

Before an Independent Hearings Panel  
appointed by the Waimakariri District Council

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*under:* the Resource Management Act 1991

*in the matter of:* Submissions and further submissions in relation to the  
proposed Waimakariri District Plan, Variation 1 and  
Variation 2

*and:* **Christchurch International Airport Limited**  
Submitter 254

Memorandum of counsel on behalf of Christchurch International  
Airport Limited

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Dated: 8 April 2024

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## **MEMORANDUM OF COUNSEL ON BEHALF OF CHRISTCHURCH INTERNATIONAL AIRPORT LIMITED**

### **Introduction**

- 1 This memorandum of counsel is provided on behalf of Christchurch International Airport Limited (*CIAL*) (submitter #254, further submitter #80) and addresses *CIAL*'s submission and further points that are allocated to Hearing Streams 8 (Subdivision), 9A (Industrial Zone) and 11 (Temporary Activities).
- 2 We have reviewed the Council Section 42A reports for those hearings and comment on matters relevant to *CIAL*'s submission below.

### **Hearing Stream 8 – Urban Subdivision**

- 3 Council's Section 42A Officer for the Urban Subdivision report concurs with the Section 42A Officer for Hearing Stream 10A in relation to *CIAL*'s submissions on SUB-O2 and SUB-P6. In essence the Officer's view is that additional wording specific to critical, strategic and regionally significant infrastructure within these provisions is unnecessary.
- 4 **Mr Kyle's** evidence in relation to Hearing Stream 10A supports the relief sought by *CIAL* on SUB-O2 and SUB-P6, subject to further minor amendments.<sup>1</sup> Mr Kyle's evidence and recommended amendments are adopted by *CIAL* for the purposes of the subdivision chapter.
- 5 Unless the Hearings Panel take a different view, we do not consider any further evidence nor appearances by *CIAL* witnesses to be necessary.

### **Hearing Stream 8 – Rural Subdivision**

- 6 We record *CIAL*'s agreement with the Council Officer's approach to *CIAL*'s submission points that were addressed in Hearing Stream 10A.<sup>2</sup>

### **Hearing Stream 9A – Industrial Zone**

- 7 We record *CIAL*'s agreement with the Council Officer's approach to *CIAL*'s submission points that were addressed in Hearing Stream 10A.<sup>3</sup>

### **Hearing Stream 11 – Temporary Activities**

- 8 In relation to *CIAL*'s further submission on a new objective and policy sought by the New Zealand Defence Force, the Section 42A Officer invited *CIAL* to clarify of what is meant by "long periods of

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<sup>1</sup> See Appendix B.

<sup>2</sup> At paragraphs 249 and 361.

<sup>3</sup> At paragraphs 62, 192 and 250.

overnight stays".<sup>4</sup> We understand that the temporary military training activity enabled by the proposed objective and policy would be limited to 31 consecutive days at any one time.

- 9 The 31 consecutive days proposed is consistent with other temporary activities in the proposed Waimakariri District Plan, such as filming (TEMP-R4). CIAL's submission did not oppose that length of time, and it is similarly not opposed for temporary military training activities.
- 10 However, we observe that CIAL's submission on other temporary activities sought that applications within the 50dB Ldn Air Noise Contour be notified to CIAL. Mr Kyle supports the notification requirement for temporary activities proposed in CIAL's submission.<sup>5</sup>
- 11 We wish to record that CIAL does not oppose the relief sought by the New Zealand Defence Force insofar as it seeks to enable temporary military training activity for no more than 31 consecutive days, but CIAL does seek that the same notification requirement be included.
- 12 CIAL's position is supported by **Mr Kyle**. If the Hearings Panel would benefit from a supplementary statement from Mr Kyle, we can arrange for this to be provided.

### **Conclusion**

- 13 We hope this memorandum assists the Hearings Panel in relation to CIAL's submissions on the Subdivision, Temporary Activities and Industrial chapters.
- 14 CIAL does not intend to appear in support of its submissions on these chapters in light of the approach taken (which is agreed) by Council's Section 42A Officers and the time that was spent traversing airport specific matters in Hearing Stream 10A.

8 April 2024



J M Appleyard / A M Lee  
Counsel for Christchurch International Airport Limited

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<sup>4</sup> At paragraphs 100 and 114.

<sup>5</sup> Appendix B to the evidence of Mr Kyle filed for Hearing Stream 10A.