

**In the Environment Court  
at Christchurch**

**ENV-2019-CHC-062**

**Under** the Resource Management Act 1991

**And**

**In the Matter** of an appeal under Clause 14(1),  
Schedule 1 of the Act

**Between** **WELL SMART INVESTMENTS  
GROUP**

Appellant

**And** **QUEENSTOWN LAKES DISTRICT  
COUNCIL**

Respondent

**Notice of Queenstown Airport  
Corporation Limited's wish to be party  
to proceedings**

Dated: 5 June 2019

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**Lane Neave**  
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**lane neave.**

**To:** The Registrar  
Environment Court  
Christchurch

1. Queenstown Airport Corporation Limited (**QAC**) wishes to be a party to the following appeal against parts of the Respondent's decisions on the Proposed Queenstown Lakes District Plan – Stage 2 (**Proposed Plan**):
  - (a) *Well Smart Investments Group v Queenstown Lakes District Council* (ENV-2019-CHC-062) (**Appeal**).
2. QAC made a submission about the subject matter of the Appeal.
3. QAC also has an interest in the Appeal that is greater than the interest that the general public has because QAC owns and operates the nationally significant Queenstown Airport and manages and operates the regionally significant Wanaka Airport under a long term lease (together the **Airports**). The relief sought in the Appeal may impact QAC's ability to safely and efficiently operate the Airports.
4. QAC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991 (**Act**).
5. QAC is interested in parts of the Appeal.
6. The parts of the Appeal that QAC is interested in include:
  - (a) the amendments sought to Chapter 25 – Earthworks;
  - (b) the amendments sought to Chapter 29 – Transport, including
    - (i) Rule 29.4.10; and
    - (ii) Rule 29.4.11.
7. QAC is interested in the following particular issues:
  - (a) the proposed amendments to the provisions of Chapter 25 – Earthworks and/or the reinstatement of the Operative District Plan's earthworks provisions, to the extent that:

- (i) the amendments may enable earthworks on land near the Airports that might affect the safety and efficiency of Airport operations; and/or
    - (ii) the amendments do not adequately recognise and provide for the Airports and their associated activities as Regionally Significant Infrastructure;
  - (b) the proposed amendments to Chapter 29 – Transport that would remove the regulation of high traffic generation from the Proposed Plan by the deletion of the high traffic generator rule; and
  - (c) the proposed amendments to Chapter 29 – Transport that would allow for the bespoke management of rental vehicle businesses in the relevant zone provisions, including the Airport Zone provisions (Chapter 17), rather than generally in Chapter 29.
8. QAC **opposes** the relief sought in the Appeal in relation to Chapter 25 – Earthworks because it is broadly expressed and it is unclear whether it would result in outcomes that are inconsistent with QAC’s original and further submissions. QAC is concerned that the relief sought:
- (a) may enable earthworks on land in close proximity to the Airports without requiring appropriate safeguards for Airport operations;
  - (b) may result in provisions that do not adequately recognise and provide for the Airports and their associated activities as Regionally Significant Infrastructure;
  - (c) fails to recognise the strategic importance of the Airports and their unique and essential functional, technical, locational, and operational requirements;
  - (d) does not achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District;
  - (e) is not the most appropriate way to achieve the objectives of the Proposed Plan and, in turn, the purpose of the Act.

9. QAC **supports** the relief sought in relation to Chapter 29 – Transport to the extent that it is consistent with QAC’s original and further submission and its notice of appeal dated 7 May 2019 (ENV-2019-CHC-039). QAC considers that the relief sought:
- (a) is consistent with the intent of the Respondent’s earlier decisions on Stage 1 of the Proposed Plan, which put in place bespoke controls for issues such as traffic generation, and activities such as rental cars, in the Airport context;
  - (b) will assist in ensuring that the unique operational requirements of the Airports are recognised and provided for, and in enabling an efficient and effective land-based transport system;
  - (c) ensures undue regulation and duplication of controls in the Proposed Plan is avoided;
  - (d) removes ambiguity in the Proposed Plan; and
  - (e) is the most appropriate way to achieve the objectives of the Proposed Plan and, in turn, the purpose of the Act.
10. QAC agrees to participate in mediation or other alternative dispute resolution of the Appeal.

Dated this 5th day of June 2019



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