BEFORE THE FAST-TRACK APPROVALS EXPERT PANEL **FTAA-2504-1054**

UNDER the Fast-track Approvals Act 2024 ("**FTAA**")

AND

IN THE MATTER of an application for approvals by Carter Group Limited ("**CGL**") in relation to the proposed Ryans Road Industrial Development ("**Application**")

STATEMENT OF EVIDENCE OF ROBERT HENRY GRIMM ON BEHALF OF AIRWAYS CORPORATION OF NEW ZEALAND

12 MARCH 2026

Russell McVeagh

L J E Rapley | L C Espin
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MAY IT PLEASE THE PANEL:

1. INTRODUCTION

1.1 My full name is Robert Henry Grimm.

1.2 I am employed by Airways Corporation of New Zealand ("**Airways**") in the role of Manager National Operations and Maintenance. I have been employed by Airways for six years and am responsible for the continued function and operation of the 93 air navigation sites (including air traffic control towers) throughout New Zealand.

1.3 Originally training in the field of avionics (aircraft electronics) in the Royal New Zealand Air Force, I have worked in various technical roles over my thirty-year career. These roles have included avionics systems maintenance and engineering, project management, operations, avionics instructor at the Air Force ground school and design certification of aircraft avionics system changes. Some of these roles have been undertaken whilst deployed in the combat zones of East Timor and Afghanistan.

1.4 I have also undertaken additional system reliability engineering training overseas with Boeing (twice) and specific radar system training in Israel. I received a commendation from the Chief of Air Force for solving a difficult radar problem that had been plaguing the C-130 fleet for several years whilst operating in the Middle East.

1.5 Based on my qualifications and experience and time working at Airways, I have direct knowledge and a very good understanding of how Airways systems (Doppler VHF Omni Directional Range ("**DVOR**") / Distance Measuring Equipment ("**DME**"), Instrument Landing System ("**ILS**") and radar) operate at a fundamental level for both the ground stations which are transmitting the signals, and how they are received and processed by the aircraft themselves. I therefore have specialist knowledge of aviation safety matters relevant to this Application and am authorised to provide this evidence on behalf of Airways.

1.6 I confirm that I provided input into and am the author of the technical responses provided to the Panel by Airways to date, including the Supplementary Response on 18 December 2025. To assist in the course of preparing this evidence, I have spoken with the following Airways personnel:

(a) the Engineer holding the Design Authority[1] for the DVOR / DME and ILS systems.

(b) the Engineer holding the Design Authority for the radar.

(c) the person who designed the Approach Procedure[2] for Christchurch Airport.

(d) the Tower Operations Manager for the Christchurch air traffic control tower.

(e) the Flight Inspection Team Leader.

(f) the South Island Regional Maintenance Manager.

2. SCOPE OF EVIDENCE

2.1 This evidence addresses the Panel's request in Minute 13, for Airways to provide technical information to respond to the package of information (including new evidence) lodged by CGL on 23 February 2026 (referred to as the "**CGL Package**") and the Panel's specific request for information on the DME.[3] Specifically, this evidence addresses technical aviation safety issues raised in the following statements, which I confirm I have read and will respond to relevant aspects as they pertain to my expertise:

(a) Supplementary statement of evidence of Simon McPherson (Cyrrus) dated 17 February 2026;

(b) Supplementary statement of evidence Geraint Bermingham (Navigatus) dated 17 February 2026;

(c) Statement of evidence of Andrew Shelley (Fenix Flight Training Limited) dated 17 February 2026;

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1 The Design Authority is the person who has technical responsibility for approving all detailed design for respective operational systems, including authorising design changes.

2 An Approach Procedure is a pictorial set of instructions giving pilots what they need to approach, land and depart an airport in a safe and orderly manner.

3 Minute 13 dated 6 March 2026 at paragraphs [30] and [31].

(d) Statement of evidence of Dr Maggie Hong and Greg Akehurst (Market Economics) dated 19 February 2026; and

(e) Memorandum of Simon McPherson (Cyrrus) dated 5 March 2026.

2.2 On 18 December 2025, Airways lodged its Supplementary Response that outlined its position regarding the potential of radio frequency interference with the ILS, DME, and radar (among other concerns) arising from the Application.

2.3 CGL states that there is "…no credible or reliable scientific evidence on a highly technical topic that undermines the opinions of the applicant's expert witnesses."[4] This statement is wrong. It completely dismisses the professional opinion of Airways engineers, summarised particularly in the Supplementary Response lodged on 18 December 2025. It is Airways who is responsible for providing safe air travel through New Zealand's airspace and maintaining the procedures, systems and equipment that are operated to achieve this.

3. REQUIREMENTS FOR AVIATION SAFETY

3.1 As New Zealand's airspace (air traffic control) operator, Airways must manage all airspace and the aircraft that transits through it. It is certificated under the Civil Aviation Rule ("**CAR**") parts 171 and 172, operating a wide variety of navigational aids, software, systems and procedures to achieve this. Airways has statutory obligations under CAR Parts 171 and 172 (expositions dated 27 November 2025) to ensure there are no safety issues associated with the Air Traffic Control services to all aircraft throughout New Zealand. Any changes to operational systems (including the DVOR, ILS and radar) are subject to rigorous internal processes ensuring that the aviation ecosystem retains its reputable image of safety and the confidence of the flying public. These processes are similar to those carried out by other Air Navigation Service Providers globally.

3.2 For any proposed developments that are intended to occur near Airways' infrastructure, an assessment of aviation safety needs to occur to determine whether the proposed development may impact on Airways' infrastructure, and if so, what those impacts are and what mitigation is available. The process to be carried out is guided by globally accepted guidance ICAO EUR Doc 015.[5] The level of assessment and information required for this process differs depending on the location, nature and scale of the proposed development.

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4 Legal submissions for CGL dated 23 February 2026, Appendix 1 at [28].

5 However, it may also be carried out by Airways for other reasons; such as if the cumulative effects of multiple buildings generate concern.

3.3 CGL's experts state that the Civil Aviation Act 2023 ("**Act**") does not require an aeronautical study in accordance with AC139-15 for this Application.[6] For clarity, an aeronautical study (in accordance with AC139-15) is distinct from the initial safeguarding assessment (and further analysis, if required as per Step 4 below) to satisfy Airways' obligations under CAR part 171 and 172.

3.4 Further, and importantly, CGL's experts state that "most of the Ryans Road site can be developed without triggering any notification requirements [under the Act], so by definition are safe from an aviation perspective"[7] I entirely disagree. The notification requirements to the Civil Aviation Authority ("**CAA**") are in the context of immediate hazardous work and do not account for the airspace management requirements under CAR part 171 and 172, which must be worked through under processes of the certificated holder, Airways.

3.5 The proposed Application is located very close to Airways' infrastructure (being 180m away at the closest point) and penetrates the Building Restricted Area ("**BRA**") for three different Airways navigation and surveillance facilities at Christchurch Airport. The standard steps to be followed for an Airways assessment (including the initial safeguarding study) are:

Early actions and risk control (minimum indicative timing – weeks 0-4)

- **Step 1:** Initial stakeholder meeting to understand the proposal and agree decision pathway.
- **Step 2**: Further correspondence with applicant and applicable stakeholders such as airports / airlines to confirm and agree scope of encroachment of BRAs.

Engineering studies and analysis (minimum indicative timing – weeks 4-16)

- **Step 3**: Undertake safeguarding assessment (desktop).
- **Step 4**: Undertake electromagnetic / radiofrequency impact assessment (detailed on site by Airways engineers) to verify assumptions and quantify effects. To verify the software modelling assumptions against the local conditions, such subsequent work can involve:
  - ground and flight testing, (to confirm modelling);

6 Evidence of Dr Shelley dated 23 February 2026 at [6.14(c)].
7 Evidence of Dr Shelley, dated 23 February 2026 at [8.9].

- materials analysis and effects of structures (eg steel reinforced concrete vs wood, carbon fibre);
- radio frequency sensitivity assessment (eg reflection, refraction, multipath, shadowing, scalloping, bearing error, course structure distortion);
- stakeholder meetings (airlines, airports).

- **Step 5**: Undertake operational impact / mitigation assessment.

Consultation and consent conditions (minimum indicative timing – weeks 16-24)

- **Step 6**: Interim findings workshop (Airways typically to present findings with applicant and stakeholders once detailed analysis in previous steps have been completed).
- **Step 7**: Once the development is confirmed as safe from an aviation safety perspective, agree appropriate consent conditions with applicant and stakeholders.

3.6 For this Application, only Steps 1 to 3 have been undertaken. As has been consistently made clear by Airways,[8] further work is required following the initial desktop safeguarding assessment to address critical aviation safety matters and ensure potential effects of the development can be appropriately managed (in line with the process outlined above). This work is done collaboratively with the applicant and stakeholders and simply takes time.

3.7 Not all proposals need to go through all 7 steps. Smaller developments (or developments further away from Airways infrastructure) may be assessed by Airways in the initial steps and confirmed to have no impact on aviation safety so no further steps would be required. For example, a recent new cell phone tower bordering Christchurch Airport which was assessed and confirmed after step 4 to have no impacts on the Airways' infrastructure, with the process taking around three months.

3.8 Larger and / or closer developments may take longer than the indicative timeframes above, with two recent examples being the Christchurch Airport Solar Installation, and the Meridian Windfarm in the Lower Central North Island, respectively taking 18 months and 12 months to complete the relevant

8 Memorandum of Counsel on behalf of Airways dated 28 January 2026 at [9].

steps of the process. In each of these examples the respective organisations worked with Airways' Engineers, Technicians and Flight Inspection crews to clearly determine the risks involved, with agreed changes to design and mitigations employed. This gives the confidence that aviation safety standards are maintained in a provable manner.

3.9 This proposed process is not designed to be unduly onerous or to burden developers looking to locate near Airways' infrastructure. However, time must be taken to quantify and qualify the risk to the 'ALARP' (As Low As Reasonably Possible) industry standard, commonly used in the aviation field. Organisations wishing to build or operate near an aviation navigational aid, work collaboratively with Airways to reach an outcome satisfactory to all parties, easing the consenting process from that point and giving confidence any potential adverse safety effects can be managed. This is important to keep our communities safe and maintain public confidence in the aviation system.

3.10 By contrast for this Application, Airways maintains, contrary to the evidence of Mr Phillips,[9] it has not been sufficiently engaged with. Airways specifically requested, and CGL agreed in writing to liaise with Airways in relation to, and for Airways to review the recommendations of, the safeguarding study to confirm acceptance (a copy of the email of 30 September 2025 from CGL's planner to Airways is attached to this evidence as **Annexure A**). This did not happen - the final safeguarding assessment was provided by CGL to the Panel without Airways input or acceptance.

3.11 This behaviour is far from what would normally be expected of an organisation one is consulting with.

3.12 I appreciate that Cyrrus and other aviation experts have the view that suitable mitigations have been incorporated to minimise risk, but Airways cannot simply accept that evidence (nor can the Panel have confidence in it) without confirmation by the Design Engineers employed by Airways whose job it is to verify exactly that fact using the process above.

3.13 In my view Dr Shelley's comments in his supplementary statement (para 10.1) "*This goes well beyond what would typically be expected*" are incorrect. The further work that Airways is asking CGL to undertake, is a standard requirement requested of all proposed developments in close proximity to Airways infrastructure.

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9 Supplementary Evidence of Mr Phillips dated 9 March 2026 at [6] and [7].

4. LEVEL OF RISK APPROPRIATE FOR AVIATION SAFETY MATTERS

4.1 Airways - and indeed the wider aviation industry - cannot operate at the margins / limits of risk. The ground-based navigation and surveillance facilities are an important part of a global, aggregate system that we have all come to depend on for our daily lives. Every part of the wider aviation industry including aircraft design, operations, training, maintenance and regulation is designed to work in harmony to provide the safe and reputable service that the flying public expect, at a reasonable cost. The system must work within clearly defined parameters where the limits are known not claimed, tested not assumed, and confirmed not inferred. As set out above, aviation risk needs to be As Low As Reasonably Possible. If this is not achieved, the potential safety risks on Airways' infrastructure from development occurring in proximity to it (and interfering with its operation) are significant and serious and can result in lives of passengers and communities being put at risk.

4.2 Processes (like the standard Airways study set out above) exist to provide confidence that outcomes are carefully considered, and safety is maintained at all times. In this respect, while Airways is not opposed to any particular development, it cannot simply accept developments occurring that may compromise aviation safety without the appropriate checks being carried out. As has already been made clear, Airways has important statutory obligations under the Act to ensure the safety of all passengers and the public.

4.3 Mr McPherson maintains that no significant operational impacts on Airways are anticipated to arise from the proposal and any mitigation measures are expected to be limited in scope.[10] Dr Hong and Mr Akehurst also makes this assertion.[11] As mentioned in the Airways Supplementary Response on 18 December 2025 and in paragraph [3.4] above, Airways' engineers are still required to verify the assertions of the initial safeguarding study via further ground and air tests. A desktop assessment may be informative, however its conclusion must be verified by real world testing. Until then, it cannot possibly be concluded that no significant operational impacts on Airways' infrastructure may arise. Further, after personally checking with the Procedure Designer for the Christchurch approach, I can confirm that the Application (as currently proposed), without having the benefit of the further work being done by CGL, at the very least operational changes would be required to Airways systems (at its cost) as a result of this Application.

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10 Evidence of Mr McPherson dated 17 February 2026 at [29].

11 Evidence of Dr Hong and Mr Akehurst dated 19 February 2026 at [4.1].

4.4 I am unable to verify anywhere where software modelling can replace or substitute real time / environment assessment flight inspections. If this is the worst-case as Mr McPherson's evidence asserts, "no risk" modelling that indicates no issues and was an accepted industry practice, it would allow global Air Navigation Service Providers to remove ground testing and flight inspection services from critical navigational equipment such as ILS, DVOR / DME. There is currently no global regulatory or International Civil Aviation Organisation guidance documentation that allows this (or any other) software to be used as an alternative to the US FAA operational requirements, NZ CAA CAR Part 171 requirements, or indeed even DOC 8071 recommend practices document. In simple terms – I cannot find precedent anywhere that the use of software alone to supplant ground and flight inspection testing. Airways considers the modelling conclusions must be verified to satisfy obligations under CAR Part 171 / 172.

4.5 Further, in his evidence Dr Shelley states that if the District Plan requirements are met then the essential aviation safety requirements are met and that if there are residual aviation safety matters then they can be managed by means other than restricting the development eg minor adjustments to flight path (with the onus being put on Airways / CIAL).[12] In my view, District Plan compliance does not, by itself, prove aviation safety. Planning compliance is an important screening step, but it is not the same thing as a demonstrated conclusion that there will be no unacceptable impact on precision navigation aids performance. Airways' 18 December 2025 response makes this clear that the current assessments do not yet show that aviation safety risks are conservatively bounded and reliably mitigated for the full buildout of the proposed development.

4.6 Further, there are several statements made by CGL that are simply inaccurate and cannot be used to support any conclusions made on aviation safety. For example:

(a) In the Cyrrus report[13] and in Mr McPherson's evidence[14] various statements are made around ILS scalloping being reduced to an "acceptable level". Scalloping is the term used to describe the effect of an aircraft unexpectedly deviating from the normally smooth descent profile as it approaches the runway for landing. This is felt as an unexpected upward or downward undulation as the signals

12 Evidence of Mr Phillips dated 23 February 2026 at [4.28] and [4.29].

13 Evidence of Mr McPherson dated 17 February 2026 at [22], and Memorandum of Mr McPherson, 5 March 2026 at page 2.

14 Evidence of Mr McPherson dated 17 February 2026 at [16] and [24].

guiding the aircraft are temporarily distorted. This is a clear example of a risk (correctly raised by the initial safeguarding report) that cannot be lightly dismissed. Mr McPherson says the modelling shows glidepath scalloping can be reduced to a "minor and acceptable" level by changing the building design, including a 2° rotation.[15] I strongly disagree. Without this being validated and further tested by Airways' engineers as outlined above, this substantial simulated glidepath disturbance on runway 02 could produce real-world scalloping or in practical terms, disruption to an aircraft's approach path.

(b) Mr McPherson's further memorandum[16] states that pilots will not be relying on DME information by 0.5nm from the runway threshold on their approach, and DME reflections will not have any impact on approaching aircraft from this point. In response, as detailed below in relation to the Panel's question[17] on this, pilots will be relying on DME to the threshold and beyond – especially in the instance where a missed approach is executed. This is expanded on in section 6 below.

(c) In his evidence,[18] Dr Shelley says that Airways has moved to ADS-B because the older radar system was reaching end-of-life and ADS-B was seen as a cheaper option. This is not the case. ADS-B is a globally accepted standard technology for air surveillance and was not brought in to replace primary radar coverage. Contrary to Dr Shelley's assertion (in which he did not consult with Airways), the New Southern Sky agreement between the CAA, the Ministry of Transport and Airways requires that Airways provide primary radar coverage for high density or 'Main Trunk' airports, such as Christchurch Airport, as an agreed contingency.[19] This is precisely because it is independent of satellite-based navigation systems.

(d) In Mr Bermingham's evidence[20] he says there are expected to be no impact on surveillance systems but if there are later found to be issues, "further viable mitigations are available to Airways and

15 Evidence of Mr McPherson dated 17 February 2026 at [19].
16 Memorandum of Mr McPherson dated 5 March 2026 at [3].
17 Minute 13 dated 6 March 2026 at paragraphs [30] and [31].
18 Evidence of Dr Shelley, 23 February 2026 at [5.3].
19 This is confirmed in the 17160706 New Southern Sky Concept of Operations 2023 document, point 6.4.4 (page 24) stating "Complete removal of the existing ground-based radar network is not envisaged, as this would result in too much reliance on the satellite system…"
20 Evidence of Mr Bermingham dated 23 February 2026 at [78(b)].

potentially building owners". This is a blanket statement taking the initial safeguarding study at face value with no further analysis undertaken, or consultation with Airways. As it currently stands and as covered by the previous Airways submission on 18 December 2025, Airways has concerns that the effects of the proposed development may decrease the effective range of the radar system. The degradation of the radar effectivity comes from false targets being introduced by reflections, as well as reduced sensitivity from increased ground 'clutter' at short range. False targets or 'tracks' require time for air traffic control staff to verify they are not in fact actual aircraft, during which time other aircraft currently being controlled must be kept clear to maintain safe separation distances. Further to this, the statement in the Navigatus assessment which says 'Airways would have scope to 'code remove' any offending building(s)' is incorrect.[21] This capability does not exist for the Christchurch radar equipment, nor would it be helpful as reducing sensitivity to local buildings would also reduce sensitivity to aircraft, thereby compromising the principle reason for its use.

5. PART 77 PROCESS

5.1 Dr Shelley's evidence goes through the application of and requirements of the Part 77 process.[22]

5.2 Dr Shelley considers that some of the Application's components may temporarily breach the Part 77 requirements and would require notification to the Act. He also states that "the CAA process ensures that where possible any adverse aviation safety impact is managed for to ensure safe outcomes."[23] Dr Shelley also considers that "if the proposed development will be a hazard in navigable airspace then the Part 77 study will consider appropriate mitigations".[24]

5.3 In response, it is important to make it clear that the Part 77 process may not be triggered at all for this Application. Dr Shelley considers that it *may* be triggered for certain components, however, and "not triggering" the Part 77 process is not equivalent to establishing safety for CNS performance governed by Parts 171 / 172 of the Act. Airways does not dispute that Part 77 provides

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21 Navigatus Aviation Safeguarding Assessment dated 28 November 2025 at [11.7].

22 Evidence of Dr Shelley, 23 February 2026, at sections 4 and 8.

23 Evidence of Dr Shelley, 23 February 2026, at [4.21].

24 Evidence of Dr Shelley, 23 February 2026, at [8.6].

a notification and hazard-determination pathway for certain objects and activities. However, Part 77 is one component of safeguarding; it does not, of itself, answer whether nearby conductive / reflective structures will degrade navaid or radar performance to an unacceptable level.

5.4 Dr Shelley further asserts that the appropriate authority for decisions on aviation safety is the Director of Civil Aviation.[25] Part 77 does not confer on the Director a direct administrative power to compel a private landowner to stop construction, modify a building, or remove an obstacle. Instead, the burden would be on Airways / CIAL to make operational changes to their infrastructure as result of the Application, to ensure aviation safety. The result is that the developer may not bear the full cost of incompatibility at approval stage, while aviation participants and the public may bear the operational, safety, and litigation consequences later.

6. AIRWAYS RESPONSE TO THE PANEL'S QUESTION ON THE DME APPROACH

6.1 Considerable comment has been made within the CGL evidence regarding the DME. The Cyrrus safeguarding assessment states a loss of DME range information for up to 18 seconds in the final 0.5 NM of the approach. In summary, the CGL submissions state multiple times (including being highlighted again by Mr McPherson in his additional memorandum dated 5 March 2026) that there will be no effect on operations from the DME, with the exception of the last 0.5nm from the runway threshold - this being an acceptable condition for aviation traffic. The Panel have asked for Airways' response on this, including if this applies to all aircraft landing at Christchurch airport.

6.2 The short answer is that this does *not* apply to all aircraft landing at Christchurch airport, meaning that many aircraft *are* expecting the DME signal throughout the entire approach, as is published in the New Zealand Aeronautical Information Publication ("**AIP**") for this airport.

6.3 In his evidence, Mr McPherson states "…DME reflections will not have any impact on approaching aircraft."[26] Mr McPherson concludes that DME reflections will not affect approaching aircraft because pilots would not be relying on DME in the affected area. Airways' position is materially different: Apart from the fact that a planned loss of navigation signal during approach is

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25 Evidence of Dr Shelley, 23 February 2026, at [8.9].
26 Evidence of Mr McPherson dated 17 February 2026 at [22].

simply unacceptable, it also is against the approach procedures contained in the AIP.[27] Adding to this, the "velocity memory" feature is an emergency fallback contained in some (but not all) aircraft avionics systems and is therefore not an acceptable design mitigation.

6.4 Despite the assertions made by Mr McPherson, the loss of DME information within 0.5nm on the Christchurch approach will be a problem for some aircraft – especially when carrying out an IFR (instrument) missed approach. The published approach procedure is designed for DME to be maintained throughout, not for a pilot to switch to VFR (visual) as Mr McPherson suggests.

6.5 In this scenario, pilots maintain IFR rules, because switching to visual means they are not able to immediately switch back to IFR again if they subsequently fly into cloud. Mr McPherson's statement that pilots simply switch to visual on final approach is not in line with the published procedure. Whilst this may be less of an issue for modern commercial jet aircraft, the many smaller, older or regional carrier aircraft (who also regularly use Christchurch Airport) do not have the avionics systems necessary to avoid the continuous use of DME in this situation. Loss of a consistent DME signal in a go around will also add unnecessary stress to a pilot when their workload is already at a high level.

6.6 For additional context, the 161116 GBNA Strategy document (agreed between the CAA, Ministry of Transport and Airways) requires all listed DVOR / DME approaches to be maintained, including at main trunk airports which Christchurch is. Point 6.1.3 (page 30) of this document states:

> VOR/DME approaches to both runway ends will be maintained at all main trunk aerodromes. These conventional procedures meet the requirements for Contingency Operations. This ensures that a straight-in approach, and its associated safety benefits, will be available in all but the most severe meteorological conditions.

6.7 Sections 4 and 5 of this document also describe the DVOR/DME are part of the Minimum Operating Network, the minimum infrastructure necessary to support safe recovery operations.

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27 New Zealand Aeronautical Information Publication at [4.17], which states "'*the missed approach procedure must be executed: (a) if, at the missed approach point, including the specified DA or DH, the pilot has not established visual reference with any portion of the runway or visual landing aids in terms of the meteorological minima prescribed for the approach; or (b) an identifiable part of the aerodrome is not distinctly visible to the pilot during a circling manoeuvre at or above MDA; or (c) at any time during a final approach when directed by ATC.*"

7. CONCLUSION

7.1 It may seem onerous to be taking what CGL would consider to be a protective approach here, but it must also be stated that this is exactly what prevents aviation accidents. Whilst treated as routine now, air travel was not always as safe as we have come to expect. The safety of modern commercial air travel has been built upon the many expensive errors and lessons from the past. Some of these have involved non-precision navaid systems (VOR / DME) as discussed above – examples being Korean Airlines Flight 801 crash at Guam, or New Zealand's own DHC-8 crash at Palmerston North – both preventable accidents. Whilst aircraft accidents are nearly always the result of multiple causes, it behoves the entire industry to reduce each possible causation factor to as low as reasonably practical, including the effects on air navigation facilities.

7.2 This is precisely why we have the due diligence processes we have, and why Airways *must* take the time to validate the assertions raised, in both practical as well as theoretical terms. In this sense Airways is not being obstructive, merely asking that the standard path is followed. We invite CGL to take the time to work with us through this process as many others have done. However, they must be mindful that we cannot simply skip the required checks and tests for commercial gain. No one should be opposing the need to maintain aviation safety standards.

Robert Grimm
12 March 2026

ANNEXURE A

From: Jeremy Phillips <[redacted]>
Sent: Tuesday, 30 September 2025 2:18 pm
To: Grimm, Rob <[redacted]>
Cc: McEwan, Roy <[redacted]>; Clare Dale <[redacted]>; Tim Carter <[redacted]>; Bruce Van Duyn <[redacted]>; House, Richard <[redacted]>; Geraint Bermingham <[redacted]>
Subject: RE: Ryans Road industrial park - CAT3 lighting, ILS, and DVOR

Hi Rob,

Thank you again for your time on the Teams call on Wednesday 24th September. It was very helpful to discuss Airways' comments in more detail and work towards a mutually acceptable solution.

As discussed, the applicant has been mindful of aviation safety from the outset and has adhered to the regulatory controls in the District Plan relating to such matters, with the understanding that this would sufficiently address aviation safety considerations. We note that the District Plan specifically refers to the protection of navigation facilities for aircraft and so we had understood that adherence to the Plan's rules would address this. However, having been made aware of additional concerns to Airways and CIAL (prior to the comments phase of the process), the applicant engaged aviation safety experts (L&R) to provide further advice which resulted in additional controls volunteered over and above those in the District Plan. And, considering the recent comments from Airways and CIAL requesting additional measures in regards navigation and aviation safety matters, the applicant has reconfirmed their commitment to addressing these.

The two conditions requested by Airways (page 5 of its comments) are generally acceptable to the applicant. These seek to:

- Ensure the results of any aeronautical study are supplied to lot buyers in perpetuity.
- Impose conditions/covenants on the lots to prevent future buyers/developers/occupants from impinging on aviation services.

To the extent that Airways has otherwise sought an aeronautical safeguarding study to provide assurance in regards effects on CNS, we noted at Wednesday's meeting that the applicant is progressing such a study with urgency and will continue to liaise with Airways in regards the scope of this study, the inputs to it, and the review/application of its findings.

We also discussed how the very compressed timeframes specified in the Fast Track Approvals Act present a challenge in terms of undertaking an aeronautical safeguarding study that fully evaluates potential impacts on the PSR/SSR, noting this requires highly technical and time-intensive expert assessments in order to get clarity and certainty as to the specific form and scale of development that can establish without compromising radar facilities. We understood from you at the meeting that this is primarily an issue for assessing the less-understood impacts on radar (PSR/SSR), and by comparison the potential impacts on the ILS and DVOR are better understood and less significant noting they are managed in part by the BRA (which the proposal complies with).

Noting this and that the purpose of the Act is to *'**facilitate** the delivery of …development projects…'* and that conditions of consent must not be *'more onerous than necessary to address the reason for which it is set'* we discussed the potential for consent conditions to address Airways concerns. Such conditions would impose a requirement for any/all buildings to be established in accordance with the findings of an aeronautical safeguarding study, as accepted by Airways. You indicated that this approach had merit at face value, but you wished to consider it further and take advice before confirming.

Noting the above, we concluded the meeting with the following action points or next steps:

1. Airways would confirm whether it is amenable to the use of conditions of consent to address its concerns with regards CNS facilities. Following that confirmation, the applicant and Airways would liaise on an agreed set of consent conditions that address Airways concerns.
2. The applicant would appoint a suitable expert to prepare an aeronautical safeguarding study. Once appointed, a draft scope of work would be prepared, setting out the parameters of the modelling/study. Airways will review/confirm the scope of work for the aeronautical safeguarding study before it commences.
3. Airways will supply any data/inputs required for the aeronautical safeguarding study.
4. Airways will review the aeronautical safeguarding study findings/recommendations following receipt and confirm acceptance.

Please let me know if there are any additional points from the meeting you wish to reiterate, or if any of the above requires clarification or correction. Otherwise, if you could come back to us on the general merits of consent conditions that would be appreciated. We will otherwise update you shortly on our progress with appointing the expert for the aeronautical safeguarding study.

Kind regards,
Jeremy

Jeremy Phillips
Director + Senior Planner

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