

Before an Independent Hearings Panel
appointed by the Waimakariri District Council

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

Dated: 12 July 2024

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

- 1 This memorandum of counsel is provided on behalf of Christchurch International Airport Limited (*CIAL*) (submitter #254, further submitter #80) and addresses *CIAL*'s further submission points that are allocated to Hearing Stream 12C (Large Lot Residential).
- 2 We have reviewed the section 42A report for Hearing Stream 12C and comment on matters relevant to *CIAL*'s further submissions below. As stated in our legal submissions for Hearing Stream 12B, *CIAL* continues to rely upon the evidence and legal submissions provided in relation to Hearing Stream 10A.
- 3 The section 42A report for Hearing Stream 12C mentions *CIAL*'s further submissions in opposition to the following requests to rezone land Large Lot Residential:
 - 3.1 Ngaire Wilkison (submitter number 23) submission seeking to rezone land within ODP160 (Ohoka);
 - 3.2 David Cowley (submitter number 244) submission seeking to rezone land at 405 Bradleys Road, 547 Mill Road, 351 Bradleys Road and 566 Mill Road; and
 - 3.3 Graham and Sue Brown (submitter number 53) submission seeking to rezone 215 Jacksons Road.collectively the *Rezoning*s.
- 4 However, the section 42A report does no more than list *CIAL*'s further submissions in *Appendix B – Recommended Responses to Submissions and Further Submissions*. Similarly to Hearing Stream 12B, the Council officer for Hearing Stream 12C does not examine the merits of the *Rezoning*s in the context of aircraft noise effects.
- 5 The rezoning requests allocated to Hearing Stream 12C that were opposed by *CIAL* were all within the Draft Remodelled 50dB Ldn Air Noise Contour at the time further submissions were lodged, but fall outside of the Final Remodelled 50dB Ldn Air Noise Contour. Therefore *CIAL* no longer opposes the rezoning requests in a practical sense.
- 6 Nevertheless, as mentioned in our legal submissions and discussed with the Panel in relation to Hearing Stream 12B, the ongoing lack of analysis of *CIAL*'s further submission points that relate to land falling within the Air Noise Contours is concerning. *CIAL* requests that the Council officers properly assess all potential constraints that are relevant to each rezoning request. In the context of urban

rezoning of land within the Air Noise Contours, an assessment of aircraft noise effects must be included.

- 7 We observe that the section 42A report also addresses the submission of Survus Consultants Limited (submitter number 250) which seeks to rezone development areas, including the Kaiapoi Development Area, to Large Lot Residential. The Council officer observes that rezoning of the development areas was addressed in the section 42A report for Future Development Areas (Hearing Stream 10A). This analysis is supported.

12 July 2024

A handwritten signature in blue ink, appearing to read 'J M Appleyard'.

J M Appleyard / M E Davidson
Counsel for Christchurch International Airport Limited