

**In the Environment Court
at Wellington
I Mua I te Kōti Taiao
Te Whanganui-a-Tara Rohe**

ENV-

Under

the Resource Management Act
1991 (Act)

In the Matter

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

Between

**Wellington International Airport
Limited**

Appellant

And

**Greater Wellington Regional
Council**

Respondent

**Notice of Appeal by Wellington
International Airport Ltd on a decision on
Proposed Change 1 to Regional Policy
Statement**

Dated: 18 November 2024

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To: The Registrar
Environment Court
Wellington

Notice of Appeal

1. Wellington International Airport Limited (**WIAL**) appeals against parts of the decision of the Greater Wellington Regional Council (**Respondent**) on proposed Change 1 to the Regional Policy Statement (**RPS PC1**).
2. WIAL made a submission and further submissions on the RPS PC1.
3. WIAL is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**Act**).
4. WIAL received notice of the Respondent's decisions in relation to RPS PC1 on 4 October 2024 (**Decision**).
5. The parts of the RPS PC1 Decision that WIAL is appealing is:
 - (a) See attached **Annexure A** (1st Column) for the parts of the Decision WIAL is appealing (**Appealed Decision**).

Reasons for the Appeal

Background

6. Wellington International Airport Limited is the owner and operator of the Wellington International Airport (**Wellington Airport or the Airport**).
7. Wellington International Airport is an important existing strategic asset to Wellington City and surrounding regions. It provides an important national and international transport link for the local, regional and international community and has a major influence on the regional economy. The Airport is a fundamental part of the social and economic wellbeing of the community.
8. Wellington Airport is one of the busiest airports in New Zealand, operating a mixture of scheduled domestic and international flights, corporate jets, general aviation and helicopters. It is a gateway for millions of residents, visitors and business travellers every year, connecting the capital city to all

parts of New Zealand, Australia, the Pacific and onwards, to the rest of the world. The Airport is also a generator of economic growth, providing significant direct business and employment opportunities within the Airport area as well as indirect economic benefits provided to the city and the wider Wellington region.

9. The Airport has been experiencing significant growth in the use of its facilities and infrastructure over recent years and is now operating near pre-COVID levels. This growth is predicted to continue reaching around 12 million passengers per annum over an approximately 20 year planning horizon.
10. The Airport operates on a constrained 110ha site in the residential suburb of Rongotai, within 8 kilometres of the centre of Wellington City. The Airport is bounded by Lyall Bay to the west and south and Evans Bay to the north of the runway. The Airport and its operations are directly affected by many of the RPS PC1 provisions due to its particular location on the coast and proximity to the surrounding community.
11. Through this appeal WIAL wishes to ensure that the RPS PC1 provisions appropriately recognise and provide for the Airport and its operations as regionally significant infrastructure including being protected from reverse sensitivity effects and providing appropriate consenting pathways to enable the Airport to continue to serve the community in the future.

Specific Reasons

12. See **attached Annexure A** (2nd Column) that sets out the specific reasons for the appeal.

General Reasons

13. The general reasons for WIAL's appeal are that the Appealed Decision fails to appropriately or adequately recognise and provide for the Airport and its surrounds, including in respect of the matters described in Annexure A, in that the Appealed Decision:
 - (a) does not sufficiently recognise or provide for the ongoing operation or development of Wellington Airport as identified in the RPS as Regionally Significant Infrastructure and higher order statutory planning documents;

- (b) imposes undue constraints on the legitimate and necessary activities of the Airport;
- (c) does not adequately recognise the locational, functional and operational requirements of the Airport;
- (d) fails to achieve the functions of the Respondent under section 30 of the Act;
- (e) fails to meet the requirements of section 32;
- (f) fails to meet the relevant higher order statutory documents in particular the NZCPS and the NPS-IB in the context of the Airport;
- (g) fails to promote sustainable management of resources and will not achieve the purpose of the Act.

Relief Sought

Specific Relief

- 14. WIAL seeks the relief as set out in the 3rd Column of the **attached Annexure A**.
- 15. Subject to the general relief set out in paragraph 16 below:

General Relief

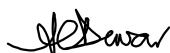
- 16. That the RPS PC1 be amended in a similar or such other way as may be appropriate to:
 - (a) address the matters raised in this Appeal;
 - (b) any other similar, consequential, alternative, or other relief as is necessary to address the issues raised in this Appeal or otherwise raised in WIAL's submission and further submissions.

Attached Documents

- 17. The following documents are **attached** to this notice:
 - (a) Table of Appealed Provisions/ Matters, Specific Reasons for Appeal and Relief Sought (**Annexure A**);

- (b) a copy of WIAL's submission (**Annexure B**);
- (c) a copy of WIAL's further submissions (**Annexure C**);
- (d) a list of the names and addresses of the persons to be served with a copy of this notice of appeal (**Annexure D**).

Dated this 18th day of November 2024



Amanda Dewar

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Advice to Recipients of Copy of Notice of Appeal

How to become a Party to Proceedings

You may be a party to the appeal if you made a submission or further submission on the matter of this appeal.

To become a party to the appeal, you must –

- (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch