

**Before the Environment Court
at Wellington**

In the Matter of section 87G of the Resource Management Act 1991

And

In the Matter of the direct referral of the Application for resource consents associated with an extension to the runway by Wellington International Airport Limited

(ENV-2016-WLG-00058)

**Memorandum of Counsel for
Wellington International Airport Limited**

Dated: 26 February 2018

Lane Neave
PO Box 25626
Wellington 6146
Solicitor Acting: Amanda Dewar
Email: amanda.dewar@laneneave.co.nz
Phone: 03 379 3720

lane neave.

May it please the Court:

Introduction

1. This memorandum is filed on behalf of Wellington International Airport Limited (**WIAL**) in response to the Sixteenth Minute of the Environment Court dated 18 January 2018.
2. As the Court has already been advised, WIAL intends to seek further consideration by the Director General of Civil Aviation (**DG**) of the required RESA length at Wellington Airport as part of the proposed runway extension.
3. WIAL intends to apply to the DG towards the end of March. The DG has indicated he will take approximately six months to consider WIAL's request.
4. To use the words of the Court, WIAL wishes to keep the current resource consent application "alive" in circumstances where it considers there are potential options which would retain the extension in its current form or near current form within the scope of the current application.
5. Accordingly WIAL seeks leave of the Court to adjourn these proceedings for further nine months with a reporting date of 28 September.
6. WIAL has invested significant time, cost and resources in the preparation and processing of the current application. The parties have also invested their time and resources to participate. Depending on the DG's response those resources could still be utilised.
7. It is acknowledged the Court has indicated it will hold a judicial conference to enable any party to be heard on such a request so it is submitted that any issues of prejudice can be considered then, but noting in the meantime:
 - (a) No evidence has been exchanged so there is no prejudice to parties in terms of evidence becoming stale;
 - (b) WIAL can agree to provide its evidence for any modified proposal well in advance of other parties so there is sufficient time for them to prepare;

- (c) Even if the application were required to be withdrawn WIAL is committed to reapplying for an extension so any perceived uncertainty for residents/ submitters will continue regardless.
8. WIAL also wishes to record that Francis Cooke QC withdrew as senior counsel for WIAL on this matter immediately following the release of the Supreme Court's decision at the end of last year because of a conflict issue. It is requested the Court updates its records and removes Mr Cooke as senior counsel for WIAL.

Dated: 26 February 2018



Amanda Dewar

Solicitor for Wellington International Airport Limited

