

**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**

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**REBUTTAL EVIDENCE OF GERAINT BERMINGHAM ON BEHALF OF  
PANUKU DEVELOPMENT AUCKLAND  
NAVIGATIONAL SAFETY AND UTILITY  
4 September 2018**

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**1. INTRODUCTION**

1.1 My full name is Geraint Rhys Price Bermingham. I have prepared a primary statement of evidence dated 7 August 2018, and confirm my qualifications and experience as set out in Section 1 of that evidence.

**2. CODE OF CONDUCT**

2.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise.

**3. EVIDENCE ON NAVIGATION SAFETY MATTERS**

3.1 I have reviewed the evidence in chief of the following witnesses:

- a) Robert James Hawkins on behalf of Sealink Travel Group New Zealand Limited (undated but exchanged on 21 August 2018);
- b) Mark Thomas Gibson on behalf of Sealink Travel Group New Zealand Limited (undated but exchanged on 21 August 2018);
- c) Colin Haigh Sherlock Williams on behalf of Sanford Limited dated 21 August 2018; and
- d) Philip Michael Brown on behalf of Sanford Limited dated 21 August 2018.

3.2 I have reviewed conditions set out in the Sealink and Sanford evidence and the updated version of the Applicant's Proposed Conditions (Rebuttal) dated 4 September 2018 as attached to the rebuttal evidence of Mr Karl Cook and Mr Vijay Lala. I confirm that I am comfortable with the conditions proposed relating to the continued safe operation of Sealink, Sanford and AFPL from a navigational perspective.

3.3 I also consider that the Proposed Conditions reflect the terms of the Joint Witness Statement- Navigation Safety dated 26 July 2018.

- 3.4** I note that the new conditions 46Aa and 46Ab require that the Navigation Safety Management Plan is prepared in consultation with Sealink, Sandford and AFPL to the extent it deals with potential effects on their operations.
- 3.5** I have reviewed a draft of the draft Navigation Safety Management Plan that is being prepared by the Alliance. The draft plan sets in place a framework for the management of navigational safety and how the construction works will be sequenced to enable, amongst other things, the continued safe access for the operations of Sealink, Sanford and AFPL. I understand there have to date, been some discussions with Sealink and Sanford / AFPL and that the discussions will be progressed further with the aim of fully developing the Plan.

**Geraint Rhys Price Bermingham**

4 September 2018