

BEFORE THE HEARING COMMISSIONERS

Under of the Resource Management Act
1991 (**Act**)

And

In the Matter of the Proposed Otago Regional
Policy Statement 2021 (Non-
Freshwater Parts)

**Legal Submissions for Queenstown Airport
Corporation Limited on Energy, Infrastructure
and Transport Chapter**

Dated: 15 March 2023

MAY IT PLEASE THE COMMISSIONERS

Introduction

1. These legal submissions are presented on behalf of Queenstown Airport Corporation Limited (**QAC**) and address QAC's submission (0313) and further submission (FS00313) on the Energy, Infrastructure and Transport Chapter of the Proposed Otago regional Policy Statement 2021 (**PORPS**), specifically, the definition of "Regionally Significant infrastructure" (**RSI**) as it is used in that Chapter and elsewhere in the PORPS.

Queenstown Airport Corporation Limited

2. QAC manages Queenstown Airport. Queenstown Airport is the main airport in the Queenstown Lakes District and is the primary take-off and landing point for much of the aircraft activity in the District.
3. The Airport accommodates aircraft movements associated with scheduled,¹ general aviation and helicopter operations.
4. QAC is a network utility operator and a requiring authority under the Resource Management Act 1991 (**RMA**), with responsibility for two designations in the Queenstown Lakes District Plan pertaining to Queenstown Airport.²
5. QAC is also a provider of emergency services, and a lifeline utility under the Civil Defence Emergency Management Act 2002 (**CDEM 2002**).
6. QAC provides aeronautical infrastructure and associated facilities required for the operation of Queenstown Airport.
7. More than 60 businesses are based at Queenstown Airport, with approximately 700 people employed across the wider airport precinct, providing a broad range of services.

¹ That is, regular passenger air transport services.

² Designation 2 – "Aerodrome Purposes", which pertains to the land on which Queenstown Airport is situated, and Designation 4 - "Approach and Land Use Controls" which pertains to the airspace around the Airport.

8. Queenstown Airport provides a domestic and international entry point to Queenstown, and direct access to the Southern Lakes region. The Airport is also a base for general aviation activities, including flightseeing and other commercial operations, search and research, life flights and other emergency services.
9. The Airport acts as a gateway to the Queenstown Lakes District and the wider Otago region, and facilitates access and economic activity in the local and regional economies.
10. The ongoing ability of QAC to operate Queenstown Airport to serve the region's community with certainty and without undue constraint is of significant importance, both regionally and nationally.
11. Queenstown Airport is a vital physical resource for the Otago region and plays an integral role to the economic and social wellbeing of the region's communities. In recognition of this, the Airport is, quite appropriately, defined as both Nationally Significant Infrastructure (NSI)³ and Regionally Significant infrastructure in the PORPS, and as regionally significant infrastructure in the Proposed Queenstown Lakes District Plan.
12. Given its place in the statutory planning hierarchy, the PORPS directly influences QAC's ability to maintain, operate, develop, and upgrade the nationally and regionally significant infrastructure it provides. Therefore, the infrastructure outcomes of the Proposed RPS must ensure they provide a suitable pathway for QAC to continue to provide these critical functions.

Regionally Significant infrastructure in the PORPS

13. RSI is defined in the notified PORPS as follows:

Regionally Significant Infrastructure means:

(1) roads classified as being of regional importance in accordance with the One Network Road Classification,

(2) electricity sub-transmission infrastructure,

(3) renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated

³ Queenstown Airport is used for regular air transport services by aeroplanes capable of carrying more than 30 passengers, (item (h) of the NSI definition contained in the PORPS).

principally for supplying a single premise or facility, (4) telecommunication and radiocommunication facilities,

(5) facilities for public transport, including terminals and stations,

(6) the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri.

(7) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant,

(8) defence facilities,

(9) community drinking water abstraction, supply treatment and distribution infrastructure that provides no fewer than 25 households with drinking water for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution infrastructure (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water supplies)

(10) community stormwater infrastructure,

(11) wastewater and sewage collection, treatment and disposal infrastructure serving no fewer than 25 households, and

(12) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes.

[emphasis added]

14. QAC made a submission in support of the notified definition.
15. Some submitters made submissions seeking modifications to the notified definition, including Christchurch International Airport Limited (CIAL). CIAL's submission seeks to broaden the definition, particularly as it relates to the region's airport infrastructure, as follows:

Regionally Significant Infrastructure ~~means~~ includes:

(6) Airports and aerodromes and their ancillary infrastructure including the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri.

16. The reasons given for CIAL's submission include that without the modification, the PORPS does not account for potential additional infrastructure of regional significance which may be built in the lifetime of the PORPS.
17. QAC made a further submission opposing CIAL's proposed modifications to the RSI definition, for reasons including that the modifications would unduly broaden scope of the definition and capture existing airports and aerodromes that are not considered regionally significant, such as Roxburgh Aerodrome, Glenorchy Airport,

Makarora Airstrip, and Cromwell Racecourse Aerodrome, and would cause ambiguity and uncertainty in the application and administration of the PORPS, which would be both undesirable and inefficient.

18. CIAL has filed evidence in support of its submission on the RSI definition, being the evidence of planning consultant Mr Bonis and CIAL employee Mr Boswell.
19. Mr Bonis' evidence recommends further modifications to the RSI definition, so as to focus the proposed modifications on airport infrastructure only, and to include a use and carrying capacity threshold that an airport must meet in order to qualify as RSI, this being the use of airport/aerodrome for regular air transport services using aeroplanes with a carrying capacity of more than 30 passengers.
20. Mr Bonis' specific recommended modifications to the definition are as follows:

Regionally Significant Infrastructure means:

- (6) airports and aerodromes used for regular air transport services by aeroplanes capable of carrying more than 30 passengers, and includes the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri.

21. Mr Bonis' evidence discusses why, in his view, the proposed, modifications are necessary.
22. Mr Boswell's evidence makes assumptions and contains statements about the region's existing airports, including Queenstown Airport, some of which misrepresent or contain relevant omissions as to the circumstances of these existing airports.
23. These legal submissions address the appropriate wording of the RSI definition, particularly as raised in CIAL's submission and evidence. They also address Mr Boswell's evidence, to the extent necessary to ensure the hearing record is correct in so far as it pertains to Queenstown Airport.

CIAL Evidence and Relief

24. CIAL's submission and evidence suggests that the modifications it seeks to the RSI definition are aimed at ensuring potential future airport ventures within the region have the benefit of the PORPS RSI provisions, including the privileges and

protections they afford, when progressing through the consenting/approval phase under the Resource Management Act (**RMA**).

25. This raises the interesting question of the point in time at which airport infrastructure becomes “regionally significant” for the purposes and administration of the PORPS. In particular:
- (a) Is it when a potential new airport is still in its conceptual (speculative) planning phase on the basis that it *intends* to function as RSI?
 - (b) Or, must the airport first be physically established, and of proven regional significance and benefit, in order to qualify as RSI?
26. If the former applies, the following further questions arise as to when RSI status is conferred:
- (a) Is it when the idea of the new airport is first conceived, on the basis that the proponent of the new airport intends for it to function as RSI?; or
 - (b) Is it when an application⁴ for the new airport is formally made under the RMA, and the proponent asserts that the new airport will function as RSI? or;
 - (c) Is it when a decision is made under the RMA that confers the necessary planning approvals for the airport to establish (and even then, what would be the basis for determining the proposed but unbuilt infrastructure is RSI?)?
27. These latter questions in particular illustrate the inherent difficulties with recognising potential, future, but unbuilt airport infrastructure as RSI under the PORPS, and the uncertainty of precisely when a new infrastructure proposal would so qualify, and whether the definition could be consistently applied and administered.
28. The first and more fundamental question for the Panel’s consideration is that stated at paragraph 25 above: whether potential, future infrastructure should be

⁴ A notice of requirement, plan change or resource consent for example.

recognised as RSI under the PORPS, or whether this classification is more appropriately reserved for established airport infrastructure.

29. In order to answer this question, it is necessary to consider the policy framework for RSI in the PORPS, bearing in mind the RMA's requirements under section 32 to evaluate whether proposed provisions (which necessarily include definitions) are appropriate for achieving the PORPS's objectives.

PORPS Policy Framework - Preference for established RSI

30. The PORPS policy framework for RSI expresses a preference for existing and established infrastructure.
31. For example, EIT-INF-05 requires the development of NSI and RSI to minimise adverse environmental effects and increase efficiency in the delivery, operation and use of the infrastructure. In order to 'increase' something, it must first *exist*.
32. EIT-INF-P11 allows for the operation and maintenance of *existing* NSI and RSI.
33. EIT-INF-E2 confirms that the intent of the infrastructure policies is to ensure that infrastructure is used efficiently, and that the benefits of *existing* NSI and RSI are maximised.
34. The definition of RSI must be read and applied in this context. Like the objectives and policies, the definition expresses a preference for established or existing infrastructure of regional significance, particularly airport infrastructure, with the region's significant airports being expressly named in the definition.
35. There is an obvious logic to this, in that the existing airport infrastructure:
- (a) Is an existing physical resource, having been long established⁵ in a particular location;
 - (b) Has required and continues to require significant investment in establishing operating and maintaining and protecting the physical resource;

⁵ All airports listed in the RSI definition have been established for over 50 years in their current locations.

- (c) Performs a known role in facilitating connectivity within (and beyond) the region;
 - (d) Provides known and significant community services and benefits;
 - (e) Has known effects (positive and adverse);
 - (f) Use should be maximised for efficiency reasons.
36. This existing airport infrastructure is a 'known quantity' of proven regional significance and benefit.
37. This can be contrasted with potential, future, but presently unbuilt airport infrastructure, which:
- (a) Is not an existing resource;
 - (b) Is not confined to a particular location, but has locational options and choices;
 - (c) Does not perform any role in or provide any service or benefits to the region's communities (albeit that there may be speculation about the provision of regionally significant services and benefits, which may or may not eventuate);
 - (d) Has unknown effects, with these depending on the nature, scale and location of the proposed infrastructure, amongst other things.
38. Taking account of these matters, it can readily be understood why existing airport infrastructure is recognised as RSI, but potential new infrastructure is not.
39. The logic of identifying established, but not potential, future airport infrastructure as RSI is further understood when regard is had to the implications of the classification.
40. As above, the existing airports listed as RSI have long been established in their current locations. Short of uprooting to an entirely new location, with all the attendant costs and uncertainties this would entail, these existing airports have little or no choice about where they locate their activities.

41. The RSI policy framework recognises this, by providing a pathway for this existing airport infrastructure to manage, rather than avoid, certain adverse effects.⁶
42. In contrast, new infrastructure that is not yet established/built is not wedded to a particular location, but has locational options and choices, and as such, a greater ability to avoid its potential adverse effects through locational choice.
43. The preference for existing airport infrastructure in the PORPS RSI policy framework is replicated in the NSI definition. While the RSI definition contains an exhaustive list of existing airports that are regionally significant, the NSI definition sets a scale and use threshold at which an airport is categorised as nationally significant. Under the PORPS (and other statutory planning documents that adopt the same definition) an airport is nationally significant if it:
 - (a) is used for regular air transport services; and
 - (b) the aeroplanes providing this service are capable of carrying more than 30 passengers.
44. The scale and use threshold in the NSI definition undoubtedly recognises that larger airports providing these services (which include Queenstown and Dunedin Airports, but not the other airports listed in the RSI definition) have nationally significant social and economic wellbeing benefits.
45. The word 'used' in the definition clarifies that in order to be classified as NSI, the airport must be 'in use', that is, established and existing.
46. Widening the RSI definition to include potential, future, unbuilt airport infrastructure, as CIAL advocates is appropriate, does not sit well with this policy framework, with its clear and logical preference for existing airport infrastructure.
47. QAC is concerned that widening the RSI definition to include unspecified potential future airport infrastructure may weaken the protections afforded to the existing airports recognised as RSI, in so far as territorial authorities may be reluctant or cautious to afford RSI sufficient privileges and protections under their district plans, if to do so could provide a route for new airport infrastructure of an unknown nature, scale and effect, to establish in inappropriate locations within the district.

⁶ EIT-INF-P13.

48. If RSI is not appropriately recognised and protected at a district plan level, QAC's ability to operate Queenstown Airport efficiently and effectively may be impacted.
49. Thus, QAC maintains that recognising the region's existing airport infrastructure as RSI is appropriate, and better implements and accords with the intent of the RSI policy framework, as compared with the relief that CIAL seeks.

Will Not Granting CIAL's Relief Preclude the Establishment of New Airport Infrastructure?

50. The CIAL evidence suggests that without the modifications it seeks to the RSI definition, new airport infrastructure will be precluded from establishing within the region.
51. That is not the case, however.
52. While it would not have the benefit of the RSI policy framework (under which there is ability for RSI to *manage* its adverse effects, where these cannot be avoided for functional (including locational) or operational reasons)⁷, the PORPS would not foreclose or preclude the establishment of new airport infrastructure, but it would be required to be assessed in accordance with the wider PORPS framework, and to address its adverse effects. This may require the outright *avoidance* of some adverse effects, which, it is submitted, would not be inappropriate or unduly onerous, as new, unbuilt airport infrastructure has locational options and choices available to it that existing regionally significant airport infrastructure does not.

CIAL Modifications Unnecessary

53. The modifications CIAL proposes through its evidence would closely align the definition of RSI with the PORPS definition of NSI in so far as these definitions relate to airport infrastructure, in that they would both encapsulate airports and aerodromes used for regular air transport services by aeroplanes capable of carrying more than 30 passengers.
54. For the purposes and operation of the PORPS, NSI and RSI are treated the same. They are afforded all the same privileges and protections at a both a policy and implementation level. Thus, if a new airport were to establish and then be used for regular passenger transport services by aeroplanes capable carrying more than

⁷ EIT-INF-P13.

30 passengers, it would fall within the ambit of the NSI definition and enjoy all the some privileges and protections as RSI, despite not being in listed in limb (6) of that definition.

55. In case there is any uncertainty in this regard, the section 42A reporting officer has recommended adding a further limb to the RSI definition that clarifies that NSI (as defined in the PORPS) is also RSI, for the purposes of the PORPS.
56. QAC supports this recommendation and maintains that the modifications that CIAL seeks to the RSI definition, which largely replicate the NSI definition, are unnecessary.

Internal Inconsistencies

57. The modifications CIAL seeks would create an internal inconsistency within the RSI definition itself, in so far as only two⁸ of the eight airports listed in the definition would meet CIAL's proposed scale and use threshold. The remaining six airports would not, as they do not provide regular air transport services on aircraft capable of carrying 30 passengers.
58. This internal inconsistency could give rise to ambiguity and uncertainty in the administration of the PORPS, which is undesirable and potentially inefficient.

Irrelevant Considerations

59. It can be inferred from CIAL's evidence that its concern with the RSI definition as currently drafted (i.e., as notified) is less with the operation and administration of the PORPS, and more with the operation and administration of other higher order, national statutory planning documents that reference the PORPS, specifically, the definition of RSI contained therein.⁹
60. CIAL has not identified any inconsistency between the PORPS and these other higher order statutory planning documents however, and its concerns regarding how these other documents might be applied or impact its aspirations for new airport infrastructure within the region are not relevant to the Panel's determination.

⁸ Queenstown and Dunedin Airports.

⁹ See for example, evidence of Mr Bonis dated 23 November 2022, paras 58-59.

61. Moreover, it is submitted it would be wrong to amend the PORPS for the purpose of enabling a future development proposal to circumvent the provisions and intent of these higher order, national statutory planning documents.

Factual Misrepresentations and Omissions in CIAL Evidence

62. Mr Boswell's evidence for CIAL¹⁰ appears focussed on establishing that a new airport in Otago will be necessary within the life of the PORPS. In apparent aid of this, he identifies purported shortcomings of the region's existing airport infrastructure and makes numerous untested assertions and assumptions about the ability of this infrastructure to continue to serve the region and meet its needs, including to meet forecast growth in air travel.
63. This hearing does not concern whether existing airport infrastructure within the region can meet predicted demand for air travel over the life of the PORPS or whether new airport infrastructure is required to achieve this. The PORPS does not identify this as a resource management issue that is facing the region.¹¹
64. Despite this, parts of Mr Boswell's evidence require a response from QAC, to ensure the record is correct on matters pertaining to it, and to its Strategic Plan in particular.
65. Firstly however, it is necessary to address Mr Boswell's inherent presumption that if there is demand for air travel in/to the region, then it should be met.
66. The recently released destination management plan for the Queenstown Lakes district, '*Travel to a Thriving Future*', presents a different perspective.
67. The plan has been developed as an output of the Spatial Plan developed by QLDC with support of government in 2021, and has been led by a steering group comprising executive and senior representatives for Lake Wanaka Tourism, Destination Queenstown and the Queenstown Lakes District Council, in conjunction with domestic and international experts. It has been prepared following a series of design and operator forums, community events, stakeholder input (including by QAC), and public surveys to ascertain what the community wants from the visitor economy over the next decade.

¹⁰ Dated 23 November 2023.

¹¹ Section 59 RMA and PORPS, Part 2, 'Significant resource management issues for the region'.

68. The plan has been created “*with and for local communities*”¹² in recognition of the fact that “*tourism takes place in and cannot be separated from the community*”¹³.
69. The plan has a goal of regenerative tourism by 2030, with the visitor economy of the Queenstown Lakes district reaching carbon zero by this time.¹⁴
70. The plan encourages a holistic approach to tourism and a rethink of how tourism can deliver social, cultural and environmental benefits. This includes by looking at the holistic value of tourism as opposed to simply looking to increase visitor numbers.¹⁵
71. A strategic pillar of the plan (Strategic Pillar 3) is to ensure resilience in the visitor economy to provide a prosperous future for business owners and staff in a way that is good for local communities and the planet. On this, the plan states:
- “Instead of presuming that more visitors will result in increased benefits, there must be careful focus on the overall value that communities and the environment receive.*
- Yield and the holistic value of tourism will be prioritised over an increase in visitor numbers.*
- Similarly to a business maturing from top line growth to focus on their bottom line, the destination must consider all costs and benefits...”*
72. The plan records that taking these steps will lead:
- “... to a higher reputation for the district and a stronger workforce with lower turnover. The investment in a systems approach to regenerative tourism will be repaid in the creation of a resilient visitor economy that has more positive impacts on communities, the environment, and the economy.”*
73. QAC subscribes to the principles of the plan, and anticipates moderate sustainable growth over the life of the PORPS in accordance with the community’s clearly expressed desires for the visitor industry and their own social, economic and cultural wellbeing.

¹² <https://www.queenstownnz.co.nz/regenerative-tourism-2030/how-we-get-there/>

¹³ Ibid.

¹⁴ <https://www.queenstownnz.co.nz/regenerative-tourism-2030/the-regenerative-tourism-strategy/>

¹⁵ Ibid.

74. Mr Boswell's evidence does not mention and is at odds with the plan, in so far as it proceeds on the basis that more visitors to the region is better and should be facilitated without constraint.
75. Responding now to some of Mr Boswell's more specific points:
76. At paragraph 25 of his evidence, Mr Boswell cites QAC's forecast growth over the next 10 years, and records QAC's acknowledgement in its Strategic Plan FY 23-32 that passenger numbers and aircraft movements growing faster than forecast could result in airport infrastructure not being provided at the right size and at the right time. It is correct that QAC has acknowledged this in its Strategic Plan, however, the plan also records that this risk can be mitigated by slot management¹⁶ and other controls¹⁷. Mr Boswell's evidence omits to record these available mitigation measures that would address the risk he identifies.
77. At paragraph 26 of his evidence, Mr Boswell claims that Queenstown Airport faces infrastructure and noise constraints that may prevent it from scaling to accommodate forecast growth, and that it has insufficient space within its current airfield and terminal infrastructure to accommodate this expected growth. While this is stated in QAC's Strategic Plan, it is as a prelude to recording QAC's intention to increase capacity in both the terminal and airfield infrastructure, including by reconfiguring some aspects of the airfield and expanding the terminal, so as to ensure that infrastructure is delivered where and when it is needed, in a sustainable manner.¹⁸ Again, Mr Boswell's evidence omits to reference this important context.
78. Later in his paragraph 26, Mr Boswell claims that significant investment by QAC is required in order for Queenstown Airport to meet the forecast increase in passenger numbers over the next 10 years. While that may be so, the establishment of an entirely new greenfield airport would undoubtedly require considerably greater investment, a further relevant point omitted from Mr Boswell's evidence.

¹⁶ 'Slot management' or 'slot coordination' is a process that introduces additional controls to manage the impact of QAC's operations, and effectively 'smooths' the aircraft activity, including the number of aircraft utilising the airport by hour, day, season, or year, for the purposes of noise emissions.

¹⁷ QAC Strategic plan, FY 23 – 32, p 10.

¹⁸ QAC Strategic plan, FY 23 – 32, pp 47 – 49.

79. Still later in his paragraph 26, Mr Boswell records QAC's recent indication that forecast demand over the next 10 years can be met within its existing noise boundaries, but notes that this relies on changing fleet types, scheduling restrictions, significant terminal redevelopment and potential on ground interventions. Again, this may be so, but there is nothing in Mr Boswell's evidence or elsewhere to suggest that these changes are not achievable. Indeed, a prudent infrastructure owner will naturally invest in infrastructure upgrades and services to ensure the infrastructure meets the needs of its customers and the market into the future, just as QAC intends to do. Moreover, accommodating forecast demand within the Queenstown Airport's existing noise footprint allows for sustainable growth over the life of the PORPS, while providing the community with space and time to consider the appropriate level of future growth and development of the region over this period, and the role that aviation should play in that.
80. At paragraph 28 of his evidence, Mr Boswell records, again with reference to QAC's Strategic Plan, that in 2018 QAC proposed the development of Wanaka Airport as a potential solution to capacity constraints on Queenstown Airport, but that this was challenged and there are currently no plans to upgrade Wanaka Airport. This is a misrepresentation of what QAC's Strategic Plan states. The Strategic Plan discusses QAC's landholdings *near* Wanaka Airport, not Wanaka Airport itself,¹⁹ which is owned by QLDC. Any discussion about the future of Wanaka Airport should be led by QLDC and the community, not QAC or CIAL.
81. At paragraph 34 of his evidence, Mr Boswell asserts that demand for access to the Central Otago and Queenstown Lakes Districts will continue to grow even if air capacity is constrained, and that "doing nothing" about air capacity is not an effective demand management strategy, but will cause congestion and inefficient travel patterns. QAC notes that the choices available to the Panel (amend the PORPS as CIAL seeks so as to recognise and provide for potential future, unbuilt airport infrastructure as RSI, or do nothing to address demand) are not as stark as Mr Boswell suggests, and that despite Mr Boswell's assertions, there is no certainty (and no cogent evidence) that predicted demand for air transport services cannot be met by the region's existing airport infrastructure. Maximising the use of

¹⁹ QAC Strategic plan, FY 23 – 32, p 44.

existing regionally significant airport infrastructure is another available option to address demand, and one that the PORPS strongly encourages.²⁰

82. On this, while Queenstown Airport has indicated that it will not expand operations beyond its current noise boundaries within the next decade, this is a voluntary planning constraint rather than a physical one. Significant latent capacity exists outside of the existing noise boundaries, and further (significant) demand could be accommodated at Queenstown Airport by expanding the existing noise boundaries, if there was community and stakeholder support for this.
83. QAC further notes that a new airport venture on greenfield land in Central Otago is unlikely to be many, if any, travellers' final destination, and will inevitably lead to significantly greater congestion on the region's roads and the State Highway network (noting here that a new airport in Central Otago would be at least one and one quarter hours' drive to Queenstown, on what is considered a very difficult road), requiring very large scale infrastructure investment that is unrelated to the proposed airport venture itself, giving rise to new and different pressures and constraints on the region's existing infrastructure. These relevant points are also not acknowledged by Mr Boswell.

Summary and Conclusion

84. QAC is concerned to ensure that RSI within the region is appropriately recognised, provided for and protected in the PORPS. This is of particular importance when territorial authorities seek to give effect to the PORPS in their district plans.
85. QAC supports the identification of the region's existing airport infrastructure as RSI for the purposes of the PORPS. Recognition of existing airport infrastructure is logical and consistent with the policy scheme of the PORPS for RSI, and ensures appropriate protection for and longevity of this important physical resource.
86. QAC is concerned that broadening the definition of RSI to include potential, future, but as yet unbuilt airport infrastructure, as CIAL apparently intends through its proposed modifications, could have the effect of diluting the protections afforded to existing regionally significant airport infrastructure, as territorial authorities may be reluctant or cautious to provide for and protect RSI in their district plans, where

²⁰ EIT-INF-05; EIT-INF-P12; EIT-INF-E2.

doing so may enable new infrastructure of an unknown nature and scale to establish in unknown locations, with unknown effects.

87. QAC considers the modifications to the RSI definition that CIAL seeks are in any case unnecessary for the purposes and operation of the PORPS, as they largely replicate the NSI definition as it relates to airport infrastructure. Airport infrastructure that satisfies CIAL's modified RSI definition would also be classed as NSI, which is treated the same under the PORPS as RSI. The section 42A officer has recommended cross referencing NSI in the RSI definition to avoid any doubt in this regard. QAC supports this recommendation.

Dated this 15th day of March 2023

A handwritten signature in black ink, appearing to be 'R Wolt', written over a horizontal line.

R Wolt

Counsel for Queenstown Airport Corporation Limited