

**Before an Independent Hearing Panel  
Appointed by Wellington City Council**

**IN THE MATTER**                      **of the Resource Management Act 1991**

**AND**

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**AND**

**IN THE MATTER**                      **of the Proposed Wellington City District Plan**

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**STATEMENT OF EVIDENCE OF CATHERINE O'BRIEN FOR THE BOARD  
OF AIRLINE REPRESENTATIVES NEW ZEALAND INC (BARNZ)  
STAGE 10 HEARINGS**

**11 JULY 2024**

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## **1. QUALIFICATIONS AND EXPERIENCE**

- 1.1 My full name is Catherine (Cath) O'Brien.
- 1.2 I am the Executive Director of the Board of Airline Representatives of New Zealand Inc ("BARNZ"). I am authorised to give this evidence on behalf of BARNZ. I refer to the qualifications and experience outlined in my statement of evidence for the Stage 5 hearings.
- 1.3 I confirm that in preparing this statement of evidence I have consulted with operational staff at Air New Zealand as well as other airlines. Although not an expert, I confirm that my evidence is within the sphere of my general knowledge as Executive Director of BARNZ.
- 1.4 For the background to BARNZ, its members and the scope of its representation, the Panel is referred to my evidence for the Stage 5 hearings.

## **2. BARNZ'S POSITION ON THE OLS**

- 2.1 This statement of evidence serves to briefly reinforce, from the perspective of the airlines that use Wellington Airport, the position outlined in the evidence filed on behalf of Wellington International Airport Limited ("WIAL") as it pertains to its designation WIAL1 – Wellington Airport Obstacle Limitation Surfaces ("OLS").
- 2.2 I have read the evidence of Mr Kyle (Planning), Ms Lester (Planning Manager), Mr Thurston (operations) and Ms Hampson (economics) and I endorse the matters they have outlined.
- 2.3 It is self-evident that airlines are concerned with aircraft and passenger safety. As one of the tools available to managing safety, it is important that the district plan recognises and provides for the operational and functional requirements of significant infrastructure such as Wellington Airport, to the extent appropriate.
- 2.4 The OLS Designation is an appropriate tool within the District Plan as it manages new structures or obstacles above certain heights to reduce

the risks of aircraft collision with an object or building. This may be during the approach and departure of aircraft from the runway or if the performance of an aircraft is impaired.

2.5 As Mr Thurston explains, the foundation for the OLS provisions are the ICAO and Civil Aviation Rules. The OLS designation does not directly replicate these as they are complex and require interpretation and translation into a district plan context.<sup>1</sup>

2.6 At Wellington, existing development and the nature of the hilly terrain necessitates some practical modifications to the strict application of the ICAO and Civil Aviation Rules. Mr Kyle explains the approach to the amendments to the designation which seek to strike a balance between ensuring that development within existing urban zones is not unnecessarily restricted while ensuring that safety is not further compromised by further obstructions occurring within the relevant areas.<sup>2</sup>

2.7 In the context of the proposed amendments to Designation WIAL1 a question arises as to the appropriate height of structures or obstacles before an applicant needs to check with the requiring authority (WIAL) about the safety implications of the proposed structure / obstacle. My understanding is that WIAL proposes that the designation uses 8m (+30m) as a trigger point,<sup>3</sup> on the assumption that this height is a safer starting point than 11m, but that in any event this height simply prompts a site-specific assessment by WIAL.

2.8 From a safety perspective, where a risk has been identified, if that risk cannot be eliminated, it is appropriate to take steps to minimise that risk so far as is reasonably practicable.<sup>4</sup>

2.9 Consistent with this, I conclude by observing that airlines endorse an approach that promotes greater safety. While acknowledging that this may result in some lost opportunity cost for landowners, I refer to the evidence of Ms Hampson who concludes that the net additional costs of the 8m (+30m) height restrictions are very minor relative to the

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<sup>1</sup> Refer para 7.9 of the Statement of Evidence of Mr L Thurston

<sup>2</sup> Statement of Evidence of J Kyle dated 1 July 2024 at para 33

<sup>3</sup> In the 8m +30m scenario depending on location within the OLS.

<sup>4</sup> Refer to the Health and Safety at Work Act s30

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alternative height restrictions proposed by other parties (11m + 30m), and that overall the 8m + 30m scenario is the most efficient option.<sup>5</sup>

2.10 In addition, and as set out in Mr Thurston's evidence, to ensure international connectivity it is critical that New Zealand aeronautical assets remain compliant with ICAO standards as set out and enforced via the Civil Aviation Rules and guidance documents.<sup>6</sup> ICAO audits of other aeronautical assets and processes in New Zealand have identified matters New Zealand has had to remediate to maintain compliance.

2.11 Proposals for 8m (+ 30m) height restrictions represent a reasonable consideration of existing development while working to ensure that amendments to the District Plan do not create any greater departure from ICAO standards or CAA Rules and guidance than is justifiable.

**Cath O'Brien**

**11 July 2024**

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<sup>5</sup> Statement of Evidence of Ms N Hampson dated 1 July 2024 at page 17

<sup>6</sup> Statement of Evidence of Mr L Thurston dated 1 July 2024 at para 7.6