Light, Energy and Infrastructure, Transport, Earthworks

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

Summary of Evidence of Darryl Millar (Planning)

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Dated: 23 August 2023

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## **SUMMARY OF EVIDENCE OF DARRYL MILLAR**

### **INTRODUCTION**

- 1 My name is Darryl Kenneth Millar. I am a Director and Principal Planner with Resource Management Group Limited (*RMG*), a planning consultancy practicing in Christchurch. I have provided evidence dated 7 August 2023 for the Stream 5 hearing. That evidence covered the submissions of Christchurch International Airport Limited (*CIAL*) on the following chapters:
  - 1.1 Noise;
  - 1.2 Energy and Infrastructure; and
  - 1.3 Transport.
- 2 Table 1 in my evidence summarised the *CIAL* submissions and provided references to the relevant assessments contained in the s42A reports.
- 3 For the most part there is a high degree of alignment between the Reporting officers' s42A reports/recommendations and my evidence, and/or an acknowledgment that some matters will be dealt with in a separate s42A report and hearing related to airport specific matters.
- 4 Within this context my summary is limited to a discussion on EI-02 and EI-P6 of the Energy and Infrastructure Chapter.

### **THE PROPOSED DISTRICT PLAN – HEARING STREAM 5 MATTERS**

#### **Energy and Infrastructure chapter EI-02**

- 5 *CIAL*'s submission sought to amend EI-02 to recognise that there are practical, operational and technical constraints associated with important infrastructure. Mr Maclennan proposes that the objective use the terms "functional need" and "operational need" to align with the National Planning Standards. I agree with this approach and the reporting Officer's recommended changes.
- 6 I do consider, however, that some rephrasing is necessary in order to ensure the objective does not establish a threshold that requires demonstration of functional and operation need at the same time. Within this context, I recommend a minor adjustment to Mr Maclennan's recommendation as follows:

*Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-*

being are managed, while taking into account their operational or  
~~and~~ functional needs.

**EI-P6**

7 CIAL sought to amend EI-P6 as follows:

*Manage Avoid adverse effects of ~~other~~ incompatible activities  
(including adverse reverse sensitivity effects) on ~~and~~ development  
~~of energy and infrastructure, including by the following:~~*

*1. ensuring such effects do not compromise or constrain access to  
or the safe, effective and efficient operation, maintenance, repair,  
upgrading and development of energy and infrastructure; ~~and~~*

*2. avoiding the establishment of noise sensitive activities within the  
50 dBA Ldn Air Noise Contour;*

*3. managing the risk of bird strike to aircraft using Christchurch  
International Airport;*

*4. ...*

8 At paragraph 176, Mr Maclennan expresses his preference for the word "manage" rather than "avoid" as it provides a greater breadth of management responses. As noted in my evidence, I disagree with Mr Maclennan. A "management" approach is not an appropriate policy response when considering the establishment of noise sensitive activities within the 50 dBA Ldn Air Noise Contour. In my view "avoidance" is necessary to give effect to the CRPS; specifically, policy 6.3.5(4). That said, I do consider that there are some structural issues with the drafting of the policy and the relief sought by CIAL in its submission. The current wording of the submission seeks to "avoid adverse effects" by "avoiding the establishment of noise sensitive activities" and by "managing the risk of bird strike". This is, in my view, somewhat clumsy and is simply a reflection of the submission trying to retrofit an existing proposed policy. An alternate approach could be a standalone policy or policies for the Airport issues.

9 I do note that Mr Maclennan does not otherwise specifically comment on CIAL's submission on EI-P6, and that the recommendation provided at paragraph 179 does not include the references to bird strike and the 50 dBA Ldn Air Noise Contour sought in the CIAL submission. It is assumed that this will be addressed in the specific s42A report and hearing for airport related matters. On that basis, I did not comment further on CIAL's relief in relation to EI-P6 in my evidence in chief.

10 I appreciate that leaves the Panel in a somewhat difficult position at this point. But I am of the view that until the Panel has heard all the

airport related evidence at a future hearing, that it would be somewhat presumptuous of me to draft an amendment to the policy now. That said, I maintain the view that separating the airport components into standalone policies could be the ultimate solution.

Dated: 23 August 2023

Darryl Millar