

**IN THE MATTER**

of the Resource Management Act  
1991

AND

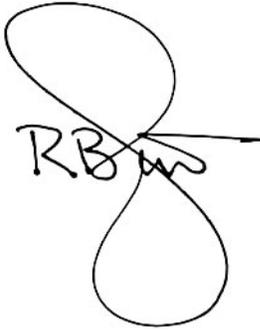
**PLAN CHANGE 5**

Whenuapai Plan Change to Auckland  
Unitary Plan Operative in part

**DIRECTION 3 OF THE HEARING PANEL OF COMMISSIONERS: PLAN CHANGE 5**

1. The Auckland Council (the Council) has appointed Independent Hearing Commissioners Robert Scott (Chair), Juliane Chetham, Gavin Lister and Councillor Chris Darby pursuant to section 34A of the Resource Management Act 1991 (RMA), to hear and determine submissions to Plan Change 5.
2. The hearing is scheduled to reconvene on 24 August 2018 to hear the Council officer's response to our questions set out in our Direction 2 and their closing statement on evidence presented at the hearing to date.
3. Since this time, the New Zealand Government has announced that it will be phasing out its current fleet of Orion aircraft currently operating at RNZAF Base Whenuapai and replacing them with four Boeing P-8 aircraft. The Government also announced that the new squadron will operate from RNZAF Base Ohakea. This has potential implications on matters directly related to Plan Change 5 and submissions. We have sought further clarification from NZDF on the details of this announcement namely:
  - (a) whether the Orion Squadron (including all associated engine maintenance functions) will be relocated from Base Auckland to Base Ohakea;
  - (b) if so, the likely timing for this;
  - (c) whether the Boeing P-8s (that the government has indicated have been purchased to replace the RNZAF's Orions) will be located at Ohakea; and
  - (d) if there is any likelihood of the replacement or relocation of the Hercules and 757 Squadrons (currently located at Base Auckland) to Ohakea, and, if so, the timeframe associated with that.
4. On 25 July we received a response from NZDF and this is annexed as Attachment 1.
5. At the hearing on 24 August 2018 we would like the Council officers to consider this response from NZDF in their response to questions from the Commissioners. We will also allow any submitter on this topic to present or table further evidence or submissions on this matter at this hearing. In the interest of allowing parties as much time as possible to prepare for this hearing, the Commissioners have decided to waive any requirement to pre-circulate expert evidence in favour of that evidence being presented on the day of the hearing. This does not prevent any party from pre-circulating or tabling evidence prior to the re-convened hearing if chooses to do so.

7. If parties wish to pre-circulate expert evidence or table any information for the Commissioners, please direct these through the hearing advisor - Robert Boswell, Senior Hearings Advisor, [robert.boswell@aucklandcouncil.govt.nz](mailto:robert.boswell@aucklandcouncil.govt.nz).

A handwritten signature in black ink. The signature consists of a large, stylized loop at the top, followed by the letters 'R.B.' in a cursive style, and a horizontal line extending to the right from the end of the 'B'. Below the 'R.B.' and the horizontal line is another large, teardrop-shaped loop.

Robert Scott  
for the Hearing Commissioners  
1 August 2018

**Attachment 1  
NZDF Letter**

25 July 2018

**Partner Reference**  
H J Ash - Auckland

Julie McKee  
Team Leader Hearings  
Auckland Council  
AUCKLAND

**Writer's Details**  
Direct Dial: +64-9-977 5488  
Email: warren.bangma@simpsongrierson.com

Sent by Email

Dear Julie

## **Plan Change 5: Whenuapai Plan Change - Engine Testing - Further Evidence**

### **Introduction**

1. We refer to your email dated 13 July 2018 asking whether the New Zealand Defence Force (**NZDF**) is willing to provide additional evidence, in response to various matters raised in a letter from Mr Russell Bartlett QC dated 12 July 2018. The additional evidence would be to confirm:
  - (a) whether the Orion Squadron (including all associated engine maintenance functions) will be relocated from Base Auckland to Base Ohakea;
  - (b) if so, the likely timing for this;
  - (c) whether the Boeing P-8s (that the government has indicated have been purchased to replace the RNZAF's Orions) will be located at Ohakea; and
  - (d) if there is any likelihood of the replacement or relocation of the Hercules and 757 Squadrons (currently located at Base Auckland) to Ohakea, and, if so, the timeframe associated with that.
2. As an initial point, as the hearing panel itself has noted, Mr Bartlett does not identify in his letter on whose behalf it is written. We would respectfully suggest that this should be clarified with him.

### **Response to questions**

3. In relation to the request for evidence, NZDF has authorised us to give the following answers to the queries, however given the uncertainty surrounding these issues and their lack of direct relevance to Plan Change 5 it does not consider that further evidence is necessary.
4. NZDF advises as follows:
  - (a) The four Boeing P-8A aircraft are scheduled to be delivered and begin capability integration in 2023. The Boeing P-8A squadron will operate out of Ohakea, including the engine maintenance functions. This timing assumes the proposed delivery timeframes are met, which cannot be guaranteed;

30919108\_1.DOC

AUCKLAND: Level 27, Lumley Centre, 88 Shortland Street, Private Bag 92518, Auckland 1141, New Zealand. T +64 9 358 2222

WELLINGTON: Level 24, HSBC Tower, 195 Lambton Quay, PO Box 2402, Wellington 6140, New Zealand. T +64 4 499 4599

CHRISTCHURCH: Level 1, 151 Cambridge Terrace, PO Box 874, Christchurch 8140, New Zealand. T +64 3 365 9914

[www.simpsongrierson.com](http://www.simpsongrierson.com)

- (b) The present plan is for the Orions to remain at Base Auckland until they reach the end of their expected operational life in 2025. The present Orion operations at Base Auckland are therefore likely to continue for 5 to 7 years.
- (c) There is no plan to relocate the Hercules C130 and Boeing 757 aircraft to Base Ohakea;
5. Designation 4310 enables any aircraft required in the capacity of NZDF on behalf of the Government, to utilise Base Auckland. This means that a wide range of aircraft currently utilise Base Auckland, and this is expected to continue irrespective of any location of the new Boeing P-8As at Ohakea.<sup>1</sup> This includes all associated aircraft engine maintenance functions.
6. Mr Lloyd will be able to confirm to the hearing panel that Mr Hunt's report utilises the C130 and B757 noise data, on the basis that the C130 power values are similar to the P-3K2 Orion aircraft engine tests, given the similarity of the engines.
7. Decommissioning of the Orions from Base Auckland will not change the core noise evidence provided to the hearing panel which has informed the council planning response to engine testing noise at Base Auckland.

### Conclusion

8. There is significant factual uncertainty surrounding the matters raised by Mr Bartlett, which depend on decisions which have not yet been made or matters outside NZDF's control (e.g. delivery time of the Boeing P-8As). Any other changes in the use of Base Auckland, and the timing for them, are entirely speculative at this stage. In any event, those matters are irrelevant to the issues in this hearing because they do not materially affect the noise evidence which has already been given.
9. As stated in NZDF evidence at the hearing, NZDF supports the zoning proposed by the Council. However, the key issue from NZDF's perspective is to ensure that acoustic insulation and no complaints covenants are required in the Plan Change 5 provisions, in order to protect Base Auckland from the reverse sensitivity effects of urbanising land to include noise sensitive zoning adjacent to the Whenuapai airbase in a way that might impact on the Minister of Defence Designations 4310 and 4311 and affect Base Auckland's ongoing ability to continue to operate.

Yours faithfully  
SIMPSON GRIERSON



Heather Ash/Warren Bangma  
Partner/Senior Associate

---

<sup>1</sup> Evidence of Group Captain Hunt, Section 3.