

Before Hearing Commissioners

under: the Resource Management Act 1991

in the matter of: notices of requirement and resource consent applications by the NZ Transport Agency and Hamilton City Council for the Southern Links Project

Rebuttal evidence of David Park (Aviation Impacts) on behalf of the NZ Transport Agency and Hamilton City Council

Dated: 8 July 2014

Hearing date: 21 July 2014

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**REBUTTAL EVIDENCE OF DAVID PARK ON BEHALF OF THE
NZ TRANSPORT AGENCY AND HAMILTON CITY COUNCIL**

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INTRODUCTION

- 1 My full name is David Stewart Park.
- 2 I have the qualifications and experience set out in paragraphs 3 to 6 of my statement of evidence-in-chief (*EIC*) dated 12 June 2014.
- 3 My rebuttal evidence is given in support of notices of requirement (*NORs*) and applications for resource consents lodged by the NZ Transport Agency (*the Transport Agency*) and Hamilton City Council (*HCC*) on 9 August 2013 in relation to the construction, operation and maintenance of the Southern Links Project (*Project*).
- 4 I repeat the confirmation given in my *EIC* that I have read and agree to comply with the 'Code of Conduct for Expert Witnesses' contained in the Environment Court Practice Note 2011.
- 5 In this statement of rebuttal evidence, I respond to the relevant sections of evidence of the following:
 - 5.1 John Olliver (Planning), on behalf of Waikato Regional Airport Ltd (*WRAL*) (55).
- 6 Should this rebuttal statement not respond to every matter raised in the evidence of submitter witnesses within my area of expertise, that should not be taken as acceptance of the matters raised. Rather, I rely on my earlier technical report ("*Review of Aviation Impacts of Proposed Southern Links Network on Hamilton International Airport*"),¹ my *EIC* and this rebuttal statement to set out my opinion on what I consider to be the key aviation safety matters for this hearing.

RESPONSE TO EXPERT EVIDENCE OF SUBMITTERS

John Olliver (Waikato Regional Airport Ltd)

- 7 Mr Olliver agrees that proposed condition 15 (NZTA s168 Waipa) largely addresses the potential effects of the Project on the operation of the Airport.²
- 8 The only concern that Mr Olliver expressed is that the proposed *NOR* conditions (contained in Annexure A to the *EIC* of Mr Eccles) do not include a requirement for a further aviation safety review, as

¹ Filed as Appendix M to the AEE documentation supporting the *NORs*.

² John Olliver evidence, paragraph 3.3 – 3.4.

requested in WRAL's submission and commented on in the s42A Report.³

- 9 I believe that proposed conditions 15.1 and 15.3 provide the ability for WRAL to ensure that aviation safety is not adversely affected by the Project. In particular, condition 15.3 gives WRAL wide scope to consult whomever it considers appropriate to advise it on aviation safety aspects prior to providing a letter to the Transport Agency confirming that the works have been designed to the satisfaction of WRAL.
- 10 I consider that this adequately addresses the concern raised by Mr Olliver regarding the potential for aviation standards and guidelines to change during the lapse period.⁴
- 11 The timeframe is within WRAL's control, as works cannot start until the letter is provided.
- 12 As a result, I do not believe it is necessary to amend condition 15.3 as proposed by Mr Olliver as I consider the condition appended to Mr Eccles' EIC provides adequate control over potential adverse effects on aviation safety arising from the Project's detailed design.
- 13 That said, I understand that the Transport Agency is prepared to amend condition 15.3 to require the provision of an Aviation Safety Review report, as follows (new words in underline):
- 15.3 Prior to any physical works commencing on the part of the Southern Links network that potentially affects airport aviation infrastructure:
- (a) The NZ Transport Agency shall provide to WRAL (or its successor) an Aviation Safety Review report based on the detailed design of the Project, prepared by a suitably qualified and experienced practitioner agreed to by the Transport Agency and WRAL; and
- (b) The NZ Transport Agency shall obtain a letter from WRAL (or its successor) that confirms that the works have been designed to the satisfaction of WRAL (or its successor).
- 14 I support the wording of that condition.

CONCLUSIONS

- 15 I have read the expert evidence provided by the submitters relevant to aviation safety. That evidence has not caused me to depart from the opinions expressed in my EIC, and I reconfirm the conclusions reached in my EIC.

³ Ibid at paragraph 3.5.

⁴ Ibid.

- 16 While I do not consider that an independent Aviation Safety Review report is needed in this case, given the condition requirements already proposed, I am comfortable with the amendment to condition 15.3 now proposed by the Transport Agency.

David Park

8 July 2014