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**Submission to the Local Government and Environment Select Committee on the  
Resource Legislation Amendment Bill**

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To: Committee Secretariat  
Local Government and Environment Select Committee  
Parliament Buildings  
Wellington

From: The Board of Airline Representatives of New Zealand Inc

**1. INTRODUCTION**

- 1.1 The Board of Airline Representatives of New Zealand Inc ("BARNZ") welcomes the opportunity to submit on the Resource Legislation Amendment Bill ("Bill").
- 1.2 The submission is divided into three parts addressing:
- (a) Overview and summary of amendments sought (section 2)
  - (b) Background to BARNZ operations (section 3);
  - (c) BARNZ's motivation for submitting on the Bill relating to matters associated with reverse sensitivity effects and incompatible development (section 4);
  - (d) Specific amendments to the Bill (sections 5 and 6).

**2. OVERVIEW AND SUMMARY**

- 2.1 BARNZ generally supports the stated intention of the Bill, however BARNZ is significantly concerned that many of the proposed amendments will put at serious risk the operation and development of New Zealand's airports in response to a desire to liberalise the residential development. As airports are generally located in areas of New Zealand which are experiencing high levels of population growth, reverse sensitivity effects on airports through residential development represents a major challenge in planning for this growth.
- 2.2 BARNZ's submissions are therefore focused on suggesting changes to the proposed amendments in the Bill so as to prevent the Resource Management Act from inadvertently undermining the intent of key strategic documents such as the National Airspace Policy and NZS6805:1992. These documents have been developed to ensure careful consideration is given to the management of activities around airports. As drafted aspects of the Bill fail to take into account the strategies contained in those policy documents and/or standards and the reverse sensitivity effects on airports from urban development. This is also contrary to the majority of district plans around the country which, consistent with the National Airspace Policy, explicitly recognise the need for reverse sensitivity effects to be effectively managed. If enacted the Bill increases the risk of operational constraints on airports.
- 2.3 In particular, BARNZ seeks amendments to:
- (a) New development capacity provisions in clauses 11 and 12 relating to the functions of local authorities to better recognise and provide for infrastructure and reverse sensitivity effects;

- (b) The proposed new national planning templates to ensure consultation with appropriate stakeholders such as airlines and airports;
- (c) The proposals to allow councils to limit notification of resource consents and plan changes to ensure that airports and airlines are included as parties who are able to be notified;
- (d) The proposals to limit the rights of appeal in relation to residential activities so that airports and airlines are not excluded from the ability to appeal;
- (e) The proposals to introduce a new streamlined planning process, which we submit should be deleted to address fundamental concerns with the potential use of the proposed power.

2.4 BARNZ also proposes further matters that could be addressed in the Bill to protect and enable infrastructure and provide greater protection from reverse sensitivity effects.

2.5 These matters and proposed amendments to the Bill are detailed below in section 4.

### 3. BACKGROUND TO BARNZ

3.1 BARNZ is an incorporated society comprising 23 member airlines operating scheduled and code share international and domestic services. Its members are:

Full membership:

<i>Air Calin</i>	<i>Air China</i>
<i>Air New Zealand (Group)</i>	<i>Airwork</i>
<i>Air Tahiti Nui</i>	<i>Air Vanuatu</i>
<i>Cathay Pacific Airways</i>	<i>China Airlines</i>
<i>China Eastern Airlines</i>	<i>China Southern Airlines</i>
<i>Emirates</i>	<i>Fiji Airways</i>
<i>Fieldair</i>	<i>Korean Air</i>
<i>LAN Airlines</i>	<i>Malaysia Airlines</i>
<i>Philippine Airlines</i>	<i>Qantas Airways (incl Jetstar)</i>
<i>Singapore Airlines</i>	<i>Tasman Cargo Airlines</i>
<i>Thai Airways International</i>	<i>Virgin Australia</i>

Associate membership:

*Menzies Aviation (NZ) Ltd*

3.2 The objectives of BARNZ include:

- the establishment of a recognised means of communication between member airlines, on the one hand, and other bodies whose interests or actions affect member airlines and the aviation industry, on the other hand;
- representation of members in matters affecting their common interests;
- determining the position of members on legislative, judicial and administrative actions affecting the provision of air services and the representation of member airlines before decision-making bodies;

3.3 BARNZ's work falls into four broad areas:

- (a) *Airport Pricing:* BARNZ represents airlines over annual financial information disclosure by Auckland, Wellington, Christchurch and Queenstown Airports. BARNZ also represents airlines before the Commerce Commission under Part 4 of the Commerce Act in relation to airport information disclosure and pricing. BARNZ also participates in airport pricing consultations carried out by these airports under the Airport Authorities Act.
- (b) *Airport Capital Expenditure:* Capital expenditure projects at the four international airports have major impacts on airlines' ability to operate. BARNZ participates in the consultation over the major projects to ensure their designs are operationally satisfactory and cost effective, because the costs come back to airlines for many years after the capital expenditure is incurred.
- (c) *Government Departments and Agencies:* The work of government departments and agencies has a significant impact on the airlines and their passengers in terms of ease of movement through airports, aviation safety and costs. BARNZ represents airlines in discussions with the Ministry of Transport, Treasury, Ministry of Business, Innovation and Employment, Customs, MPI, Immigration, Civil Aviation Authority, Aviation Security, Airways Corporation, MetService and other departments and agencies. This work involves policy changes, legislation and consultation over charges.
- (d) *Noise Issues around Airports:* Generally, airports are sited away from dense areas of population in order to avoid conflicts between aircraft operation and noise sensitive activities. BARNZ represents the airlines, and works with the airports, in preventing noise sensitive activities locating or developing within the air noise boundaries that surround the airports.

#### 4. **PROTECTION FROM REVERSE SENSITIVITY AND INCOMPATIBLE DEVELOPMENT**

- 4.1 In addition to participating in resource consent applications where those pose a risk to airport operations, BARNZ also advocates for land use planning that is consistent with the National Airspace Policy of New Zealand.
- 4.2 The National Airspace Policy of New Zealand creates a framework to guide the aviation sector (airports, airlines, and Airways NZ) towards integrating future airspace design and emerging technologies to be employed in communications, navigation and surveillance/air traffic management. The objective is to provide certainty for the nation and for the aviation sector's future investments in air navigation and Air Traffic Management equipment.
- 4.3 The "integrated" section of the National Airspace Policy observes the important interface between airspace, land use planning and the RMA and recognises that:

*"Airport Authorities and local authorities should work together in a strategic, co-operative and integrated way to ensure that planning documents (including those under the Resource Management Act) appropriately reflect noise contours and/or controls and approach and departure paths that take account of current and projected traffic flows. Resource Management Act planning tools (including plan rules and designations) should as far as practicable seek to avoid the establishment of land uses or activities and potential obstacles or hazards that are incompatible with aerodrome operations or create adverse effects."*

- 4.4 Local authorities have, by virtue of s30 of the Act, the functions of:

- (a) preparation of objectives and policies in relation to any actual or potential effects of the use, development or protection of land which are of regional significance; and
  - (b) strategic integration of infrastructure with land use through objectives, policies and functions.
- 4.5 When preparing its Regional Policy Statement, Regional Plan and District Plan the local authority must also have regard to management plans and strategies prepared under other Acts (ss 61,66 and 74). This extends to the National Airspace Policy, which is prepared under the Civil Aviation Act 1990.
- 4.6 Guidance for land use planning and mitigation of the effects of airport related noise is also provided in NZS6805:1992. The objective of NZS6805 is to ensure the proper protection from the effects of airport noise while facilitating the efficient operation of the airport.
- 4.7 It is therefore important that the RMA is not redrafted in a manner that inadvertently removes the current critical checks and balances for land development around airports.
- Reverse sensitivity*
- 4.8 By way of background, reverse sensitivity is the term used to refer to a situation where an existing activity creates noise and has been sited so as to avoid disturbing any community; an activity which is sensitive to that noise locates in the vicinity of the existing activity and then complains about the presence of the original activity and seeks restrictions on that original activity. The establishment of Activities Sensitive to Aircraft Noise (ASANs) in the vicinity of airports has the potential to create, and indeed already in some other locations has created, pressure for limits on airport activity including curfews and operational restrictions, e.g. Wellington and Sydney, Australia.
- 4.9 Once ASANs are established in the vicinity of an airport area, the people affected are likely to complain about aircraft noise, even though they and the developers of the properties have always known that the properties are subject to air noise. BARNZ wishes to ensure that aircraft operations are not unnecessarily or unreasonably constrained.
- 4.10 BARNZ is also concerned that land uses that are incompatible with airports should not locate in areas where their activities may adversely affect the airport's operations. These effects are distinguished from reverse sensitivity effects as they will not result in complaints from the establishing use. They may have effects such as glare which have the potential to affect aircraft safety.

*Restrictions on aircraft operations*

- 4.11 The potential implications of reverse sensitivity cannot be understated. If new residential developments are allowed, without due consideration of reverse sensitivity effects on the airports, there could be substantial implications for regional and national tourism and commerce. These restrictions would likely range from reduction in passenger and freight capacity and hours of operations through to higher passenger and freight charges and the possible stranding of airport assets as airlines seek to mitigate the effects of increased costs of operation.

## 5. PROPOSED AMENDMENTS

5.1 The amendments below seek to address the matters raised in section 4 of this submission.

### **New "development capacity" function (clauses 11 and 12, new sections 30(1)(ba) and 31(1)(aa))**

5.2 BARNZ does not oppose the inclusion of these new regional and territorial council functions, provided amendments are made to recognise the role of infrastructure, and, for the reasons discussed in section 4 of this submission, the need to protect that infrastructure from reverse sensitivity effects.

5.3 We have proposed an express acknowledgement of "effects areas" (and a corresponding definition), to recognise that the effects from such activities cannot be internalised and need to be managed.

#### *Relief sought*

5.4 Amend proposed clause 30(1)(ba) as follows:

#### **30 Functions of regional councils under this Act**

(1)...

*(ba): the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in relation to the supply of residential and business land and associated infrastructure, to meet the expected long-term demands of the region:*

[...]

5.5 In addition amend clause 30(5) as follows:

*(5) In this section and section 31, development capacity, ~~in relation to residential and business land~~, means the capacity of the land for development, taking into account the following factors:*

- (a) the zoning of the land; and*
- (b) the provision of adequate infrastructure, existing or likely to exist, to support the development of the land, having regard to—*
  - (i) the relevant proposed and operative policy statements and plans for the region; and*
  - (ii) the relevant proposed and operative plans for the district; and*
  - (iii) any relevant management plans and strategies prepared under other Acts; and*
- (c) the rules and methods in the operative plans that govern the capacity of the land for development; and*
- (d) other constraints on the development of the land, including natural and physical constraints, and constraints arising from the presence of any effects areas on the land; and*
- (e) the need to manage reverse sensitivity effects.*

5.6 Amend proposed subclause 31(1)(a) and add a new subclause 31(b)(iv) as follows:

#### **31 Functions of territorial authorities under this Act**

(1) [...]

*(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in ~~respect-relation to the supply~~ of residential and business land and associated infrastructure to meet the expected long-term demands of the district:*

- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
- (i) the avoidance or mitigation of natural hazards; and
  - (ii) (Repealed).
  - (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land;
  - (iii) the maintenance of indigenous biological diversity;
  - (iv) managing reverse sensitivity effects.

- 5.7 BARNZ also seeks to include a corresponding definition of "effects area" in section 2 as follows:

*effects area* means an odour or noise buffer, noise control boundary or other effects overlay identified in an operative or proposed district plan.

### **National planning template (clause 37, new section 58D)**

- 5.8 There may be benefits in a consistent/standardised structure or "template" for plans around New Zealand. However the prospect of fulsome plan provisions being developed (and/or subsequently amended) by the Minister of the day, with little scope for effective participation, gives rise to concerns.
- 5.9 If the proposed NPT mechanism is to be included, BARNZ seeks improvements to this process such as a right for submitters to be heard. BARNZ also seeks a requirement to consult with appropriate stakeholders on technical provisions in preparing the NPT (for example, the need for and content of rules in relation to airport protection or noise contours).

### Relief sought

- 5.10 BARNZ seeks the following changes:

#### **58D Preparation of national planning template**

(1) If the Minister determines to prepare a national planning template, the Minister must prepare it in accordance with this section and sections 58E to 58J.

(2) In preparing or amending the national planning template, the Minister may have regard to—

- (a) the matters set out in section 45(2)(a) to (h);
- (b) whether it is desirable to have national consistency in relation to a resource management issue;
- (c) any other matter that is relevant to the purpose of the national planning template.

(3) Before approving the national planning template, the Minister must—

- (a) consult with appropriate stakeholders and qualified experts on any technical provisions being proposed in the NPT; and
  - (ab) prepare a draft national planning template; and
  - (bc) prepare an evaluation report in accordance with section 32 and have particular regard to that report before deciding whether to publicly notify the draft; and
  - (ed) publicly notify the draft; and
  - (de) establish a process that—
    - (i) the Minister considers gives the public, local authorities, and iwi authorities adequate time and opportunity to ~~comment~~ submit and be heard on the draft; and
    - (ii) requires a report and recommendations to be made to the Minister on those comments.
- [...]

### **Deemed permitted activities (clause 122, new section 87BB)**

- 5.11 BARNZ opposes this provision. The drafting is uncertain and risky and incorporates broad discretionary powers. In particular, the concept of "marginal or temporary non-compliance" is uncertain and could end up exposing development to judicial review risk.
- 5.12 Plans should say what they mean, and users of those plans should be able to rely on them for certainty and clarity. Guessing what a "marginal non-compliance" might be is inappropriate and unreasonable.

Relief sought

- 5.13 Delete section 87BB.

**Notification of resource consents (clause 125 - 128, sections 95 - 95E)**

- 5.14 The Bill proposes substantial changes to the notification requirements under the RMA that essentially reduce the chances of a resource consent application being either publicly or limited notified.
- 5.15 BARNZ considers the current notification regime (as established by the 2009 amendments to the RMA) is operating effectively. If anything, BARNZ would seek amendments to the notification provisions not to reduce their applicability (as the Bill proposes) but to ensure that airports and airlines are always notified of consents for sensitive activities within their effects areas or noise control boundaries.
- 5.16 In addition, airports have a duty to protect the airspace around their aerodromes from obstacles that pose a risk to air operations, such as new buildings near flight approach paths. This can include developments on high ground some distance from the airport.
- 5.17 In our experience, local authorities are often ill-equipped to understand and consider the effects of sensitive activities like residential development on airports, and often struggle to make good notification decisions. They will struggle even more with the changes to notification that the Bill is proposing.
- 5.18 The restrictions on limited notification set out in the new sections 95D to 95E are also opposed by BARNZ. Limited notification to adjacent landowners is of little utility to airports and airlines, whose air noise boundaries and obstacle-free air space often extend well beyond the airport's land. Because reverse sensitivity effects can occur beyond an airport's property boundary, limiting notification to adjacent landowners often excludes airports or airlines from having a say in an application, despite the real reverse sensitivity effects that can arise as a result. In order to efficiently and effectively operate, airports and airlines must be notified when a resource consent application has the potential to create reverse sensitivity effects on airport operations.
- 5.19 New subsections 95D(ca) and 95E(2)(c) give a consent authority discretion to disregard adverse effects which are "already taken into account by the objective and policies of the plan". It is not appropriate to provide for an objectives and policies assessment at the notification stage, given that the focus of the notification enquiry should be principally on the effects of the activity, and given the subjective nature of an objectives and policies assessment (there would be a real risk of judicial review in some cases). Councils also already have the ability to restrict their discretion or control (or preclude notification altogether) at the planning stage through rules as to activity status and in a manner that is more certain than including an evaluation of objectives and policies into notification decisions.
- 5.20 New section 95DA specifies eligibility criteria for consideration of an affected person for the purposes of limited notification. There is a serious risk that the restrictions proposed in section 95DA will result in situations where parties who are affected and "should" be notified, lose out on the opportunity to participate.

- 5.21 If this provision is retained, the class of persons who are considered affected should include the owners of infrastructure which has or is associated with an "effects area" near the proposed activity.

*Relief sought*

- 5.22 BARNZ seeks that sections 95-95E be deleted, and the former sections 95-95E be reinstated.

- 5.23 Alternatively, include in the "**persons eligible to be considered affected**" column in section 95DA in relation to each of the listed activities, reference to operations associated with an effects area (see previous definition). Ideally this amendment would be broad enough to include BARNZ but as a minimum should extend to the airport operators as follows:

*The owner of an operation or representative body of users of the operation which has or is associated with an effects area.*

**Restriction on appeal rights (clause 135, new section 120(1A))**

- 5.24 Amendments proposed to section 120 restrict appeal rights for certain activities including boundary activities and subdivision (unless non-complying).
- 5.25 In considering applications for subdivision consent it is critical that effects on infrastructure providers such as airports are considered and that reverse sensitivity effects are taken into account. It is equally important that airlines, as the key users of the infrastructure and the party directly affected by any reverse sensitivity effect are also considered. In practice these effects can often be overlooked by councils (who are often ill-equipped to comprehensively understand and consider the effects of sensitive activities like residential development on airports) in deciding whether to grant consent to subdivision proposals. It is critical that rights be retained for appeals to be brought on reverse sensitivity or infrastructure related grounds for inappropriate subdivision proposals in order to adequately protect significant infrastructure.
- 5.26 In addition, the use of the phrase "provision or matter" is ambiguous in the context of resource consent applications and should be replaced. BARNZ also proposes a new clause (1B) to clarify when an appeal may be brought.

*Relief sought*

- 5.27 BARNZ seeks the following amendments to section 120:

**120 Right to appeal**

[...]

(1A) However,—

(a) there is no right of appeal under this section against the whole or any part of a decision of a consent authority referred to in subsection (1) to the extent that the decision relates to resource consent for:

(i) a boundary activity unless the boundary activity is in an effects area; or

(ii) a subdivision, unless the subdivision is a non-complying activity or unless the subdivision is in an effects area; and

(b) there is no right of appeal under this subsection against the whole or any part of a decision of a consent authority referred to in subsection (1) to the extent that the decision relates to resource consent for an activity that—

(i) is a residential activity (being an activity associated with the construction, alteration, or use of a dwellinghouse on land that, under a district plan, is

- intended to be used solely or principally for residential purposes); and*
- (ii) is to occur on a single allotment; and*
- (iii) is a controlled, restricted-discretionary, or discretionary activity; and*
- (iv) is not within an effects area; and*
- (c) a person described in subsection (1)(b) may appeal under this section only in respect of a ~~provision~~ resource consent condition, environmental effect, or other matter raised in the person's submission (excluding any part of the submission that is struck out under section 41D).*

*(1B) To avoid doubt, section (1A)(c) does not prevent a person described in subsection (1)(b) from appealing in respect of a part of the decision of a consent authority on an application for resource consent if the resource consent condition, environmental effect, or other matter to which the appeal relates could not reasonably have been raised in the person's submission.*

### **Limited notification of plan changes (clause 108, Schedule 1 new clause 5A)**

- 5.28 New clause 5A of Schedule 1 enables limited notification for plan changes if the local authority can identify all the persons directly affected by the proposed change.
- 5.29 BARNZ supports this clause to the extent that there may be some discrete plan changes where limited notification is appropriate. However, notification to only "directly affected" persons (eg excluding airlines and airports who require reverse sensitivity effects to be taken into account) will have unintended consequences that have not been fully considered, unless the clause is amended.
- 5.30 Limited notification should also be an option for private plan changes that are accepted by a local authority (not just for private plan changes which are "adopted", which is how the amendments are currently drafted).

#### Relief sought:

- 5.31 BARNZ seeks the following amendments to clause 5A:

#### **5A Option to give limited notification of proposed change**

*(1) This clause applies to a proposed change to a policy statement or plan and a proposed private plan change that has been accepted by the local authority under clause 25(2)(b) of Schedule 1.*

*(2) The local authority may give limited notification, but only if it is able to identify all the persons directly affected by the proposed change.*

*(3) The local authority must serve limited notification on all persons identified as being directly affected by the proposed change.*

[...]

*(11) For the purposes of this section, a local authority must identify a person as being directly affected by a proposed change if:*

*(a) the person is the owner or occupier of land to which the proposed change directly relates; or*

*(b) the person is the owner of an operation or representative body of users of the operation which has or is associated with an effects area; or*

*(c) the person is affected by an effect of the proposed change which is minor or more than minor (but not less than minor); or*

*(d) the person is the owner of infrastructure that serves or passes through, over or under the land to which the proposed change directly relates.*

### **Streamlined planning process (Clause 52, new section 80C; clause 108, new Part 5 of Schedule 1)**

- 5.32 The streamlined planning process, if a council decides to use it, hands control of both the process and the substantive outcome to the Minister.
- 5.33 While conceivably this mechanism could be useful for confined and urgent issues (eg natural disasters), overall we consider it gives rise to fundamental concerns regarding access to justice.
- 5.34 While there may be some plan processes that require bespoke submission and hearing processes, these are rare (for example the Proposed Auckland Unitary Plan and Christchurch Replacement District Plan Processes). In those situations there has been specific legislation developed to cater to those specific circumstances. There is no clear justification for a general power to be provided to the Minister to depart from the normal plan development processes. This is reinforced by the removal of the safeguards that there will be effective participation provided both through the submission process itself and through environment court oversight.
- 5.35 Planning documents provide critical elements of the regulatory framework and development of these regulatory instruments needs to be given due consideration that is appropriate to the scale of the implications.
- 5.36 The ability for airports and airlines to participate in any planning process that could affect operations of the significant infrastructure that they provide or depend on is critical to ensure that they function efficiently and effectively. Any reverse sensitivity effects that arise from planning instruments developed under the streamlined planning process could not only affect the successful operation of an airport but the cities and regions they support.
- 5.37 We also have significant concerns with the removal of the right to appeal in respect of a decision of the responsible Minister or local authority under the streamlined planning process. The Environment Court represents a healthy "check" on council decision making, and BARNZ has experienced several examples where appeals are resolved quickly and constructively, or when a further hearing is necessary to achieve a better planning result on a difficult issue (particularly competing use of resources - where collaboration can only go so far).

Relief sought

- 5.38 BARNZ seeks that the new part 5 to Schedule 1 (and new section 80C) is deleted in its entirety.

**6. OTHER AMENDMENTS SOUGHT**

**Better enabling and protecting infrastructure**

- 6.2 There is a clear focus on the enablement of residential development through the Bill. However, as discussed above, in order to effectively provide for residential growth, it is imperative that the supporting infrastructure, such as airports, is protected from incompatible land use and development. Otherwise there is a real risk that the streamlining of approvals for residential development will impede the operation of the infrastructure necessary to support it.
- 6.3 The Government's desire to increase land supply to promote affordable housing creates a tension with the need to protect established significant infrastructure. In our view, it is critical that reverse sensitivity issues are recognised and provided for in developing any reform designed to increase housing supply. This will ensure the increase in housing supply does not stymie the much needed infrastructure and restrict the economic growth, jobs and exports that airports provide and that is vital to support the increase in housing supply.

- 6.4 BARNZ has extensive experience in engaging in plan change, designation and consenting processes from the perspective of representing the interests of airline users of airport infrastructure. The plan changes and designation processes in particular often aim to include aspects designed to protect airport infrastructure from incompatible activities, or to provide for sensible expansion.
- 6.5 It would considerably assist those processes and reduce unnecessary levels of time and cost if there was greater, and more direct, recognition of infrastructure such as airports in Part 2. This would also make the over-arching resource management legislation consistent with the National Airspace Policy. Well-functioning airports are critical to the New Zealand economy and social well-being, and it is appropriate to recognise and protect such infrastructure in part 2.

Relief sought

- 6.6 BARNZ seeks the following subsection to be inserted into section 6:
- (i) *the efficient provision of new infrastructure and the protection of existing infrastructure.*

**Greater protection from reverse sensitivity effects**

- 6.7 In addition to the various changes sought above in order to address the reverse sensitivity issue, in BARNZ's view, "reverse sensitivity" should be clearly referred to and defined in the RMA. That would make it clear to those developing plans or considering resource consent applications that "reverse sensitivity" effects needed to be considered.
- 6.8 BARNZ seeks that specific reference be made to "reverse sensitivity" as a category of effect in the section 3 definition of "effects". While it has been accepted as an effect in case law, having it explicitly referred to will be a significant practical advantage (just as, for example, having effects of "low probability but high potential impact" specifically identified is often relied on).

Relief sought

- 6.9 BARNZ seeks the following amendment to section 3:

**3 Meaning of effect**

*In this Act, unless the context otherwise requires, the term effect includes—*

- (a) *any positive or adverse effect; and*  
 (b) *any temporary or permanent effect; and*  
 (c) *any past, present, or future effect; and*  
 (d) *any reverse sensitivity effect; and*  
 (de) *any cumulative effect which arises over time or in combination with other effects—regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*  
 (ef) *any potential effect of high probability; and*  
 (fg) *any potential effect of low probability which has a high potential impact.*

**7. APPEARANCE AT SELECT COMMITTEE REQUESTED**

- 7.1 BARNZ seeks the opportunity to appear at Select Committee hearings in support of this submission.

**BOARD OF AIRLINE REPRESENTATIVES OF NEW ZEALAND INC:**

**Date:** 14 March 2016

**Signature:**

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