

EC - CHCH	
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Christchurch	
ACTION	INFO

Form 10

**FURTHER SUBMISSION IN SUPPORT OF, OR IN
OPPOSITION TO, SUBMISSION ON PUBLICLY NOTIFIED
PROPOSED POLICY STATEMENT OR PLAN**

Clause 8 of First Schedule, Resource Management Act 1991

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To: Environment Canterbury
P O Box 345
CHRISTCHURCH

1. **Name of Submitter:** Clearwater Land Holdings Limited
("Clearwater")

2. **Address for Service:** M Sharp
General Manager
Clearwater Resort
P O Box 14-069
CHRISTCHURCH AIRPORT 8544

3. **This is a further submission in opposition to a submission on:**

Change No. 1 to the Regional Policy Statement.

4. **Clearwater oppose the submission of:**

Christchurch International Airport (Original Submission No. 236)
C/- Chapman Tripp
P O Box 2510
Christchurch

5. **Clearwater oppose all of the submission, in particular the following points:**
 - (i) **Submission Point 12**
 - (a) In its amended submission, Christchurch International Airport Limited ("CIAL") now seeks to substitute the set of air noise contours contained in its original submission with a revised set of contours that it says reflects the agreement of the experts in the witness caucusing that came out of the Foster/Selwyn

District Council Environment Court case. That amendment will mean that the contours namely the 50, 55, 65 dBA Ldn noise contours will encompass different land areas than the original contours sought to be included in the RPS.

- (b) CIAL continues to seek restrictions on activities out to the 50 dBA Ldn noise contour as that is now defined in its submission, although it has expanded the scope and extent of those restrictions so as to include residential and business activities.
- (c) That submission is **opposed** for the following reasons, namely:
 - (1) The amended contours are opposed.
 - (2) In the event the amended contours are correct, the justification for using the 50 dBA Ldn contour as a boundary for restrictions on activities is opposed;
 - (3) A policy of "avoiding" development underneath the noise contours (in particular the 50dBA contour) amounts to an inappropriate and unjustified veto in terms of s 32 of the Act, particularly when other alternatives such as noise insulation and non-complaint covenants are available to protect both the operations of the Airport and residential/noise sensitive development;
 - (4) The expansion of restrictions to potentially include business activities within these contours is uncertain and is opposed.
- (d) The submitter opposes the submissions of CIAL where it seeks amendments to the relevant issues, objectives, policies, methods and explanations that seeks to restrict noise sensitive activities within the contours, particularly the 50 dBA Ldn contour. The submitter does not propose a definition of noise sensitive activities and although the submitter supports the inclusion of a definition there is no justification for extending that definition to include non-residential business related activities not presently contemplated by the definition in the City Plan for Christchurch – on land affected by any of the contours, whether or not the 50 contour continues to be the outer control boundary for the purposes of restrictions on land use.
- (e) There is also no justification for restricting land use activities within the 50 dBA Ldn contour for amenity reasons and is going further than is recommended in the NZ standard and internationally recognised standards.

- (f) This level of protection goes beyond what is justified for securing protection of the airport against a level of reverse sensitivity effects that could lead to curfews, or which would cause health effects.
- (g) In addition to this specific submission point the amendments to Issue 5, Objective 1 and 3, Policy 4, Map 1, Issue 6, Policies, 7, 8 and 13, Objective 8, Policies 1, 10, 13 and 15 are **opposed**.

(ii) **Submission No/Points 7 and 3**

- (a) CIAL requests that the airport land and its activities be identified in the RPS as a Key Activity Centre. This submission is opposed for the reasons that the activities of the Airport are inconsistent with the fundamental role of a Key Activity Centre. There is an inconsistency in what CIAL seeks for the Airport Zone and the restrictions it wishes to impose elsewhere.
- (b) The CIAL has gone to some length to retain a rural zone around its perimeter and to prevent the encroachment of urban zones up to its boundary. This is not consistent with the inclusion of the airport within the urban limits for the RPS. If the airport land is to be included within the urban limits for the RPS, rural zoning between it and the rest of the urban area should not be retained.
- (c) On this basis the amendments to Map 1 F6 and G5 identifying the Airport as a Key Activity Centre and including the land within the urban limits and to show this land as being a Greenfields Outline Development Plan area – residential and business are therefore opposed.

(iii) **Submission Point 13 – Issue 5 – Transport effectiveness**

Noise sensitive activities should be defined in this document and should be made clear that it does not extend to business activities.

(iv) **Submission No/Point 17 – Issue 6 – Amenities**

The amendments sought by CIAL are opposed. Any amendment to this issue should make it clear that the limit at which there are amenity and health issues that are to be considered and addressed by land use restrictions should be consistent with the New Zealand standard and should apply at the 55 contour and not the 50 contour.

In addition, the relief sought by CIAL in respect of the amendment to Policy 8(j) - the avoidance of the potential threat of bird strike - fails to acknowledge that, for example, the creation of waterbodies can be

appropriately managed so as to reduce the risk of bird strike. This is demonstrated at the Clearwater Resort.

(v) **Submission Point 14 – Objective 1 – Urban consolidation**

The amendments sought by CIAL are opposed. Objective 1 should be amended to clarify that the restrictions occur in a manner that is consistent with the New Zealand Standard and operate at the 55 contour and not the 50 contour.

5. **Clearwater** seeks that part of the submission by CIAL seeking amendments to the plan identified in this submission be disallowed. In particular, there should be no 50 contour in the RPS or in any district plan. In the alternative, if there is to be a 50 contour included in the plan it should not attract any regulatory status in terms of land use restrictions either at a policy or rule level and should be for the purpose of informing people of predicted noise levels.
6. **Clearwater** wishes to be heard in support of its further submission.
7. If others make a similar submission **Clearwater** would be prepared to consider presenting a joint case with them at any hearing.



.....
[Signature of person making
submission or person authorised
to sign on behalf of person making
submission]

16 April, 2008

[Date]

(A signature is not required if you make your submission by electronic means.)

**Address for service of person
Making further submission:**

M Sharp
General Manager
Clearwater Resort
P O Box 14-069
CHRISTCHURCH AIRPORT 8544

Note to Person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after making the further submission to the local authority.

Address of those to be served with a copy of this notice.

Christchurch International Airport
C/- Chapman Tripp
P O Box 2510
CHRISTCHURCH