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To: RPS
Cc: Jo Appleyard
Subject: Submission on Proposed Otago Regional Policy Statement
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Follow Up Flag: Follow up
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Categories: Submission - Sector stakeholder

Mōrena

We act for Christchurch International Airport Limited (*CIAL*). Please find **attached** CIAL's submission on the proposed Otago Regional Policy Statement.

Ngā mihi

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**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Otago Regional Council

Name of submitter: Christchurch International Airport Limited (CIAL)

- 1 This is a submission on the Proposed Otago Regional Policy Statement (the **Proposed Statement** or the **Proposal**).
- 2 CIAL could not gain an advantage in trade competition through this submission.
- 3 The specific provisions of the proposal that CIAL's submission relates to and the reasons for CIAL's submission are set out in **Appendix A** and **Appendix B** below.
- 4 CIAL's submission relates to the whole proposal. The general and specific reasons for CIAL's relief sought in **Appendix B** are set out in **Appendix A**.
- 5 CIAL seeks the following decision from the local authority:
 - 5.1 Grant the relief as set out in **Appendix A and B**;
 - 5.2 Grant any other similar relief that would deal with CIAL's concerns set out in this submission.
- 6 CIAL wishes to be heard in support of the submission.
- 7 If others make a similar submission, CIAL will consider presenting a joint case with them at a hearing.

Signed for and on behalf of Christchurch International Airport Limited by its solicitors and authorised agents Chapman Tripp.



Jo Appleyard
Partner
3 September 2021

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APPENDIX A

Overview

- 1 CIAL is generally supportive of the Proposed Statement subject to the amendments that are outlined in this submission.
- 2 CIAL is the owner of a significant and strategic landholding in the Otago Region. It owns approximately 750ha in Tarras, Central Otago.
- 3 Outside of the Otago Region, CIAL owns and operates Christchurch International Airport (*The Airport / CIA*). CIA is the largest airport in the South Island and the second-largest in the country. The Airport connects Canterbury and the wider South Island to destinations in New Zealand, Australia, Asia and the Pacific, and accordingly has district, regional and national economic and social significance.
- 4 CIAL is an organisation with a long-term vision and a focus on supporting social and economic outcomes for the South Island. In 2020 CIAL purchased land near Tarras with the intention of assessing the feasibility of building a new sustainable airport in Central Otago to serve the fast-growing Central Otago/Queenstown-Lakes regions. The provision of domestic and international connectivity is an important driver of social and economic prosperity in the region, and that cannot be maximised within existing airport constraints at Queenstown which is forecast to reach its current capacity limits within the next 10 years.
- 5 CIAL is a portfolio business that has a strong proven performance in planning, developing and operating long lived transport infrastructure assets that serve the people of the South Island. CIAL's interest in exploring the prospect of new airport infrastructure is focussed on meeting the region's air capacity and connectivity needs for the next 50 years (and beyond) from a location that will be adjacent to a low immediately surrounding population, and favourable terrain to meet the technical and safety requirements of an airport. That connectivity needs to occur in a way that supports future low emissions aviation requirements and which is resilient to future hazards, climate change impacts, and global, national or local emergencies.
- 6 It is vital that the higher order planning framework in Otago enables and facilitates the development of new strategic infrastructure in suitable and appropriate locations. The Proposed Statement should recognise the functional and operational constraints that strategic infrastructure must operate within, which may require that infrastructure to be located in particular areas or to operate in a particular way.
- 7 The Proposed Statement must be forward-looking. It is important to future-proof the region as well as providing for existing infrastructure and community assets. As a planning document with a decade-long vision, the Proposed Statement should anticipate community needs in the future and establish a framework to guide future development to meet those needs.
- 8 Overall, CIAL seeks that the objectives and policies of the Proposed Otago Regional Policy Statement:
 - 8.1 Encourage and support the upgrading, maintenance and protection of regionally significant infrastructure;
 - 8.2 Encourage and support the development of new infrastructure projects in appropriate locations to provide for the region's infrastructure needs in the future;

- 8.3 Ensure that infrastructure provisions runs alongside community growth; and
 - 8.4 Provides for the investments that will be necessary to support the people of Central Otago and beyond as they adjust to the demands imposed by climate change. In particular, to facilitate the adaptations that will be required to relocate, substitute and reinforce key infrastructure assets that will likely become susceptible to the impacts of climate change.
- 9 Without limiting the generality of the above, CIAL has provided further specific comment on the proposed provisions in **Appendix B** below.

APPENDIX B

The drafting suggested in this annexure reflects the key changes CIAL seeks. Consequential amendment may also be necessary to other parts of the proposed provisions to give effect to the relief sought.

Suggested amendments and alternative drafting is shown in track change – CIAL’s requested deletions are shown using ~~red strikethrough~~ and requested insertions shown using red underline.

#	PROVISION	POSITION	RELIEF SOUGHT
1	Definition of regionally significant infrastructure	Support in part	<p>CIAL supports the inclusion of a definition of “regionally significant infrastructure”. However, at present, this definition is drafted in an overall exhaustive way. This does not account for future upgrading or development of infrastructure (or entirely new types of infrastructure that may emerge) over the life of the Policy Statement.</p> <p>Sub-paragraph (6) is also drafted as an exhaustive list – that does not fit the same drafting approach as other sub-paragraphs, which are non-exhaustive.</p> <p>Exhaustive drafting does not future-proof the RPS, as it does not account for potential additional infrastructure of regional significance which may be built in the lifetime of the Policy Statement.</p> <p>CIAL seeks that the drafting is amended as follows: Means Includes: <i>(1) roads classified as being of regional importance in accordance with the One Network Road Classification,</i> <i>(2) electricity sub-transmission infrastructure,</i> <i>(3) renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated principally for supplying a single premise or facility,</i> <i>(4) telecommunication and radiocommunication facilities,</i> <i>(5) facilities for public transport, including terminals and stations,</i> <i>(6) <u>airports and aerodromes and their ancillary infrastructure, including</u> the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri.</i></p>

#	PROVISION	POSITION	RELIEF SOUGHT
			<p>(7) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant,</p> <p>(8) defence facilities,</p> <p>(9) community drinking water abstraction, supply treatment and distribution infrastructure that provides no fewer than 25 households with drinking water for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution infrastructure (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water supplies)</p> <p>(10) community stormwater infrastructure,</p> <p>(11) wastewater and sewage collection, treatment and disposal infrastructure serving no fewer than 25 households, and</p> <p>(12) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes.</p>
2	SRMR-I2 – Climate change is likely to impact our economy and environment	Support.	<p>CIAL supports SRMR-I2 and seeks that it be retained as the impact of climate change is a significant resource management issue, particularly the risks that climate change poses to infrastructure, roads and bridges.</p> <p>Climate change events can compromise important infrastructure such as the road network. Air travel and freight delivery is vital in situations such as these.</p>
3	SRMR-I4 – Poorly managed urban and residential growth affects productive land, treasured natural assets, infrastructure and community well-being	Support in part.	<p>CIAL supports the recognition in SRMR-I4 that urban growth is a significant resource management issue, in particular the recognition that urban development can lead to reverse sensitivity effects and impacts on infrastructure if not appropriately managed and located.</p> <p>The discussion in this SRMR appears to be focused on infrastructure provision and capacity / servicing. However it is also important to recognise that incompatible or poorly planned urban growth can lead to adverse reverse sensitivity effects on significant infrastructure.</p> <p>CIAL seeks that SRMR-I4 is amended to include discussion of the risk that incompatible urban growth can pose for significant infrastructure. Urban growth and infrastructure provision and planning should be done hand-in-hand.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
4	IM-O1 – Long term vision	Support.	CIAL supports this objective and seeks that it be retained.
5	IM-O3 Environmentally sustainable impact	Support.	CIAL supports this high level objective and seeks that it be retained.
6	IM-P2 – Decision priorities	Support in part.	<p>CIAL supports this policy in part but considers that the three matters listed are equally important.</p> <p>The present drafting introduces a hierarchy. “Securing the long-term, life-supporting capacity and mauri of the natural environment” is expressed as the primary outcome to be achieved by all decision-making. CIAL considers, however, that decision-making should seek to balance these goals.</p> <p>CIAL seeks that the words “firstly”, “secondly” and “thirdly” are deleted.</p>
7	IM-P7 – Cross boundary management	Support.	<p>CIAL supports the inclusion of a coordinated approach to environmental management across jurisdictional boundaries in the Otago region.</p> <p>CIAL seeks that this policy be retained.</p>
8	IM-P8 – Climate change impacts	Support.	<p>CIAL supports the identification and anticipation of climate change impacts through resource management processes and decisions.</p> <p>CIAL seeks that this policy be retained.</p>
9	IM-P9 – Community response to climate change impacts	Support.	<p>CIAL supports establishing community responses to adapt to climate change effects. Infrastructure has a role to play in this regard as well, as infrastructure can be developed and operated in a way that facilitates climate resilience and adaptation.</p> <p>CIAL seeks that this policy be retained.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
10	IM-P10 – Climate change adaption and mitigation	Support.	<p>CIAL supports the recognition that there is a need for a co-ordinated approach to climate change adaptation and mitigation, especially in providing Otago communities with the best chance to thrive.</p> <p>CIAL seeks that this policy be retained.</p>
11	IM-P11 – Enhancing environmental resilience to effects of climate change	Support in part.	<p>CIAL agrees that there is a need for a co-ordinated approach to enhancing environmental resilience, including through facilitating activities which reduce our carbon footprint. CIAL notes, however, that certain infrastructure (often regionally significant infrastructure) may have a functional or operational need to operate in particular environments or locations. There should be policy recognition for that operational need.</p> <p>What is more, facilitating activities that reduce human impacts on the environment is not the only way to enhance resilience.</p> <p>CIAL proposes the following amendments to this policy to signal that there are other ways to enhance environmental resilience, and to make the policy non-exhaustive:</p> <p><i>Enhance environmental resilience to the adverse effects of climate change, <u>including</u> by facilitating activities that reduce human impacts on the environment.</i></p>
12	IM-P14 – Human impact	Support in part.	<p>CIAL supports the intent of this policy.</p> <p>However it is not clear what “beyond which the environment will be degraded” means. This threshold is subjective and does not appear to provide clear guidance for the setting of environmental limits. Nor does it identify the state of the environment against which an assessment of “degradation” will be made. Nor is it clear what would be considered “compatible” with natural capabilities and capacities of resources. This introduces uncertainty into the planning framework and does not provide adequate guidance for plan users.</p> <p>Some activities, such as significant infrastructure, have a functional and operational need to locate in particular areas and this should be accounted for when setting limits and considering compatibility.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
			<p>CIAL seeks that this policy wording is amended to provide clearer guidance as to the purpose for setting limits and the state of environment which the limit is aiming to achieve or move towards. For example, a 'hard limit' beyond which an ecosystem or part of the environment would be considered to be in crisis would look quite different to a limit which was designed to achieve restoration or rehabilitation of a particular part of the environment.</p> <p>CIAL suggests it would also be appropriate to allow for offsetting or compensation to balance the overall impact of activities. This would allow limits to be achieved on a regional basis while permitting some flexibility at the individual activity level.</p> <p>CIAL seeks that the Policy is amended as follows:</p> <p><i>Preserve opportunities for future generations by:</i></p> <ol style="list-style-type: none"> 1. <i>identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,</i> 2. <i>requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on,</i> 3. <u><i>recognising that regionally significant infrastructure provides an important public benefit and may have functional or operational needs which should be recognised and taken into account, and</i></u> 4. <i>regularly assessing and adjusting limits and thresholds for activities over time in light of the actual and potential environmental impacts.</i>
13	ECO-P4 – Provision for new activities	Support.	<p>CIAL supports this policy, including reference to the effects management hierarchy in ECO-P6, and seeks it is retained.</p> <p>It is important to have a consenting pathway for the development or upgrade of significant infrastructure which has a functional or operational need to locate in sensitive environments, while setting out an appropriate approach to manage effects.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
14	ECO-P6 – Maintaining indigenous biodiversity	Support in part.	<p>CIAL supports the clear description of the effects management hierarchy in this policy and seeks it is retained.</p> <p>In particular, CIAL supports provision for offsetting and compensation, as it may not always be possible to address all effects on-site, and in that case the option to offset or compensate provides opportunities to improve overall environmental outcomes.</p> <p>CIAL does not, however, support (5)(b). As expressly anticipated in the drafting, any effects remaining after avoidance, remedying, mitigation, offsetting and compensation will be residual. Residual effects will in the vast majority of cases be less than minor or de minimis. In such cases, this proposed policy direction is disproportionate and overly onerous.</p> <p>It is not appropriate to prohibit an activity entirely because it may generate residual effects – even if those residual effects are less than minor or de minimis and even if the rigorous exercise of avoiding, remedying, mitigating, offsetting and compensation has occurred to manage adverse effects from a proposal.</p> <p>CIAL seeks that (5)(b) is deleted.</p>
15	EIT-INF-04 – Provision of Infrastructure	Support in part.	<p>CIAL supports this objective. It is important to recognise the contribution that infrastructure makes to serving communities and providing for social and economic wellbeing.</p> <p>CIAL supports the concept of setting environmental limits but notes that these limits must be appropriate. Some activities, such as regionally significant infrastructure, have a functional and operational need to locate in particular areas, or to operate in certain ways. This should be accounted for when setting limits. Without knowing what the environmental limits are, it is difficult to comment on this objective in an informed manner.</p> <p>CIAL seeks that the Policy Statement provide clearer guidance as to the purpose for setting limits and the state of environment which the limit is aiming to achieve or move towards. It may also be appropriate to set limits differently with respect to regionally significant infrastructure to acknowledge the public benefits which this infrastructure generates, the fact that such infrastructure is often also operated by a lifeline utility, and to reflect the functional and operational constraints that infrastructure has to work within.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
			<p>CIAL also seeks that this objective is amended to refer to "Effective, efficient, <u>safe</u> and resilient" infrastructure. Matters of safety (for example, management of bird strike risk at airports) are important to bear in mind in supporting the provision of infrastructure, as well as issues of resilience, effectiveness and efficiency.</p>
16	EIT-INF-O5 – Integration	Support.	CIAL supports this objective and seeks that it is retained.
17	EIT-INF-P10 – Recognising resource requirements	Support.	CIAL supports this policy and seeks that it is retained.
18	EIT-INF-P11 – Operation and maintenance	Support.	<p>CIAL supports this policy and seeks that it is retained.</p> <p>CIAL suggests that this policy could be further improved by making reference to the "<u>safe, efficient and effective</u> operation and maintenance" of regionally significant infrastructure.</p>
19	EIT-INF-P12 – upgrades and development	Support.	CIAL supports this policy and seeks that it is retained.
20	EIT-INF-P13 – Locating and managing effects of infrastructure	Oppose.	<p>CIAL opposes this policy and seeks that it is deleted. It is important to provide an appropriate consenting pathway for new infrastructure to be developed and operate in sensitive areas where there is an operational and functional need to do so. This is especially so in the case of regionally significant infrastructure.</p> <p>The proposed "avoid" policy does not strike the appropriate balance and will inhibit the safe and efficient operation and development of infrastructure which may be necessary to serve communities over the life of the Regional Policy Statement. It is more appropriate to provide policy direction which directs that the effects of infrastructure in sensitive areas are appropriately managed, and which leaves the full suite of options (avoid, remedy, mitigation) available to deal with the effects of infrastructure activities.</p>

#	PROVISION	POSITION	RELIEF SOUGHT
21	EIT-INF-P14 – Decision making considerations	Support.	CIAL supports this policy and seeks that it is retained.
22	EIT-INF-P15 – Protecting nationally or regionally significant infrastructure	Support.	CIAL supports the inclusion of a directive ‘avoid’ policy with respect to activities that may result in reverse sensitivity effects and/or activities that may compromise the functional or operational needs of significant infrastructure. CIAL seeks that this policy is retained. It is important that significant infrastructure is adequately protected against the establishment of incompatible activities which may subsequently affect operations. The best outcome is to avoid the establishment of those incompatible activities in proximity to significant infrastructure in the first place.
23	EIT-INF-P17 – Urban growth and infrastructure	Support in part.	<p>CIAL supports the policy provision for development infrastructure and additional infrastructure that is necessary to service growth demand.</p> <p>CIAL considers that this policy should also make reference to the importance of providing for the development and upgrade of regionally significant infrastructure in responding to, and servicing, urban growth over the life of the RPS.</p>
24	EIT-TRAN-O7	Support in part.	<p>CIAL supports this objective for an integrated transport network, which includes air travel. However, resilience of the transport network is not only related to natural hazards – this reference should be non-exhaustive. In particular, the effects of climate change will also be a key challenge for the transport network. And the transport network will be a key component in New Zealand’s efforts to decarbonise its economy in order to meet emissions reduction budgets.</p> <p>CIAL considers that the objective should be amended accordingly as follows:</p> <p><i>Otago has an integrated air, land and sea transport network that:</i></p> <p><i>(1) is effective, efficient and safe,</i></p> <p><i>(2) connects communities and their activities within Otago, with other regions, and internationally, and</i></p> <p><i>(3) is resilient, <u>including being resilient to challenges such as:</u></i></p> <p><i><u>(a) natural hazards,</u></i></p> <p><i><u>(b) the effects of climate change, and the changing needs of communities in responding to the challenge of climate change;</u></i></p>

#	PROVISION	POSITION	RELIEF SOUGHT
			<i>(c) global, national and local emergencies or events such as pandemics.</i>
25	EIT-TRAN-O8 – Transport system	Support in part.	<p>CIAL supports this objective and seeks it be retained. However, CIAL considers that it could be further improved.</p> <p>In particular, CIAL supports the inclusion of an objective that promotes a transport system that is adaptable to changes in demand and which supports the movement of freight and people. Current projections indicate that current air travel capacity in the Otago region will be subject to increased demand beyond its current capacity. The Otago Regional Policy Statement must be able to facilitate robust, long term solutions to this change in demand.</p> <p>CIAL considers that this objective should also highlight the need for the transport system to be developed in a way that is most efficient and optimises outcomes for communities in Otago as well as just supporting movement. The objective as notified appears focused on near-term objectives, but CIAL considers it should also be looking further into the future towards the outcomes which will be desirable across the lifetime of the plan.</p>
26	EIT-TRAN-O9 – Effects of the transport system.	Support.	CIAL supports this objective and seeks it be retained. CIAL is committed to reducing its emissions in line with future targets. CIAL sees airports as a key component of a decarbonised transport sector in New Zealand, as airports play a role in supporting the use of alternative aviation fuels and technology to transition the aviation sector towards a zero carbon future. This decarbonisation will occur via the increased use of low-emissions aviation technology, enhanced operating capabilities that reduce the energy needed for aviation operations, and by providing access between destination and origin locations that is as direct as possible.
27	EIT-TRAN-P19 – transport system design	Support.	CIAL supports the recognition that an integrated approach to land use and the transport system is important to enable resilience and adaptability and seeks that this be retained. CIAL notes that airports are a critical component of the public transport network.
28	EIT-TRAN-P20 – Public transport	Support.	CIAL supports this policy and seeks it be retained.

#	PROVISION	POSITION	RELIEF SOUGHT
29	EIT-TRAN-P21 – Operation of the transport system	Support.	CIAL strongly supports this policy, as a well-functioning transport system is essential for connecting both people and freight. Transport infrastructure must be able to adapt to meet future demand and must not be compromised by inappropriate development. CIAL also supports the future-looking aspects of this policy, particularly promotion of the development and use of transport hubs and avoidance of development that forecloses opportunities to adapt or develop the transport system to meet future demand.
30	EIT-TRAN-P22 – Sustainable transportation	Support.	CIAL supports this objective and seeks it be retained. CIAL is committed to reducing its greenhouse emissions in line with future targets and alongside other key players in the transport network. New technology is likely to be a key component of a decarbonised, sustainable transport sector. CIAL embraces the technological change that will promote transition to a zero carbon future in aviation.
31	HAZ-NH-O2 - Adaption	Support.	CIAL supports the recognition of the impact of natural hazards (particularly climate change) on people, properties and communities and seeks that this objective is retained. Climate change events can compromise important infrastructure such as the road network and can increase the frequency and intensity of certain natural hazards such as storm events or drought. Air travel and freight delivery is vital in situations such as these and plays a crucial role in the region’s ability to respond.
32	HAZ-NH-P8 – Lifeline utilities and facilities for essential or emergency services	Support.	CIAL supports this policy and seeks it is retained.
33	HAZ-NH-P9 – Protection of hazard mitigation measures		CIAL supports this policy and seeks it is retained.
34	UFD-O1 – Form and function of urban areas	Support.	CIAL supports this objective and seek it is retained.

#	PROVISION	POSITION	RELIEF SOUGHT
35	UFD-O2 – Development of urban areas	Support in part.	<p>CIAL supports an urban form that integrates land use with existing and future infrastructure, with special protection for that infrastructure which is regionally significant. However, CIAL seeks that this objective explicitly recognise both current and future regionally significant infrastructure. The proposed statement must be forward looking and anticipate community needs in the future. It is important for land use to be integrated with the transport network as it develops and adapts to meet local, regional and national needs.</p> <p>CIAL seek the objective be amended as follows:</p> <p>...</p> <p>(9) achieves integration of <i>land</i> use with existing and planned <i>development infrastructure</i> and <i>additional infrastructure</i> and facilitates the safe and efficient ongoing use and development of <i>regionally significant infrastructure</i>,</p> <p>...</p>
36	UFD-O3 – Strategic planning	Support.	CIAL supports the integrated management of urban development with regionally significant infrastructure, including safeguarding the potential for future significant infrastructure.
37	UFD-P1 – Strategic planning	Support.	CIAL supports this policy and seek it is retained.
38	UFD-P2 – Sufficiency of development capacity	Support.	CIAL supports this policy and seeks it is retained. CIAL supports the inclusion of an objective that promotes a transport system that is adaptable to changes in demand. Current projections indicate that current air travel capacity in the Otago region will be subject to increased demand beyond its current capacity. The Otago Regional Policy Statement must be able to facilitate robust, long term solutions.
39	URF-P3 – Urban intensification	Support.	CIAL supports this policy and seeks it is retained. CIAL supports in particular subparagraph (6), as urban intensification can have adverse effects on other activities such as productive land use or infrastructure if it occurs in inappropriate locations.
40	UFD-P4 – Urban expansion	Support.	CIAL supports this policy and seeks it is retained. CIAL supports in particular subparagraph (5), as urban expansion, if located in inappropriate places, can have adverse effects on other activities such as productive land use or infrastructure.

