

BEFORE THE EXPERT PANEL

FTAA-2504-1054

Under the Fast-track Approvals Act 2024

In the matter of an application for approvals in relation to the Ryans Road Industrial Development

By **Carter Group Limited**
Applicant

**MEMORANDUM OF COUNSEL FOR CHRISTCHURCH INTERNATIONAL
AIRPORT LIMITED ADDRESSING MINUTE 6**

Dated 18 December 2025

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MAY IT PLEASE THE PANEL

- 1 This Memorandum is filed on behalf of Christchurch International Airport Limited (**CIAL**) in respect of Fast-Track Approvals Application FTAA-2504-1054, being the Ryans Road Industrial Development project (**Application** and **Project**). Carter Group Limited is the **Applicant**.
- 2 CIAL was invited to comment on the Application and duly did so¹. CIAL's principal opposition to the Application was (and remains) the impact it may have on aviation safety and, in turn, the safe and efficient operation of Christchurch International Airport (**CHC**). Having received CIAL and Airway's comments, the Applicant made a written request to the EPA that the processing of the substantive application be suspended. No particular time frame was requested.
- 3 On 28 November 2025 the Applicant filed its response to comments² and asked for processing of the Application to resume. At the request of the Applicant, the Panel resumed processing on 1 December. The Applicant used that time to respond to comments received pursuant to section 53 of the Fast-track Approvals Act 2024 (**FTAA**)³.
- 4 CIAL understands the Applicant has now used most of the 50 working days available for suspension of processing.
- 5 This Memorandum addresses the Expert Panel's Minute 6 and it's request that CIAL provide the further information specified in Appendix 1 of the Minute

Summary position

- 6 The request for further information is detailed and, with respect, asks a lot of CIAL in a five working day window – particularly one which ends in the final working week of the year. CIAL acknowledges the timing constraints on the Panel. However, this is not a situation of CIAL's making nor one which it should bear the significant resourcing (including financial) burden of. The Applicant took 43 working days to respond to CIAL's comments and now CIAL is being asked to respond to an extensive compilation of new material on a matter of critical importance within 5 working days – new material that was:

¹ https://www.fasttrack.govt.nz/data/assets/pdf_file/0013/12631/Christchurch-International-Airport-comments.pdf

² As provided for under section 55 of the FTAA.

³ Fast-track Approvals Act 2024

- 6.1 Not discussed with CIAL during the Applicant's suspension period (despite requests to do so); and
 - 6.2 Has not been discussed with CIAL since it was filed.
- 7 The time and cost imposition now being placed on CIAL:
- 7.1 Arises from the Applicant's lack of proactivity in properly addressing aviation safety both before a substantive application was made and during the suspension period; and
 - 7.2 Is grossly unfair and disproportionate.
- 8 In respect of the new information and for the reasons expanded on below, CIAL submits:
- 8.1 CHC is nationally critical infrastructure, providing essential connectivity and supporting domestic, international, defence, and emergency operations. It is a key designated lifeline utility under the Civil Defence Emergency Management (**CDEM**) framework⁴, enabling rapid movement of emergency personnel, medical supplies, food, fuel, and relief equipment during natural disasters and national emergencies. Maintaining unconstrained operational continuity is a key feature. The irony of what the Panel is being asked to endorse, is inescapable – the Project seeks approval under legislation intended to *facilitate the delivery of infrastructure and development projects with significant regional or national benefits*, but the most significant potential adverse impacts of the Project would likely fall on an existing item of nationally significant and nationally critical infrastructure.
 - 8.2 The potential adverse impacts of the Project are significant and include:
 - (a) Safety risk to users of CHC - these users include the operators of scheduled aircraft, cargo and freight aircraft, aircraft associated with operations in the Antarctic, aircraft involved with general aviation and helicopters, including the rescue helicopter services provided by Garden City Helicopters (**GCH**), which operates on the land located adjacent to the application site and, of course, the public; and/or

⁴ <https://www.cdemcanterbury.govt.nz/media/25kfftv0/canterbury-cdem-group-plan-2022-08.pdf>

- (b) To the extent aviation safety risks could be mitigated or avoided at all, the Project would do so by externalising those risks to existing aviation infrastructure and operators, requiring changes to, or curtailment of, airport and aviation operations at CHC. Any such operational or system-level responses would impose real and potentially significant costs on CIAL, aviation operators (including emergency and rescue services), the region, and New Zealand more broadly. Those costs have not been identified or assessed in the economic material relied upon by the Applicant;
- 8.3 Despite the volume and technical nature of the new material, the core deficiencies as to its assessment of aviation safety remain, because the foundational assessment of potential impacts on aviation safety (and therefore the appropriateness of development on this site) has still not been properly undertaken and this inadequacy cannot be cured within the confines and timing constraints of the FTAA process;
- 8.4 The Applicant's response perpetuates an approach that underestimates both the seriousness of the aviation safety issues arising from the Application and the importance of CIAL's input in identifying and addressing those issues. The Convener's Minute of 29 July 2025 shows this approach has infused the Applicant's process from the outset. The Applicant sought a 70 working day decision period⁵ and expressed confidence it would not need to suspend time to reply to comments⁶. The Convener was evidently not persuaded by the Applicant's optimism and decided upon a 95 working day decision period⁷. In practice, the Applicant has subsequently added a 43 working day suspension period also. Further, the Convener strongly signalled the importance of safety issues and CIAL's position on the same⁸;
- 8.5 Aviation safety has not been addressed in a manner capable of informing the Panel's assessment under s 85(3). Instead, the Applicant's response to this very serious concern is being developed piecemeal through conditions and further information during the FTAA process. That approach is at odds with the orthodox approach to the assessment of such

⁵ Minute of the Panel Convener (29 July 2025) at [9].

⁶ Minute of the Panel Convener (29 July 2025) at [13].

⁷ Minute of the Panel Convener (29 July 2025) at [15].

⁸ Minute of the Panel Convener (29 July 2025) at [13] and [14].

matters and because of this deficiency, the Panel is not able to perform the evaluative task required by the Act;

- 8.6 The Applicant's economic assessment does not evaluate the potential costs associated with maintaining aviation safety if this Project proceeds. In particular, there is no assessment of whether the introduction or management of aviation safety risk would require operational, procedural, or infrastructural changes by CIAL, Airways New Zealand (**Airways**), or other aviation system participants, nor who would bear the cost of any such measures. If the maintenance of aviation safety requires operational constraints or system-level responses being imposed on existing nationally significant infrastructure, those costs are real, potentially significant, and fall outside the benefits case relied upon by the Applicant. In the absence of an aeronautical study, the nature, scale, feasibility, and cost of any required mitigation are unknown, and therefore cannot be meaningfully weighed against the claimed benefits for the purposes of s 85(3);
- 8.7 The material and substantive difficulties with the Application cannot be "fixed" by conditions. Nor can the assessments required be done within the timeframes applying. CIAL therefore submits the Application is fatally flawed and should be declined.

The importance of CIAL's concern about safety and potential costs

- 9 In their comments, CIAL and Airways raised common concerns regarding the potential implications of the Project for aviation safety. The information provided by the Applicant in response is voluminous and, as to the issue of aviation safety, technical in nature – but still, it is respectfully submitted, substantively lacking. The Applicant has proposed a number of additional resource consent conditions and development constraints as a result of the "safeguarding assessments" it has provided.
- 10 The Panel will appreciate aviation safety is not a peripheral matter in this Application. In fact, it has emerged to be the central issue. Ensuring aviation safety at all commercial airports is critical and assessing the effects of land use activities on aviation safety relies on a very high level of technical rigour, which in the normal course of assessment is then subject to numerous regulatory verification steps. Any shortcomings in the process of assessing and verifying a proposal in terms of its effects on aviation safety carries a level of risk that is

materially different from most land-use effects. The consequences could be highly significant and, if not appropriately avoided or mitigated through changes to the operating environment at CHC, could be catastrophic.

- 11 CIAL advises it is required to notify its global insurers under its aviation insurance cover of any potential change in the risk profile of its operations at CHC. Insurance is a core risk-management tool for airport operators, providing financial protection against residual operational risks that cannot be eliminated through design or operational controls. At this stage, and in the absence of a completed aeronautical study, any such notification could extend only to the existence of a potential or unquantified change in risk, as CIAL does not presently have sufficient information to assess the nature or extent of the aviation safety and operational risks associated with the Project. Potential consequences may include increased scrutiny by insurers, requests for further information or risk assessments, through to the imposition of additional policy conditions or exclusions, adjustments to premiums or deductibles, or, in some circumstances, constraints on the scope of cover available.
- 12 In addition, potential effects on aviation safety brought about by the Project may require changes to the way CIAL conducts its operations. If this were to be the case here, CIAL – not the Applicant – would likely have to accommodate any risk by way of operational constraints and the significant financial impacts that might follow. This is consistent with email correspondence⁹ between the Civil Aviation Authority (**CAA**) and Environmental Protection Agency (**EPA**), as below:

Hi Stephanie,

As part of the Fast Track consenting process for the proposed development at Ryans Road the CAA provided the following feedback to the Novo group and Carter Group on Monday 11th August 2025:

The proposed development at Ryans Road has potential to introduce hazards and associated risks which as yet have not been satisfactorily addressed by parties involved. If the safety concerns raised by the airport are not satisfactorily mitigated there is potential for the airport operator and/or CAA to place operational limitations on aircraft operating at Christchurch Airport and Garden City Helicopters Base of Operations.

- 13 The email above was sent to the Applicant's planning advisors over four months ago and yet satisfactory assessment of associated risks and potential constraints has still not occurred.

⁹ Email from Nick Jackson (Team Leader, Aeronautical Services, CAA) to Stephanie Bougen (EPA), 14 August 2025 at 3:07pm.

The role of CIAL in public safety

- 14 CIAL, Airways and the CAA perform distinct but complementary roles within New Zealand's aviation safety framework:
 - 14.1 CIAL, as the operator of CHC, is responsible for the safe operation of the aerodrome itself, including the protection of obstacle limitation surfaces, instrument flight procedures, and the operational environment in which aircraft safely arrive, depart, and manoeuvre.
 - 14.2 Airways is the national air navigation service provider, responsible for the integrity and resilience of the air navigation system at a national level.
 - 14.3 CAA is the independent statutory regulator responsible for civil aviation safety and security in New Zealand under the Civil Aviation Act 2023 (**CAAct**). The CAAct entrusts the CAA, and the Director of Civil Aviation, with system-wide functions including rule-making, certification, surveillance, and enforcement, exercised to give effect to New Zealand's international aviation obligations and to promote a safe and secure aviation system. The CAA's role is distinct from that of regulated aviation participants (like CIAL and Airways). It does not operate aircraft, provide aviation services, or pursue commercial objectives. Instead, it exercises specialist expertise and independent judgment to assess aviation safety risk and determine whether proposed activities or changes to the operating environment are compatible with acceptable safety margins. This institutional separation between regulator and operator underpins the integrity, objectivity, and lawfulness of aviation safety decision-making.
- 15 While their statutory functions differ, the entities exercise overlapping public safety responsibilities and are required to take a precautionary approach to managing any effects on aviation risk. Critically, the CAAct and Civil Aviation Rules (**CAR**) adopt an individual-accountability model: each participant is responsible for its own activities. CIAL cannot abdicate its responsibilities under CAR Part 139 to Airways, just as Airways, as an operator under the separate CAR Part 172, cannot assume responsibility for aerodrome-level safety on CIAL's behalf. Each must independently be satisfied its aviation safety management systems are not compromised, and the separate regulatory responsibilities it is subject to are discharged.

- 16 In this context, CIAL participates in this FTAA process not merely as an affected landowner or commercial entity, but in its capacity as an Aerodrome Operator within a highly regulated aviation system, directly accountable for aviation safety to the aviation regulator – the CAA and the Director of Civil Aviation. That is, under the regulatory framework, which includes the CAA Act and the CAR, CIAL is an entity entrusted with responsibility for the safe functioning of certified aviation infrastructure and required to exercise professional judgement in the public interest.
- 17 Those statutory responsibilities necessarily shape the manner in which CIAL engages in this process. CIAL must scrutinise and test proposals through a regulatory lens, because where risk is underestimated or inadequately addressed, it is CIAL that bears the regulatory, operational and safety consequences.

The new information is not an aeronautical study

- 18 To avoid doubt, the three reports describing themselves as “safeguarding assessments”, are not the *aeronautical study* (either on their own or in combination) CIAL says (and said in its original comments) is needed. While the information appears to include technical aviation-related modelling, it does not perform the same function, answer the same question, or satisfy the concerns identified in the CIAL comments.
- 19 The aeronautical study sought by CIAL would happen *before* conditions are formulated, inform *whether* approval should be given at all and thoroughly assess potential aviation risk, including cumulative and future effects. It would be single, integrated, system-focussed and framed around aviation-risk rather than land-use enablement. Instead, the Applicant has provided multiple reports, scoped individually, commissioned by the Applicant, based on desk-top exercises and none of which purport to answer (or are capable of answering) whether development should proceed and if so, to what extent. Even taken together, the multiple reports do not fulfil the role of a holistic, safety-focused aeronautical study.
- 20 An aeronautical study would also involve the aviation authorities whose systems could be impacted. It would be early, precautionary and consultative. That has not occurred here.

- 21 At a fundamental level, the Applicant's technical reports assume development is to proceed then model how it might be constrained to manage adverse impacts. In doing so, the reports do not answer the threshold question of whether development here is acceptable at all – which is precisely what an aeronautical study would be looking to answer.
- 22 To assist in understanding CIAL's concerns and the substantive impact, **Attachment 1** to this Memorandum comprises a tabulated summary of what an aeronautical study would do and why, compared to what the Applicant's material does. It accepts the "safeguarding reports" provide some technical modelling inputs but explains how they fail to provide the information needed by the Panel to make the evaluative conclusions required by s 85(3): namely, a clear articulation of residual aviation safety risk, any remaining areas of uncertainty, the likely consequences of residual risk and whether that residual risk is acceptable, given the potential for adverse public safety impacts and the national significance of the infrastructure affected.
- 23 **Attachment 2** provides three examples of what has been done previously to assess the risks to aviation safety, before adjoining development is undertaken. It is submitted the process undertaken by the Applicant here, contrasts starkly with what has and would usually be done.

Constraints on external parties

- 24 An illustration of how the Application has the potential to impose constraints on existing aviation operations is provided by its impacts on GCH. Notably, there is no evidence the Applicant consulted with GCH in preparing the Application and nor was GCH invited to comment on it, despite occupying land and operating critical aviation services immediately adjacent to the Application Site.

Context

- 25 By way of context, from 1986 GCH leased premises from CIAL at 515 Memorial Avenue. From around 2005, after the expiry of the initial term of that lease, master planning work undertaken by CIAL identified the Memorial Avenue location was no longer appropriate within CIAL's long term strategy for helicopter operations. CIAL began a lengthy process of identifying, and assessing the risk of, alternative sites for GCH's training, commercial and emergency response operations to be located. This included the commissioning of extensive aeronautical studies for potential alternative sites, engagement with GCH,

Airways, CIAL, Transit NZ (now NZTA), Canterbury District Health Board, NZ Police, St John's Ambulance Service and BP Oil. The entire process took a considerable amount of time and there was more than one study (per Attachment 2).

- 26 Consequent on the outputs from those studies, CIAL requested GCH to relocate from its leased Memorial Avenue premises to Harewood Aviation Park on the western side of CHC. This location was identified as appropriate by CIAL's master planning for general aviation and helicopter movements. GCH resisted relocation to that location. GCH was firmly of the view it was essential for GCH crew to be able to reach GCH's helipad as quickly as possible.
- 27 A period of extensive correspondence and negotiation over a number of years ensued. Eventually, a compromise was reached under which GCH relocated to its current premises at 73 Grays Road in October 2017. Two key factors in the selection of this location were:
- 27.1 The operational needs of GCH's rescue and emergency services, including the need for rapid access by crews from Christchurch City, in the absence of which CIAL would not have granted GCH a lease at Grays Road; and
- 27.2 The availability of open surroundings that provided unobstructed and unconflicted approach and departure paths, together with suitable areas for emergency landing operations.

Effects of the Application on GCH

- 28 The Navigatus Aviation Safeguarding Assessment (**Navigatus Report**) commissioned by the Applicant acknowledges the Project will block emergency landing space for the GCH heliport facility. While the Navigatus Report suggests operational adjustments by GCH may be capable of mitigating this risk¹⁰, it notes such operational adjustments may not always be available and therefore in those circumstances normal operations may be curtailed or not able to continue.
- 29 GCH has been made aware of the reports commissioned by the Applicant and has undertaken its own review of those reports. GCH has provided written comments to CIAL about its concerns with respect to the proposal and the

¹⁰ Section 7, Aviation Safeguarding Assessment, Navigatus Consulting, 2025

conclusions in the Navigatus Report. A copy of this correspondence is attached as **Attachment 3**.

- 30 The reason CIAL raises this is because it demonstrates how the Project has the potential to impose direct and significant constraints on existing GCH aviation operations, including interim – and potentially ongoing - curtailment of operations, and including time sensitive air rescue operations. The nature, duration and severity of any such curtailment cannot be ascertained without a comprehensive, properly scoped and independently reviewed aeronautical study. Accordingly, the potential adverse impacts and cost burdens of the Project, on GCH and others, are not known and therefore cannot be quantified, at this stage. It is clear this has raised considerable concern for GCH.
- 31 In response to the safety issue affecting GCH's operations, the Navigatus Report proposes an alternative 'back-up' mitigation approach, involving the creation of a 'controlled area' within the Application Site via conditions of consent¹¹. The Applicant proposes development within the controlled area would be precluded until an aeronautical study in accordance with Advisory Circular AC139-15 has been prepared, to, amongst other matters, *Determine acceptable building footprints, heights, and positions within the Controlled Area to ensure safe straight-ahead emergency landing capability*.
- 32 For the reasons set out at paragraphs 42 to 45 of this Memorandum, CIAL submits this "leave till later" approach is unacceptable in principle. It is too uncertain and an inappropriate delegation of power and would defer resolution of a threshold aviation safety issue, risk sterilising approved land and demonstrates tangibly why aviation safety cannot be addressed incrementally or contingently through conditions after approval.
- 33 CIAL is concerned this could also be the case for its own operations and for other aviation system participants at CHC. The safeguarding reports provided do not establish otherwise.

Project refinement and scope

- 34 The Applicant's response to aviation safety concerns has involved refinement of the Project, including the introduction of additional development constraints and revised conditions¹². This is because the safeguarding assessments now provided do not confirm acceptability of the Project as originally advanced. They

¹¹ Section 7.5 Suggested Conditions, Aviation Safeguarding Assessment, Navigatus Consulting, 2025

¹² Appendix 3: Ryans Road Industrial Development- Applicant Section 55 Response' prepared by Carter Group Limited

recommend material changes – for example, to building height, orientation, footprint and location.^{13, 14} The development configuration has been changed to rely on constrained development envelopes to remain within modelled tolerances.¹⁵

- 35 Those refinements have direct consequences for the nature and scale of development that may occur and the flexibility of future land use. They also introduce reliance on:
- 35.1 Future operational and technical mitigation, including adjustments to aviation operations¹⁶ and navigation equipment¹⁷, which were not part of the Project as referred; and
 - 35.2 Future owners of allotments within the subdivision (noting multiple small lots are proposed). This dilutes the ability for any controls and conditions to be meaningfully, effectively and efficiently enforced – even if objectively ascertainable enforcement standards can be created.
- 36 Under the FTAA, it is submitted refinements such as these – which “reduce” the proposal in an effort to also reduce its adverse effects - are not neutral in their implications. Unlike under the RMA, where iterative refinement through a consenting process is often anticipated, such changes necessarily alter the nature and extent of the development able to proceed and, in turn, the benefits originally relied upon to justify listing of the Project. Here, the economic assessment does not evaluate the proposal as refined in response to aviation safety concerns.
- 37 The FTAA regime is predicated on assessment of a defined project with clearly articulated benefits. It does not contemplate a moving target, nor the progressive reshaping or constraining of a proposal in ways that materially alter the balance of benefits and adverse effects after it has been referred to an expert panel for determination.
- 38 Where refinements materially change a project, the appropriate course is a fresh referral application so the Minister may assess whether the revised proposal

¹³ Sections 8.3.9, 8.5.7, 8.6 and 11.8, Aviation Safeguarding Assessment, Navigatus Consulting, 2025

¹⁴ Sections 6.5.28, Technical Safeguarding Assessment of Air Navigation Equipment, Cyrrus, 2025

¹⁵ Land Use Condition 6. Lot Specific Building Controls & Land Use Condition 7. Building Height, Appendix 3: Ryans Road Industrial Development- Applicant Section 55 Response' prepared by Carter Group Limited

¹⁶ Section 7.5, Aviation Safeguarding Assessment, Navigatus Consulting, 2025

¹⁷ Sections 8.3.13 and 9.4.10, Technical Safeguarding Assessment of Air Navigation Equipment, Cyrrus, 2025

continues to warrant fast-track treatment. CIAL submits the Project being advanced now:

- 38.1 Is not the same project as was listed, due to the cumulative effect of the adjustments made to-date; and
- 38.2 Would diverge even further from the listed project if the draft conditions now proposed incorporated all safeguarding recommendations^{18,19} (which they presently do not and in all likelihood cannot²⁰); and
- 38.3 Could diverge from the listed Project a lot further again, if an aeronautical study were undertaken and the Project (not its neighbours) had to absorb any additional constraints necessary to maintain the present level of aviation safety.

Draft conditions of consent

39 Paragraph 70 of the Applicant's covering Memorandum notes it has not engaged with CIAL or Airways as to revised conditions²¹. That is correct as far as it goes. To be completely accurate:

- 39.1 Toward the end of the suspension period, the Applicant engaged with CIAL regarding its draft Wildlife Hazard Management Plan. CIAL's response is attached as Attachment 4 to this Memorandum. On the first page of its response CIAL specifically requests consultation as to broader safety considerations:

CIAL provides the following comments in the context of its earlier submission, noting that its statutory responsibilities regarding the safe and efficient operation of nationally significant aviation infrastructure require a high level of assurance as to the adequacy of any risk management measures.

Holistic Consideration of Aviation Safety Matters

In its comments, CIAL identified a suite of interrelated aviation safety concerns associated with the Proposal. In addition to bird strike risk, these included impacts on:

- navigational and surveillance systems;
- helicopter operations;

¹⁸ Section 7.5, Aviation Safeguarding Assessment, Navigatus Consulting, 2025

¹⁹ Sections 8.3.13 and 9.4.10, Technical Safeguarding Assessment of Air Navigation Equipment, Cyrrus, 2025

²⁰ Noting CIAL has not been able to undertake an exhaustive check in the time available. For example, it has not had time to engage an aviation engineer to do a full review. These observations are, for the most part, applied through a planning lens.

²¹ https://www.fasttrack.govt.nz/_data/assets/pdf_file/0018/16317/FTAA-2504-1054-Carter-Group-Limited-section-55-Response28-November-2025.pdf at [70].

- protection surfaces (including the REPA);
- lighting;
- windshear and turbulence; and
- reverse sensitivity.

CIAL considers that the potential for increased bird activity and associated bird strike risk cannot be meaningfully assessed in isolation from other aviation safety matters.

CIAL remains concerned that the Applicant has not engaged with CIAL regarding these broader aviation safety matters following the suspension of the application, despite the close proximity of the Proposal to the airfield and runway thresholds, and it being partially within the REPA and protection surfaces. Under Part 139 of the Civil Aviation Rules CIAL, as holder of the aerodrome certificate for Christchurch Airport, is required to identify, assess, and mitigate risks to safe and efficient aerodrome operations, including risks created by off-aerodrome activities. Engagement with CIAL is therefore necessary to ensure the Proposal does not introduce unacceptable aviation-safety risks.

CIAL therefore requests that the Applicant engage constructively with CIAL on all aviation safety concerns before any further progression of the Proposal through the Fast Track process.

But, notwithstanding this,

39.2 The Applicant has not engaged with CIAL at all regarding the three “safeguarding assessments” - conditions or otherwise. CIAL is disappointed and astonished about this.

40 At paragraph 71 of its covering Memorandum the Applicant attempts to minimise the significance of this substantive deficiency by suggesting it is cured by the opportunity to comment on draft consent conditions later. Minute 6 also refers to this opportunity. In respect of this CIAL submits:

40.1 The Applicant’s explanation underscores the problem rather than curing it. Aviation safety is not a matter that can be addressed retrospectively through the wording of conditions of consent or resolved by refinement of conditions;

40.2 The issue raised by CIAL is not about whether particular conditions could be crafted to mitigate effects, but whether it was appropriate to enable development in this location at all (and, if so, to what extent) without a prior, holistic aeronautical safeguarding study undertaken with, and tested by, the relevant aviation authorities. That question is anterior to conditions;

- 40.3 The Applicant's suggestion that comments on draft conditions under Section 70 of the Act can resolve the fundamental deficiencies, materially understates and fundamentally misunderstands the issue. Section 70 offers a mechanism for refining conditions; it does not cure the failure to properly assess and engage on a matter that goes to the acceptability of the proposal itself;
- 40.4 While Section 70 does not prescribe how long parties will be given to comment on draft conditions, typically this has been a circa 10 working-day period, which is entirely too short for this significant and important issue to be addressed within; and
- 40.5 By choosing to complete modelling without engagement with CIAL and Airways, the Applicant has treated them as consultees on outcomes already reached, rather than as essential participants in the aviation system with each directly accountable for ensuring aviation safety.
- 41 As to Minute 6's request for CIAL to comment on the proposed conditions and otherwise suggest amended or further conditions, CIAL cannot responsibly do so in the absence of a comprehensive aeronautical study. To engage with conditions in the absence of an adequate evidential foundation would risk proceeding on untested assumptions the relevant safety issues are:
- 41.1 known and fully characterised;
- 41.2 capable of reliable quantification; and
- 41.3 able to be appropriately managed through conditions of consent.

Condition 6(a)(ii) and conditions precedent and/or delegation of key decisions generally

- 42 Finally in relation to conditions, CIAL notes proposed land use Condition 6(a)(ii)²², which provides:

Where any building or buildings are proposed that do not comply with the parameters in clause (i) of this condition, such buildings may only be constructed if a technical safeguarding assessment, undertaken by a suitably qualified and experienced professional, confirms that the effects on air navigation equipment will be of an acceptable standard, having regard to the findings of the Cyrrus Limited report titled 'Technical Safeguarding Assessment of Air Navigation Equipment, Ryans Road Industrial Development, Christchurch' dated 18 November 2025.

²² Condition 7B(C) is, for all intents and purposes, the same.

- 43 Proposed Condition 6(a)(ii) is not, strictly speaking, a condition precedent of the kind that would prevent *any* development until further assessment is undertaken. The Applicant proposes development that complies with the specified parameters could proceed without further aviation assessment, with the Condition only engaging if alternative development is later proposed on the affected lots. However, the Condition nevertheless suffers from the same underlying defect a more general and broad condition precedent, would.
- 44 Proposed Condition 6(a)(ii) proceeds on the assumption the fundamental question of aviation safety acceptability can be deferred and addressed incrementally, through future technical assessments, rather than resolved upfront. In substance, it assumes development is acceptable in principle and leaves it to a later process to determine whether particular forms of development are “acceptable” from an aviation safety perspective, without any overarching safeguarding judgement having first been made.
- 45 The approach underlying the proposed Condition (and any other condition-precedent that might be contemplated) is problematic, including because:
- 45.1 Aviation safety is not a matter of implementation detail. It is a foundational issue;
- 45.2 This approach impermissibly postpones the resolution of matters that go to the heart of the proposal’s acceptability; and, in doing so
- 45.3 The approach embeds uncertainty into the consent as to whether development is acceptable at all and if it is, to what extent, on what terms and at what cost to CIAL (and others); and
- 45.4 It is not an approach that is legally available here²³.

Aviation safety cannot be compromised by an expedited process

- 46 The Applicant says it did not have time to do both the technical modelling it has now provided and consult with CIAL and Airways²⁴. The Applicant does not suggest CIAL or Airways’ input would not be appropriate – simply that it ran out of time to get that input. The Applicant’s explanation materially understates and downplays the importance of meaningful engagement with CIAL on this critical

²³ *Director-General of Conservation v Marlborough District Council* (2005) 11 ELRNZ 15 (High Court) at [27] to [29] and [31].

²⁴ https://www.fasttrack.govt.nz/_data/assets/pdf_file/0018/16317/FTAA-2504-1054-Carter-Group-Limited-section-55-Response-28-November-2025.pdf at [70].

issue. It serves to suggest a fundamental misunderstanding on the Applicant's part as to the connection between the unique, highly specialised and demanding nature of aviation safety assessments and the criticality of substantive engagement with CIAL and Airways in doing so. In CIAL's submission:

46.1 The issue of aviation safety demands a level of rigour that cannot be diluted to accommodate an expedited statutory approvals pathway. Where the required analysis cannot be completed to an appropriate standard in the time available, the appropriate response is not to proceed anyway, but to recognise the proposal is fatally flawed and not ready for approval;

46.2 The FTAA is designed to accelerate decision-making on applications where the necessary analysis has been undertaken before the application finds its way to an expert panel for determination. The efficacy and credibility of the FTAA regime relies on this. CIAL submits the FTAA does not signal any intention to relax the standard of scrutiny or acceptability for foundational issues, such as aviation safety, or for potentially significant impacts on nationally significant and critical infrastructure;

46.3 If, as the Applicant claims, the technical modelling required to responsibly evaluate aviation risk was so *complex and time-intensive*²⁵ that it could not be completed, tested, and discussed with CIAL before filing, that is because:

- (a) The substantive Application was never ready to be lodged under the FTAA to begin with – this work should have been done beforehand; and/or
- (b) The Application and the significance of its potential adverse impacts means it is fundamentally ill-suited to determination under the FTAA regime.

47 In conclusion, CIAL is not taking a procedural or obstructive position in response to Minute 6. The difficulty is, in the absence of a comprehensive aeronautical safeguarding study, CIAL cannot provide meaningful or reliable input without proceeding on assumptions that have not been established. CIAL's position is therefore driven by professional responsibility enshrined in a framework

²⁵ Memorandum of Counsel for Carter Group Ltd (28 November 2025) at [70].

designed to promote a safe and secure civil aviation system and public safety considerations, not by process.

DATED this 18th day of December 2025



A C Limmer KC
Counsel for Christchurch International Airport Limited

Attachment 1: Aeronautical Studies

Aeronautical studies are undertaken within the civil aviation regulatory framework to assess whether a proposed development or change to the operating environment may adversely affect the safe, orderly, and efficient operation of an aerodrome and its associated airspace. They are required where a proposal has the potential to introduce new obstacles, alter aircraft or helicopter flight paths, interfere with aviation services, or otherwise change the operational risk profile of the aerodrome. The study identifies credible hazards, assesses the likelihood and severity of potential consequences, and evaluates whether risks can be avoided or reduced to an acceptable level through design changes, operational controls, or other mitigation measures.

Consultation with affected aviation stakeholders is an essential element of this assessment. Aerodrome operators, air traffic service providers, aircraft and helicopter operators, and other airspace users each hold specific operational knowledge relevant to the identification and assessment of risk. Consultation enables the aeronautical study to account for actual operating practices, traffic management arrangements, pilot workload, aircraft performance limits, emergency procedures, and variations in day-to-day operations that are not captured by geometry or modelling alone. Without such consultation, the study risks overlooking material operational interactions or underestimating cumulative or systemic risk.

The consultation process also informs the evaluation of mitigation and residual risk. Proposed mitigation measures must be assessed against how operations are conducted in practice, including whether they are workable, enforceable, and effective in maintaining required safety margins. Engagement with relevant stakeholders therefore supports reasoned conclusions as to whether the proposed development can proceed without compromising aviation safety and provides a sound evidential basis for regulatory decision-making under the civil aviation framework.

There is no prescribed timeframe for the preparation of an aeronautical study under ICAO or Civil Aviation Rule Part 77. In practice, studies routinely take from several weeks to years depending on complexity, risk profile, and the extent of consultation required, reflecting the safety-critical nature of the assessment.

Expected Process for an Aeronautical Study

Given the scale, complexity, and location of the Project, an aeronautical study of the kind sought by CIAL would ordinarily be expected to include the following steps:

1. Early pre-engagement with key potentially affected aviation stakeholders to discuss scope, expectations, and governance. This would include, at a minimum, the Civil Aviation Authority (CAA), Christchurch International Airport Limited (CIAL), Airways New Zealand, Aeropath, Air New Zealand, the Board of Airline Representatives of New Zealand (BARNZ), and Garden City Helicopters.
2. Preliminary analysis, including process-mapping of the Project, identification of key aviation interfaces, and identification of any gaps in existing information or previous assessments.
3. Regulatory compliance assessment, to identify relevant regulatory requirements, align these with the preliminary analysis, and determine whether further work is required to meet those requirements.
4. Aviation operational analysis, including identification of current aerodrome operations and interactions, consideration of any planned changes to aviation operations relevant to the Project, and confirmation of which aviation system participants need to be involved.
5. Risk assessment, involving structured identification of hazards, risks, and controls, supported by meetings and workshops with stakeholders to test assumptions and explore mitigation options. Depending on the complexity of the risks identified, this stage may require multiple workshops. A site visit would ordinarily form part of this assessment.
6. Scenario analysis, following agreement on hazards and risks, to consider credible operational scenarios, proposed controls, and required actions.
7. Preparation of a consolidated draft report, provided to stakeholders for review and comment.
8. Review and incorporation of stakeholder feedback.
9. Independent peer review of the revised document.
10. Issuing of a final report, typically accompanied by a presentation to stakeholders.

What is Missing from the Applicant's Material

A number of fundamental process and substantive steps have not been undertaken by the Applicant to date. This is set out in **Table 1** below.

Attachment 2 then provides a summary of the steps taken in three recent aeronautical studies, by way of example and contrast.

Table 1: Mapping Against the Recognised Aeronautical Study Process

Aeronautical Study Element (Benchmark)	What a Proper Aeronautical Study Requires	What the Applicant's Material Provides	What is Missing from the Applicant's Material	Why This Is An Issue
Consultation, Engagement, and Consensus-Building	Iterative consultation with aerodrome operator, air traffic safety provider and operators, including workshops, is integral to systematic hazard identification, risk analysis, and the testing of assumptions.	No structured consultation has been undertaken.	No structured consultation has been undertaken.	Absence of collaborative and iterative consultation with the affected stakeholders undermines reliability of the report conclusions and is a fatal flaw in the validity of the hazard identification, risk analysis and risk acceptability assessments.

Aeronautical Study Element (Benchmark)	What a Proper Aeronautical Study Requires	What the Applicant's Material Provides	What is Missing from the Applicant's Material	Why This Is An Issue
	<p>Consultation is a core component of an aeronautical study. It is not merely procedural, but is integral to systematic hazard identification, risk analysis, and the testing of assumptions. An aeronautical study typically involves a series of meetings or workshops with affected stakeholders, with the objective of reaching a degree of consensus on risk identification and risk acceptability.</p>			
Governance and Leadership	<p>Study led by or undertaken in partnership with the aerodrome operator reflecting statutory responsibilities under aviation legislation.</p>	<p>Assessments commissioned solely by the Applicant.</p>	<p>Early ongoing engagement with key stakeholders to inform the scope, methodology, or governance of the work.</p> <p>Formation, in partnership with the aerodrome operator, of a formal risk management team, governance structure, and agreed scope for an aeronautical study. By way of comparison, when CIAL undertook preparatory work for an aeronautical study relating to a proposed solar farm, it commenced engagement with parties including the CAA, Airways New Zealand, Aeropath, Air New Zealand and BARNZ several months before the aeronautical study itself was prepared.</p>	<p>These deficiencies mean the material provided does not have standing as the aeronautical study requested by CIAL in its comments on the Application. The work has proceeded from incorrect foundations.</p>
Trigger & Problem Definition	<p>Clear identification of why an aeronautical study is required and the safety issues to be assessed.</p>	<p>Assessments address discrete technical issues only.</p>	<p>An agreed trigger or unified problem definition.</p>	<p>Without a defined trigger, the work does not frame the comprehensive safety question an aeronautical study must answer.</p>
Baseline Operating Environment	<p>Clear documented description of the existing aviation safety environment, including the built environment and operations, and safety margins.</p>	<p>General descriptions of the Airport and its operations.</p>	<p>Documentation of the baseline risk position relied on by CIAL as the aerodrome operator.</p> <p>Assessment of existing safety margins, current operational practices and emergency planning assumptions, relevant incident history, or how the current operating environment is managed within the aerodrome's Safety Management System.</p> <p>Assessment of how existing objects and structures already affect the performance of navigation infrastructure.</p>	<p>Without an accurately defined baseline, effects on the aerodrome operations, built environment and navigation infrastructure, including cumulative effects, cannot be assessed.</p>
Hazard Identification	<p>Structured and systematic identification of hazards across the aviation system using a consolidated hazard log and informed by stakeholder input, operational experience and previous incidents or comparable cases.</p>	<p>Hazards addressed in isolation across multiple reports.</p>	<p>A formal hazard log that addresses the hazards within a single, integrated hazard register and informed by the specific Christchurch Airport aviation context including stakeholder input, operational experience, previous incidents and comparable cases.</p>	<p>Fragmentation prevents understanding of interacting or compounding risks. Failure to engage with airport specific context and stakeholders prevents complete robust identification of hazards. Without a sufficient hazard identification process, the risk assessment cannot be reliably completed.</p>
Risk Assessment	<p>Explicit classification of likelihood and severity using a traceable risk matrix</p>	<p>Qualitative descriptors such as "minor", "acceptable", or "manageable" without defined severity or likelihood ratings.</p>	<p>Defined severity or likelihood ratings.</p>	<p>Prevents transparent assessment of risk acceptability and prevents objective testing of risks against accepted aviation risk tolerability standards.</p>
Evaluation of Risk Acceptability	<p>Clear determination of whether risks are acceptable, tolerable, or unacceptable following an effects management hierarchy of avoidance, design-based mitigation and then changes to operational behaviour.</p>	<p>Unclear risk assessments that do not follow an established effects management hierarchy.</p>	<p>Adherence to a documented mitigation hierarchy process and justification for reliance on operational controls.</p>	<p>Falls short of aviation risk tolerance standards. Reliance on operational controls to manage the effects of land -use cumulatively impacts the operations critical airport infrastructure.</p>

Aeronautical Study Element (Benchmark)	What a Proper Aeronautical Study Requires	What the Applicant's Material Provides	What is Missing from the Applicant's Material	Why This Is An Issue
				<p>There is limited justification as to why more conservative land-use controls were not reasonably practicable, which is inconsistent with the risk management hierarchy.</p> <p>In aviation, much of the risk is involuntary. As a result, a high threshold applies before residual risk can be accepted where it depends on behavioural or procedural mitigation. It is not evident that this threshold has been met.</p>
Integrated Safety Case	A consolidated safety case linking claims, argument, and evidence.	Evidence and conclusions dispersed across multiple reports.	An integrated safety case with a consolidated hazard log, clear statement of residual risk arising from the proposal, and articulation of who would bear that residual risk and why it is acceptable.	<p>Lacks a coherent evidential chain for understanding the risks, including cumulative risks, and assessing whether risks are adequately controlled and justified.</p> <p>As a result, there is insufficient information to understand the aviation safety risks posed by the proposal, and therefore insufficient information to weigh costs and benefits as required under section 85 of the Fast-track Approvals Act.</p>

Conclusion

When assessed against the recognised aeronautical study process under ICAO and CAA guidance, the Applicant's material does not meet the substantive or procedural characteristics of an aeronautical study. It lacks a defined baseline, system-wide hazard identification, structured risk classification, stakeholder consultation, and an integrated safety case. Accordingly, the assessments provided cannot be treated as equivalent to the aeronautical study sought by CIAL and cannot be relied on for decision-making.

Attachment 2: Examples of the Recognised Aeronautical Study Process

Project Descriptor	Stakeholders Consulted	Process	Timeframe	Total Duration	
Establishment of solar farm adjacent to airfield	<ul style="list-style-type: none"> - Civil Aviation Authority (CAA) - Airways NZ - Aeropath - Board Of Airline Representatives of New Zealand (BARNZ) - Helicopter operators x2 - Flight school operator - Aero Club - MetService - Airlines x2 - New Zealand Airline Pilots Association (NZALPA) - CIAL 	1.	Instruction to aeronautical consultancy to carry out an initial Aviation Effects and Approvals Assessment. This included pre-engagement with CAA, Airways NZ, Aeropath, Air NZ and BARNZ.	From May 2022	2 Years
		2.	Preliminary baseline assessment and review of existing work. Process map of project.	February – August 2023	
		3.	Desktop study, including literature review, examples of solar farms at other relevant aerodromes etc.		
		4.	Meetings with stakeholders to identify potential hazards, including meetings with representatives of the following organisations: <ul style="list-style-type: none"> - Airways x6 - Helicopter Operators x2 - Flight school operator/ Aero Club x2 - MetService x3 		
		5.	Workshop with stakeholders to identify, test and discuss risks and mitigations. Representatives at the workshop included: Airways, Airlines, MetService, CIAL, Board of Airline Representatives New Zealand (BARNZ) and the flight school operator.		
		6.	Structured identification of hazards across the aviation system using a consolidated hazard log.		
		7.	Explicit classification of likelihood and severity using a traceable risk matrix.		
		8.	Further meetings with stakeholders.		
		9.	Risk Acceptability analysis		
		10.	Provide draft report to stakeholders for feedback		
		11.	Review and incorporate feedback from draft report		
		12.	Independent peer review		
		13.	Final report issued, including presentation to stakeholders		
		14.	Additional work carried out based on findings, with further changes to solar farm design agreed to.	September 2023-May 2024	
Establishment of electrical substation adjacent to heliport	<ul style="list-style-type: none"> - CIAL - Helicopter Operators 	1.	Expert aviation consultant jointly engaged by both CIAL and Helicopter Operator to undertake study	October 2024 -January 2025	4 Months
		2.	Preliminary baseline assessment		
		3.	Stakeholder workshop to identify hazards.		
		4.	Hazard identification		
		5.	Explicit classification of likelihood and severity using risk matrix		
		6.	Draft report provided to stakeholders for review and feedback		
		7.	Report finalised based on feedback		
Relocation of heliport	<ul style="list-style-type: none"> - CIAL - Helicopter operator - Airways - Transit NZ (now NZTA) - Canterbury District Health Board - NZ Police - St John's Ambulance Service - Fuel Suppliers 	1.	A number of studies were undertaken between circa 2005 – 2014 to find a suitable relation of the GCH heliport.	Circa 2005-2014	9 Years
		2.	Preliminary baseline assessment, including desktop study and review of previous assessments		

		3	Hazard identification through desktop study		
		4.	Input from stakeholders for hazard identification		
		5.	Risk analysis using risk matrix		
		6.	Workshop with stakeholders on validity and acceptability of risk		
		7.	Report updated and finalised based on workshop		

Attachment 3 – GCH feedback 17 December 2025



Formal Aviation Safety Submission

Objection to Proposed Ryans Road Development (104 Ryans Road, Christchurch)

Alignment with NASF Guideline H – Protecting Strategically Important Helicopter Landing Sites

Submitted by:

GCH Aviation Limited

24/7 HEMS Operator & Helicopter Flight Training Provider

To:

- Christchurch International Airport Limited (CIAL)
- Christchurch City Council
- Fast-Track Approvals Panel

Date: 17/12/2025

1. Purpose of Submission

This submission formally opposes the proposed Ryans Road development on aviation safety and safeguarding grounds, with specific reference to rotary-wing operations and NASF Guideline H – Protecting Strategically Important Helicopter Landing Sites.

While NASF is an Australian framework, it is expressly referenced by the New Zealand Airports Association Airport Master Planning Good Practice Guide as appropriate guidance where New Zealand-specific provisions are limited or absent. NASF Guideline H is therefore highly relevant to the assessment of land-use compatibility adjacent to the Garden City Helicopters (GCHA) heliport at Christchurch International Airport.

2. Strategic Importance of the GCHA Helicopter Landing Site

2.1 Role and Function

Garden City Helicopters (GCHA) is a strategically important helicopter landing site in the context of NASF Guideline H. It supports:

- 24/7 emergency medical and rescue helicopter operations (HEMS) serving the northern South Island;
- Single-engine helicopter training under Part 91, including low-experience pilots;
- Refuelling and operational staging for the Otago-based HEMS provider (Heli-Otago);
- Operations conducted in night, adverse weather, and time-critical environments.

These characteristics place GCHA squarely within the class of helicopter landing sites that NASF Guideline H seeks to protect from incompatible development.

2.2 Intensity of Use

Operational data confirms that the exact land area proposed for the Ryans Road development lies directly beneath a routinely used helicopter flight path associated with the Garden City Helicopters (GCHA) heliport.

For the 12-month period 16 December 2024 to 16 December 2025:

- 1,144 helicopter movements transited directly over the exact footprint of the proposed development site, not merely in its vicinity.
 - 995 movements were conducted by GCHA, including training, operational, and emergency service flights;
 - 149 movements were conducted by Heli-Otago, utilising the GCHA facility as a refuelling, staging, and operational stop.

- In addition, approximately 200 further helicopter movements were recorded in the immediate area south of the GCHA FATO, including manoeuvring, circuit, arrival, and departure activity closely associated with the same flight environment.

Beyond the operators specifically identified above, the GCHA facility is also used by other itinerant and ad-hoc helicopter traffic, including but not limited to:

- Inter-regional helicopter operators transiting through Christchurch;
- Commercial and private helicopters utilising GCHA for refuelling, weather avoidance, or operational staging;
- Emergency and contingency diversions where GCHA provides the most suitable helicopter landing site within the Christchurch control zone.

Accordingly, the helicopter activity associated with the site is not limited to a closed or predictable user group, nor confined to a single operator or mission profile. The proposed development site is therefore exposed to frequent, diverse, and operationally critical low-level helicopter traffic, including aircraft operating under emergency conditions, at night, and in adverse weather.

This data demonstrates that the proposed development site is not peripheral to helicopter operations, but is instead located within a core, established, and heavily utilised helicopter operating area, directly beneath routine approach and departure tracks serving a strategically important helicopter landing site.

3. NASF Guideline H – Key Principles

NASF Guideline H seeks to:

- Protect helicopter landing sites of strategic importance;
- Avoid incompatible development in proximity to helicopter approach and departure paths;
- Preserve emergency and autorotative landing opportunities;
- Minimise risk to people and property on the ground;
- Avoid future reverse sensitivity conflicts that may constrain helicopter operations.

Critically, Guideline H emphasises land-use planning as the primary safety control, rather than reliance on operational or procedural mitigations.

4. Assessment of the Proposal Against NASF Guideline H

4.1 Loss of Emergency and Autorotative Landing Areas

(Non-compliance with Guideline H intent)

The Navigatus Aviation Safeguarding Assessment confirms that the proposed development will:

- Remove the preferred straight-ahead emergency landing option for helicopters approaching GCHA from the south;
- Require pilots, particularly in single-engine helicopters, to adopt alternative operational strategies to manage this risk.

Source: Appendix-19-Navigatus-Ryans-Road Industrial Development-Aviation Safeguarding-Assessment.

NASF Guideline H specifically discourages development that compromises forced-landing survivability for helicopters. Emergency landing capability is a foundational safety principle for rotorcraft operations, particularly in:

- Single engine aircraft;
- Training environments;
- Emergency medical services.

The proposal directly conflicts with this principle by replacing open land with buildings, roads, vehicles, and people, thereby increasing consequence severity in the event of engine failure.

4.2 Reliance on Pilot Operational Mitigation

(Contrary to Guideline H)

The applicant's consultants repeatedly suggest that risks can be mitigated by:

- Steeper or modified approach profiles;
- Alternative routing;
- Pilot procedural adjustments.
-

NASF Guideline H explicitly recognises that operational mitigations are not an acceptable substitute for appropriate land-use separation where strategically important helicopter sites are concerned. Requiring pilots to compensate for land-use decisions represents a risk transfer, not risk mitigation, and is inconsistent with Guideline H's preventative intent.

4.3 Downwash and Public Safety Risk

(Incompatible development under Guideline H)

The Navigatus report identifies helicopter downwash hazards over parts of the development site, requiring design and health-and-safety controls.

Source: Appendix-19-Navigatus-Ryans-Road-Industrial-Development-Aviation-Safeguarding-Assessment.

NASF Guideline H highlights the need to:

- Protect people and property from rotor downwash and outwash effects.
- Avoid placing populated or intensive land uses beneath low-level helicopter operations.

Downwash hazards cannot be reliably managed through consent conditions or site-specific controls during emergency and night operations. Guideline H therefore supports avoidance of such land use, not post-construction mitigation.

4.4 Reverse Sensitivity and Noise Conflict

(Failure to protect long-term operability)

The southern end of Christchurch International Airport already experiences documented noise sensitivity, including complaints from existing rural properties.

The proposed development introduces:

- A new population exposed to frequent low-level helicopter noise, including night operations;
- A high likelihood of future reverse-sensitivity pressure on emergency helicopter services.

NASF Guideline H explicitly warns against developments that may appear compatible at consent stage but later generate pressure to constrain helicopter operations, particularly emergency services.

While the L+R Airport Consulting report concludes noise effects are manageable through planning controls, this position is inconsistent with the long-term safeguarding objectives of Guideline H.

Source: Appendix-17-LR-Airport-Consulting, -Chch-International-Airport-Safeguarding-Assessment.

4.5 Over-reliance on Fixed-Wing Safeguarding Frameworks

(Misalignment with Guideline H)

The Cyrrus and L+R assessments focus appropriately on:

- ILS, DVOR, radar, and CNS protection;
- Obstacle Limitation Surfaces;
- Building-induced wind effects relative to runways.

Cyrrus concludes impacts are acceptable provided development remains within modelled parameters.

Source: Appendix-18-Cyrrus-Technical-Safeguarding-Assessment.

However, NASF Guideline H recognises that helicopter risk profiles differ fundamentally from fixed-wing operations, particularly with respect to:

- Low-level flight;
- Forced landing survivability;
- Proximity to people and structures.

Compliance with fixed-wing safeguarding criteria does not equate to compliance with Guideline H.

5. Precedent and Cumulative Risk

Approval of this proposal would establish a precedent for:

- Intensification adjacent to a strategically important helicopter landing site;
- Incremental erosion of safety margins through cumulative “acceptable” risks;
- Increased likelihood of future operational constraints being imposed on GCHA and HEMS services.

NASF Guideline H is expressly intended to prevent such outcomes through early, precautionary land-use decisions.

6. Conclusion

When assessed against NASF Guideline H – Protecting Strategically Important Helicopter Landing Sites, the proposed Ryans Road development is not compatible with the safe, efficient, and sustainable operation of Garden City Helicopters.

In summary, the proposal:

1. Compromises emergency and autorotative landing capability;
2. Transfers land-use risk to pilots and emergency responders;
3. Introduces downwash and third-party safety hazards;
4. Exacerbates reverse-sensitivity and noise conflict;
5. Applies fixed-wing safeguarding logic where helicopter-specific protection is required.

NASF Guideline H supports avoidance of such development, not mitigation through operational or procedural means.

Accordingly, this submission opposes approval of the proposed development in its current form and location.

Attachment 4 – CIAL initial response 21 November 2025

21 November 2025

Carter Group Limited
c/o Novo Group

Email: [REDACTED]

Copy to: [REDACTED]
[REDACTED]

RE: Ryan's Road Industrial Development Substantive Fast-Track Application - Christchurch International Airport Limited Initial Comments on draft Wildlife Hazard Management Plan and Aviation Safety Matters

Christchurch International Airport Limited ("CIAL") acknowledges receipt of the draft Wildlife Hazard Management Plan ("draft WHMP") prepared for the Carter Group ("Applicant")'s proposed Ryan's Road Industrial Development ("the Proposal").

CIAL provides the following comments in the context of its earlier submission, noting that its statutory responsibilities regarding the safe and efficient operation of nationally significant aviation infrastructure require a high level of assurance as to the adequacy of any risk management measures.

Holistic Consideration of Aviation Safety Matters

In its comments, CIAL identified a suite of interrelated aviation safety concerns associated with the Proposal. In addition to bird strike risk, these included impacts on:

- navigational and surveillance systems;
- helicopter operations;
- protection surfaces (including the REPA);
- lighting;
- windshear and turbulence; and
- reverse sensitivity.

CIAL considers that the potential for increased bird activity and associated bird strike risk cannot be meaningfully assessed in isolation from other aviation safety matters.

CIAL remains concerned that the Applicant has not engaged with CIAL regarding these broader aviation safety matters following the suspension of the application, despite the close proximity of the Proposal to the airfield and runway thresholds, and it being partially within the REPA and protection surfaces. Under Part 139 of the Civil Aviation Rules CIAL, as holder of the aerodrome certificate for Christchurch Airport, is required to identify, assess, and mitigate risks to safe and efficient aerodrome operations, including risks created by off-aerodrome activities. Engagement with CIAL is therefore necessary to ensure the Proposal does not introduce unacceptable aviation-safety risks.

CIAL therefore requests that the Applicant engage constructively with CIAL on all aviation safety concerns before any further progression of the Proposal through the Fast Track process.

Comments on the WHMP

CIAL acknowledges the Applicant's effort in preparing a draft WHMP. However, based on the limited time available for review and the preliminary review undertaken, CIAL remains concerned that the WHMP does not sufficiently address the risks of bird attraction and bird strike during both construction and ongoing operations at the site. Many measures rely on future owners and occupiers, whose awareness of aviation risks cannot be assumed.

CIAL considers that the inclusion of detailed, enforceable consent conditions are essential to:

- mandate implementation of key WHMP actions;
- ensure adequate monitoring, reporting, and escalation procedures;
- ensure obligations bind future owners, tenants, and operators; and
- maintain aviation safety in a high-risk environment.

Without sighting updated proposed consent conditions to accompany the WHMP, CIAL cannot support the Applicants proposed approach to bird strike risk.

WHMP Initial Review

CIAL has commissioned Avisure to assist it with its review the WHMP. Given the short period of time to review the draft WHMP, the comments below are preliminary.

Section 1.1 – Predicted Reduction in Bird Activity

The WHMP claims an overall reduction in bird numbers post-development compared to current activity. However, this is unverified and does not account for the potentially increased prevalence of extreme and high-risk species, including rock pigeons, southern black-backed gulls, spur-winged plovers, and swamp harriers, which the draft WHMP notes may be favoured by the development of industrial buildings. Any predicted overall reduction in bird numbers therefore does not necessarily equate to a reduction in bird strike risk.

Section 2.0 – REPA Focus

The WHMP’s emphasis on the REPA understates the broader risk. The entire site lies within the 3 km Bird Strike Management Area, where increases in bird attractants can materially increase strike risk as birds transit through aircraft flight paths.

Section 3.3.2 – Species Risk Classification

The WHMP identifies only spur-winged plover as a medium-risk species, despite Table 4 identifying them as high-risk. House sparrows, yellowhammers, and little owls are identified as medium-risk species yet omitted from relevant management provisions.

Table 6 – Passive Management

Table 6 lacks specificity and does not:

- identify enforceable building design requirements to prevent the attraction of nesting/roosting birds;
- provide remedial measures where initial mitigation proves ineffective;
- detail how private planting will be managed post-development, including how restrictions on what owners and tenants can plant will be enforced over time or how ongoing maintenance requirements will be enforced; or
- specify an approved species list to ensure low-attractance landscaping.

Given the multiple future operators likely on site, the omission of enforceable controls poses a material risk. Again, suitable conditions of consent should be specified to address these matters.

Section 6.2 – Determination of “Significant Number”

Defines a significant number for extreme to high-risk species as “any occurrence where bird activity poses an elevated strike risk or exceeds normal site averages observed during routine monitoring.” No detail is provided on how this number will be determined, nor if it will be appropriate for managing the bird strike risk.

Section 6.3 – Management of Medium Risk Species

Medium-risk species listed in Table 4 (house sparrows, yellowhammers, little owls) are not addressed in active management measures, creating a gap in risk coverage.

Table 7 – Active Management Measures

Several of the active management options specified in the table are unlikely to be viable in an industrial setting. For instance, the use of firearms or pyrotechnics and live shot is unlikely to be acceptable. Likewise, lasers and noise devices may be unworkable. The use of alphachlorolose in a built-up area may also be problematic.

Section 7.4 – Escalation Procedures

The draft WHMP lists escalation triggers but does not provide:

- quantitative thresholds for “elevated activity”; or
- mandatory response timeframes.

Section 7.5 – Monitoring Requirements

Minimum monitoring frequency, time-of-day requirements, and data-collection standards are not proposed. These should be set out in enforceable conditions.

Section 8.1 – WHMP Review

Indicates a review of the WHMP when monitoring shows an increased presence of extreme to high-risk species. This assumes that the baseline numbers are at acceptable levels which may not necessarily be the case.

The following is not mentioned or inadequately addressed in the WHMP:

- key performance indicators;
- acceptable skills and experience for people effecting the WHMP;
- detailed Standard Operating Procedures for people engaged in the WHMP;
- detailed communication protocols, especially with CIAL. For instance, poorly considered active dispersal of birds from the site could inadvertently increase the risk airside and procedures for communicating with CIAL staff should be detailed; and
- bird count and bird dispersal forms.

In summary, CIAL considers that the draft WHMP does not provide a sufficiently detailed or robust framework for managing bird strike risk.

Appropriate Consent Conditions

CIAL has not been provided with updated conditions of consent in relation to the WHMP.

It expects that conditions will be required to:

- ensure implementation, monitoring and review of the WHMP;
- incorporate key WHMP management actions to ensure their ongoing enforceability; and
- bind future owners and occupiers of the numerous proposed individual lots.

CIAL requests Carter Group update the proposed set of consent conditions accordingly and would welcome the opportunity to review these once provided.

Conclusion

Christchurch Airport is nationally significant infrastructure, and its safe and efficient operation is essential to regional and national connectivity and economic wellbeing.

Based on the information provided, CIAL remains concerned that the Application does not adequately manage the risk of bird strike from the proposal. The draft WHMP requires further refinement, and key management measures must be secured through enforceable consent

conditions. Until that occurs—and until the broader aviation safety matters raised in CIAL’s comments are resolved—CIAL cannot support the Proposal.

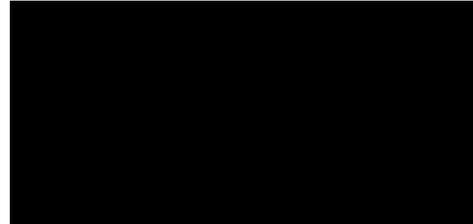
CIAL remains open to constructive engagement and would welcome further discussion on these matters.

Yours sincerely,



Michael Singleton

Chief Strategy & Stakeholder Officer



Jesse Aimer

Senior Environment and Planning Advisor