

Proposed Waikato District Plan

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Summary of Decisions Requested

And

Notification of Further Submissions



Report: Summary of Submissions by Submitter Number/Name

Submitter Number: I **Submitter:** Peter and Jackie Gore

Address: 225 Collie Road, RD8, Te Kowhai, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number I.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Te Kowhai OLS map to reduce its size and consider natural contour, as shown in map attached to original submission.

Decision Reasons:

- A blanket OLS layer does not address issues with natural landform.
- There is no link between the District Plan and Plane safety requirements according to the CAA.
- The 2000m extent has been fit for purpose since 2018 as planes are still flying every day and appear unimpeded.
- Properties on the Western side of the hill should be excluded from this variation given there is a natural obstacle immediately adjacent.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number I.2

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Appendix 9: Te Kowhai Airfield to consider mitigation of the effects of noise, with a 50dba noise restriction overlaid vertically to 300m for aeroplanes.

Decision Reasons:

- Submission raises concerns about noise, especially because extending the OLS to 2500m will attract increased flights, potentially larger planes and encouraging further development, negatively affecting property prices and the quiet enjoyment of the community.
- The “airport” should not be a permitted activity.

Appendix 9: Te Kowhai Airfield

Point Number	I.3
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Appendix 9: Te Kowhai Airfield so that existing vegetation over 45 metres in height can remain otherwise mitigate the effects of the loss of that vegetation.
Decision Reasons:	<ul style="list-style-type: none"> • The destruction of habitat over 45m is tantamount to environmental vandalism. • The proposed variation offers no redress for loss of habitat, nor considers the impacts on wildlife, including grey heron, native wood pigeons, fantails, and owls. • Exposed hills lead to erosion and potential slips when exposed to adverse weather events, and will adversely affect water quality through increased sedimentation. • Landowners will incur costs and personal risks in removing vegetation.
Appendix 9: Te Kowhai Airfield	

Submitter Number:	2	Submitter:	Sophia and Simon Yapp and Barnes
Address:	90B Perkins Road, RD8, Hamilton, New Zealand, 3288		
ECM Numbers:			

Point Number	2.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces. OR Amend Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces to remain at 2000m. OR Amend Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces to allow all native trees to penetrate the height limit.

OR

Amend Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces to exclude 90 Perkins Road.

Decision Reasons:

- We are concerned about effects of the OLS on indigenous vegetation on our land, especially Kahikatea trees which could penetrate the OLS.
- These trees provide habitat for native birds and bats. Reasons are given why these trees should be considered significant and protected.
- Trimming could be detrimental and kill a tree.
- Submitters provide images and maps of the areas of indigenous vegetation on their property.
- The Civil Aviation Authority allows surface penetration areas to be noted on airport height controls, e.g. Wanaka and Napier airports.
- The farm at 90 Perkins Rd should be omitted from the OLS area is just as surface penetration areas are marked on the Napier Airport map attached to submission.
- Te Kowhai does not need an airport instead of an airfield, because it is less than a half an hour to drive from Te Kowhai airfield to Hamilton airport. The growth of the airfield into an airport could mean the rise of two villages.
- WDC may ask for all houses under the approach areas to be removed, as it seems to be the recommendation by the CAA.
- The OLS (noted on LIMs) and low flying planes will depress property values.
- The cost to cut the top off one 45m high tree is potentially \$1,750, and much higher to cut the whole tree down. It is an unfair financial burden on the owners.

Appendix 9: Te Kowhai Airfield – Section 3.3: Inner Horizontal Surfaces

Point Number

2.2

Plan Chapter

Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested:

Delete Figure I – Te Kowhai Airport OLS.

OR

Amend Figure I – Te Kowhai Airport OLS to remain at 2000m.

OR

Amend Figure I – Te Kowhai Airport OLS to exclude 90 Perkins Road.

Decision Reasons:

- We are concerned about effects of the OLS on indigenous vegetation on our land, especially Kahikatea trees which could penetrate the OLS.
- These trees provide habitat for native birds and bats. Reasons are given why these trees should be considered significant and protected.
- Trimming could be detrimental and kill a tree.
- Submitters provide images and maps of the areas of indigenous vegetation on their property.
- The Civil Aviation Authority allows surface penetration areas to be noted on airport height controls, e.g. Wanaka and Napier airports.
- The farm at 90 Perkins Rd should be omitted from the OLS area is just as surface penetration areas are marked on the Napier Airport map attached to submission.
- Te Kowhai does not need an airport instead of an airfield, because it is less than a half an hour to drive from Te Kowhai airfield to Hamilton airport. The growth of the airfield into an airport could mean the rise of two villages.
- WDC may ask for all houses under the approach areas to be removed, as it seems to be the recommendation by the CAA.
- The OLS (noted on LIMs) and low flying planes will depress property values.
- The cost to cut the top off one 45m high tree is potentially \$1,750, and much higher to cut the whole tree down. It is an unfair financial burden on the owners.

Figure 1 – Te Kowhai Airport Obstacle Limitation Surface

Submitter Number:	3	Submitter:	Geoff Burgess
On behalf of:	Vela Holdings Limited	Organisation:	Vela Holdings Limited
Address:	12 Sir Tristram Avenue, Te Rapa, Hamilton, New Zealand, 3200		

ECM Numbers:

Point Number	3.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete the extension in Variation 1 Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The proposal fails to protect existing and future uses such as building heights and the height of vegetation, trees in particular.
- The submitter cultivates several forestry stands of both native and exotic species within its property, and the proposal fails to account for the favourable environmental impacts presented by these forestry stands.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Submitter Number:

4

Submitter:

Kristine & Marshall Stead

Address:

703B Te Kowhai Road, RD8, Hamilton, New Zealand, 3288

ECM Numbers:**Point Number**

4.1

Plan Chapter

Generic Category

Support/Oppose/Neutral:

Oppose

Summary of Decision Requested:

Amend Variation I – Te Kowhai Airport OLS to replace “Airport” with “Airfield” throughout Variation I.

Decision Reasons:

- These submitters oppose the use of the term “airport” in the s32 report, noting that the PWDP refers to it as an airfield and the operator is not an airport authority under the Airport Authorities Act 1966.
- These submitters are concerned about the authority and power that Te Kowhai airfield will have in the future as it will give NZTE a legally sound avenue to increase its intensity.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number

4.2

Plan Chapter

Generic Category

Support/Oppose/Neutral:

Oppose

Summary of Decision Requested:

Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The amended OLS will have adverse effects on adjoining landowners from increased noise pollution and a decrease in amenity values for adjoining landowners. It will also affect the development potential of adjoining land. Loss of vegetation and loss of land also mentioned.
- The proposed OLS would be contrary to the purpose the Resource Management Act (the Act) (s5) and s5(c) It would be contrary to a local authority's obligation to have particular regard to the maintenance and enhancement of amenity values (s 7(c)).
- It is not in the interests of sustainable management to future proof an airfield while adversely affecting the interests of a significant section of the Te Kowhai community.
- The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained.
- There is no need for the PDP to include provisions allowing the Airfield to operate on an Instrument Flight-Rule (IFR) basis. These provisions include the lowered OLS which can enable night time flying and flying in Instrument metrological conditions.
- Keeping noise associated with the Airfield to a reasonable level has not been addressed. The lowered OLS will result in increased adverse noise effects.
- There is insufficient cost-benefit analysis and a failure to consider costs and benefits of the Variation.
- The s32 analysis is insufficient to evaluate whether Variation I is the most appropriate way to achieve the purpose of the RMA.
- There would be significant adverse effects including loss of development potential, loss of amenity values and noise.
- Moving the airfield runway to the center of the NZTE property will remove the negative effects of the proposed OLS on the submitter's property but will affect the development goals/yield of the air-park.
- No aeronautical study has been conducted to justify CAA approval for the proposed activities/uses outlined in the Te Kowhai Airpark Zone. It would be against sound resource management practice to adopt Variation I without one.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Point Number 4.3

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation I to include the best practicable options to control the emission of noise from the Airfield. Controls should include:

- number of aircraft movements; and
- hours of the Airfield's operation to limit night flying; and

- A Comprehensive Noise Management Plan prepared through consultation with affected landowners.

Decision Reasons:

- These measures will ensure that noise from the airfield and associated activities does not exceed a reasonable level.

Additional rules

Point Number

4.4

Plan Chapter

Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested:

Amend Variation 1 – Te Kowhai Airport Obstacle Limitation Surface to adopt the existing Obstacle Limitation Surfaces from the Operative District Plan (2013).

Decision Reasons:

- This satisfies the requirements set out in the CAA Advisory Circular ACI39-7 section 3.2 Day VFR Runway
- Existing trees in the OLS have existing use rights and there is case law and decisions of local authorities which confirm that a Council or private entity cannot compel landowners to trim/cut down trees that protrude through the OLS.
- The OLS in the Operative District Plan (Rule 25.49(c)) does not control the height of vegetation and trees.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Submitter Number:

5

Submitter:

Linnet Watson

On behalf of:

Stanley William Ranby

Address:

593 Te Kowhai Road, Te Kowhai, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number

5.1

Plan Chapter

Generic Category

- The Submitter owns the Te Kowhai aerodrome (the Aerodrome) and surrounding land located off Limmer Road, near the settlement of Te Kowhai.
- The Airfield and surrounding land are proposed to be zoned Te Kowhai Airpark Zone (TKAZ) under the Proposed District Plan.
- The Aerodrome operates separately as an existing piece of infrastructure and, while being part of the TKAZ, needs to be protected through the provision of appropriate development controls to ensure that safe operation, growth and reverse sensitivity effects are adequately managed.
- The rules as notified (including the Variation I amendments) seek to future proof the Aerodrome in order for it to operate on an Instrument Flight Rule (IFR) basis, as well as a VFR basis. This will necessitate changes to the OLS and transitional side surfaces, which are reflected in Variation I.
- The OLS is necessary to ensure compliance with Civil Aviation Circular AC139-7 Aerodrome Standards and Requirements. The extent of the OLS is described in Chapter 29 - Appendix 9. Rules are also provided in the Proposed District Plan to protect the OLS from being breached by buildings, structures, trees and vegetation.
- The dimensions of the OLS were incorrectly notified in the planning maps of the Proposed District Plan, yet correctly described in the text of Chapter 29 - Appendix 9. Variation I is not an expansion of the notified proposed OLS on the planning maps, but a reflection of what is described in Chapter 29 - Appendix 9.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Submitter Number:	7	Submitter:	Kane Lee
Address:	416 Te Kowhai Road, RD8, RD8, Hamilton, New Zealand, 3288		
ECM Numbers:			

Point Number	7.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface AND Delete Objective 9.2.1.

Decision Reasons:

- Property values within the OLS are likely to be affected and no consideration has been made for this.
- Allowing a large commercial operation in a rural/lifestyle area will severely affect local lifestyle.
- Economic and social benefits as described only take into account benefits for the airfield – no consideration has been given to properties affected.
- Development potential for properties within the OLS is likely to be adversely affected.
- Tension is likely to increase between the airfield and the community.
- Students at Te Kowhai School would have their concentration levels adversely affected by frequent aircraft take offs and landings.
- There would be significant environmental and aesthetic impacts on many trees at or close to the OLS height.
- The cost of removing/trimming trees should not be on property owners.
- Long tailed native bats will be adversely affected.
- The airport should remain as a small non-commercial operation to avoid effects of excessive flights.
- Global warming and climate affects need to be considered, due to the excessive number of extra flights.
- Airfield users will increase traffic volume on an already busy stretch of highway, with adverse effects on road safety.

Variation 1 –Te Kowhai Airport Obstacle Limitation Surface & Objective
9.2.1 – Te Kowhai Airpark

Submitter Number: 8 **Submitter:** Diane Patricia & Graham McBride

Address: 220 Collie Road,Te Kowhai,Hamilton,New Zealand,3288

ECM Numbers:

Point Number 8.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Te Kowhai Airport OLS from the PDP.

AND

Delete Te Kowhai Airport OLS from the ODP.

Decision Reasons:

- Submitters are averse to another Council-supported extension of the OLS.
- The proposed OLS is unworkable in its implementation.
- To include provisions in a District Plan which do not have to be complied with or will not be enforced causes uncertainty and is not in the interests of sustainable management.

Variation I – Te Kowhai Airport Obstacle Limitation Surface & Chapter 29:
Appendix 9 Te Kowhai Airfield

Point Number

8.2

Plan Chapter

Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested:

Amend Variation I – Te Kowhai Airport Obstacle Limitation Surface to replace “Airport” with “Airfield” throughout Variation I.

Decision Reasons:

- The submitter opposes the use of the term “airport” in the s32 report, noting that the PWDP refers to it as an airfield and the operator is not an airport authority under the Airport Authorities Act 1966.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number

8.3

Plan Chapter

Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested:

Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- No Aeronautical Study has been conducted to justify CAA approval for the proposed activities /uses outlined in the Te Kowhai Airpark Zone. It would be against sound resource management practice to adopt Variation I without one.
- If the proposed OLS is unsafe or does not meet the requirements of CAA rules, then there is no point in including the OLS in the PDP.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number	8.4
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface.
Decision Reasons:	<ul style="list-style-type: none">• The OLS is unsafe because of the height of hills, structures and trees with existing use rights. These rise above the level of the OLS, particularly at the western end.• The height data available has not been reconciled with the OLS proposal.
	Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number	8.5
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I Te Kowhai Airport Obstacle Limitation Surface.
Decision Reasons:	<ul style="list-style-type: none">• Insufficient cost-benefit analysis of the proposals was undertaken.• Costs to residents and community have not been taken into account, including loss of opportunity to plant trees over significant areas for amenity, erosion control, fodder, carbon credits, shade and shelter benefits.• Submitters land value will be reduced.• It is not in the interests of sustainable management to future proof an airfield while adversely affecting the interests of the community.• The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained instead of the proposed Instrument Flight Rule (IFR) basis, which can enable night-time flying.
	Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number	8.6
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose

Summary of Decision Requested:	Delete Variation I Te Kowhai Airport Obstacle Limitation Surface.
Decision Reasons:	<ul style="list-style-type: none"> • Adoption of Variation I would be contrary to s16 RMA, which imposes a duty on council to adopt the best practicable option to ensure the emission of noise does not exceed a reasonable level. • The inner and outer noise boundaries give no noise relief to western residents. • Aircraft operations already cause a noise nuisance, especially, repetitive circuits and simulated engine failures are examples. • The amended OLS will result in increased adverse noise effects. CAA does not regulate noise, leaving it to councils.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number	8.7
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	<p>Amend Chapter 27: Te Kowhai Airpark Zone to include the following measures;</p> <ul style="list-style-type: none"> • Hours of operation to limit night flying; • Require the Airfield to operate under a Comprehensive Noise Management Plan prepared through consultation with affected landowners, • Prescribe noise limits on aircraft engine noise, • Restrict aircraft movement to an agreed number, arrived at by consultation with the community. • Prohibit 'simulated engine failures' at Te Kowhai Airfield • Prohibit IFR flying • Prohibit Commercial flight training/school, and • That Inner Noise and Outer Noise Boundaries provisions and absolute upper limits, or their equivalent, be mandatory for the protection of residents under the Approach Surface and the Variation I OLS. <p>OR</p> <p>Amend Variation I – Te Kowhai Airport Obstacle Limitation Surface to include the previous measures.</p>
Decision Reasons:	<ul style="list-style-type: none"> • NZTE has not been required to apply for resource consent – if they had, these issues would have been considered. • Council has not acted impartially in including the proposals in PWDP. • NZTE should have been required to apply for resource consent to ensure they address negative effects and concerns of affected parties.

- WDC were unable to confirm the submitters calculations relating to the proposed OLS and the effects of the Approach Surface and the Inner Horizontal Surface on their hills and existing structures/trees.
- Better and wider ranging consultation should have been undertaken.
- IFR is unnecessary. The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained.

Chapter 27: Te Kowhai Airpark Zone & Variation I – Te Kowhai Airport
Obstacle Limitation Surface

Submitter Number: 9 **Submitter:** Imogen & Phoebe Barnes

Address: 90B Perkins Road, RD8, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number 9.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces.

OR

Amend Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces by deleting “2500m” and replacing it with “2000m”.

OR

Amend Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces to allow all existing native trees to penetrate this height limit.

OR

Amend Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces to exclude the farm at 90 Perkins Road.

Decision Reasons:

- The submitter would like to retain the mature Kahikatea trees at 90 Perkins Road.
- Rule 22.2.8: Indigenous vegetation clearance outside a Significant Natural Area is in place to protect our trees.

- The submitters have a sentimental connection to the land and trees.

Appendix 9: Te Kowhai Airfield – Section 3.3: Inner Horizontal Surfaces

Point Number	9.2
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	<p>Delete Figure I Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020).</p> <p>OR</p> <p>Amend Figure I Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020) to remain at 2000m.</p> <p>OR</p> <p>Amend Figure I Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020) to exclude the farm at 90 Perkins Road.</p>
Decision Reasons:	<ul style="list-style-type: none"> • The submitter would like to retain the mature Kahikatea Trees at 90 Perkins Road, which provide bat habitat. • Rule 22.2.8: Indigenous vegetation clearance outside a Significant Natural Area is in place to protect our trees. • The submitters have a sentimental connection to the land and trees.

Figure I - Te Kowhai Airport Obstacle Limitation Surface

Submitter Number:	10	Submitter:	Bevan Houlbrooke
On behalf of:	Jordan Metcalfe	Organisation:	CKL NZ Ltd
Address:	PO Box 171 ,Waikato Mail Centre,Hamilton,New Zealand,3240		
ECM Numbers:			

Point Number	10.1
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Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation I – Te Kowhai Airport OLS to replace “Airport” with “Airfield” throughout Variation I.
Decision Reasons:	<ul style="list-style-type: none"> The submitter opposes the use of the term “airport” in the s32 report, noting that the PWDP refers to it as an airfield and the operator is not an airport authority under the Airport Authorities Act 1966.
Variation I – Te Kowhai Airport Obstacle Limitation Surface	

Point Number	10.2
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Figure 2: Areas potentially affected by Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020).
Decision Reasons:	<ul style="list-style-type: none"> The 10m threshold shown in Figure 2 does not consider that different PDP height limits will apply in different zones within the OLS (i.e. rural, village and residential) and that there are different PDP height limits for frost fan blades, wind turbines, meteorological structures and amateur radio aerials. Figure 2 does not identify where there could be implications on existing trees and vegetation.
Figure 2 – Areas potentially affected by Te Kowhai Airport Obstacle Limitation Surface	

Point Number	10.3
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The amended OLS will have adverse effects on adjoining landowners from increased noise pollution and a decrease in amenity values for adjoining landowners. It will also affect the development potential of adjoining land.
- The proposed OLS would be contrary to the purpose of the Resource Management Act (the Act) (s 5) and s 5(c). It would be contrary to a local authority's obligation to have particular regard to the maintenance and enhancement of amenity values (s 7(c)).
- It is not in the interests of sustainable management to future proof an airfield while adversely affecting the interests of a significant section of the Te Kowhai community.
- The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained.
- There is no need for the PDP to include provisions allowing the Airfield to operate on an Instrument Flight- Rule (IFR) basis. These provisions include the lowered OLS which can enable night time flying.
- Variation 1 would be contrary to s 16 of the RMA, which imposes a duty on local authorities to adopt the best practicable option to ensure that emission of noise does not exceed a reasonable level.
- Keeping noise associated with the Airfield to a reasonable level has not been addressed. The lowered OLS will result in increased adverse noise effects.
- There is insufficient cost-benefit analysis and a failure to consider costs and benefits of the Variation.
- The s32 analysis is insufficient to evaluate whether Variation 1 is the most appropriate way to achieve the purpose of the RMA.
- There would be significant adverse effects including loss of development potential, loss of amenity values, and noise.
- No Aeronautical Study has been conducted to justify CAA approval for the proposed activities / uses outlined in the Te Kowhai Airpark Zone. It would be against sound resource management practice to adopt Variation 1 without one.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Point Number 10.4

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation 1 to include the best practicable options to control the emission of noise from the Airfield. Controls should include:

- maximum of 21,000 aircraft movements
- hours of the Airfield's operation to limit night flying; and
- an Airpark Management Plan and

- a Comprehensive Noise Management Plan prepared through consultation with affected landowners.

Decision Reasons:

- These measures will ensure that noise from the airfield and associated activities does not exceed a reasonable level.

Additional rules

Point Number

10.5

Plan Chapter

Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested:

Amend Variation 1 – Te Kowhai Airport Obstacle Limitation Surface to adopt the existing Obstacle Limitation Surfaces from the Operative District Plan (2013).

Decision Reasons:

- This satisfies the requirements set out in the CAA Advisory Circular AC139-7 section 3.2 Day VFR Runway.
- Existing trees in the OLS have existing use rights and there is case law and decisions of local authorities which confirm that a Council or private entity cannot compel landowners to trim/cut down trees that protrude through the OLS.
- The OLS in the Operative District Plan Rule 25.49(c) does not control the height of vegetation and trees.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Submitter Number:

11

Submitter:

Amanda & Jack Schaake

Address:

694b Horotiu Road, Te Kowhai, Waikato, New Zealand, 3288

ECM Numbers:

Point Number

11.1

Plan Chapter	Generic Category
Support/Oppose/Neutral:	Support
Summary of Decision Requested:	Retain Variation I – Te Kowhai Airport Obstacle Limitation Surface.
Decision Reasons:	<ul style="list-style-type: none"> • Submitter wishes for this to be sorted out. • The airfield is needed and makes Te Kowhai stand out.
	Variation I – Te Kowhai Airport Obstacle Limitation Surface.

Submitter Number:	12	Submitter:	Keneth Malcom Anderson
Address:	406 Te Kowhai Road,RD8,Hamilton,New Zealand,3288		
ECM Numbers:			

Point Number	12.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface AND Delete Objective 9.2.1.
Decision Reasons:	<ul style="list-style-type: none"> • Property values within the OLS are likely to be affected and no consideration has been made for this. • Allowing a large commercial operation in a rural / lifestyle area will severely affect local lifestyle. <ul style="list-style-type: none"> • Economic benefits as described only take into account benefits for the airfield - no consideration has been given to properties affected. • Development potential for properties within the OLS is likely to be adversely affected. • There would be significant environmental and aesthetic impacts on many trees at or close to the OLS height. • The cost of removing/trimming trees should not be on property owners. • Long tailed native bats will be adversely affected.

- The airport should remain as a small non-commercial operation to avoid effects of excessive flights.
- Global warming and climate affects need to be considered, due to the excessive number of extra flights.

Variation 1 –Te Kowhai Airport Obstacle Limitation Surface & Objective
9.2.1 – Te Kowhai Airpark

Submitter Number: 13 **Submitter:** David Barnes

Address: 90 Perkins Road,RD8,Hamilton,New Zealand,3288

ECM Numbers:

Point Number 13.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces.

Decision Reasons:

- There are Kahikatea remnants on this submitters property that are 150 years old and should be protected.(Photos attached to submission.)
- The submitter has fenced the trees and undertakes predator trapping to protect the New Zealand Parakeets known to be in the area.
- The proposed restrictions would be added to a LIM and devalue the submitters property.
- The current noise levels of the planes circling higher is not so bad, they circle every few minutes but at lower levels the submitter considers that the noise will drive them mad.

Appendix 9: Te Kowhai Airfield – Section 3.3: Inner Horizontal Surfaces

Submitter Number: 14 **Submitter:** Philip Lang

On behalf of: Roger Ranby

Address: PO Box19539,Hamilton,New Zealand,3244

ECM Numbers:

Point Number 14.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Variation I – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The airstrip and airport related activities should not be expanded or increased.
- The proposed changes to the provisions already in the PWDP should not be made.

Variation I - Te Kowhai Airport Obstacle Limitation Surface

Submitter Number: 15

Submitter: Geoff Young

On behalf of: GP Young Family Trust

Address: 81 Perkins Road, Rotokauri, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number 15.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Appendix 9: Te Kowhai Airfield – 3 Obstacle Limitation Surfaces

AND

Delete Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces.

Decision Reasons:

- The proposed amendments pose a potential threat to remaining mature native vegetation – this is in contravention to Rule 22.2.8: Indigenous vegetation clearance outside a Significant Natural Area.
- It would “be a travesty” to ask landowners to clear native trees, especially those that predate the Treaty of Waitangi.

- Exotic trees should be topped and sculpted by a qualified arborist at the expense of the airfield operator as a priority over tree removal, unless the landowner agrees to removal, which should also be at the cost of the airfield operator.

Appendix 9: Te Kowhai Airfield, Section 3: Obstacle Limitation Surfaces & Appendix 9: Te Kowhai Airfield – Section 3.3: Inner Horizontal Surfaces

Submitter Number:	16	Submitter:	Bevan Houlbrooke
On behalf of:	Greig Metcalfe	Organisation:	CKL NZ Ltd
Address:	PO Box 171, Waikato Mail Centre, Hamilton, New Zealand, 3240		
ECM Numbers:			

Point Number	16.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation 1 – Te Kowhai Airport OLS to replace “Airport” with “Airfield” throughout Variation 1.
Decision Reasons:	<ul style="list-style-type: none"> • The submitter opposes the use of the term “airport” in the s32 report, noting that the PWDP refers to it as an airfield and the operator is not an airport authority under the Airport Authorities Act 1966.

Variation 1 – Te Kowhai Airport Obstacle Limitation Surface

Point Number	16.2
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Figure 2: Areas potentially affected by Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020).
Decision Reasons:	<ul style="list-style-type: none"> • The 10m threshold shown in Figure 2 does not consider that different PDP height limits will apply in different zones within the OLS (i.e. rural, village and residential) and that there are different PDP

height limits for frost fan blades, wind turbines, meteorological structures and amateur radio aerials.

- Figure 2 does not identify where there could be implications on existing trees and vegetation.

Figure 2 – Areas potentially affected by Te Kowhai Airport Obstacle Limitation Surface

Point Number 16.3

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Variation 1 – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The amended OLS will have adverse effects on adjoining landowners from increased noise pollution and a decrease in amenity values for adjoining landowners. It will also affect the development potential of adjoining land.
- The proposed OLS would be contrary to the purpose of the Resource Management Act (the Act) (s 5) and s 5(c). It would be contrary to a local authority's obligation to have particular regard to the maintenance and enhancement of amenity values (s 7(c)).
- It is not in the interests of sustainable management to future proof an airfield while adversely affecting the interests of a significant section of the Te Kowhai community.
- The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained.
- There is no need for the PDP to include provisions allowing the Airfield to operate on an Instrument Flight Rule (IFR) basis. These provisions include the lowered OLS which can enable night time flying.
- Variation 1 would be contrary to s 16 of the RMA, which imposes a duty on local authorities to adopt the best practicable option to ensure that emission of noise does not exceed a reasonable level.
- Keeping noise associated with the Airfield to a reasonable level has not been addressed. The lowered OLS will result in increased adverse noise effects.
- There is insufficient cost-benefit analysis and a failure to consider costs and benefits of the Variation.
- The s32 analysis is insufficient to evaluate whether Variation 1 is the most appropriate way to achieve the purpose of the RMA.

- There would be significant adverse effects including loss of development potential, loss of amenity values and noise.
- No Aeronautical Study has been conducted to justify CAA approval for the proposed activities/uses outlined in the Te Kowhai Airpark Zone. It would be against sound resource management practice to adopt Variation 1 without one.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Point Number	16.4
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation 1 to include the best practicable options to control the emission of noise from the Airfield. Controls should include: <ul style="list-style-type: none"> • maximum of 21,000 aircraft movements • hours of the Airfield's operation to limit night flying; and • an Airpark Management Plan and • a Comprehensive Noise Management Plan prepared through consultation with affected landowners.
Decision Reasons:	<ul style="list-style-type: none"> • These measures will ensure that noise from the airfield and associated activities does not exceed a reasonable level. <p>Additional rules</p>
Point Number	16.5
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation 1 – Te Kowhai Airport Obstacle Limitation Surface to adopt the existing Obstacle Limitation Surfaces from the Operative District Plan (2013).
Decision Reasons:	<ul style="list-style-type: none"> • This satisfies the requirements set out in the CAA Advisory Circular ACI 39-7 section 3.2 Day VFR Runway. • Existing trees in the OLS have existing use rights and there is case law and decisions of local authorities which confirm that a Council or

private entity cannot compel landowners to trim/cut down trees that protrude through the OLS.

- The OLS in the Operative District Plan Rule 25.49(c) does not control the height of vegetation and trees.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Submitter Number: 17 **Submitter:** Jason Strangwick

On behalf of: Lloyd Davis

Address: 51 Hartstone Road, Te Kowhai, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number 17.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Variation 1 – Te Kowhai Airport Obstacle Limitation Surface.

Decision Reasons:

- The amended OLS will have adverse effects on adjoining landowners from increased noise pollution and a decrease in amenity values for adjoining landowners. It will also affect the development potential of adjoining land.
- It will affect the development potential of the submitter's land, market desirability and price resulting in financial disadvantage.
- The proposed OLS would be contrary to the purpose of the Resource Management Act (the Act) (s 5) and s 5(c)). It would be contrary to a local authority's obligation to have particular regard to the maintenance and enhancement of amenity values (s 7(c)).
- It is not in the interests of sustainable management to future proof an airfield while adversely affecting the interests of a significant section of the Te Kowhai community.
- The Visual Flight Rule (VFR) basis on which the Airfield is currently operating should be retained.
- There is no need for the PDP to include provisions allowing the Airfield to operate on an Instrument Flight Rule (IFR) basis. These provisions include the lowered OLS which can enable night time flying.

- There is insufficient cost-benefit analysis and a failure to consider costs and benefits of the Variation.
- The s32 analysis is insufficient to evaluate whether Variation 1 is the most appropriate way to achieve the purpose of the RMA.
- There would be significant adverse effects including loss of development potential, loss of amenity values, and noise.
- No Aeronautical Study has been conducted to justify CAA approval for the proposed activities/uses outlined in the Te Kowhai Airpark Zone. It would be against sound resource management practice to adopt Variation 1 without one.

Appendix 9: Te Kowhai Airfield & Figure 1: Proposed Changes to Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Point Number 17.2

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation 1 – Te Kowhai Airport OLS to replace “Airport” with “Airfield” throughout Variation 1.

Decision Reasons:

- The submitter opposes the use of the term “airport” in the s32 report, noting that the PWDP refers to it as an airfield and the operator is not an airport authority under the Airport Authorities Act 1966.

Variation 1 – Te Kowhai Airport Obstacle Limitation Surface

Submitter Number: 18 **Submitter:** Silvia Fowler

On behalf of: Peter Mark & Silvia Fowler

Address: 257 Collie Road, RD8, Te Kowhai, New Zealand, 3288

ECM Numbers:

Point Number 18.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation I – Te Kowhai Airport Obstacle Limitation Surface to adopt the existing Obstacle Limitation Surfaces from the Operative District Plan (2013).

- Decision Reasons:**
- The proposal would adversely and unfairly affect property owners within the proposed OLS, with the costs of compliance.
 - The OLS would be noted in the LIM report of affected properties, which could dissuade buyers, resulting in loss of property value.
 - There are economic, social and environmental impacts which favour the airfield users, and costs to the local community and property owners.
 - The intended future level of operations at the airfield, would still be able to take place under the operative OLS.
 - The proposal could lead to commercial intensification and an increase in air traffic that is largely opposed by the local community, and it would not fit in well with the future development of the residential and country living zones in the area.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number 18.2

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation I – Te Kowhai Airport OLS to replace “Airport” with “Airfield” throughout.

- Decision Reasons:**
- Variation I contains conflicting wording; some documents refer to “Te Kowhai Airfield” and others to “Te Kowhai Airport”. There are different legal implications associated with either terminology.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Submitter Number: 19 **Submitter:** Kathleen Anne Young

Address: 87 Perkins Road, Whatawhata, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number 19.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Appendix 9: Te Kowhai Airfield, Section 3.3, Inner Horizontal Surfaces to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces

Point Number 19.2

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 16.3.3.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

16.3.3.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.3

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 17.3.1.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

- Decision Reasons:**
- Kahikatea remnants are important assets of the area and should be protected by Council.
 - Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
 - Topping of the trees should be done by a professional arborist and not at the landowner's expense.
 - Landowners have committed significant time and money to protect the trees.

17.3.1.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.4

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 20.3.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

- Decision Reasons:**
- Kahikatea remnants are important assets of the area and should be protected by Council.
 - Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
 - Topping of the trees should be done by a professional arborist and not at the landowner's expense.
 - Landowners have committed significant time and money to protect the trees.

20.3.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.5

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 22.3.4.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

- Decision Reasons:**
- Kahikatea remnants are important assets of the area and should be protected by Council.

- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

22.3.4.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.6

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 23.3.4.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

23.3.4.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.7

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 24.3.3.2 Height - Buildings, structures or vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.

- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

24.3.3.2 Height - Buildings, structures or vegetation within an airport obstacle limitation surface

Point Number 19.8

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 25.3.1.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.
- Landowners have committed significant time and money to protect the trees.

25.3.1.2 Height - Buildings, structures and vegetation within an airport obstacle limitation surface

Point Number 19.9

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Rule 27.3.1 Height of buildings, structures, trees and other vegetation within an airport obstacle limitation surface to exclude existing indigenous trees from the height control.

Decision Reasons:

- Kahikatea remnants are important assets of the area and should be protected by Council.
- Rule 22.2.8 restricts Indigenous vegetation clearance outside a Significant Natural Area.
- Topping of the trees should be done by a professional arborist and not at the landowner's expense.

- Landowners have committed significant time and money to protect the trees.

27.3.1 Height of buildings, structures, trees and other vegetation within an airport obstacle limitation surface

Submitter Number: 21 **Submitter:** Nardene Berry

Address: PO Box 4305,Hamilton East,Hamilton,New Zealand,3247

ECM Numbers:

Point Number 21.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend Variation 1 – Te Kowhai Airport Obstacle Limitation Surface to not apply to properties with existing native vegetation

OR

Amend Rule 22.3.4.3 Height – Buildings, structures and vegetation within an airport obstacle limitation surface to not apply to existing native vegetation.

Decision Reasons:

- Rules regarding kahikatea fragments within the 2.5km affected zone conflict.
- 1. Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area protects kahikatea trees, requiring a resource consent for removal.
- 2. Rule 22.3.4.3 Height – buildings, structures and vegetation within an airport obstacle limitation surface requires resource consent to keep trees if they breach the height restriction.
- The kahikatea trees are likely over 100 years old, while the airport was established in 1967 – so it becomes a case of reverse sensitivity.
- The trees are not in the way of the runway, so the trees should not pose a problem in terms of visibility.
- Kahikatea trees have been depleted and have ecological value – potentially habitat for endemic bats and provide steppingstones for native birds across the productive landscape.

Variation 1 – Te Kowhai Airport Obstacle Limitation Surface & Rule 22.3.4.3
Height – buildings, structures and vegetation within an obstacle limitation
surface

Submitter Number: 22 **Submitter:** Geoff Young

On behalf of: Thetford Farming Limited

Address: 302 Collie Rd, Te Kowhai, Hamilton, New Zealand, 3288

ECM Numbers:

Point Number 22.1

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete Appendix 9: Te Kowhai Airfield – 3 Obstacle Limitation Surfaces
AND

Delete Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces.

Decision Reasons:

- The proposed amendments pose a potential threat to remaining mature native vegetation – this is in contravention to Rule 22.2.8: Indigenous vegetation clearance outside a Significant Natural Area.
- It would “be a travesty” to ask landowners to clear native trees, especially those that predate the Treaty of Waitangi.
- Exotic trees should be topped and sculpted by a qualified arborist at the expense of the airfield operator as a priority over tree removal, unless the landowner agrees to removal, which should also be at the cost of the airfield operator.

Appendix 9: Te Kowhai Airfield, Section 3: Obstacle Limitation Surfaces &
Appendix 9: Te Kowhai Airfield – Section 3.3: Inner Horizontal Surfaces

Submitter Number: 23 **Submitter:** Bruce Edward Begbie

Address: 76 Perkins Road, RD8, Hamilton, New Zealand, 3288

ECM Numbers:**Point Number** 23.1**Plan Chapter** Generic Category**Support/Oppose/Neutral:** Oppose**Summary of Decision Requested:** Delete Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces.**Decision Reasons:**

- The submitter has planted trees on their family farm and does not see why those trees should be put in jeopardy.
- The Kahikatea trees hold personal value.
- I thought Council protects our native kahikatea trees within the rules (22.2.8).

Appendix 9: Te Kowhai Airfield – 3.3: Inner Horizontal Surfaces

Point Number 23.2**Plan Chapter** Generic Category**Support/Oppose/Neutral:** Oppose**Summary of Decision Requested:** Delete Figure 1: Proposed changes to Te Kowhai Airport OLS.**Decision Reasons:**

- The submitter has planted trees on their family farm and does not see why those trees should be put in jeopardy.
- The Kahikatea trees hold personal value.
- I thought Council protects our native kahikatea trees within the rules (22.2.8).

Figure 1- Proposed changes to Te Kowhai Airport Obstacle Limitation Surface

Submitter Number: 24 **Submitter:** Kit Robson Maxwell**On behalf of:** Vikki Michelle Madgwick**Address:** 265 Collie Road, RD8, Waikato, Te Kowhai, New Zealand, 3288**ECM Numbers:**

Point Number	24.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Figure 1 Te Kowhai Airport Obstacle Limitation Surface to install a northward bend in the western landing surface to exclude this submitters property from the surface zone.
Decision Reasons:	<ul style="list-style-type: none">• The variation includes submitters property in the Obstacle Limitation Surface (OLS) expanded zone.• Submitters property is a high elevation property with residence and trees and grazing animals within the 10m zone.• Their grazing animals become panicked by low flyers risking damage to fences and animals.

Figure 1- Te Kowhai Airport Obstacle Limitation Surface.

Point Number	24.2
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete the changes to Figure 1 Te Kowhai Airport Obstacle Limitation Surface.
Decision Reasons:	<ul style="list-style-type: none">• Submitters residence is close to the 10m clearance zone and the variation will impact planned renovations to the dwelling.

Figure 1- Te Kowhai Airport Obstacle Limitation Surface.

Point Number	24.3
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Figure 2 Areas potentially affected by the Te Kowhai Airport Obstacle Limitation Surface (OLS)(2020).
Decision Reasons:	<ul style="list-style-type: none">• Submitters residence is close to the 10m clearance zone and the variation will impact planned renovations to the dwelling.

Figure 2- Areas potentially affected by the Te Kowhai Airport Obstacle Limitation Surface (OLS)(2020)

Point Number	24.4
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete the changes to Appendix 9: Te Kowhai Airfield, Section 3, Obstacle Limitation Surfaces.
Decision Reasons:	<ul style="list-style-type: none">• Submitter was not affected by the previous proposed WDP and was not informed of the effects of the total Airfield proposed changes. Submitter asks to be informed on the plans and how this affects them.

Appendix 9: Te Kowhai Airfield, Section 3: Obstacle Limitation Surfaces

Submitter Number:	25	Submitter:	Kit Robson Maxwell
Address:	247 Collie Road, RD8, Te Kowhai, Waikato, New Zealand, 3288		
ECM Numbers:			

Point Number	25.1
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation I – Te Kowhai Airport OLS to the correct text description of “airfield”.
Decision Reasons:	<ul style="list-style-type: none">• The correct description of 'AIRFIELD' matches the NZTE facility as a grass runway without a passenger terminal building.• The 'AIRPORT' description indicates a passenger terminal and concrete runway and possible infrastructure facilities and is incorrect.

Variation I – Te Kowhai Airport Obstacle Limitation Surface

Point Number	25.2
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport OLS AND Amend Appendix 9 to revert to the existing VFR OLS of map reference NZTE 22/02/18.
Decision Reasons:	<ul style="list-style-type: none"> • The variation devalues all Te Kowhai properties by different percentages depending on their proximity to the airfield. • Real Estate agents estimate a devaluation range from 5% to 20% dependant on the individual properties' proximity location. <p>Variation I – Te Kowhai Airport Obstacle Limitation Surface (Section 32 report item 9.2.1)</p>

Point Number	25.3
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Delete Variation I – Te Kowhai Airport OLS to remain as a village airfield and review in 10 years' time.
Decision Reasons:	<ul style="list-style-type: none"> • The Te Kowhai community will become a downgraded living community with the expanded OLS covering 33 sq.km. • 80% of village residences will become LIM encumbered. <p>Variation I - Te Kowhai Airport Obstacle Limitation Surface</p>

Point Number	25.4
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation I to include Airfield Rules to impose a night flying curfew at 9.00pm or dark whichever is sooner.

- Decision Reasons:**
- The social effects are huge and community disruption resulting from late night flying activities.
 - 80% of Te Kowhai residents will be affected

Variation I - Te Kowhai Airport Obstacle Limitation Surface

Point Number 25.5

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Amend the Airfield rules to ban EFATO activity within the OLS and to limit flying schools and itinerant flyer activities to a weekly count by a fair and open movements monitoring system.

- Decision Reasons:**
- The EFATO [engine failure on take-off] activity is invasive on residents and it causes community fear when they think the idling plane is about to crash.
 - Overhead full power engine recovery is so close and noisy, it overpowers all conversations at residences.
 - See attachment to submission for the NZTE written response which is item 2 of appendix I.
 - Submitter asks for airfield flying rules to be amended.

Figure I Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020)

Point Number 25.6

Plan Chapter Generic Category

Support/Oppose/Neutral: Oppose

Summary of Decision Requested: Delete all OLS proposed changes
AND remain as VFR airfield

- Decision Reasons:**
- Submitters property is at the western extremity of the OLS zone.
 - NZTE told submitter their OLS height is 39 metres.
 - We have mature trees' which are already near this height.
 - Submitter believes this OLS height is misrepresented by NZTE.
 - See attachment to submission for full details appendix I item I.

Figure 1 Te Kowhai Airport Obstacle Limitation Surface (OLS) (2020).

Point Number	25.7
Plan Chapter	Generic Category
Support/Oppose/Neutral:	Oppose
Summary of Decision Requested:	Amend Variation 1 – Te Kowhai Airport OLS to exclude the submitters properties from any LIM encumbrance
Decision Reasons:	<ul style="list-style-type: none">• Variation 1 changes the start point of the OLS.• The wording on Variation 1, paragraph 3, changes "runway" to "runway strip". This changes the OLS start point to be different to that advised on 4th July 2019.• See attachment to submission for full details of NZTE/Astral report.

Variation 1 Te Kowhai Airport Obstacle Limitation Surface Appendix 9
