

WAIMAKARIRI DISTRICT PLAN

PRIVATE PLAN CHANGE 45 AND NOTICE OF REQUIREMENT

WAIMAKARIRI DISTRICT COUNCIL
RANGIORA AIRFIELD
219 MERTON ROAD, RANGIORA

DECISION

September 2020

Waimakariri District Council
Plan Change 45 and Notice of Requirement
Rangiora Airfield

Decisions of Commissioner Darryl Millar appointed by the Waimakariri District
Council pursuant to the Resource Management Act 1991

APPLICANT:	Waimakariri District Council
PROPOSALS:	Plan Change and Notice of Requirement to designate land
SITE LOCATION:	219 Merton Road, Rangiora
DECISIONS:	Plan Change – Approved Notice of Requirement - Confirmed
DECISIONS DATE:	24 August 2020

HEARING APPEARANCES

Plan Change Proponent and Notice of Requirement

Dean Chrystal – Planner

Steve Noad – Chairman, Rangiora Airfield Advisory Group

Grant MacLeod – Rangiora Airfield Manager

Rob Hay – Acoustic Engineer

The Council

Garry Blay – Planner

Mark Lewthwaite – Acoustic Engineer

Submitters

Patrick Scotter

Drucilla Kingi-Patterson

Bruce Drake

Environment Canterbury – Sam Leonard and Jolene Irvine

Jeremy Ford

Malcolm Gray

INTRODUCTION

Introduction

1. I was appointed by the Waimakariri District Council (WDC) as an Independent Planning Commissioner to hear and decide on the proposals to:
 - Designate land for “Airport Purposes”, including land in private ownership located within a proposed 65dBA noise contour; and
 - Alter the District Plan through the introduction of noise contours around the Airfield, amendments to the obstacle limitation surfaces, together with supporting objective, policies and rules, and amendments to the planning maps.
2. I was appointed as Commissioner as the Council is the Plan Change proponent and the Requiring Authority with responsibility for the designation. The hearing occurred on 1st July and was adjourned at the completion of the Applicant’s, submitter’s and Officer’s presentations. The adjournment enabled me to undertake a site visit and for:
 - Mr Chrystal to prepare a written right of reply; and for

- Mr Leonard and Ms Irvine (Environment Canterbury) to prepare a written statement supporting the presentation given at the hearing.
3. Following the receipt of those documents, I closed the hearing on 13th July.
 4. Plan Change 45 (PC45) and the Notice of Requirement (NoR) to designate the land were lodged with the WDC under separate documentation. This is procedurally correct, given the requirements of the RMA.
 5. They were notified together, with the submission period closing on 16th August 2019.
 6. While this hearing considered the proposals together, I am required to issue two decisions; one for PC45 and one for the NoR.
 7. Given the above, I have considered the best way in which to present the issues and my findings in this decisions document. The approach I have settled on is as follows:
 - summarise the proposals, the site and the adjoining/nearby environment;
 - reference the matters raised in submissions;
 - outline the issues relevant to the proposals, and my conclusions;
 - consider the statutory framework relevant to PC45 and the NoR, and my findings; and
 - make the decisions.
 8. The reason for adopting an issues or topic approach to my deliberations is that it avoids duplicating discussions on matters that may be common to both PC45 and the NoR. I note also that, for the most part, there was a high degree of agreement between the planning and acoustic experts. Within this context, the majority of the issues that I canvas in this decisions document revolve around differences in expert evidence and/or where I have raised a particular line of enquiry.
 9. It is for this reason also that I do not intend to summarise or comment on all of the evidence presented or statements made; noting that pre-circulation of the Council Officer reports and evidence occurred, submissions have been filed, and all are a matter of record. That said, while there was agreement between the planners as to the alignment of these proposals with the Canterbury Regional Policy Statement (CRPS), I do intend to outline my findings with respect to the significance of the relevant policy direction of the CRPS. I do this as I am of the view that the CRPS provides a compelling framework in which to consider these proposals.

The Proposals

10. This is a proposal to designate land and to amend the District Plan to provide a package of planning tools that:

- Protect and provide for the ongoing operation of the Airfield; and
- Provide certainty as to the acoustic amenity of the surrounding area.

11. The PC45 documentation¹ summarises the amendments proposed to the District Plan as follows:

In accordance with clause 21 of Schedule 1 to *the Resource Management Act 1991* (“the RMA”), the Council seeks to make the following principal changes to the District Plan:

- Amend Planning Map 145 by identifying the 65dBA L_{dn} (the air noise boundary) and 55dBA L_{dn} (outer control boundary) noise contour lines around the Rangiora Airport site based on the application of NZS 6805:1992;
- Amend Planning Map 145 to amend the Obstacle Limitation Surface for the Rangiora Airfield based on the current and projected runway configuration and the present land ownership of Rangiora Airfield;
- Amend the objective and policy framework for the Utilities and Traffic and Rural Chapters to avoid the potential for reverse sensitivity effects by providing on-going protection for the operation, efficient use and development of the Rangiora Airfield, which is recognised as ‘strategic infrastructure’ within the Canterbury Regional Policy Statement;
- Amend the rule framework in Chapter 31 Health, Safety and Wellbeing to:
 - i. require any noise sensitive activity (including new dwellinghouses or additions to dwellinghouses) to be insulated from aircraft noise within the 55dBA L_{dn} noise contour lines around the Rangiora Airport site; and
 - ii. Prohibit noise sensitive development (which includes dwellinghouses) within the proposed Rangiora Airfield 65dBA L_{dn} noise contour; and
 - iii. Amend Rule 30.5 to require Rangiora Airfield to operate so that the noise from the aircraft operations does not exceed L_{dn} 65dBA outside the L_{dn} 65dBA airport noise contour in accordance with NZS6805:1992.

Note: The Plan Change also includes any consequential amendments to the Waimakariri District Plan as a result of the above changes, including numbering and cross referencing. This may include Planning Maps 33, 34 and 110A being amended to include the contours proposed to be shown on Planning Map 145.

12. Mr Blay recommended changes to the amendments proposed in PC45. These included:

- An amendment to policy 11.2.1.1.m that references the 65dBA noise contour;
- Amendments to the Obstacle Limitation Surfaces provisions;
- Redrafting of the rules applying to the 55dBA noise contour; and
- Additional planning maps

13. There was general agreement between the planners to these changes at the hearing. As a consequence, they were included in the Mr Chrystal’s right of reply.

¹ PC45 Page 2

There were other changes recommended by Mr Blay that were not supported by Mr Chrystal. These are discussed later in this decisions document.

14. The NoR proposal seeks to designate the Airfield and adjoining privately owned land that is located with the 65dBA noise contour. Given this the NoR proposes two distinct purposes, as follows²:

Applicable Land	Purpose of Designation
Rangiora Airfield Landholdings (owned by Waimakariri District Council)	Airport purposes
Surrounding Land with 65dBA noise contour (not owned by Waimakariri District Council)	Restriction to avoid noise sensitive activities, and manage activities which pose a risk to aircraft movements.

15. I note for completeness that:
- Section 168A(1)(b) of the RMA provides a pathway for a Requiring Authority to seek a NoR for a designation over land that it does not have financial responsibility for; and
 - During the course of the hearing there was some discussion regarding the use of the term “Airport Purposes”, as proposed in the NoR. In response to this Mr Chrystal noted, in his right of reply, that the it should be replaced with “Airfield Purposes”.
16. Four conditions are proposed for the designation, as follows:
- All buildings shall be setback 100 metres from the centreline of the stopbank of the Ashley River/Rakahuri;
 - All buildings shall be setback 10 metres from a road boundary;
 - All buildings shall be setback 3 metres from an internal boundary; and
 - There shall be no imbedded runway lighting.

Submissions

17. Fifteen submissions were received; with 10 being in support and 5 in opposition. Mr Blay’s reports and the Applicant’s evidence provided summaries of the relief sought in the submissions and provided recommended responses for each.
18. I have reviewed all of the submissions. I also had the benefit of hearing directly from the submitters listed on page 2 above.
19. Those supporting the proposals highlighted the significance of the Airfield to communities and users. Those in opposition outlined a range of amenity concerns, and made a series of recommendations that would assist with addressing those concerns. Some also suggested that growth in aircraft movements at the airfield would exacerbate those amenity concerns.

² NoR Table 1

20. Given the extensive evidence/reports provided to me, I do not propose to detail the assessments provided on the submissions. Rather, I address the matters raised in submissions on an issues/topic basis below.

The Site and Existing Environment

21. The characteristics of the site and adjoining environment are described in the PC45 and NoR documentation, and in the evidence of Mr Chrystal. In summary:
- The Airfield is located some 1.8km from the urban boundary of Rangiora and has been in existence for some 60 years;
 - There are 3 grass runways at the site, with land on the northern side developed with a cluster of airfield related buildings;
 - Land south of the runways is undeveloped;
 - The Airfield caters for light aircraft operations (approximately 40,000 p.a.) and there are no commercial passenger flights (although there are some commercial helicopters operating from the Airfield);
 - The Airfield site and the surrounding land is zoned Rural;
 - The Ashley River is located to the north;
 - Dwellings are scattered around the site. Dwellings on 4 ha lots are located to the east and south east;
 - In evidence, Mr Chrystal³ noted:
 - That Rangiora has grown towards the Airfield; and
 - In addition, there was significant growth in rural lifestyle blocks (referred to above) in the post 1990's period.

THE ISSUES

The Canterbury Regional Policy Statement

22. Mr Chrystal⁴ and Mr Blay⁵ provided an analysis of the policy framework of the CRPS as it relates to PC45 and the NoR. For the most part, the planners were aligned in their opinions.
23. I was advised that:
- Rangiora Airfield is specifically identified as an example of "*Strategic infrastructure*" in the definition of terms that apply to Greater Christchurch⁶; and

³ Chrystal evidence paragraph 37

⁴ Evidence paragraphs 15, 27, 42, 43, 51-59 and Appendix B. NoR and PC45 documentation.

⁵ PC45 Report section 9.2/9.3 and NoR Report section 4.2.

⁶ At paragraph 53 of Mr Chrystal's evidence he confirms the airfield falls within the Greater Christchurch area.

- The Airfield also falls within the definition of “Regionally significant infrastructure”
24. Given these definitions, the key objectives and policies identified by both planners included:
- Objective 5.2.1 - Location, design and function of development (Entire Region)
 - Objective 6.2.1 - Recovery Framework
 - Policy 6.3.5 - Integration of land use and infrastructure
 - Policy 6.3.9 - Rural residential development
25. Specifically, they read (in part) as follows:
- Objective 5.2.1:
5.2.1 Location, design and function of development (Entire Region)
Development is located and designed so that it functions in a way that:
 2. *enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
 - c. *encourages sustainable economic development by enabling business activities in appropriate locations;*
 - f. *is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;*
 - g. **avoids** *adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;*
 - i. **avoids** *conflicts between incompatible activities.*
- Objective 6.2.1
6.2.1 Recovery framework
Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:
 9. *integrates strategic and other infrastructure and services with land use development;*
 10. *achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;*
 11. *optimises use of existing infrastructure;*

- Policy 6.3.5

6.3.5 Integration of land use and infrastructure

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

- 4. Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in [Map A](#) (page 6-28); and*
- 5. Managing the effects of land use activities on infrastructure, including **avoiding** activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.*

- Policy 6.3.9

6.3.9 Rural residential development

In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002, subject to the following:

The location and design of any proposed rural residential development shall:

- e. not compromise the operational capacity of the Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield*

26. At a general level the overarching theme that flows through these objectives and policies is to ensure that development is compatible with and/or avoids adverse effects on such infrastructure. Specifically, the policy framework:

- acknowledges the significance of the airfield and the need to ensure that new development does not "*affect the efficient operation, use, development, appropriate upgrading and safety*"⁷ of the airfield; and
- seeks to manage land use effects on the airfield, including "*avoiding activities that have the potential to limit the efficient and effective provision, operation, maintenance or upgrade*"⁸ of the airfield.

⁷ Policy 6.3.5

⁸ *ibid*

27. For completeness I note also that the CRPS states that the “methods” to be used by territorial authorities to implement policy 6.3.5 include:
“... objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities.”⁹
28. The CRPS explanation and reasons for this policy¹⁰ notes that:
“Strategic infrastructure represents an important regional and sometimes national asset that should not be compromised by urban growth and intensification. ... The locational requirements and existing investment in strategic infrastructure means that it is extremely inefficient for them to relocate, and effects of land use on their operation can significantly reduce efficiency and attractiveness as transport options. The operation of strategic infrastructure can affect the liveability of residential developments in their vicinity, despite the application of practicable mitigation measures to address effects, which in turn exerts pressure on the infrastructure to further mitigate their effects. It is better to instead select development options where such reverse sensitivity constraints do not exist.”
29. From the evidence I have heard, it is clear that the CRPS provides a strong and clear policy direction concerning the need to recognise the Airfield as an important resource that should also be protected. Mr Chrystal described these provisions in his evidence¹¹ as “unambiguous”. I agree.
30. Within this context, I signal at this point that I find that the CRPS provides significant support for the proposals, as it strongly supports the outcomes being sought in PC45 and the NoR.

The District Plan

31. Mr Chrystal and Mr Blay provided helpful evidence¹² (including the NoR and PC45 documentation) on how PC45 and the NoR were aligned with the existing policy framework of the District Plan. In this section I am not considering the section 32 requirements of the RMA; that will occur later in this decision.
32. I do agree with the planners that, however, in terms of the above CRPS expectations, the District Plan as currently drafted does not deal well with the effects of, or the effects on, the Airfield; both at an objective/policy level and in

⁹ Chrystal evidence, paragraph 56 and 57

¹⁰ *ibid*

¹¹ Chrystal evidence, paragraph 59

¹² PC45 section 6.5.2, NoR section 7.3.3 and Blay reports – NoR section 5.1 and PC45 section 11

rule provisions. Moreover, it does not recognise or support the significance of this particular infrastructure.

33. The Planners provided a thorough analysis of this issue and were largely aligned in their views. Within this context, I do not propose to detail their advice other than to note I accept their conclusions.

Effects Issues - Noise

34. The fundamental issues underpinning PC45 and the NoR are notions of managing adverse noise impacts and the potential for reverse sensitivity effects, while at the same time ensuring protection and enabling development of this significant resource within the context of the CRPS commentary above; both now and in the future. Mr Chrystal commented in his evidence that the proposals “... seek to balance the efficient use of the airfield operations with the use of the surrounding land for rural activities¹³.” Furthermore, Mr Chrystal offered the view that “... the technique of a noise contours is well founded and provides a greater degree of certainty for both the continued airfield operation and the general public with respect to the extent of noise permitted and the potential future aircraft activity¹⁴.” I agree.
35. There is no doubt that the landowners and occupiers living near to the Airfield experience noise exposures that are above that which would otherwise be found in the rural environment. I heard this first hand from a number of the submitters. The Airfield has, however, a lengthy history of operation and investment in infrastructure, and within this context it is prudent, in my view, to ensure planning mechanisms are in place to provide certainty of operation, to manage growth at the Airfield and to ensure appropriate environmental outcomes for the surrounding and nearby landowners and occupiers. Airfields, by their very nature, are common place in the rural environment. The balancing of potentially competing objectives is not a simple exercise. I accept in principle, however, that with respect to noise outcomes the proposals before me are the most appropriate planning tools to use in this instance.
36. I note that the acoustic experts (Mr Hay and Mr Lewthwaite) were largely aligned in their opinions and advice. Both recognised (and quantified) the noise exposure that would be experienced by nearby/adjacent owners and occupiers, but acknowledged that the establishment of the 55 and 65 dBA noise contours would be an appropriate mechanism for achieving the outcomes referred to above in paragraph 34. I accept their advice.

¹³ Chrystal evidence, paragraph 16

¹⁴ Chrystal evidence, paragraph 17

37. It is important to recognise also that:
- while the noise contours may place restrictions on how land is used, these restrictions are balanced by the related rules designed to control noise at the 65dBA contour; and
 - collectively, these proposed provisions represent a significant improvement on the current planning regime and provide a greater degree of certainty for all.

38. Mr Lewthwaite's opinion did, however, come with caveats as follows:

Should there be a NMP developed for the Airfield?

38.1. While referencing NZ6805¹⁵ (Airport noise management and land use planning), Mr Lewthwaite argued that a NMP would assist with managing noise emissions at the Airfield. At paragraph 31 of his report he listed a number of potential controls that could be put in place. In response to this, Mr Blay recommended that a condition be imposed on the designation requiring the preparation of a NMP.

38.2. Mr Noad and Mr Hay commented on this issue in their evidence. Mr Noad explained in paragraphs 7 – 20 of his evidence reasons why the majority of the controls identified by Mr Lewthwaite could not be implemented or, in some cases, were already in place. Mr Chrystal summarised these as relating primarily to "safety of aircraft, CAA regulations and matters which are beyond what the airfield is able to control".¹⁶ Mr Hay was of the view that the current operational measures were the "most effective means of managing airport noise at Rangiora".¹⁷

38.3. When deliberating on this issue I considered that, in principle, there was some merit in Mr Lewthwaite's recommendation. This is particularly so given the nature of some submissions, which raised noise concerns, and from the statements made by Mr Gray at the hearing. The evidence that I received, however, indicated to me that there would be little benefit from the preparation and implementation of such a plan; primarily for the reasons outlined in the evidence of Mr Noad. I am mindful also that there is a process established for receiving and reporting on noise complaints via the Airfield Advisory Group and the Council itself. On balance, therefore, I favour the advice I have received from Mr Noad and Mr Hay.

¹⁵ Section 1.7.1 – paragraph 30 Lewthwaite report

¹⁶ Chrystal evidence – paragraph 80

¹⁷ Hay evidence – paragraph 6.4

Night time noise disturbance

38.4 There was discussion at the hearing concerning early morning and night time flights and the impacts that might arise from this. I was advised that the Airfield does not contain runway lighting or navigational aids, and that this severely limits operations outside of daylight hours. A condition is proposed that ensures there shall be no imbedded runway lighting, thereby reinforcing the restriction on non-daytime operations. On this matter Mr Noad¹⁸ also commented that:

"Rangiora Airfield's runways are unlit, so under NZCAA regulations its hours of operation are limited to daylight hours, as set out in the AIP section GEN2.7 (Appendix 2). These hours of operation cannot be altered. The hours of operation increase in the summer months and decrease in winter in response to the seasonal changes in daylight hours. This means that in midwinter the hours of operation cease prior to 6pm, and extend to around 10pm in summer."

38.5 In the Applicant's right of reply¹⁹ it was noted that:

"For the year 1 July 2019 to 30 June 2020 between the hours of 22.00 – 0500 there were no movements. Between the hours of 0500 and 0559 there were 12 movements and between 0600 and 0659 there were 90 movements. This level of movements would have no impact on the noise contours i.e. it would increase the Ldn by 0.1 of a dB."

38.6 The Notice of Requirement and Plan Change documentation note that the Airfield currently supports some 40-45,000 aircraft movements annually. Within this context, the early morning flights noted above form an insignificant proportion of the total number of movements. I do accept, however, that they may be seasonal.

38.7 The issue raised at the hearing, and in some submissions, was whether growth in aircraft movements over time would mean an increase in the proportion of movements at these less desirable times. The question had some significance, given that Mr Hay advised at the hearing that the modelling undertaken by MDA assumed no change in proportionality.

38.8 The Applicant addressed this matter in their right of reply²⁰ in the following way:

"Using a two-minute interval would enable 30 movements per hour over an average of an 11 hour day (0700 – 1800). Based on 300 operational days

¹⁸ Noad evidence – paragraph 15

¹⁹ Paragraph 13

²⁰ Paragraphs 14-16

per year this would enable 99,000 movements per annual. An operational day is when the weather permits Visual Flight Rules (VFR).

Based on the above there is sufficient capacity within the daylight operating hours to cater for increased aircraft movements up to the levels where monitoring would become necessary without aircraft movements being pushed into the night-time hours.

In addition to the above there is no night flying ability for fixed wing aircraft at Rangiora Airfield."

- 38.9 There are a number of assumptions included in the above capacity assessment. Whether all would survive close analysis is, in my view, a moot point. I say this as there is a large degree of redundancy in the calculated figure. As a consequence, I am satisfied that there is no reason to conclude that proportionality would change with growth in aircraft movements and that an increase in the quantum of movements would not automatically translate to an increase in early morning flights.

Engine Testing and Aircraft Taxiing

- 38.10 PC45 includes provisions²¹ controlling noise exposure at the 65dBA noise contour and requirements for noise calculations and modelling/measurement at identified trigger points (aircraft movements). PC45 included a list of exemptions from those provisions and this included "aircraft taxiing" and "aircraft engine testing". Mr Blay and Mr Lewthwaite considered these activities should be removed from the exemption list. This was also an issue raised by Mr Gray.

- 38.11 It was clarified in evidence²² that there is no engine overhaul or rebuild facility at the Airfield, and that engine testing associated with such activities does not occur. Rather, engine pre-flight run-up and post maintenance checks (50 and 100 hour checks) occur. Mr Hay noted that the pre-flight engine run-ups were included in the modelling and that it was the post maintenance checks that required the exemption. Moreover, that the such activities (post maintenance checks) would not have any noticeable influence on the noise contours. As a consequence of this, Mr Chrystal recommended an amendment to the "engine testing" exemption; clarifying that it would only apply to "engine run-ups for each 50-hour check".

²¹ Rules 30.5.2-30.5.4 in the notified version of PC45. Renumbered to 30.1.1.14-30.1.1.16 in Mr Blay's s42A report and in Mr Chrystal's right of reply

²² Chrystal – paragraph 83; Hay – paragraphs 5.5 – 5.7 and 6.5; Noad – paragraph 19

38.12 On the issue of taxiing, Mr Hay advised that it has negligible impact on the noise contours, and would not provide amenity gains for nearby residents.²³

38.13 Given all of the above, I accept the recommendations of Mr Chrystal and Mr Hay.

Effects Issues - Visual impacts and site coverage

39. During the hearing I discussed with Mr Chrystal whether there was a need for a site coverage control to limit the scale of building development on the Airfield site; particularly the largely undeveloped part near to Priors Road. I raised this issue from a rural character and visual impact perspective, given the form of development that currently exists on the Airfield site north of runway 25/07.
40. Mr Chrystal noted that the current 20% structure coverage rule (31.1.1.10c) that applies in the Rural zone, and was of the view that it was unlikely to be exceeded given the area of the site. He did argue that other requirements such as road boundary set backs and CAA runway separations would ensure a “significant proportion of the site would remain open.”²⁴ There is of course no guarantee going forward that the current District Plan site coverage rules will roll over into the proposed District Plan. I do recognise, however, that a 10m road boundary building set back is proposed as a condition of the designation.
41. Given this, and while there is merit in the District Plan argument, I do not see it being particularly useful when considering the merits of any future development on the site. I say this as it is clear from section 176 of the RMA that section 9(3) does not apply to a designated site – in other words the District Plan rules do not apply when considering an Outline Plan of works under section 176A of the RMA. It is clear that Council’s use the District Plan and relevant provisions as a “touchstone” when considering Outline Plans, but there is no mandatory requirement for compliance.
42. Within this context there is an argument that if I did conclude there was a prospect of adverse visual or rural character effects of such a magnitude that a specific coverage control should be placed on the designation, then that would be appropriate. That is not, however, where I have landed on the issue and I do not consider that a condition controlling site coverage is required as:
- I do accept that the spatial extent of the site, combined with the arrangement of runways and the proposed road boundary set back condition, will provide a significant constraint on site development;

²³ Hay evidence, paragraph 6.7

²⁴ Chrystal Right of Reply – paragraph 12

- While the form of development that is currently present on the site, and what may exist in the future, may not be typical of a rural environment, it is typical of what would be expected at an airfield. Given that I have noted earlier that airfields are not uncommon in a rural environment, it would be an unusual conclusion to draw that this site could not, or would not, expect to see a clustering of buildings; and
 - Notwithstanding the above, when considering an Outline Plan for any future works, the territorial authority is able to consider the “height, shape and bulk” of buildings and any adverse effect of the proposal.
43. Overall, this leads me to a conclusion that a site coverage control on the designation is not required.

Effects Issues - Restrictions on the use of land

44. Both PC45 and the NoR propose provisions that may restrict options on how land is used that is not in the ownership of the Requiring Authority. This includes:
- Controls on structures and vegetation that may penetrate the Obstacle Limitation Surfaces;
 - Noise insulation requirements for noise sensitive activities within the 55dBA noise contour;
 - Prohibited activity status for noise sensitive activities within the 65dBA noise contour (land parcels are identified in table 3 of the PC45 documentation); and
 - Designation restrictions on noise sensitive activities and other activities which may pose a risk to aircraft movements within the 65 dBA noise contour (as outlined in the table contained in section 6.1 of the NoR).
45. The most significant of these relates to the prohibited activity status that will apply to noise sensitive activities within the 65 dBA contour and, related to this, the restrictions that will apply in the same area under the designation. The PC45 documentation notes that no existing dwellings²⁵ are located within that contour. There are a number of dwellings located within rural residential blocks and larger rural blocks within the 55 dBA noise contour, together with additional development potential. The hierarchical approach taken with the 55 and 65 noise contours is to prohibit noise sensitive activities within the 65, whilst enabling such activities within the 55 contour where appropriate noise insulation is provided. Where no insulation is to be provided, such activities are proposed to be avoided by requiring resource consent as a non-complying activity.

²⁵ PC45 page 8

46. The above restrictions are balanced by the proposed rules designed to ensure noise from aircraft operations does not exceed 65dBA at that contour line, and that this is measured and modelled over time.
47. Based on the evidence I have received, together with the extensive section 32 assessment contained in the PC45 documentation, I am satisfied that the package of provisions provides appropriate recognition of the significance of the Airfield while:
- Enabling and managing development of the Airfield;
 - Managing noise impacts on the surrounding community;
 - Avoiding the potential for reverse sensitivity effects; and
 - Providing a transparent planning regime (Plan provisions and designation) for both the Airfield operator/users and the community.
48. While I acknowledge the concerns raised by some of the submitters and the restrictions that it places on some landowners/occupiers, I am satisfied that the balanced approach taken to the proposals is appropriate.
49. My final comment on this topic relates to the Obstacle Limitation Surfaces and the submission of ECan. The submission of ECan on PC45 sought changes to the rule 30.5.1, dealing with Obstacle Limitation Surfaces, as this would impact on how flood protection vegetation is managed. The issue was discussed in Mr Blay's report²⁶ where he proposed amendments to align the rule with the CAA Advisory Circular AC139-7 and AC91-15. The proposed amendments were supported by ECan at the hearing. In a subsequent written statement provided by Mr Leonard and Ms Irvine, they confirmed that ECan's concerns would be addressed if Mr Blay's recommended changes to rule 30.5.1 were accepted. Mr Chrystal has adopted the recommended changes in the set of rules provided with his right of reply.
50. One residual issue remains with respect to ECan's submission on the NoR relating to the potential of the designation, if confirmed, to restrict planting of species on land (administered by ECan) which may pose a risk to aircraft movements – for example, if a particular species becomes a bird attractant. My reading of ECan's written statement on this matter is that they propose developing an agreed plant species list outside of the designation regime, through a collaborative approach with the Requiring Authority responsible for the designation. Such an approach could also address the limitations on height that would apply under the Obstacle Limitation Surfaces. In the right of reply Mr Chrystal signalled that the Council

²⁶ Section 10.3

and the Airfield Advisory Group would be willing to discuss the development of a memorandum of understanding addressing this issue.

51. In my view this is approach is appropriate, and that it should not be addressed as a condition of the designation or a rule in the District Plan. I say this simply because it allows for a more flexible and agile management regime responsive to change, than would otherwise occur under a designation condition or Plan rule.

Effects Issues - Definition of Airfield Purposes

52. The designation proposed for the Airfield is "Airfield Purposes". If the designation is confirmed, this notation would be used to determine what activities may occur under the designation regime.
53. The NoR does not define this term, and at the hearing I questioned Mr Chrystal as to whether a definition was necessary in order to provide clarity to Plan users as to its meaning. In the right of reply Mr Chrystal did not consider that a definition was required²⁷, as it was unlikely that non airfield uses would establish at the site due to its location and hours of operation. He noted also that noise sensitive activities are either prohibited or restricted and similar terms are used in other Plans without definition. At the hearing, Mr Blay did not see a need to provide a definition.
54. I accept the advice I have received. Should there be any doubt in the future as to whether a particular activity falls within the meaning of the term, I would anticipate that the Requiring Authority or the territorial authority would reference the NoR²⁸ where it states that the designation is *"required to enable the efficient on-going operation of the existing Rangiora Airfield"*. If an activity could not be linked back to that fundamental purpose, then it is unlikely it would come within the meaning of the term.

Effects Issues – Traffic and Social, Cultural and Economic Effects

55. The PC45 documentation²⁹ contained an assessment of these potential impacts. In short:
- any adverse traffic impacts associated with increased levels of activity at the Airfield would be minimal;
 - social and cultural impacts are expected to be "moderately positive; and
 - the Airfield and the proposals put forward in PC45 and the NoR are expected to provide a range of significant economic benefits.

²⁷ Paragraphs 6-8, and noted that the term should be amended to 'Airfield Purposes'

²⁸ NoR – Section 1 Introduction

²⁹ PC45 sections 6.6.3 - 6.6.6

56. I received no evidence to the contrary

Effects Issues – Conclusions

57. Given all of the above, I accept that when viewed as a whole, the package of provisions will provide appropriate planning framework for managing the effects on, and managing the effects of, the Airfield. As I have noted earlier, these proposed provisions not only represent a significant improvement on the current planning regime they also provide a greater degree of certainty for all.

Designations and Outline Plans

58. Mr Blay noted in his report³⁰ that an Outline Plan had not been supplied with the NoR and, that in response to a request for further information (RFI), the Requiring Authority provided a plan showing the existing layout of the site. At the time, the Requiring Authority advised that the plan was provided for information purposes only and not as an Outline Plan. My understanding of Mr Blay's position is that the site layout plan provided in response to the RFI should be considered as an Outline Plan for the site "as it provides a baseline for the designation"³¹

59. The statutory requirement to submit an Outline Plan exists within section 176A(1) of the RMA and requires that a plan be submitted to a territorial authority for works proposed on a designated site. Mr Chrystal noted that there are exemptions available under subsection (2) of the RMA, including where the work has been "otherwise approved under this Act". In his view, based on information provided on the history of site development, the exemption available under subsection 2 applies³².

60. I have a number of observations to make on this issue:

- The requirement to provide an Outline Plan only occurs when a work is proposed and when this occurs on a designated site;
- In this case no work is proposed and the site is not designated.

61. As a consequence, I do not agree that there is a requirement for an Outline Plan. If I am incorrect in this matter, then I agree with Mr Chrystal that subsection 2 applies and thus the error would be of no consequence.

62. When considering this NoR I am not being asked to retrospectively approve any building or structure that may not have been authorised or have existing use rights under section 10 of the RMA. If there is a demonstratable argument that

³⁰ Blay report – paragraphs 2.4.4 and 3.4

³¹ Blay report – paragraph 12.2

³² Chrystal evidence – paragraphs 85 - 88

- there are illegal structures (or activities) on the site that are not covered in Mr Chrystal's evidence³³, then that becomes an enforcement matter for the Council.
63. I accept that there are slightly unusual circumstances associated with this NoR that relate to the site having partially been developed, and operational. This is not a greenfield site as is often the case with NoR's. While the plan submitted in response to the RFI is useful, and has assisted with my deliberations, it cannot and should not be considered as an Outline Plan or referenced in some way by a condition attached to the designation. It simply forms part of a wider package of information that was submitted with the NoR.

THE STATUTORY FRAMEWORK AND FINDINGS

The Notice of Requirement

64. Mr Chrystal and Mr Blay outlined the statutory provisions that frame my considerations. As this is a NoR by the Territorial Authority, I am required to consider the proposal under section 168A³⁴ of the RMA; and specifically, subsection 3. In summary the section 168A (3) matters are subject to the Part 2 of the RMA and require that I consider the effects on the environment, having particular regard to:
- the relevant provisions of any National Environmental Standard, National Policy Statement, the Canterbury Regional Policy Statement, Regional Plan and the Waimakariri District Plan;
 - whether adequate consideration has been given to alternatives if the Requiring Authority does not have an interest in the land sufficient for undertaking the work, or it is likely that the works will have significant environmental effects;
 - whether the work and designation are necessary for the NoR to achieve its objectives; and
 - any "other" relevant matters.
65. Following my consideration of these matters I am able to:
- Confirm the Requirement
 - Modify the Requirement
 - Impose conditions
 - Withdraw the Requirement
66. My findings on these matters follow and, where appropriate, draw from my earlier conclusions.

³³ Chrystal evidence – paragraphs 36 - 40

³⁴ I note that Mr Blay references section 171 in his Report. There is no real significance in this given that the assessments required under sections 168A and 171 are the same

Section 168A(3) The Environmental Effects

67. I have considered the adverse effects that will arise from this proposal in paragraphs 34 to 57 above. I will not repeat the assessment here and simply restate my overall conclusion that the effects are acceptable.

Section 168A(3)(a) Plans and Policy Statements

68. I focused on the relationship between this proposal and the CRPS and the District Plan in paragraphs 22 to 33 above. I also received evidence and advice from Mr Chrystal and Mr Blay on the:

- Land and Water Regional Plan;
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health

69. Overall, I am satisfied as to the alignment of the designation proposal with these documents.

Section 168A(3)(b) Alternatives

70. This section of the RMA requires consideration of alternative sites, routes and methods in the circumstance where:

- (i) The Requiring Authority does not have an interest in the land sufficient for undertaking the work; or
- (ii) It is likely that the work will have a significant adverse effect on the environment

71. This section of the RMA requires an assessment of the extent to which the Requiring Authority has given "adequate consideration" to "alternate sites, routes or methods" for undertaking the work when they have no "interest" in the land or a "significant" adverse effect may arise

72. While it is clear that the majority of the land subject to the proposed designation is in the ownership of the Requiring Authority, it will cover some land that is not in the ownership of the Requiring Authority. If confirmed, the impact of the designation on the owners and occupiers of publicly or privately owned land would be to impose restrictions on noise sensitive activities and other activities which may pose a risk to aircraft movements (as outlined in the table contained in section 6.1 of the NoR).

73. Given my earlier effects conclusions, I am satisfied that a significant adverse effect will not arise – both in terms of impacts on landowners and occupiers, and in terms of the restrictions that will apply to the land not in the ownership of the Requiring Authority.

74. Within this context I have considered whether an assessment of alternatives is required. Mr Chrystal noted in section 7.4 of the NoR documentation that the

two limbs of section 168(3)(b) are disjunctive and that only one of the tests needed to be met in order to avoid an alternatives assessment. I disagree with that interpretation. In my view both limbs require consideration.

75. This discussion is, however, largely academic, as a consideration of possible alternative sites, routes and methods was provided in section 7.4 of the NoR. On the issue of alternate sites, I agree with Mr Chrystal that it is simply not a realistic option to consider relocating the facility to a different location given the history of its existence on the current site and perhaps, more significantly, the significant infrastructural investment at the Airfield.

76. The issue of alternate routes is not relevant. This leaves consideration of methods. Section 7.4.2 canvases three options:

- Plan Change only;
- Resource consent;
- Do nothing

77. The conclusions drawn from this assessment identifies the designation as the most appropriate method. I agree and this aligns with my earlier conclusions in paragraph 47 above concerning the outcomes that will arise from the proposal.

Section 168A(3)(c) Objectives

78. This section of the RMA requires consideration of whether the proposed works and designation are reasonably necessary to achieve the objectives of the Requiring Authority for which the designation is sought. The objectives are outlined in Section 2 of the NoR as being:

- Safeguard the operations of the Rangiora Airfield and to minimise the impacts of surrounding noise sensitive land uses on the continued operation.
- Provide recognition of the social, economic and cultural contribution of Rangiora Airfield, and ensure that aviation clubs and businesses which locate at the airfield will not be at risk from development surrounding the airfield.
- Provide greater clarity within the district plan of the operational requirements of Rangiora Airfield, and provide notice of its location to surrounding landowners.
- Give effect to the Canterbury Regional Policy Statement which recognises Rangiora Airfield as 'regionally significant infrastructure'.

79. There are two elements to this consideration:

- The need for the work or project; and
- The need for the designation as a planning tool.

80. The issue of the need for the project or work is somewhat of an irrelevancy, given that it exists. That said, I accept that there are public good outcomes that arise from the operation of Airfields and that, in a general sense, this is aligned with the Requiring Authorities stated objectives. The establishment of the designation within the District Plan as a planning tool provides a clear signal to the community of its ongoing operation and development, and provides a methodology for managing effects from ongoing development through the Outline Plan process. It also assists with directly managing the potential for reverse sensitivity effects to arise on the Airfield and achieving the outcomes sought in the CRPS and in the stated objectives. Given this I am satisfied that the designation is necessary.

Section 168A(3)(d) Other Matters

81. I have not identified any other matters that are relevant to my considerations.

The Plan Change

82. The relevant statutory considerations are provided in section 5 of the PC45 documentation and in Section 7 of Mr Blay's report. I address these matters below and, as before, draw from earlier conclusions where relevant. I note for completeness, that during the course of the hearing we discussed a number of issues relating to the construction of the policy framework (as sought to be amended by PC45) and related rules and explanations. With the exception of the aircraft taxiing and engine run-up provisions, both Mr Blay and Mr Chrystal were largely aligned on the refinements required to the notified version of PC45. Given this, my discussion below refers to the version of the amendments as provided in Mr Chrystal's right of reply, unless stated otherwise.

83. Section 74 requires that I have regard to CRPS, Regional Plan, Management Plan or strategy. I am also required to consider the provisions of Part 2 of the Act and the need for an evaluation under section 32.

84. Section 75 requires that a Plan must give effect to, amongst other things, the CRPS and must not be inconsistent with a Regional Plan (as it relates to Section 30(1)).

The CRPS, Plans and Strategies

85. I have previously outlined my findings with respect to the CRPS, the District Plan and relevant Regional Plans. I find PC45 to be aligned with these documents. In fact, I will go one step further and state that in its current form, it is arguable that the District Plan does not give effect to the CRPS insofar as it relates to

recognising and providing for the Airfield as strategic infrastructure. PC45 addresses that concern.

86. I do note that both Mr Blay and Mr Chrystal commented on the National Policy Statement Urban Development Capacity (NPS-UDC). At the time of the hearing and during my deliberations, this was the relevant NPS in force. Both Planners were of the view that PC5 is aligned with the outcomes sought in the NPS. I accept that advice. For completeness, I do note that the National Policy Statement on Urban Development (NPS-UD) was gazetted on 23 July and took effect on 20 August 2020. The NPS-UD has now replaced the NPS-UDC.

87. For completeness I note that PC45 has been prepared within the framework of the operative District Plan. The approach taken by the plan change proponent was to amend existing Plan provisions and insert new provisions (where appropriate) within the structure of the current Plan. Within this context PC45 may not be aligned with the National Planning Standards, insofar as not being in a format anticipated under the Standards. I do not view this as a significant issue, particularly within the context of section 74(1)(ea), given the need to work within the structure of the existing Plan.

Section 32

88. Section 32 of the RMA requires consideration of whether the objectives of the proposal is the most appropriate way to achieve the purpose of the RMA, and whether the provisions are the most appropriate way to achieve the objectives with regard to efficiency and effectiveness.

89. The PC45 documentation included an extensive section 32 assessment.³⁵ The key conclusions drawn from the assessment were:

- *The proposed objectives are the most appropriate way in achieving the purpose of the Act and giving effect to the CRPS.*
- *The proposed provisions in terms of efficiency and effectiveness are the most appropriate way to achieve the objectives having considered other reasonably practicable options.*
- *The benefits in terms of the environmental, economic, social, and cultural effects outweigh the costs and in conjunction with the Notice of Requirement will provide opportunities for economic and employment growth.*
- *There is sufficient information that demonstrates that there are no significant risks around proceeding with the Plan Change.*

³⁵ PC45 Section 6

- *The Plan Change and associated designation are the best means of protecting the ongoing Airfield operations, with minimal impact on other surrounding properties.*
 - *It will provide clarity around intentions for the future use and development of the Airfield and surrounding area.*
 - *The existing objectives and associated policies will remain if the Plan Change takes effect.*
 - *Advice from Iwi authorities is that they did not have any concerns with the Plan Change (or designation).*
90. Mr Blay formed similar views and I heard no contrary evidence. While some amendments have been made to the PC45 provisions in response to issues discussed at the hearing, I am of the view that on balance the section 32 assessment remains valid and that the amendments proposed are supportable within the context of the evidence and submissions presented. Moreover, they will achieve the purpose of the RMA.

PART 2 OF THE ACT AND DETERMINATIONS – THE NOR AND PC45

91. The purpose of the Act is to promote sustainable management of natural and physical resources. Section 5 of the RMA imposes a duty on consent authorities to promote sustainable management while endeavouring to avoid, remedy or mitigate adverse effects of activities on the environment. The term *sustainable management* is defined in section 5(2). In simple terms, the definition places emphasis on enabling people and communities to undertake activities, while ensuring that the 'bottom line' standards specified in subsections (a) – (c) are met.
92. Sections 6-8 of the RMA provide guidance on how the purpose of the RMA should be achieved. There are no matters in sections 6 and 8 that I consider relevant to these proposals.
93. Section 7 prescribes "other matters" to which I am directed to have particular regard. These matters include:
- (b) The efficient use and development of natural and physical resources;
 - (c) The maintenance and enhancement of amenity values; and
 - (f) Maintenance and enhancement of the quality of the environment.
94. When considering the above, I acknowledge that the Airfield is a significant physical resource and one that is recognised in the CRPS. As I have noted earlier, and as Mr Chrystal has argued, PC45 and the NoR work as a "package" and

collectively provide planning tools which provide appropriate recognition of the significance of the Airfield while:

- Enabling and managing development of the Airfield;
- Managing noise impacts on the surrounding community;
- Avoiding the potential for reverse sensitivity effects; and
- Providing a transparent planning regime (Plan provisions and designation) for both the Airfield operator/users and the community.

95. While prohibited activity status will apply to noise sensitive activities within the 65 dBA contour, I was advised that no existing dwellings³⁶ are located within that contour. There are a number of dwellings located within rural residential blocks and larger rural blocks within the 55 noise contour, together with additional development potential. The hierarchical approach taken with the 55 and 65 noise contours is to prohibit noise sensitive activities within the 65, whilst enabling such activities within the 55 contour where appropriate noise insulation is provided. Where no insulation is to be provided, such activities are proposed to be avoided by requiring resource consent as a non-complying activity.
96. While the proposals introduce restrictions on the way in which land may be used, I have concluded that the proposals will provide a robust planning regime that represents a significant improvement on the current Plan provisions. I acknowledge also the amenity concerns raised by some submitters. I find, however, that the proposals strike an appropriate balance between enabling the ongoing use and development of the Airfield and maintaining the amenity of the surrounding community. In particular, the PC45 provisions will provide certainty that noise from aircraft operations does not exceed 65dBA at that contour line, and that this is measured and modelled over time.
97. Given all the above, I consider that the proposals are aligned with the relevant statutory documents and Plans. In particular I find that the proposals represent the most appropriate means of arriving at the outcomes sought by the CRPS and will achieve the purpose and principles of the RMA. As a consequence, the NoR is confirmed and the Plan Change is approved. **Appendix 1** provides a schedule for the designation to be included in the District Plan. **Appendix 2** details the amendments required to the objectives, policies and rules of the District Plan. In both cases, amendments have been made to conditions and/or provisions in response to issues discussed at the hearing and as outlined in Mr Chrystal's right of reply.

³⁶ PC45 page 8

Dated at Christchurch this 25th day of August 2020



Darryl Millar
Commissioner

Appendix 1 Designation

35. Designations – Rules

Add to Appendix 35.1: Schedule of Designations

Ref	Requiring Authority Responsible Person	Site Name and Location	Legal Description	Designation	Underlying Zone	District Map Plan no.
D094	Waimakariri District Council	Rangiora Airfield, Merton Road	Lot 1 DP 320694 Lot 1 DP 24674 RS 38634 Lot 2 DP 320694 Lot 2 DP 410643 Lot 3 DP 410643 Lot 4 DP 410643	Airfield Purposes (Also see Appendix 35.8)	Rural	145
D095	Waimakariri District Council	Surrounding Land with 65dBA noise contour for Rangiora Airfield (not owned by Waimakariri District Council)	Lot 1 DP 410643 Lot 5 DP 410643 Pt RES 3101 Lot 2 DP 426606 Pt RS 33396 Closed Road SO 5157 RES 4988	Restriction to avoid noise sensitive activities, and manage activities which pose a risk to aircraft movements.	Rural	145

Add new Appendix 35.8

NOTE: Conditions relate to D094

Notice of Requirement – Rangiora Airfield

CONDITIONS

1. All buildings shall be setback 100 metres from the centreline of the stopbank of the Ashley River/Rakahuri.
2. All buildings shall be setback 10 metres from a road boundary.
3. All buildings shall be setback 3 metres from an internal boundary.
4. There shall be no imbedded runway lighting.

Appendix 2 District Plan Amendments PC45

District Plan Amendments

For the purposes of this plan change, any text proposed to be added is shown as underlined and text to be deleted as ~~strikethrough~~.

District Planning Maps

1. **Amend** District Plan Map 145 (as attached) to include the following:
 - Add noise contour lines; and
 - Amend take off climb and approach obstacle limitation surface lines.
2. **Amend** District Planning Maps No. 33, 34 and 110A (as attached).

Amendments to Chapter 1: Definitions

- **Add new definition to read:**

Aircraft operations means:

- The landing and take-off of aircraft (including helicopters) at Rangiora Airfield.
- Aircraft flying along any flight path associated with a landing or take off at Rangiora Airfield.

New Objectives, Policies, Rules and Methods

- **Insert new Objectives and Policies to read:**

Chapter 11: Utilities and Traffic

- **After Policy 11.1.1.8 insert the following and renumber existing provisions accordingly:**

Objective 11.1.2

Provide for the safe, efficient and effective development and use of Rangiora Airfield to ensure it continues to contribute to the social and economic wellbeing of the Waimakariri district.

Policy 11.1.2.1

Recognise and provide for the social and economic benefits of Rangiora Airfield, and avoid adverse effects from incompatible activities, including reverse sensitivity effects on Airfield operations.

Explanation

The Rangiora Airfield is a significant physical resource, contributing to the social and economic welfare of the community of the Waimakariri District and the wider Canterbury region. The significance of the Rangiora Airfield is recognised in the Canterbury Regional Policy Statement as strategic infrastructure, for its importance in supporting commercial and recreational aviation activities in the region.

The Rangiora Airfield provides significant transport and recreational infrastructure which supports both commercial and recreational aviation activities. Designation of the Rangiora Airfield provides protection of current and future aviation activities, which contribute to the social and economic wellbeing of Waimakariri District.

Defined noise contours enable potential conflict between Rangiora Airfield operations and noise sensitive activities to be appropriately addressed. This includes avoiding intensive subdivision and noise sensitive development within the 55 dBA Ldn noise contour, prohibiting dwellinghouses and noise sensitive activities within the 65 dBA Ldn contour and requiring new residential activities or alterations to existing residential activities associated with permitted rural uses subject to appropriate noise insulation being provided.

Methods

District Plan Rules 11.1.2.1.1

Rules providing that subdivision and dwellinghouse development involving areas of less than four hectares in the Rural Zone is a non-complying activity.

Rules requiring acoustic insulation for new rural dwellinghouses or additions to existing dwellinghouses.

Rules restricting noise sensitive activities within a 55 dBA Ldn contour.

Rules prohibiting dwellinghouses and noise sensitive activities within a 65 dBA Ldn contour.

Rules restricting land use where any structure or vegetation penetrates the height control surfaces.

District Plan Maps 11.1.2.1.2

Map showing the location of the 65 and 55 dBA L_{dn} noise contours.

Chapter 14: Rural Zones

- **After methods section 14.3.1.1.1 insert the following:**

Issue 14.4

The adverse effect on the health and safety of people occupying properties in the Rural Zone affected by noise of aircraft using Rangiora Airfield, and the reverse sensitivity effect on the operation, efficient use and development of Rangiora Airfield, from complaints

from people occupying properties in the Rural Zone affected by the noise of aircraft using the Airfield.

Objective 14.4.1

The avoidance of noise sensitive activities within the 55dBA Ldn noise contour for Rangiora Airfield.

Policy 14.4.1.1

Avoid the development of noise sensitive activities in the Rural Zone within the 55dBA Ldn noise contour relating to Rangiora Airfield as shown on District Plan Map 145.

Explanation

Rangiora Airfield is a valuable strategic asset providing for recreational, agricultural and training operations. The Airfield operates during daylight hours, seven days a week. As a consequence, occupiers of properties located on land in the Rural Zone, within the projected noise contours for Rangiora Airfield, may be exposed to noise effects from aircraft operations.

To address the potential for conflict between Rangiora Airfield operations and noise sensitive activities, it is prudent to avoid intensive subdivision and noise sensitive development in the Rural Zone within the 55 dBA Ldn noise contour relating to Rangiora Airfield and prohibit such activities within the 65 dBA Ldn noise contour. Within the 55 dBA Ldn noise contour residential activities associated with permitted rural uses remain permitted subject to appropriate noise insulation, being provided.

Methods

District Plan Rules 14.4.1.1.1

Rules providing that subdivision and dwellinghouse development involving areas of less than four hectares in the Rural Zone is a non-complying activity.

Rules requiring acoustic insulation for new rural dwellinghouses or additions to existing dwellinghouses.

Rules restricting noise sensitive activities within a 55 dBA Ldn contour.

- **Renumber existing provisions as required.**

Amend existing Objectives and Policies as follows:

Chapter 11: Utilities and Traffic Management

- **Insert point m under Policy 11.2.1.1 to read:**

m. avoiding dwelling houses and noise sensitive activities within the 65dBA Ldn noise contour and noise sensitive activities within the 55dBA Ldn noise contour for Rangiora Airfield.

CROSS REFERENCE: Policy 12.1.1.12

-
- **Amend paragraph six of the explanation to Policy 11.2.1.1 to read:**

In the case of Rangiora Airfield, noise sensitive activities within the 55dBA Ldn contour will be avoided while additions to existing dwelling houses or new dwelling houses will require sound insulation. Further, the protection of Obstacle Limitation Surfaces avoids potential for conflict and safety issues as a result of inappropriate development. ...

- **Amend method 11.2.1.1.1 District Plan rules to read:**

Status and scale of utilities.

Visual impact of new utilities.

Performance standards for landscaping, setbacks and screening.

Environmental standards for utilities.

Subdivision standards for utilities.

Standards to protect take-off and landing surface of Rangiora Airfield.

Non-complying activity status for subdivision and dwellinghouse development involving areas of less than four hectares in the Rural Zone.

Controls requiring noise insulation of dwellinghouses within the 55dBA Ldn noise contours of Christchurch International Airport and Rangiora Airfield.

Rules restricting noise sensitive activities within a 55 dBA Ldn contour for Rangiora Airfield.

Chapter 12: Health Safety and Wellbeing

- **Amend the explanation to Policy 12.1.1.12 to read:**

Aircraft can only be controlled in relation to the use of airports. There are also limitations on the control of traffic noise. Mitigation of the noise effect in the receiving environment involves consideration of the appropriateness of residential development in some areas, and the extent to which building design can reduce the noise, eg insulation, setbacks.

Noise data collected for the current Rangiora Airfield operation has been used to create aircraft noise contours which show the future 65 dBA and 55 dBA contours will encroach on land surrounding the Rangiora Airfield. To mitigate the noise effects of the Rangiora Airfield on surrounding properties, new residential dwellinghouses and other noise sensitive activities are prohibited inside the 65 dBA noise contour, while between the 65 and 55 dBA noise contours noise sensitive activities are to be avoided while new dwellinghouses or additions to existing dwellinghouses associated with rural activities require acoustic attenuation. Noise associated with aircraft operations is also restricted so that it does not exceed 65 dBA Ldn outside the 65 dBA Ldn noise

contour thus providing an assurance as to the future noise levels that can be anticipated.

The take-off and landing vectors associated with Rangiora Airfield are also protected by rules.

For Christchurch International Airport the 50 dBA Ldn aircraft noise contour shows noise level boundaries encroaching onto land to the south west and north east of Kaiapoi (District Plan Map 138). Within Kaiapoi, as defined in Chapter 6 of the Canterbury Regional Council Regional Policy Statement, consideration is given to balancing the provision of areas for future growth in Kaiapoi and for rehousing people displaced as the result of earthquakes against the 50 dBA Ldn aircraft noise contour constraint on subdivision and dwellinghouse development on areas below four hectares.

For these defined areas of Kaiapoi, under the 50 dBA Ldn aircraft noise contour, consideration is made for the provision of residential development, having regard for the form and function of Kaiapoi and to offset the displacement of households within the Kaiapoi Residential Red Zone which were already within the 50 dBA Ldn contour and which were displaced as a consequence of the 2010/2011 Canterbury earthquakes. It also provides, as part of greenfields residential development, for Kaiapoi's long term projected growth. Such development provides for the contiguous and consolidated urban development of Kaiapoi. In recognition of the potential adverse effects of aircraft noise over Kaiapoi in the future, information relating to the 50 dBA Ldn aircraft noise contour and the potential for increased aircraft noise will be placed on all Land Information Memoranda for properties within the 50 dBA Ldn aircraft noise contour for Christchurch International Airport.

The District Plan Maps also show the 55Ldn dBA noise contour encroaching onto land to the south and west of Kaiapoi. In this area, mitigation against the noise environment is required through controls on noise insulation for residential and other noise sensitive activities. The effect of the Christchurch International Airport is also a cross boundary issue involving Christchurch City (Chapter 19: Cross Boundary Issues).

CROSS REFERENCE: Policies 11.1.1.8, 11.2.1.1(k), 14.3.1.1, 18.1.1.4 and 18.1.1.5

- **Amend method 12.1.1.12.1 to read:**

Research/Information Collection 12.1.1.12.1

~~Measure the noise levels within land surrounding Rangiora Aerodrome.~~

Measure the noise levels within land adjoining strategic roads.

- **Amend method 12.1.1.12.2 to read:**

Information 12.1.1.12.2

Provide land developers with available information on likely noise effects from aircraft landing and taking off, road traffic and suitable methods of noise insulation.

Information about the 50 dBA Ldn aircraft noise contour for Christchurch International Airport on Land Information Memoranda for all properties within the contour as shown on Plan Map 138.

Information about the 55 dBA Ldn aircraft noise contour for Rangiora Airfield on Land Information Memoranda for all properties within the contour as shown on District Plan Map 145.

- **Amend method 12.1.1.12.3 to read:**

District Plan Maps 12.1.1.12.3

Map the noise contours, and sound exposure levels for a Boeing 747-200 single event, for Christchurch International Airport.

Map the noise contours for Rangiora Airfield.

- **Amend method 12.1.1.12.4 to read:**

Liaison 12.1.1.12.4

Meet with Christchurch City Council, Christchurch International Airport Ltd, and Rangiora Airfield users, to monitor effects of aircraft noise, and appropriateness of District Plan provisions.

- **Amend method 12.1.1.12.6 to read:**

District Plan Rules 12.1.1.12.6

Noise insulation standards within the 55Ldn dBA noise contour of Christchurch International Airport and Rangiora Airfield.

Rural Zone subdivision standards for allotment area as a controlled activity.

Rural Zone minimum site areas for dwellinghouses as a permitted activity.

Rules restricting aircraft operations so that they do not exceed 65 dBA Ldn outside the 65 dBA Ldn noise contour.

Rules restricting noise sensitive activities within the 55 dBA Ldn contour for Rangiora Airfield.

Rules prohibiting dwellinghouses and noise sensitive activities within a 65 dBA Ldn contour for Rangiora Airfield.

Rules restricting land use where any structure or vegetation penetrates the height control surfaces for Rangiora Airfield.

Chapter 14: Rural Zones

- Amend Anticipated Environmental Results and Monitoring 14.5 to read:

Anticipated Environmental Results and Monitoring 14.5

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
Rural character is retained	Dwellinghouse density and distribution Land use change Sound levels	Community perceptions Aerial photographs Land use analysis Noise surveys Complaints register	5 yearly 5 yearly 5 yearly 5 yearly Annually
Maintenance of the quality of groundwater in the Rural Zones	Results of groundwater tests	Waimakariri District Council groundwater database Environment Canterbury groundwater quality tests	Annually
Avoidance of complaints caused by noise from aircraft using Christchurch International Airport and Rangiora Airfield	Complaints <i><u>Aircraft numbers for Rangiora Airfield</u></i>	Waimakariri District Council complaints register <i><u>Records of actual aircraft operations</u></i>	Annually <i><u>Annually once levels reach 70,000 movements</u></i>
Restoration and enhancement of the nature conservation and cultural values of the eastern parts of the Eastern Conservation Management Area	Protection status and assessment of significance of values protected and enhanced	Surveys Subdivision and land use consent conditions monitoring	3 yearly

Amendments to the Rules

Chapter 30: Utilities and Traffic Management

- **Insert new section heading under 30.1.1 Conditions to read 'Rangiora Airfield'**
- **Insert new rules 30.1.1.16, 30.1.1.17 and 30.1.1.18 under Rangiora Airfield to read:**

30.1.1.16 Rangiora Airfield shall operate so that the noise from the aircraft operations does not exceed Ldn 65 dBA outside the Ldn 65dBA airfield noise contour shown on District Plan Map 145.

Measurement and Assessment of noise from Rangiora Airfield shall be carried out in accordance with New Zealand Standard NZS 6805:1992 "Airport Noise Management and Land Use Planning".

30.1.1.17 When recorded aircraft movements exceed 70,000 movements per annum compliance with Rule 30.1.1.16 shall be determined by calculations of noise from airfield operations and shall be based on noise data from the Rangiora Airfield Noise Model and records of actual aircraft operations at Rangiora Airfield and the results shall be reported to the Council's Manager, Regulation.

30.1.1.18 Measurement of noise levels at Rangiora Airfield shall commence once aircraft operations reach 88,000 movements per annum and shall be calculated over the busiest three-month period of the year. The measurements shall be undertaken annually while aircraft operations are at 88,000 movements or higher and the results shall be reported to the Council's Manager, Regulation.

For the purpose of these rules a movement is a take-off or a landing.

- **Insert new exemption rule 30.1.2.11 to read:**

The following activities are exempt from complying with Rules 30.1.1.16, 30.1.1.17 and 30.1.1.18:

- Aircraft operating in an emergency for medical or national / civil defence reasons
 - Air shows
 - Military operations
 - Aircraft using the airfield as a necessary alternative to an airfield elsewhere
 - Aircraft taxiing
 - Engine run-ups for each 50 hour check
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- **Amend Rule 30.5.1 to read:**

Rangiora Airfield

30.5.1 *Any land use where any structure or vegetation penetrates the Obstacle Limitation Surfaces shown on District Plan Map 145 and described as:*

- a. Take-off climb/approach surface, commencing at ground level at the end of the runway and rising at a gradient of 1 in 20 for a horizontal distance of 1200m, and splayed outwards at the rate of 1:20 from each side of the runway; and*
- b. side surfaces, commencing at the edge of each runway and rising at a gradient of 1 in 4 until it reaches a height of 2 metres above the level of the runway.*

shall be a non-complying activity.

- **Add Rule 30.5.2 to read:**

30.5.2 Non-compliance with Rules 30.1.1.16, 30.1.1.17 or 30.1.1.18 is a non-complying activity.

Chapter 31: Health, Safety and Wellbeing

- **Amend 31.12 to read:**

31.12 Permitted Activities

Any land use is a permitted activity if it:

- a) is not otherwise listed as a discretionary activity (restricted) under Rule 31.13, non-complying activity under Rule 31.14 or prohibited activity under Rule 31.15;*
- b) complies with the conditions under Rule 31.12.1; and*
- c) complies with all the conditions and provisions for permitted activities in this and all other chapters.*

- **Amend Rule 31.12.1.4 to read:**

31.12.1.4 Within the 55dBA Ldn noise contour shown on District Plan Maps 138 and 145, any proposed dwellinghouse, or any building or part of a building described in Table 31.2, shall be insulated from aircraft noise to ensure that indoor sound levels stated in that table are not exceeded.

- **Amend Rule 31.12.1.5 to read:**

31.12.1.5 Within the 55dBA Ldn noise contour shown on District Plan Maps 138 and 145, any additions to existing dwellinghouses, or any building or part of a building described in Table 31.2, shall be insulated from aircraft noise to ensure that indoor sound levels stated in that table are not exceeded.

- **Add new non-complying section 31.14.**

- **Add new Rule 31.14.1 to read:**

31.14.1 Any noise sensitive activity or proposed dwellinghouse or addition to any dwellinghouse that does not meet the requirements of rules 31.12.1.4 and 31.12.1.5 within the 55dBA Ldn noise contour shown on District Plan Map and 145 is a non-complying activity.

- **Add new Prohibited Activity section 31.15.**

- **Add new Rule 31.15.1 to read:**

31.15.1 Any residential dwellinghouse or noise sensitive activity within the 65 dBA Ldn noise contour shown on District Plan 145 is a prohibited activity and no resource consent will be granted.

- **Re-number subsequent clauses accordingly.**
