

**IN THE MATTER of
the Resource Management Act 1991**

AND

**IN THE MATTER of
hearing of submissions and further
submissions on the Proposed
Waimakariri District Plan**

AND

**of hearing of submissions and further
submissions on Variation 1 to the
Proposed Waimakariri District Plan**

**MINUTE 39 – RESPONSE TO CIAL
MEMORANDUM**

INTRODUCTION

1. The purpose of this Minute is to respond to the Memorandum of Counsel for the Christchurch International Airport Limited (CIAL) (the CIAL Memo), received in response to our Minute 38. The CIAL Memo is available on the Council website.
2. The IHP would like to draw CIAL's attention to their Memorandum dated 14 August 2023 which was received in response to the Council officers' Memorandum of 16 June 2023 indicating that all airport related matters could be allocated to Hearing Stream 10. The 14 August 2023 CIAL Memorandum sets out CIAL's proposed approach to addressing its submission points (see Table of CIAL Submissions Points and Relevant Hearing). That Memo sought the Panel's agreement to that approach.
3. Our Minute 11 of 2 October 2023 subsequently confirmed Hearing Stream 10A would address all Airport related matters. This was then reinforced by the two airport-related S42A reports for Hearing Stream 10A which are clear that they were in accordance with our Minute 5. During those hearings, we heard all relevant submissions relating to Airport Noise Contour and the Residential Zones, including Variation 1. The CIAL Memo of 14 August 2023 advises that its Hearing Stream 7 submission points would be 254.68 – 254.70¹.
4. Quite simply, and with respect to Counsel for CIAL, we do not consider that any party who has read the Hearing Schedule, our Minutes or CIAL's Memo of 14 August 2023 and who was involved with Hearing Stream 10A would have anticipated that new evidence relating to people's health and wellbeing in respect to aircraft noise would be provided at a later hearing. As we pointed out, introducing new evidence in relation to that hearing stream at this point in time raises issues of natural justice and fair process.
5. CIAL may wish to seek leave to present the late evidence of Professor Clark to Hearing Stream 10A. If such leave is sought, we will then consider how best to address that leave procedurally. But to re-iterate the points from our Minute 38, the Panel will not hear the additional and new evidence on Airport related matters at Hearing Stream 7.
6. Having considered CIAL's Memo, we accept Counsel's point that it would be useful for the IHP to hear submissions and evidence on the matters relating to PC14 and its relevance to our proceedings, given this was raised during Hearing Stream 12E in legal submissions. We are happy to hear submissions and evidence on matters relating to PC14 at the forthcoming hearing, including from Momentum.

¹ As set out in the summary of submissions.

CORRESPONDENCE

7. Submitters and other hearing participants must not attempt to correspond with or contact the Hearings Panel members directly. All correspondence relating to the hearing must be addressed to the Hearings Administrator on 0800 965 468 or Audrey.benbrook@wmk.govt.nz.



Gina Sweetman
Independent Commissioner – Chair - on behalf of the IHP members
13 September 2024