

BEFORE THE WAIPĀ DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 20 – Airport Northern
Precinct Extension to the Operative Waipā District
Plan

STATEMENT OF EVIDENCE OF BENJAMIN C LANGLEY

(AIRPORT OPERATIONS AND AERONAUTICAL RISKS) ON BEHALF OF WAIKATO REGIONAL AIRPORT LTD

7 MARCH 2023

INTRODUCTION

Qualifications and experience

1. My name is Ben Langley. I am the Group General Manager – Airport Operations for Hamilton Airport.
2. I have been working in the aviation industry for the past 15 years. During that time, I have had a wide variety of roles from commercial airline pilot, charter pilot and flight instructor, to flight programme management, flight school management (as CE) and now airport management. I have also held the position of ‘Civil Aviation Authority (CAA) Senior Person’ in my previous two roles operating under a CAA approved Safety Management System (SMS). Aviation is one of the safest industries in the world. Management roles carry a high degree of safety focus.
3. I have been employed by Hamilton Airport for the past twelve months. My role has a broad remit including responsibility for all of the airport operations including the airfields aviation operators/stakeholders, airfield maintenance, airfield and terminal services such as rescue fire, café and carpark, health and safety and customer experience. Importantly, my role is also to ensure the safety and compliance of all airport operations under both our Airport certification (Part 139) and Safety Management System (Part 100) under the Civil Aviation Act 1990.
4. My role, in relation to this hearing is to provide evidence on behalf of Waikato Regional Airport Ltd (WRAL) in support of its further submission, dated 25 November 2022, and in particular how the Bat Habitat Area (BHA) requirements of Plan Change 20 (PC20) or those sought by submitters may affect the aeronautical operations of Hamilton Airport.

SCOPE OF EVIDENCE

5. This evidence relates to the further submissions lodged by WRAL on PC20. The further submissions raised concerns about operational and safety matters for the airport, arising from requests from submitters for the protection and/or creation of additional bat corridors within and beyond the PC20 site¹.

¹ Director - General of Conservation submission (pg 8) sought unspecified Significant Natural Areas (SNA's) within the operative Airport Business Zones and Possible Airport Future Growth Areas.

6. In my evidence, I:
- (a) outline the operations of the airport and the aeronautical risks that may arise from the protection and/or creation of a bat habitat and/or corridors;
 - (b) Identify the submissions that WRAL lodged further submissions on and the reasons for that further submission; and
 - (c) respond to the s42A Report and the evidence filed by the Applicant as it relates to the creation of Bat Habitat Areas and the off-site compensation area.

HAMILTON AIRPORT OPERATIONS

7. WRAL is the owner and certified operator of Hamilton Airport. WRAL is wholly owned by five territorial authorities: Hamilton City Council, Waikato District Council, Matamata-Piako District Council, Waipa District Council and Otorohanga District Council. It is governed by an independent board of directors.
8. To undertake its airport operations, WRAL owns approximately 170ha² of land between SH21 near the southern extend of the existing runway, extending north to Raynes Road towards the northern end of the runway. This land includes the runway, the subsidiary runway, lights, the taxiway and apron and some airside leased land to the west of the runway.
9. Hamilton Airport is a critical gateway into and out of the region and has the role of being an enabler of aeronautical services that leads to greater connectivity and regional economic growth. Hamilton Airport facilitates regular scheduled flights through two airlines (Air New Zealand, and Origin Air) to Christchurch, Wellington and Palmerston North carrying in excess of 400,000 passengers per year. In addition, a large number of smaller 'general aviation' or GA operations are based at Hamilton Airport such as agricultural-spraying services, skydiving, professional flight training, aircraft design and manufacture, maintenance and overhaul organisations, commercial scenic operations, search and rescue, and life flight operations as well as a large number of private and charter operators ranging from light two seater aircraft through to large private jets flying directly all over the world.
10. Future demand for Hamilton Airport sees all of this activity continue to increase and changing technology will further advance demand for aeronautical hubs such as Hamilton Airport.

² 169.8ha held within Certificate of Title 839192

AERONAUTICAL RISK FROM BIRDS

11. There are two aeronautical risks for Hamilton Airport with a rating of 'medium'. One of those is loss of aircraft separation (or collision) and the other is birds or more specifically bird strikes.
12. Although birds and resulting bird strikes are a low probability, the consequences of a bird strike can be catastrophic and of high consequence. For example, a bird striking or jamming critical surfaces of the aircraft causing loss of flight control. There are numerous examples of these occurrences. A well-known one being the bird strike causing the total engine failure of an Airbus-A320 that forced a landing on the Hudson River (New York) in January 2009.
13. The airport, from a health and safety perspective, has a duty to mitigate risk from any hazardous wildlife and in particular bird life that may cause a threat to aeronautical activities. The CAA have stated clearly: "*Bird concentrations on and around aerodromes constitute a very real threat to aircraft safety.*"³
14. Airports also operate under certification⁴, that specifies that an aerodrome operator must, if any wildlife presents a hazard to aircraft operations, establish an environmental management programme for minimising or eliminating the wildlife hazards.
15. The airport implements the following mitigation measures in relation birds:
 - (a) Bird patrols associated with pre-landing and take-offs – including delays in approaches or take-offs in the event birds are identified.
 - (b) Wildlife management programmes to control bird population, including an Authority under the Wildlife Act 1953⁵ to disturb and kill protected wildlife under s54 of the Wildlife Act 1953, that is subject to specific conditions.
 - (c) A pasture management programme within the operational area of the Hamilton Airport i.e. high-endophyte grass.
 - (d) Monitoring of all bird activity, recording of all bird events i.e. bird strikes and near misses.
16. The record of bird events, as noted in point (d) above, has identified that there is an increase in the number of bird related incidents. This increase is quantified in the Civil Aviation Authority Bird Incident Rate Report 2022. The key conclusion of this report in relation to the Hamilton

³ CAA 'Bird Hazards' Good Aviation Practice (GAP) booklet, published October 2020.

⁴ Under Civil Aviation Rule Part 139 and specifically Part 139.71

⁵ This permit commenced on 1 July 2016 and goes through to 30 June 2026.

Airport is that bird activity has risen significantly, and Hamilton Airport has a high-risk rating and is trending upward.

17. Over the last three years (2020-2022) Hamilton Airports own data (collected independently of the CAA) has recorded a steady increase in actual and near miss bird strike results, with 69, 84, and 99 strikes respectively. This represents a 30% increase in bird related incidents over the period.
18. These conclusions provide a genuine concern for the Airport operations and increases the need to provide mitigations and controls for bird activity at or near the Airport and even on land owned by WRAL.

FURTHER SUBMISSION LODGED

19. WRAL lodged a further submission in relation to five submissions that have in one way, or another requested protection and/or provision for bat corridors near the airport or on airport land. Those submissions were:
 - (a) Submission point 07.2 – Royal Forest and Bird;
 - (b) Submission point 11.3 – Waikato Regional Council;
 - (c) Submission point 20.1 – Director General of the Department of Conservation;
 - (d) Submission point 23.10 – Hamilton City Council;
 - (e) Submission point 25.1 – GHA (Gerry) Kessels.
20. For the reasons I have set out above, the airport is concerned that the protection and/or creation of bat corridors or habitat areas may have unintended consequences for its aeronautical operations by funnelling birds or increased bird activity near the airport or across the runway by providing increased habitat and feeding opportunities.
21. For this reason, WRAL's further submission requested that bat corridors/bat habitat and any future SNA's that are to be identified within or near the PC20 footprint would need to ensure that they are encouraging the movement of both birds and bats away from the airport environs. WRAL also oppose the identification of bat habitat SNA's on its land or the other portions of the Airport Business Zone for the same reasons as identified above.

RESPONSE TO THE SECTION 42A REPORT AND EVIDENCE ON BEHALF OF THE APPLICANT

22. I have reviewed the Council's s42A Report in relation to the further submission points WRAL lodged. I have also reviewed the evidence of Mr Ben Inger and Ms Georgia Cummings on behalf of the Applicant.
23. I note that the s42A Report records that: *"it is understood that the applicants considered the operational needs of the Airport when identifying the location and extent of the Bat Habitat Area currently proposed"*. This statement is correct. In particular, areas adjacent to rather than on the typical aircraft flight paths are highly preferable.
24. From an operational perspective, I am comfortable with the extent and location of the Bat Habitat Area proposed in the Structure Plan, as attached to the Evidence in Chief of Ben Inger on behalf of the Applicant⁶. I am also comfortable with the location of the compensation site relative to the airport. I am comfortable because, in my opinion, those areas:
- (a) Do not encourage flight corridors across the airport operation area through the linkage of habitats⁷.
 - (b) Are a sufficient distance from the airport operational area and do not provide habitat directly on a common boundary with the airports operational area.
 - (c) Are of an appropriate scale in the setting. Larger areas may have the potential to create better bird habitat, thus providing for feeding, foraging and nesting opportunities for birds increasing general bird activity in the airport environs'.
 - (d) Consider and align with anticipated future airport needs.

CONCLUSION

25. In my capacity as Group General Manger – Airport Operations for Hamilton Airport I have concerns about increased bird strikes around the airport and the consequences that may arise from bird strikes. This concern is evidenced by increased reporting's of birds in the airport operational area and supported by the CAA investigations.

⁶ Annexure 2 of Mr Inger's EIC

⁷ I note that Ms Cumming EIC – Annexure B records that three AMB's installed in the Airport operations area recorded no bat passes during the December 2022 to January 2023 survey.

26. Having regard to these concerns, I am comfortable with the extent and location of the bat habitat area and compensation site relative to the airport operational area. Any changes in what is proposed would need careful evaluation against the operational needs of the airport.
27. Providing for additional bat habitat SNAs on or in close proximity to the airport, including on its land or the other portions of the Airport Business Zone is opposed by WRAL for the reasons I have specified in this evidence.

Ben Langley
Group General Manager – Airport Operations

7 March 2023