



**MAY IT PLEASE THE COURT:**

1. This memorandum is filed on behalf of Air New Zealand Limited (**ANZL**) in response to the Court's minute of 1 November 2018.
2. By minute dated 20 April 2018, the Court granted a six-month adjournment of these proceedings to 31 October 2018. Wellington International Airport Limited (**WIAL**) now requests a further adjournment until mid-March 2019.<sup>1</sup>
3. WIAL's original application was filed over two-and-a-half years ago on 28 April 2016 pursuant to the direct referral process.
4. ANZL remains concerned about:
  - (a) the appropriateness of hearing this application (which at the earliest would likely not now commence until late 2019 should the Court grant WIAL's further adjournment) when the application, supporting technical information and effects assessment (as well as the Council report based on that material) would all have been undertaken many years before the commencement of the hearing;
  - (b) the impact to all parties of any change to the application arising from the current CAA process concerning the RESA, combined with the uncertainty of the eventual outcome of that process (including the possibility of further judicial review proceedings); and

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<sup>1</sup> Memorandum of Counsel for WIAL, 30 October 2018.

- (c) the further work inevitably required by all of the parties (with resulting costs) to prepare for the hearing, by having to respond to likely extensive new material from WIAL to replace the earlier supporting, technical and other documentation that is no longer relevant or is out of date.
5. While ANZL is not at this point unduly affected by the further adjournment requested by WIAL, ANZL recognises that this may not be the case for other parties. Accordingly, ANZL confirms that it will abide the decision of the Court after it has heard from other parties as to whether further delay in these proceedings as requested by WIAL is acceptable, or whether the proceedings should now be abandoned.
6. For the reasons given in paragraph 4 above, however, should WIAL later request a further extension to the adjournment beyond March 2019, ANZL may be required to reconsider its position.

**DATED** at Wellington this 9<sup>th</sup> day of November 2018



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**Derek Nolan QC**  
**Horiana Irwin-Easthope / Maia Wikaira**  
Counsel for Air New Zealand Limited