

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

**ENV-2018-AKL-000078**

**IN THE MATTER** of the Resource Management  
Act 1991 (**RMA**)

**AND**

**IN THE MATTER** of the direct referral of  
applications for resource  
consent for the necessary  
infrastructure and related  
activities associated with  
holding the America's Cup in  
Auckland

**BETWEEN** **PANUKU DEVELOPMENT  
AUCKLAND**

**Applicant**

**AND** **AUCKLAND COUNCIL**

**Regulatory Authority**

---

**REBUTTAL EVIDENCE OF RUSSELL LENARD HAMILTON GREEN ON BEHALF OF  
PANUKU DEVELOPMENT AUCKLAND  
(EMIRATES TEAM NEW ZEALAND)**

**4 September 2018**

---

## INTRODUCTION

1.1 My full name is Russell Lenard Hamilton Green. I have prepared a primary statement of evidence dated 7 August 2018<sup>1</sup> on behalf of Panuku (**EIC**). I also prepared a statement of evidence on behalf of ETNZ and America's Cup Event Limited (section 274 parties) dated 21 August 2018<sup>2</sup>.

## 2. SCOPE OF EVIDENCE

2.1 I have reviewed the non-expert evidence in chief of the following witnesses:

- a) Coralie van Camp dated 10 August 2018<sup>3</sup>; and
- b) Frances Stead dated 20 August 2018<sup>4</sup>.

2.2 In this statement of rebuttal evidence, I address the matter raised by both parties questioning the requirement for the Hobson Wharf Extension and Base B.

## 3. REQUIREMENT FOR THE HOBSON WHARF EXTENSION AND BASE B

3.1 As outlined in my EIC, Emirates Team New Zealand (**ETNZ**) and I are of the view all six challenger bases (3 double and 3 single, or a similar configuration) are necessary to host the 36<sup>th</sup> America's Cup Event (**AC36**)<sup>5</sup>. Therefore, the Hobson Wharf extension and base is essential.

3.2 The evidence of both Coralie van Camp and Frances Stead question the necessity for the Hobson Wharf extension and Base B, and suggest Hobson Wharf should only be used once the three other bases (E – G) have been assigned to challengers. Ms van Camp's evidence notes that there are only three challengers currently signed up for the event, and states that she "*cannot see any reason why the Hobson Wharf extension cannot be moved to last on the list for construction when challengers five and/or six sign up*"<sup>6</sup>. Ms Stead raises similar concerns that only having three challengers negates the

---

1 EB Vol 1, E3.

2 EB Vol 3, E58.

3 EB Vol 3, E52.

4 EB Vol 3, E53.

5 EB Vol 1, E3, page 050, para 5.1.

6 EB Vol 3, E52, page 1899.

need for the Hobson Wharf base, and that there is ample space for the challengers on Wynyard Point alone.

- 3.3** In the evidence in chief of Mr Kurt Grant<sup>7</sup> he explains that the construction of the Hobson Wharf extension needs to commence as soon as resource consent is granted to have the new wharf deck available for construction of Base B. As outlined in my EIC<sup>8</sup>, Base B on Hobson Wharf has already been allocated to the Italian Challenger (Luna Rossa). I am aware from recent discussions that Luna Rossa have commenced working on design details for Base B. In the event that ETNZ successfully defend the Cup, or win it again overseas during the consent period, the Hobson Wharf extension would also be required for future America's Cup events.
- 3.4** Both Ms van Camp and Ms Stead have suggested using two of the single bases (E – G) as a new double base to provide three double bases for current confirmed challengers on Wynyard Point. This would leave only one remaining single base. As set out in my EIC, the late entry period closes at the end of November 2018, although entries beyond this date are likely to be accepted.<sup>9</sup> Therefore, the need remains to keep three single bases available for late entrant challengers.
- 3.5** As outlined in my EIC, in its role as Defender ETNZ has been dealing with five further possible challengers and although we cannot say with any certainty how many of them will proceed, in our opinion the worst thing we could do for the success of the event in Auckland would be to remove the opportunity for these teams to make a late challenge by not providing the infrastructure for a sufficient number of bases. Since the filing of my EIC, the dialogue has progressed to the extent I am confident RNZYS will be receiving a formal challenge from the first of those teams in the coming weeks. This team has advised ETNZ it intends building two race yachts and may yet be seeking to be allocated a double base for their operation.
- 3.6** AC36 will see racing in a new class of yacht. As outlined in my EIC, there is always uncertainty around how many challengers will join an event when a new class of boat is being tested for the first time<sup>10</sup>. However, based on previous America's Cup events, it is likely that if ETNZ wins AC36 there would be more entries for the next event (AC37) as

---

7 EB Vol 1, E9.

8 EB Vol3, EB52, page 1906, para 6(a).

9 EB Vol 1, E1, page 0050, para 5.3.

10 EIC Vol 1, E3, page 0050, para 5.2.

ETNZ would very likely stay with the foiling monohull and this new class of boat would have been tested and raced in AC36. For this reason, not only is there a real need for Bases B-G (and Base B in particular) for AC36, but also for the duration of 10 years and up to three America's Cup defences.

#### **4. CONCLUSION**

- 4.1** Hobson Wharf is a critical part of the project, as it allows for the provision of up to three challenger double bases and three single bases across the project area. Given that we currently do not know the exact number of challengers expected for AC36, it is imperative that we retain the option to construct all six bases for challengers. If the bases which are not yet allocated are not required for AC36 (although I expect they will be), it remains likely that they will be required at future events (AC37, AC38 etc), should ETNZ win the Cup. Base B has already been allocated to Luna Rossa and it needs to be built.

**Russell Lenard Hamilton Green**

4 September 2018