

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE WAIKATO DISTRICT COUNCIL**

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

AND

IN THE MATTER of the Proposed Waikato District Plan

BETWEEN **NZTE OPERATIONS LIMITED**

Submitter [No. 823]

AND

WAIKATO DISTRICT COUNCIL

Local Authority

**EVIDENCE IN REPLY OF JONATHAN BROEKHUYSEN
FOR NZTE OPERATIONS LIMITED**

(URBAN DESIGN)

Dated: 8 April 2021

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INTRODUCTION

1. My name is Jonathan Paul Broekhuysen. I am a New Zealand Institute of Landscape Architects Registered Landscape Architect and Director at Adapt Studio Limited (Adapt Studio), a firm I started as a sole practitioner in May 2017.
2. I outlined my qualifications, experience, and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence-in-chief dated 15 February 2021 (**EIC**).
3. This evidence-in-reply (**EIR**) addresses matters raised by submitters and the s.42A officers in relation to NZTE's EIC, or new evidence, presented during the first day of the hearing on 8 March 2021.
4. An additional presentation has been prepared to provide some clarity on the potential effects of the updated OLS and to assist in my response to points raised by submitters. This presentation is appended as Attachment A.

MARSHAL AND KRISTINE STEAD SUBMITTER NOS. 834 & 943

5. Mr Stead was unsure as to why the air strip cannot be moved south to mitigate effects on adjoining landholders. As outlined in para. [60] of my EIC, I conducted a study assessing the feasibility of moving the runway south. The conclusion of this study was that it would require establishing a new aerodrome which I considered would be prohibitively difficult under the Resource Management Act 1991 and Civil Aviation Authority (**CAA**) regulations. I subsequently discussed this view with Mr Serjeant who I understand concurs with my assessment.
6. Mr Stead noted that the existing buildings and hangers on NZTE land would need to be removed or relocated to comply with the updated Obstacle Limitation Surface (**OLS**). This is correct and NZTE will move these buildings, including the lease of these buildings, to another suitable location in the future. These buildings are leased, not the land. NZTE is the only landowner with existing buildings within the updated OLS. These buildings can be moved around the site as is required.

7. Mr Stead is concerned about the existing trees on his property. I note Mr Stead's stated intention to undertake residential development on his land, and his submission on the pWDP seeking zoning provisions to facilitate that development. In my experience, a residential development will most likely require the removal of these trees irrespective of the updated OLS. I also note that a large number of these trees have been cut down recently, and some are currently being sold as firewood from the Stead property frontage.
8. Mr Stead is concerned that the updated OLS will unduly affect the development potential of his land. As outlined in paras. [34] to [38] of my EIC, I have conducted a study to assess the impact the updated OLS will have on the development potential of the Stead property. I have concluded that (taking into consideration the likely lot size and orientation, height of homes, and layout of roads on the Stead property) the updated OLS will not affect the potential residential yield that could be obtained from a development of the Stead property.

JASON STRANGWICK ON BEHALF OF LLOYD DAVIS SUBMITTER NO. 943

9. Mr Strangwick noted that the rules will prevent development on approximately a quarter of the Davis property. I have conducted a study to assess the impact the updated OLS will have on the development potential of the Davis property. I have concluded that the updated OLS will not affect the potential residential yield that can be obtained from the development of the Davis property.

R RANBY AND L WATSON SUBMITTER NO. 369

10. Ms Watson suggested that the rules will affect the future development potential of the Ranby property. As outlined in para. [34] of my EIC, I have conducted a study to assess the impact the updated OLS will have on the development potential of the Ranby property. I have concluded that the updated OLS will not affect either the ability to undertake ongoing rural activities on the land or potential residential yield if the land were to be rezoned and developed for residential activities in the future.

**EMMA ENSOR ON BEHALF OF WAIKATO DISTRICT COUNCIL –
AUTHOR OF THE S.42A REPORT**

11. Ms Ensor recommends that residential land use be limited to the 65db noise contour within the Te Kowhai Airpark Zone. During my research into both domestic and international airparks, it was clear that the prime lots fronted or backed onto the runway and were close enough to see, hear, and smell the aeroplanes. Ms Ensor's recommendation does not consider why people choose to live in an airpark. It is not to enjoy peace and quiet but to live in an aviation community with all the aeroplane activity which is inevitably present in such a development.
12. The lots on the runway are similar to "beach front" property, as they command a premium. Ms Ensor's recommendation would limit the development of residential homes within the northern 60m to 90m of precinct D and effect some 12 properties. Due to the layout in the masterplan, it is unlikely that the homes themselves would be on northern side of the runway fronting lots. It is more likely that the aeroplane hangars will be on the runway edge. These buildings are often where people congregate to undertake aviation related activities but not where people sleep and live day to day.
13. A mandatory setback for habitable homes may not limit residential land use outright. However, in my opinion a setback is unnecessary as people may wish to have a home which is integrated into their hanger on the northern side of the runway lots. Restricting residential buildings within the 65db noise contour would prevent them from being able to do this and would be in conflict with the design intent of the runway lots.

Dated this 8th day of April 2021

Jonathan Broekhuysen

ATTACHMENT A – Urban Design Evidence in Reply Highlights Package

Urban Design

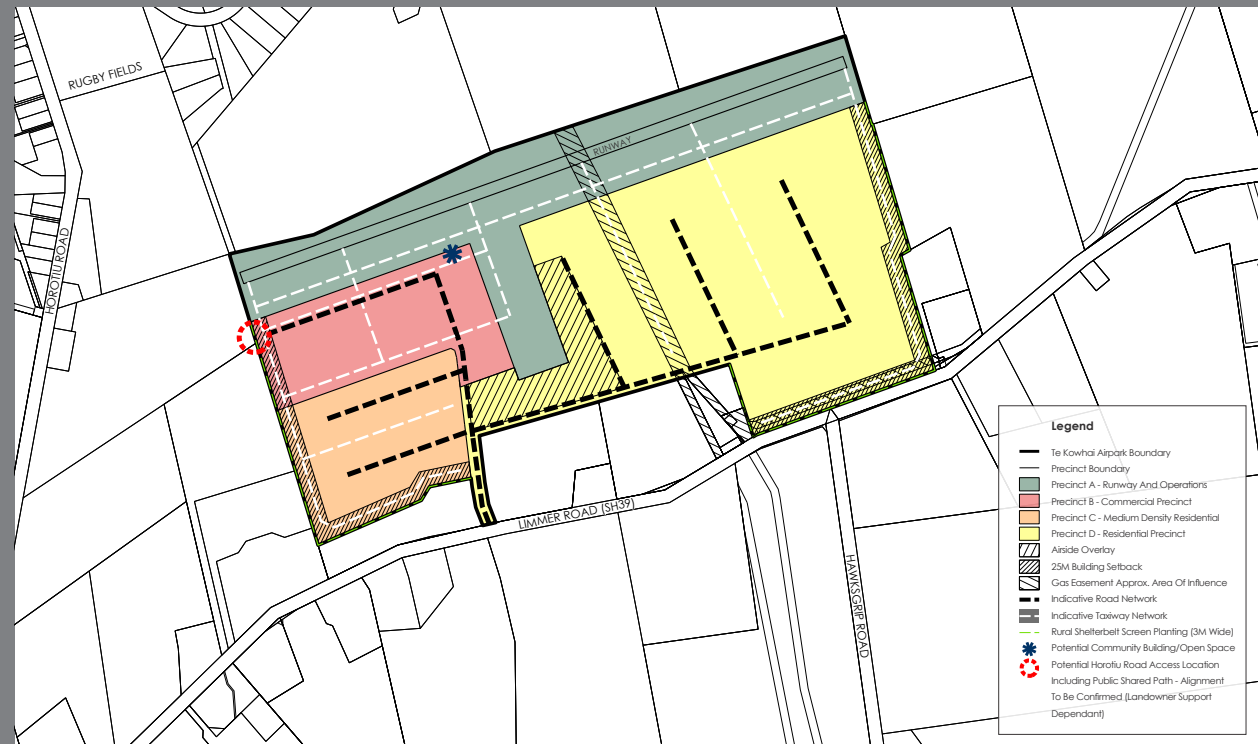
ATTACHMENT A - EVIDENCE IN REPLY HIGHLIGHTS PACKAGE

JONATHAN BROEKHUYSEN ON BEHALF OF NZTE

SUBMITTER #823

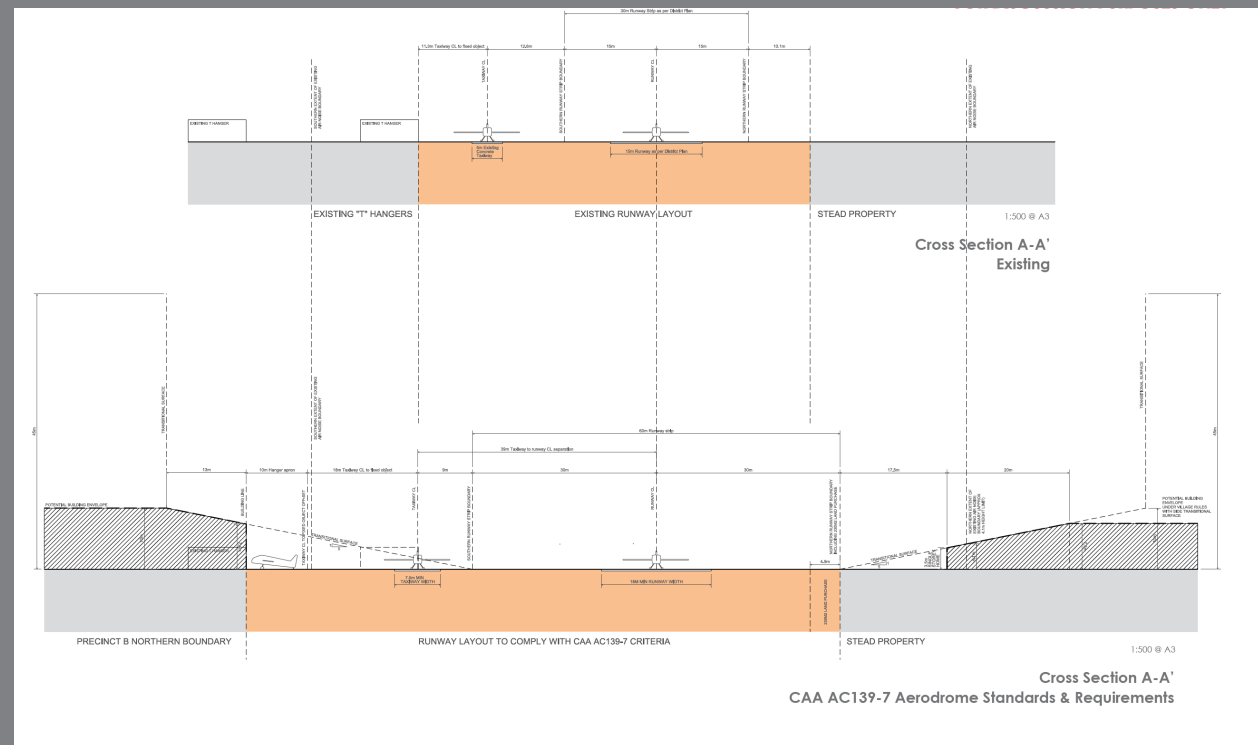
INTRODUCTION

- DESIGN LED MASTERPLANNING PROCESS BASED ON DOMESTIC AND INTERNATIONAL BEST PRACTICE AIRPARK DESIGN
- FRAMEWORK PLAN & TKAZ PROVISIONS TO GIVE EFFECT TO MASTERPLAN
- NO OUTSTANDING URBAN DESIGN POINTS OF DISAGREEMENT RELATING TO INTERNAL LAYOUT
- INVOLVEMENT IN STUDIES OF IMPACT ON DEVELOPMENT POTENTIAL OF ADJOINING LANDHOLDINGS DUE TO OLS CHANGES
- THE DEVELOPMENT POTENTIAL OF ADJOINING LANDHOLDINGS NOT UNDULY EFFECTED BY CHANGES TO OLS
- ANY IMPACTS CAN BE MANAGED THROUGH APPROPRIATE DESIGN RESPONSE
- THE MASTERPLAN, FRAMEWORK PLAN AND TKAZ PROVISIONS HAVE BEEN CAREFULLY CONSIDERED TO RESULT IN GOOD URBAN DESIGN OUTCOMES



STEAD PROPERTY OLS

- DOCTOR FORRET NOTED PRIMARY CONCERN IS EFFECT OF OLS ON DEVELOPMENT POTENTIAL
- STEAD PROPERTY HAS MOST POTENTIAL FOR IMPACT FROM THE OLS DUE TO SOUTHERN KINK IN BOUNDARY AND PROPOSED RESIDENTIAL ZONE
- 230M² LAND ACQUISITION REQUIRED FOR COMPLIANT RUNWAY STRIP
- OLS RISES AT 1 IN 5 FROM EDGE OF RUNWAY STRIP
- OLS REACHES 3.5M IN HEIGHT 22.4M INTO SITE AT “KINK”
- OLS REACHES RESIDENTIAL HEIGHT LIMIT OF 7.5M 42.4M INTO SITE
- LIKELY FUTURE DEVELOPMENT LAYOUT AND FORM OF LOTS AND HOMES
- THE UPDATED OLS WILL NOT UNDULY AFFECT THE DEVELOPMENT YIELD OF THE STEAD PROPERTY



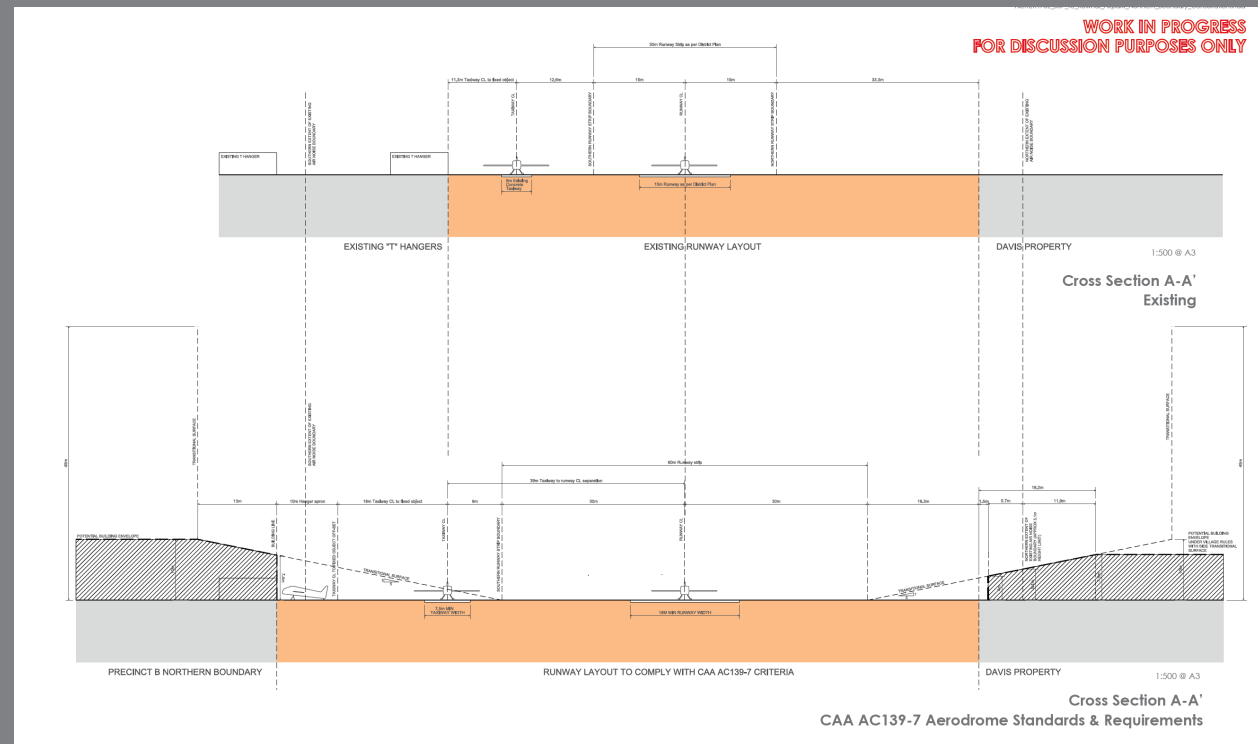
STEAD REPLY

- MARSHALL STEAD UNSURE WHY RUNWAY CANNOT BE MOVED (SLIDE 2 IN HIGHLIGHTS PACKAGE)
- FEASIBILITY STUDY UNDERTAKEN IN 2017 TO TEST MOVING THE RUNWAY SOUTH
- MARSHALL STEAD NOTES ISSUE WITH EXISTING NZTE HANGERS (SLIDE 5 IN HIGHLIGHTS PACKAGE)
- NZTE ACKNOWLEDGE THEY WILL NEED TO RELOCATE HANGERS AND THAT HANGERS *BUILDINGS* ARE LEASED, NOT THE *LAND*
- MARSHALL STEAD CONCERNED ABOUT HIS EXISTING TREES (SLIDE 7 IN HIGHLIGHTS PACKAGE)
- TREES WOULD BE TAKEN DOWN DURING DEVELOPMENT OF STEAD LAND AND ARE CURRENTLY BEING TAKEN DOWN AND SOLD AS FIREWOOD



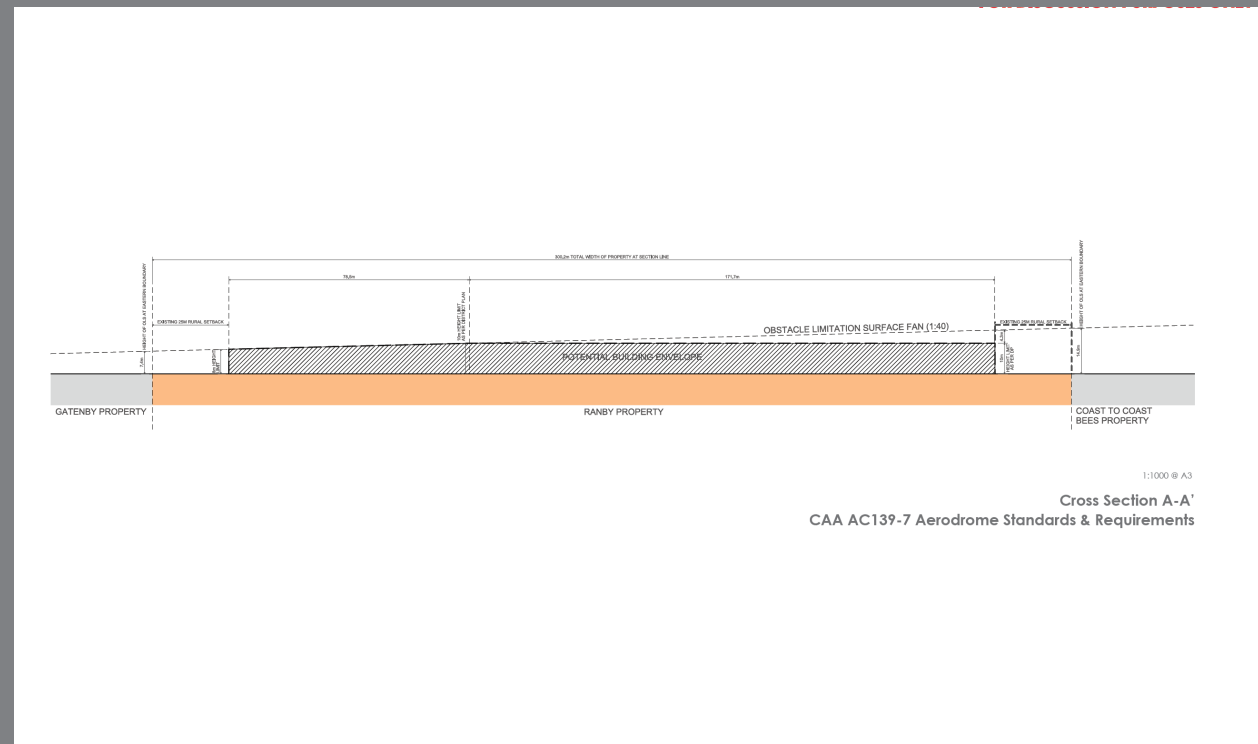
DAVIS PROPERTY OLS

- LESS POTENTIAL FOR DEVELOPMENT EFFECT THAN STEAD PROPERTY FROM OLS
- IS ALSO PROPOSED TO BE ZONED RESIDENTIAL
- OLS REACHES 4M IN HEIGHT 1.5M (RESIDENTIAL MINIMUM SETBACK) INTO SOUTHERN BOUNDARY
- OLS REACHES RESIDENTIAL HEIGHT LIMIT OF 7.5M 19.2M INTO SITE
- LIKELY FUTURE DEVELOPMENT LAYOUT AND FORM OF LOTS AND HOMES
- JASON STRANGWICK NOTED THAT RULES WILL PREVENT DEVELOPMENT ON APPROX A QUARTER OF DAVIS PROPERTY (SLIDE 3 IN HIGHLIGHTS PACKAGE)
- MY FINDINGS ARE THAT THE PROPOSED OLS WILL NOT EFFECT THE DEVELOPMENT POTENTIAL OF ANY OF THE DAVIS PROPERTY



RANBY PROPERTY OLS

- RANBY PROPERTY OFF THE EASTERN END OF THE RUNWAY AND IS ZONED RURAL
- OLS FAN RISES AT 1 IN 40
- OLS IS AT 8M 25M INTO THE SITE (RURAL SETBACK REQUIREMENT)
- 8M IS SUFFICIENT FOR MOST RURAL BUILDINGS
- OLS REACHES RURAL ZONE HEIGHT LIMIT OF 10M 103.5M INTO SITE
- MS WATSON NOTED THAT THE OLS WILL EFFECT THE FUTURE DEVELOPMENT PLANS OF THE RANBY FARM
- MY FINDINGS ARE THAT THE UPDATED OLS WILL NOT EFFECT THE ONGOING RURAL ACTIVITES OR THE BUILDING OF POTENTIAL RURAL BUILDINGS OR ANY FUTURE RESIDENTIAL DEVELOPMENT PLANS THAT MAY OR MAY NOT EVENTUATE ON THE RANBY PROPERTY



OTHER SUBMITTERS REPLY

- ISSUES RELATING TO NOISE AND REASONS FOR OLS CHANGE COVERED BY OTHERS AS ARE HOW EXISTING VEGETATION WILL BE MANAGED
- EFFECT OF OLS ON METCALFE PROPERTY COVERED BY OTHERS
- MISS ENSOR RECOMMENDS THAT RESIDENTIAL LAND USE BE LIMITED WITHIN THE 65DB NOISE CONTOUR WITHIN THE AIRPARK
- PEOPLE WHO LIVE IN AN AIRPARK GENERALLY LOVE AEROPLANES AND WANT TO BE NEAR THE ACTION. LIMITING RESIDENTIAL WITHIN THE 65BD NOISE CONTOUR WOULD STERILISE THE NORTHERN 60-90M OF PRECINCT D AT THE COST OF APPROXIMATELY 12 OF THE MOST VALUABLE “BEACH FRONT” LOTS



SUMMARY

- THE DEVELOPMENT OF AN AIRPARK CONCEPT AT AN EXISTING AERODROME IS A GOOD CONTEXTUAL FIT
- FUTURE PROOFING OF THE RUNWAY IS IMPORTANT
- POTENTIAL IMPACTS ON DEVELOPMENT POTENTIAL OF NEARBY LANDHOLDINGS CAN BE MANAGED
- THE MASTERPLAN, FRAMEWORK PLAN AND TKAZ PROVISIONS WILL RESULT IN A SUSTAINABLE AND WELL DESIGNED AIRPARK RESULTING IN POSITIVE URBAN DESIGN OUTCOMES FOR THE SITE AND WIDER COMMUNITY

