

BEFORE INDEPENDENT COMMISSIONERS

IN THE MATTER

of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER

of the Proposed Plan Change 78: Intensification ("**PC78**") to the Auckland Unitary Plan Operative in Part ("**AUP**")

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

27 JUNE 2024

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MAY IT PLEASE THE PANEL:

1. This memorandum is filed on behalf of Auckland International Airport Limited in response to the Minute of the Independent Hearings Panel dated 7 June 2024 relating to the City Centre Outstanding Matters Hearing relating to Qualifying Matters.
2. During the submission process, Auckland Airport submitted on the following Qualifying Matters:
 - (a) Qualifying Matters required for the safe and efficient operation of nationally significant infrastructure, specifically:
 - (i) Chapter D24 (the Aircraft Noise Overlay);
 - (ii) Chapter K Designations 1100, 1101 and 1102 (the Auckland Airport designations); and
 - (iii) Chapter H Zones.
 - (b) Precincts, specifically:
 - (i) I404 Auckland Airport Precinct; and
 - (ii) I412 Flat Bush Precinct
3. As the Panel will know, these specific Qualifying Matters are applied in different zones (including, for example, the Metropolitan Centre Zone, the Business Mixed Use Zone and Residential Zones), but are not currently applied to the City Centre Zone. However, Designations and Precincts have been proposed to apply as Qualifying Matters to the City Centre Zone more broadly.
4. As a submitter with interests in Qualifying Matters, Auckland Airport seeks clarification from the Panel as to the scope of the upcoming Hearing (and the relevance of its interests to that Hearing), so the Airport can ensure it is participating as appropriate (but not wasting the Panel's time).
5. We therefore seek confirmation that in relation to the upcoming Qualifying Matters Hearing:
 - (a) The Panel does **not** need to hear submissions or receive evidence on specific Qualifying Matters that have no bearing on the City Centre Zone (for example, the Aircraft Noise Overlay).

- (b) Does the Panel want submissions/evidence on Qualifying Matters that are of general relevance to, but are *not proposed to apply to*, the City Centre Zone? For example, Designations and Precincts are proposed to apply as Qualifying Matters to the City Centre Zone, but the specific designations and precincts Auckland Airport is interested in are not relevant to the City Centre Zone. Is this upcoming Hearing the only opportunity submitters have to address the Panel on Qualifying Matters generally (noting their particular application will come up in later hearings)?
6. In other words, does the Panel only want to receive submissions / evidence on Qualifying Matters that are *directly* relevant to **and** *currently proposed to be applied* in the City Centre Zone?
7. We are grateful for the Panel's clarification of these matters.

DATED 27 June 2024



A A Arthur-Young / C A Carter
Counsel for Auckland International Airport Limited