

**BEFORE THE CHRISTCHURCH DISTRICT PLAN PROPOSED CHANGE 14 HEARINGS  
PANEL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** of Proposed Plan Change 14 to the  
Christchurch District Plan

**SUPPLEMENTARY EVIDENCE OF PAULINE FIONA ASTON**

**FOR MILES PREMISES LTD**

(Submission no. 883)

30 April 2024

**May it please the Hearings Panel**

1. My name is Pauline Fiona Aston.
2. I provided planning evidence on Plan Change 14 for the re-zoning submission of Miles Premises Limited (**Miles**) dated 30 September 2023. My qualifications are set out in that evidence.
3. At the hearing of Miles' re-zoning request, the Hearings Panel asked whether a s32AA assessment had been undertaken for the re-zoning. The s32AA material is addressed in the submission and evidence for Miles, but for ease of reference, has been compiled below in the form of a s32AA assessment in **Appendix 1** attached. An accompanying assessment against the relevant operative Christchurch District Plan objectives and policies, as amended by the notified PC14, is attached as **Appendix 2**.

**Fiona Aston**

30 April 2024

## Appendix 1 – compiled s32AA assessment

Appropriateness of the objective

“To enable MD residential development of the appx 8 ha of the Miles site identified as ‘MDR Development Area’ on the proposed amended Outline Development Plan for the operative Industrial Park (Memorial Avenue) zone”

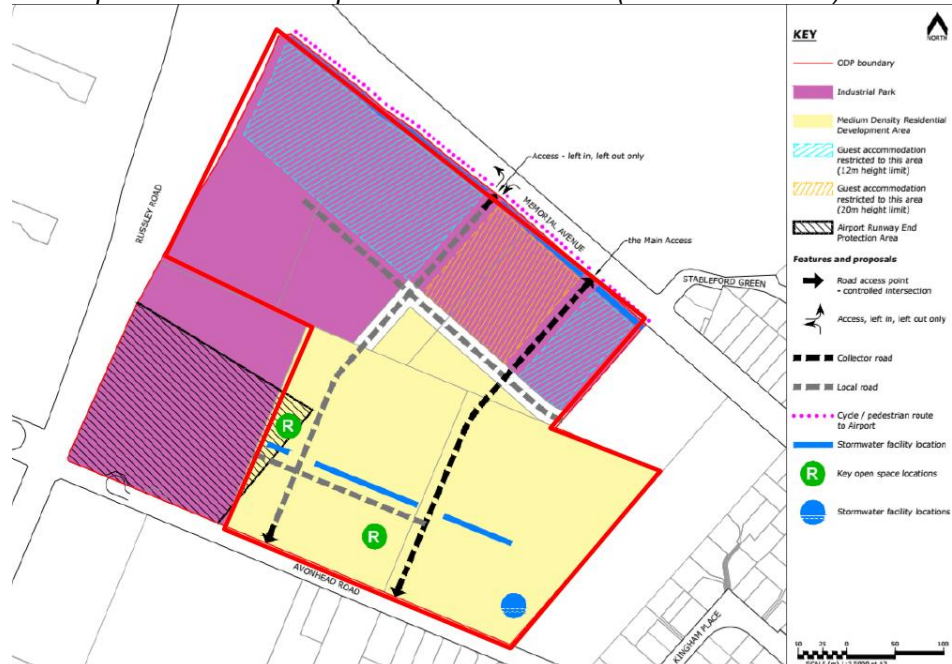



Figure 1: Miles revised ODP for MRZ/Industrial Park (Memorial Avenue) zones

The objective gives effect to Part 2 of the RMA (Purpose and Principles) – it enables medium density residential of an ideally located site which easily meets all the NPS-UD criteria for a well-functioning urban environment and will help address an imminent shortfall in housing capacity in north/north-west Christchurch. Proposed noise insulation rules will mitigate potential future aircraft noise related adverse effects and protect the ongoing safe and efficient operation of Christchurch International Airport. In so doing, the proposal will provide for the social, economic, and cultural well-being and health and safety of people (future residents) while avoiding or mitigating adverse noise effects and protecting physical resources including strategic infrastructure, in particular, strategic roads and CIAL. The objective is consistent with s7 matters including enabling a far more efficient use and development of the land resource than the current vacant land use (or permitted Industrial Park use), and maintaining, if not enhancing, amenity values and quality of the environment (s7(a), (c) and (f) matters). Enabling residential development in a location so close, and readily accessible by multiple transport modes, to significant employment hubs and services and facilities helps reduce vehicle related carbon emissions compared to development of less well located sites (s7(i) matter).

<p><i>Are the provisions the most appropriate way to achieve the objectives?</i></p>	<p>The proposed provisions are: the MRZ provisions; the amended operative Industrial Park (Memorial Avenue) ODP; and requirement for noise insulation for sensitive activities located within that part of the MRZ within the revised Annual Average 55 dBA Ldn Christchurch International Airport Noise Contour ('the revised 55 dBA airport noise contour') as per Rule 6.1.7.2.2. The revised airport noise contours are those contained in the 'Christchurch Airport Remodelled Contour Independent Expert Panel Report June 2023' ('the Expert Panel Report') – Exhibit 7-1 page 17-6.</p> <p>An assessment against the key relevant operative District Plan objectives, as amended by notified PC14 is attached in <b>Appendix 2</b>.</p>
<p><i>Other reasonably practicable options</i></p>	<p>Other options considered include:</p> <ul style="list-style-type: none"> <li>• 1 - Status quo (i.e. PC 14 as notified) – no change to operative zoning. Noise sensitive activities avoided within the revised 50 dBA Ldn Annual Average airport noise contour.</li> <li>• 2 - The Miles Preferred Proposal – MRZ and noise insulation for sensitive activities within revised 55 dBA Ldn airport noise contour</li> <li>• 3 – Alternative, Less Preferred Miles Proposal – MRZ and noise insulation for sensitive activities within the operative 55 dBA Ldn airport noise contour</li> <li>• 4 - CIAL option – no change to operative zoning. Noise sensitive activities avoided with the revised Outer Envelope (OE) 50 dBA Ldn airport noise contour</li> </ul>  <p>Figure 2: Location of revised Annual Average airport noise contour – Miles site</p>

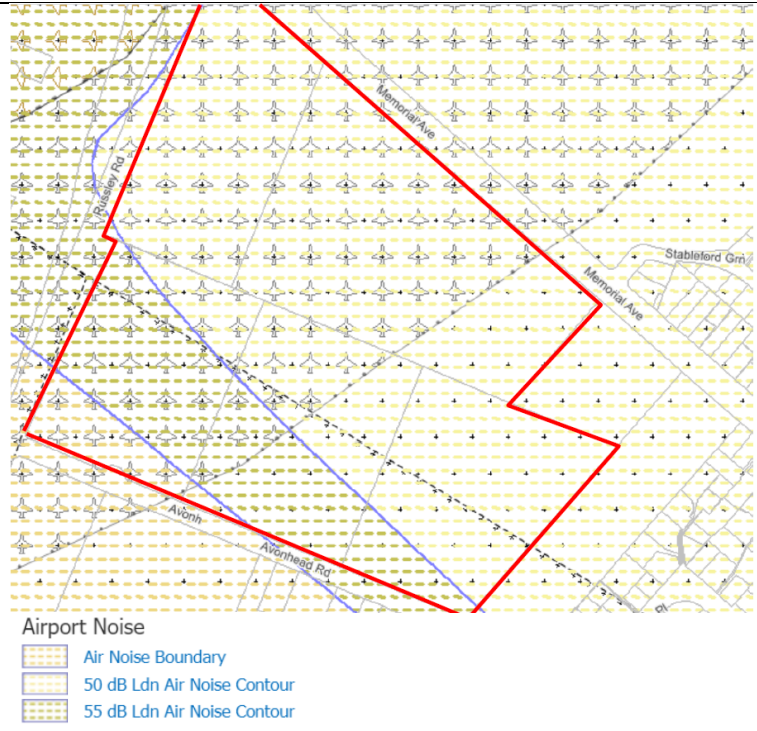


Figure 3: Location of operative airport noise contours – Miles site  
 Miles Premises - Outer Envelope 2023:

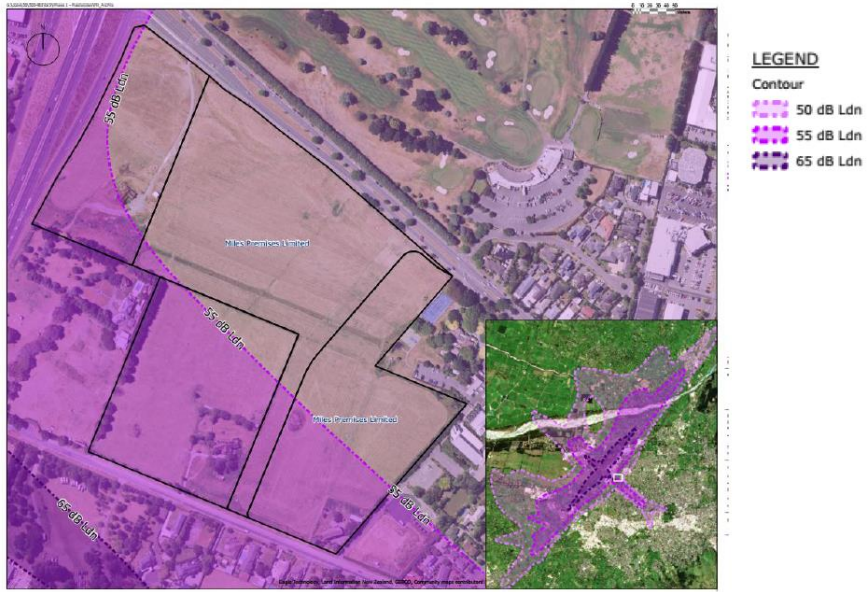


Figure 4: Location of revised Outer Envelope airport noise contour – Miles site

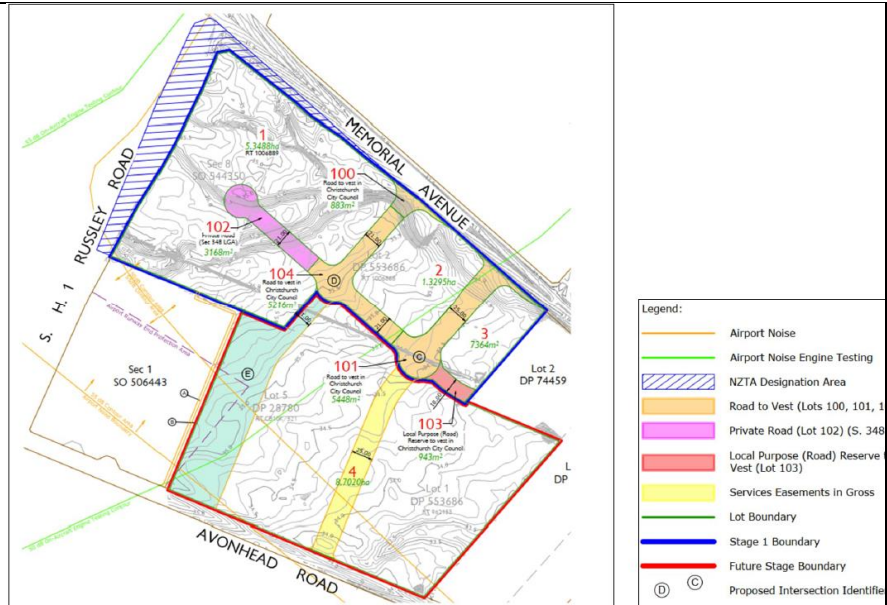
<p>Costs</p>	<p>Status quo + CIAL option:</p> <ul style="list-style-type: none"> <li>• CCC is in breach of its obligations under the NPS-UD. CCC <u>must</u> rezone sufficient land to meet demand. PC14 is inconsistent with and does not give effect to NPS-UD including the Objective 1 and Policy 1 requirement to provide at least sufficient development capacity to meet housing needs. Evidence for Miles is that there is only 2 ½ years</li> </ul>
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	<p>remaining supply of land for housing in north and north west Christchurch.</p> <ul style="list-style-type: none"> <li>• Community costs - the shortage of supply in the face of high demand will result in continued elevated house and section prices and the housing affordability crisis concerns that the NPS-UD seeks to address</li> <li>• Substantial time delay of around 6-10 years+<sup>1</sup> in delivering housing in north and north west Christchurch, in the face of only 2 ½ years of remaining supply. The Miles site is ideally suited for residential development, with excellent accessibility to employment hubs (including airport, Sheffield Crescent high technology zone and central city) and public transport. The only constraint is Strategic Objective 3.3.12 to avoid noise sensitive activities within the 50dBA Ldn airport noise contour. This policy (and twin Canterbury Regional Policy Statement (RPS) policy 6.3.5.4) will be 'tested' through the RPS Review process, to be notified December 2024, with subsequent changes to the District Plan required to implement any changes issued in decisions on the RPS Review.</li> <li>• Costs and ongoing development uncertainty for PC14 landowners in participating in the RPS Review and subsequent District Plan change processes</li> <li>• Ongoing holding costs for the landowner for the duration of the RPS and subsequent District Plan processes. No economic return in the meantime (site too small and inappropriately located next to existing urban boundary and strategic roads for any farming use).</li> <li>• Inefficient use of a valuable land resource. Land will remain underutilised and underdeveloped for the foreseeable future. Whilst the 8 ha site could be developed for Industrial Park zone purposes, there are no current plans for this. The Memorial Avenue frontage sites with excellent public profile are ideally located for IPZ uses, but the 8ha site does not have these profile advantages. The approved 2023 subdivision separates out those parts of the Site most suited for commercial development permitted under the IPZ from the 8 ha site proposed for residential use, with appropriate roading and access.</li> </ul>
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<sup>1</sup> Estimated delay is 2-4 years for RPS Review notification, decisions and appeals (assuming RPS is notified December 2024 – it is a full review of all sections including those affected by NPS- Freshwater); 1-3 years for District Plan change including notification, decisions and appeals; 3 years for engineering approvals, subdivision development and delivery of housing





Scheme plan RMA/2022/1411  
Figure 5: approved subdivision scheme plan

**Miles Proposal:**

- No unacceptable costs to future residents – the evidence for Miles is that significant adverse noise effects do not arise between the 50-55 dBA Ldn airport noise contours - appx 10% of persons are highly annoyed, which equates to the percentage of the population who are very noise sensitive; and any noise effects only relate to outdoor amenity and indoor amenity when windows and doors are open, which can be managed by noise insulation. Future residents can ‘trade off’ any possible future air craft noise effects (if and when the airport reaches ultimate capacity, estimated as around 60 years in the Expert Panel report) against the benefits of living now in a highly desirable and very accessible location. The Applicant is willing to include consent notices on all residential site titles advising of the airport noise ‘status’ of the land, and no complaints covenants regarding airport noise to give CIAL further reassurance - if required.
- No ‘real’ costs for CIAL - reverse sensitivity effects for CIAL are unlikely to arise which would result in restrictions in CIAL operations such as a night curfew. PC14 imposes an unjustified and more restrictive regime in relation to management of aircraft noise than it does in relation to other infrastructure including roads and rail.
- Loss of 8 ha of IP zoned land in this location is not a ‘cost’ of rezoning given that the evidence for Miles is that there is an ample supply of industrial land and this ‘loss’ will not result in a shortage.
- No cross boundary or precedent ‘costs’ in addressing appropriateness of sensitive activities within the 50 dBA Ldn contour on Miles site separately from other Greater Christchurch local authority consideration of airport noise zoning matters. Each local authority is charged with implementing the NPS-UD and RM Enhanced Housing Amendment Act and the circumstances and factors to be considered differ in different locations, including in relation to location and nature of any housing land shortages.

**Miles Alternative Less Preferred Proposal:**

	<ul style="list-style-type: none"> <li>As for the Miles Preferred Proposal, due to the position of the operative and revised 55 dbA Ldn airport noise contour on the Miles land being very similar, the costs remain similar.</li> </ul>
<i>Benefits</i>	<p><u>Status Quo &amp; CIAL options:</u></p> <ul style="list-style-type: none"> <li>CIAL stated there is a benefit in avoiding potential reverse sensitivity effects due to airport noise – this was not borne out by the evidence presented at PC14 hearing. NB the revised noise contours based on aircraft noise effects at ultimate airport capacity in 60 years' time (and assuming growth in aircraft movements from projections of 80,000 in 2026 to 200,000 in 2084).</li> <li>No community benefits other than possibly for some immediate residential neighbours in retention of current rural outlook and low traffic character under the current underdeveloped state for the 8 ha site.</li> </ul> <p><u>Miles Preferred Proposal:</u></p> <ul style="list-style-type: none"> <li>Assists in addressing shortage in housing in north / north west Christchurch. No appeals permitted on PC14 (other than points of law) so a faster process than the RMA Schedule 1 process. The zoning will become operative once decisions on PC14 are issued.</li> <li>This is the only current greenfield rezoning option for addressing housing supply shortage in north/north west Christchurch. The land is already zoned for urban purposes unlike other possible 'greenfield' land currently zoned Rural Urban Fringe and subject to the NPS-Highly Productive Land, including land inside the existing but outside the revised 50 dBA Ldn airport noise contour.</li> <li>The site is large enough for a comprehensive master planned residential development, including some medium density housing. The evidence for Miles is that other remaining existing development sites (ie comprising the 2½ years remaining supply) are 1 ha or smaller, and not suited to a master planned approach.</li> <li>Intensification to higher densities within existing zoned areas in north/north west Christchurch is not currently feasible so cannot be relied upon to meet housing supply shortages (see references to Town Planning Group report referred to in Mr Sellars' evidence for CIAL).</li> </ul> <p><u>Miles Alternative Less Preferred Proposal:</u></p> <ul style="list-style-type: none"> <li>As for Miles Preferred Proposal.</li> </ul>
<i>Efficiency and effectiveness</i>	<p><u>Status quo/CIAL option:</u></p> <ul style="list-style-type: none"> <li>Inefficient – land remains in vacant state for next 6-8 years + pending outcome of the RPS Review and subsequent District Plan processes</li> <li>Ineffective – Council is in breach of its mandatory requirement under the NPS-UD to zone sufficient land for housing in the short and medium term. Retaining rural zoning of a site ideally located to meet housing needs is inconsistent with Strategic Objective 3.3.4 - there is a range of housing opportunities available to meet housing needs including a choice in housing types, densities and locations. Noting the inconsistency with avoiding sensitive activities within the 50 dBA airport noise contour (Objective 3.3.12), the evidence for Miles and others is that residential development within this contour will not result in adverse noise or reverse sensitivity effects which warrant an 'avoidance' approach.</li> </ul> <p><u>Miles Preferred Proposal:</u> <i>Efficiency</i></p> <ul style="list-style-type: none"> <li>The only current option available to assist in addressing the significant housing capacity shortfall in north / north west Christchurch</li> </ul>



	<ul style="list-style-type: none"> <li>• PC14 process will deliver housing in north / north-west Christchurch in a much faster and more cost effective manner than the RPS Review and subsequent District Plan change planning processes</li> <li>• Residential development is the best and highest use of the 8 ha site, compared with the status quo (retain in current undeveloped state) or development for business purposes under the current IPZ zoning</li> <li>• The Site will contribute to a well functioning environment, and is in an ideal location to do so due to its accessibility to employment hubs, local services, public transport and the high demand for housing in this part of the city.</li> </ul> <p><i>Effectiveness</i></p> <ul style="list-style-type: none"> <li>• Gives effect to the NPS-UD requirement to provide at least sufficient development capacity for housing</li> <li>• Consistent with all relevant District Plan objectives and policies except 3.3.12 which seeks to avoid sensitive activities within the 50 dBA Ldn noise contour. The Miles evidence is that residential development within this contour subject to the proposed rules package is appropriate and will not result in adverse noise or reverse sensitivity effects which warrant an avoidance approach. Re-zoning is required to give effect to the NPS-UD, the higher order later in time planning document.</li> </ul>
<p><i>Risks of Acting/not acting if there is uncertain or insufficient information</i></p>	<p>The revised airport noise contours have been subject to review by an independent review panel. They represent the most up to date information on airport noise contours and can be relied upon for the purpose of setting airport noise controls. Members of the independent review panel have recommended to ECAN that the Annual Average Noise Contour should be used for this purpose, not the Outer Envelope. Sufficient information and expert advice has been presented to the Hearings Panel including expert acoustic advice to enable them to make a decision on the zoning of the Miles 8 ha site. The risk of not acting now to rezone the site for residential purposes is that in 2 ½ years time there will be no remaining land supply for housing in north / north-west Christchurch and the Council will be in breach of the mandatory requirements under the NPS-UD to provide at least sufficient development capacity to meet housing needs.</p>
<p><i>Reasons for deciding on the provisions</i></p>	<p>Miles Preferred Proposal - They are the most efficient and effective means for addressing the imminent shortfall in housing in north / north-west Christchurch in an ideal, highly accessible location which meets all the NPS-UD Policy 1 criteria for a well functioning urban environment. Airport noise effects can be appropriately managed, with noise insulation requirements within the 55 dBA contour, consistent with the District Plan approach to managing traffic and road noise.</p>

## Appendix 2 – assessment against relevant District Plan objectives and policies

<p>3.3.4 Objective - Housing bottom lines and choice</p> <p>.. b. There is a range of housing opportunities available to meet the diverse and changing population and housing needs of Christchurch residents, including:</p> <p>i. a choice in housing types, densities and locations;</p>	<p>The Miles rezoning submission is the only current rezoning proposal which will help meet the imminent shortage (in 2 ½ years time) of land for housing in north / north-west Christchurch. Rezoning here is necessary to help meeting housing needs in this part of Christchurch where demand is high.</p>
<p>Objective 3.3.12 - Infrastructure</p> <p>b. Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes:...</p> <p>(iii) avoiding new noise sensitive activities within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour for Christchurch International Airport, except:</p> <ul style="list-style-type: none"> <li>A. within an existing residentially zoned urban area; or</li> <li>B. within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A; or</li> <li>C. for permitted activities within the Specific Purpose (Golf Resort) Zone of the District Plan, or activities authorised by a resource consent granted on or before 6 December 2013; and</li> <li>D. for permitted, controlled, restricted discretionary and discretionary activities within the Specific Purpose (Tertiary Education) Zone at the University of Canterbury; ..</li> </ul>	<p>The Miles 8 ha site does not come within any of exemptions listed in matters A-D. MDR zoning would enable new noise sensitive activities within the 50 dB Ldn airport noise contour so is inconsistent with the 'avoidance' element of Policy 3.3.12 - except that the evidence for Miles is that the purpose of the policy is not compromised because the rezoning will not result in adverse noise or reverse sensitivity effects for CIAL.</p>
<p>6.1.2.1.1 Policy - Managing noise effects</p> <p>a. Manage adverse noise effects by:</p> <ul style="list-style-type: none"> <li>i. limitations on the sound level, location and duration of noisy activities;</li> <li>ii. requiring sound insulation for sensitive activities or limiting their location relative to activities with elevated noise levels.</li> </ul>	<p>Re-zoning is consistent with 6.1.2.1.1 and 6.1.2.1.5 – rules package requires noise mitigation within the 55 dB Ldn noise contour.</p>
<p>6.1.2.1.5 Policy - Airport noise</p> <p>a. Require the management of aircraft operations and engine testing at Christchurch International Airport, so that:</p> <ul style="list-style-type: none"> <li>(i) noise generated is limited to levels that minimise sleep disturbance and adverse effects on the amenity values of residential and other sensitive environments so far as is practicable;</li> <li>(ii) where practicable, adverse noise effects are reduced over time.</li> </ul> <p>b. Mitigate adverse noise effects from the operations of the Christchurch International Airport on sensitive activities, by:</p>	<p>See above under 6.1.2.1.1</p>

<p>(i) prohibiting new sensitive activities within the Air Noise Boundary and within the 65 dB Ldn engine testing contour; and</p> <p>(ii) requiring noise mitigation for new sensitive activities within the 55 dB Ldn air noise contour and within the 55 dB Ldn engine testing contour; and</p> <p>(iii) requiring Christchurch International Airport Limited (CIAL) to offer appropriate acoustic treatment in respect of residential units existing as at 6 March 2017 within the 65 dB Ldn Annual Airport Noise Contour, and within the 60 dB L dn engine testing contour.</p>	
<p>14.2.3.1 Policy - Avoidance of adverse effects on strategic infrastructure</p> <p>a. Avoid reverse sensitivity effects on strategic infrastructure including:</p> <p>(ii) Christchurch International Airport;</p>	<p>Re-zoning is consistent with this objective – evidence for Miles is that re-zoning will not result in adverse reverse sensitivity effects on CIAL.</p>
<p>14.2.12 Objective – Compatibility with Industrial activities</p> <p>a. New residential development is not adversely affected by noise generated from industrial activities and the development does not affect the operation of industrial activities within industrial zones.</p> <p>14.2.12.1 Policy – Managing effects on industrial activities</p> <p>a. Restrict new residential development of three or more storeys within proximity to industrial zoned sites where it would give rise to reverse sensitivity effects on industrial activities and/or adversely affect the health and safety of residents, unless mitigation sufficiently addresses the effects.</p>	<p>The Miles site includes IP zoned land and the proposed MDRZ. The land will be comprehensively designed having regard to the appropriate location and mix of residential and business activities. The IP zone is intended for non-noxious business activities which are compatible with neighbouring land uses including the adjoining Residential Accommodation Zone to the east and neighbouring residential development to the south, west and north-east. District Plan noise standards at the IP/MDRZ boundary will ensure appropriate and compatible noise environments for both zones.</p>