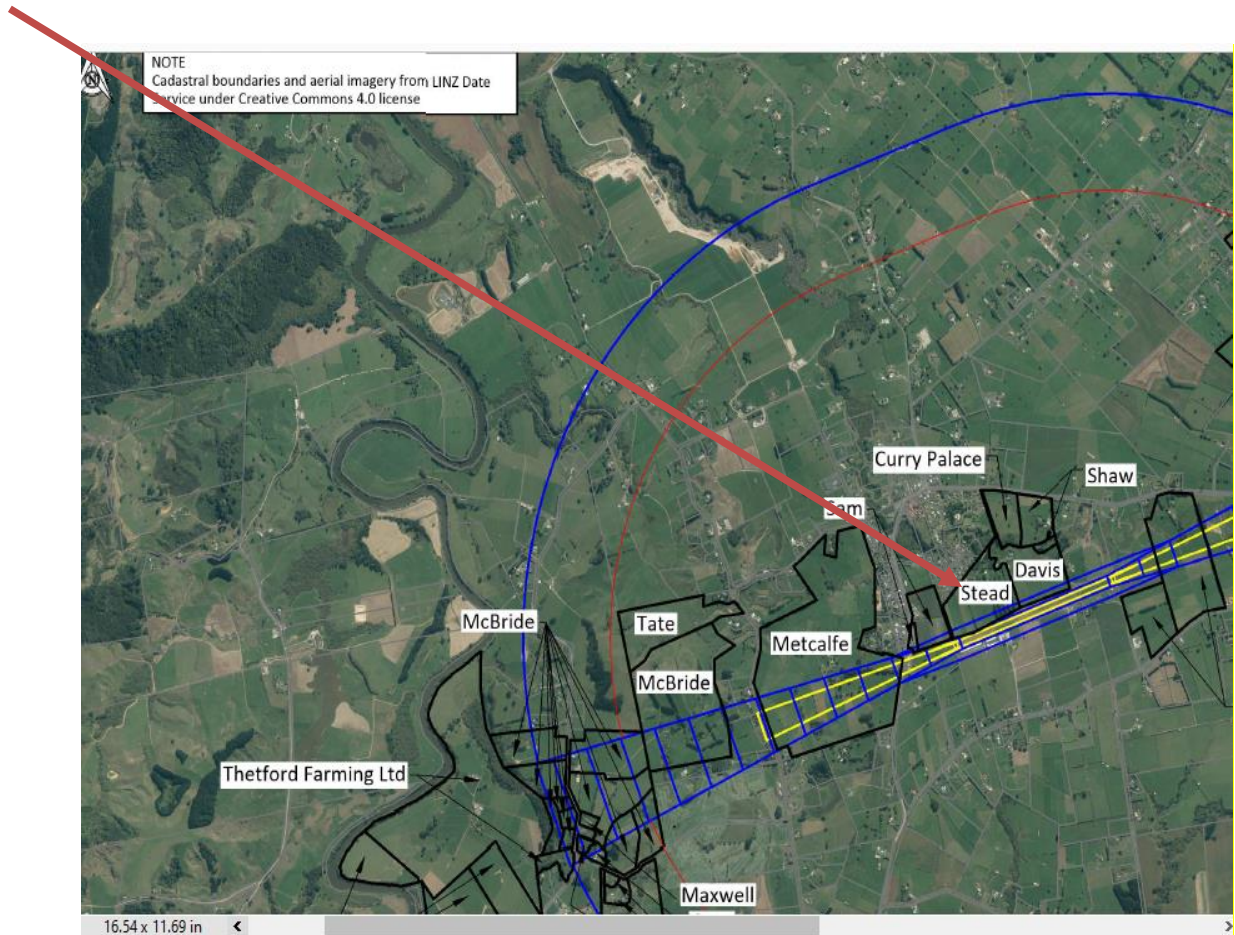


BEFORE The Independent Hearings Panel
IN THE MATTER of the Resource Management Act 1991 (“**RMA**”)
AND
IN THE MATTER of hearing submissions and further submissions in respect of Te Kowhai Airpark Zone (Hearing 17) of the Waikato District Proposed District Plan (“**WPDP**”)

STATEMENT OF EVIDENCE
BY MARSHALL AND KRISTINE STEAD

INTRODUCTION

1. Our names are Marshall and Kristine Stead. We reside at 703b Te Kowhai Road, Te Kowhai 3288. We made a submission on the Te Kowhai Airpark Zone. The map below illustrates the location of our property in relation to Te Kowhai Airpark.



HISTORY AND BACKGROUND

2. Having resided, known and enjoyed the district for over 35 years we were attracted to our 11ha property 6 years ago when it came up for public sale being advertised as a “land banking” opportunity - a picturesque property with an extensive amount of mature fruit, Nut and firewood and native trees providing tranquillity with plenty of shelter shade for our horses and livestock. With full knowledge of the privately owned quiet grass runway strip running 450metres on the southern side of our property, as aviators ourselves we enjoy seeing the activity. We knew this area was sought after with near future growth intentions and investment. Since then the PDP showed the plans of the road linking Te Kowhai and Horotiu Rds through our property and classifying our property as being located within the Village Zone.
3. Approximately 18 months after we purchased our property, NZTE bought the airfield from the estate of the original owner Max Clear. They approached us with some of their plans for development and also had their planner draw up a plan how our property could be developed drawing 15 sections along the southern part of our property that would comply and complement their plans with houses and hangars within the height limitations to account for

the PDP OLS and the ANB of the ODP. At the time, those ideas were interesting and potentially viable concepts as presented. As the runway strip is not located in a central position on NZTE's property, it is inevitable that they would need to acquire valuable land or cooperation from neighbours or move the airstrip to a more central position on their property.

WAIKATO PDP

4. As stated above, our property is zoned in the Village Zone with increased subdivision rights as a result.
5. The Airpark's runway strip is immediately parallel (450metres on boundary) to our southern boundary and at one point the grass clearway is not sufficient on their side meaning a portion of our land would be needed for NZTE to go ahead with its plan to locate the airstrip/runway in its current location, as on all the diagrams and maps with the inclusion of Instrument Flight Rules (**IFR**). Our property would receive the most severe penalties with a massive intrusion of authority over our property. There would be greater restrictions placed on our property by the increased ANB and OLS that is needed to comply with IFR rules. If IFR is implemented, our titles and future titles may have to suffer having covenants and restrictions over them and added expenses as a result.
6. A regular farm fence which is located at the boundary of our property, to contain stock, would protrude through the proposed OLS in some places.
7. We made submissions and further submissions on the Te Kowhai Airpark Zone for the following reasons:
 - To highlight the fact that NZTE were proposing restrictions with no regard to us. We are affected by the following:
 - a. Obstacle Limitation Surface;
 - b. Restrictions that were not in place when we bought our property;
 - c. Possible cost of tree removal; and
 - d. The implementation of the extended ANB because of the proposed IFR Plans. NZTE had previously explained that only 1 in 100 flights might use IFR. Yet we are not prepared to accept all those restrictions that come with allowing IFR and the cost associated with complying with IFR standards.

SUBMISSIONS AND SECTION 42A REPORT

VFR vs IFR

8. We believe the current VFR should remain as in the operative district plan. We have been in the district for over 35 years and in this time Te Kowhai Airpark has operated as an uncertified Airfield and has been run with VFR rules. Under VFR, pilots have had to undergo medical examinations to keep licences current and there have been no serious injuries or accidents because of the trees in the area using the current VFR. We are concerned that this could change if IFR is implemented as we understand there is already existing trees and obstacles which intrude into the proposed OLS.
9. We support Greig Metcalfe's original submission to retain the OLS in the ODP and also that VFR should be retained over IFR.

10. The s 42A report (in section 9.2) states that the Obstacle Limitation Surface should be carried over from the Waikato Operative District Plan and that VFR should remain applicable to the Zone rather than IFR.
11. We agree with this recommendation. Te Kowhai Airfield has run successfully and safely as a non-certified airfield for many years using VFR. The implementation of IFR would add many complications for very minimal use. Pilots using IFR cannot take off in fog or extreme weather conditions and a pilot can easily put in an instrument flight plan with Hamilton Airport and pick up a flight plan within a very short time of take-off from Te Kowhai.

Noise – Airport Noise Control Boundaries

12. The Marshall Day Acoustic Report which was submitted by NZTE in respect of the Te Kowhai Airpark was far more restrictive than the original Hegley Acoustic Report that was prepared for NZTE in April 2018. The proposed Air Noise Boundaries for the Airpark in the Marshall Day Report restricts, to a great extent, the development that can be done on our land without the need for a resource consent.
13. We opposed NZTE's submission that the Planning Maps in the PDP should be amended to include the Air Noise Control Boundaries in the Marshall Day Report, especially because our property is located within the (inner) Air Noise Boundary in that Report.
14. We also oppose the recommendation in the s 42 A report that the Panel should include the Air Noise Boundaries in the Acoustic Report prepared by Tonkin & Taylor. The (inner) Air Noise Boundary in that Report still affects our property. However, if the Air Noise Boundary is to change from that included in the ODP, the Air Noise Boundary in the Tonkin & Taylor version is more acceptable for us.
15. It is deeply concerning to us that the s 42A report recommends that noise-sensitive activities which are located within the Village Zone, which are also within the Tonkin & Taylor Air Noise Boundary, should be a non-complying activity. We strongly reject this submission. We are at a loss as to why we should lose this land for their project. To put it another way, we would like to develop our property without undue restrictions and the proposed changes would put great limitations on an area which can be built on.
16. Our Land was paid for by us yet they are standing to profit from our loss. With what they are proposing, NZTE will have land which will not have the restrictions on it that ours will have. Will NZTE consider giving their unaffected land to us so we can profit off it in return?

Conclusion

17. In summary, we do not support the submissions made by NZTE on the Te Kowhai Airpark Zone or the s 42A recommendations which state that those submissions should be accepted by the Panel. As we share a boundary with the Airpark, the proposed changes will severely inhibit the development we can conduct on our land.

18. Our bottom line is to leave the Airpark as it is in the Operative District Plan or to give NZTE an option to purchase part or all of our property to facilitate the implementation of the proposed changes to Waikato Proposed District Plan.

Marshall and Kristine Stead

February 2020