

**In the Environment Court
at Christchurch**

ENV-2019-CHC-076

Under the Resource Management Act 1991

And

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

Between

WAYFARE GROUP LIMITED

Appellant

And

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

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

Dated: 5 June 2019

Lane Neave
Level 1, 2 Memorial Street
PO Box 701
Queenstown
Solicitor Acting: Rebecca Wolt
Email: rebecca.wolt@laneneave.co.nz
Phone: 03 450 1365

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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) *Wayfare Group Limited v Queenstown Lakes District Council* (ENV-2019-CHC-076) (**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, and to manage their growth.
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, including Standard 25.5.13 in particular;
 - (b) the amendments sought to Chapter 29 – Transport, including Rule 29.4.11 in particular; and
 - (c) the amendments sought to Chapter 38 – Open Space and Recreation, including Table 38.1 in particular.
7. QAC is interested in the following particular issues:
 - (a) the proposed amendments to the provisions in Chapter 25 – Earthworks to the extent that the amendments may enable earthworks on land near the Airports that might affect the safety and efficiency of Airport operations;

- (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 the provisions in Chapter 38 – Open Space and Recreation to the extent that they may enable the establishment and/or intensification of Activities Sensitive to Aircraft Noise (**ASAN**) and other incompatible activities in proximity to Queenstown Airport.
8. QAC **opposes** the relief sought in the Appeal in relation to Chapter 25 – Earthworks and Chapter 38 – Open Space and Recreation to the extent that it is inconsistent with QAC’s original and further submissions and its notice of appeal dated 7 May 2019 (ENV-2019-CHC-039). 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) may enable the establishment and/or intensification of ASAN and other incompatible activities in proximity to Queenstown Airport, which may result in:
 - (i) adverse reverse sensitivity effects on Queenstown Airport;
 - (ii) adverse amenity effects due to aircraft noise;
 - (iii) adverse effects on operations and safety at Queenstown Airport.
 - (d) fails to recognise the strategic importance of the Airports and their unique and essential functional, technical, locational, and operational requirements;
 - (e) may impose undue constraints on legitimate and necessary activities undertaken at the Airport, including the ongoing operation, maintenance, upgrading and development of the Airport;

- (f) does not represent sound resource management practice, particularly with respect to planning for Regionally Significant Infrastructure such as Airports, in the District;
 - (g) fails to achieve the functions of the Respondent under section 31 of the Act in respect of the integrated management of the effects of the use and development of land and physical resource;
 - (h) does not represent an efficient use of land under section 7(b); and
 - (i) 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 the Appeal in relation to Chapter 29 – Transport to the extent that it is consistent with QAC’s original and further submissions 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 transport-related matters in specific zones, including the Airport Zone (Chapter 17);
 - (b) will assist in ensuring that the unique operational and functional requirements of the Airport are recognised and provided for;
 - (c) will ensure that undue regulation and duplication of controls in the Proposed Plan is avoided; and
 - (d) 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



Rebecca Wolt/Annabel Linterman
Counsel for Queenstown Airport Corporation Limited

Address for Service of Queenstown Airport Corporation Limited:

Phone: 03 450 1365/03 377 6873

Email: rebecca.wolt@laneneave.co.nz/annabel.linterman@laneneave.co.nz

Contact person: Rebecca Wolt/Annabel Linterman