

Report on submissions and further submissions on the
Proposed Waikato District Plan

Hearing 25: Mercer - Meremere zones

Appendix 4: correspondence from neighbours of Mercer Airport

Waikato District Council
15 Galileo Street
Ngaruawahia 3742
30 March 2021

Attention: Yvonne Legarth
Principal Planner

Dear Yvonne

Submission requesting rezoning by Mercer Airport

Kopuera Land Company Limited ("**KLCL**") own approximately 1,000 hectares of rural land at Mercer. The figure provided in Attachment 1 identifies land owned by KLCL. KLCL leases the land to Kopuera Dairies (2016) Ltd ("**KDL**"). KDL undertake farming activities over the land and currently operate with 3 milking sheds with approximately 2,650 cows split into 6-8 herds. The land contains 15 existing dwellings including farm workers accommodation.

KLCL was not a submitter to the Proposed Waikato District Plan ("**PWDP**") process and was also not a further submitter.

This appears to have been an oversight on our behalf as we have been completely unaware of the intentions or submissions made by our neighbour Mercer Airport Limited ("**MAL**") seeking an expansion of their consent activities through the PWDP process (submission number 921).

KLCL understands that you are preparing a Section 42A report, on behalf of Waikato District Council ("**WDC**") which is the Council Officer recommendation report addressing the submission to the Proposed District Plan from MAL. KLCL now understands that there is no opportunity to be a further submitter on the MAL submission, and that there is no ability for KLCL to present directly to the Independent Hearing Panel tasked with making decisions on the PWDP (and submissions to that plan).

Regrettably, KLCL were unaware that this process would operate differently to the previous resource consent processes that it has been involved with and that there is no legal requirement under the PWDP for either MAL or WDC to notify landowners who may be affected by rezoning or other submissions. As previously identified KLCL have in the past been directly notified by MAL and/or the Council regarding MAL proposals.

KLCL has been made aware that although the opportunities for KLCL to present their own case to the Independent Hearing Panel have now passed, that WDC have previously obtained legal advice which has determined that the Hearing Panel may still take into account in their decision making the interests of parties who do not have any formal legal standing as a submitter or further submitter.

This legal advice was provided by Ms Parham's advice to the Hearings Panel on 19 August 2020. The legal justification for this determination is provided in paragraphs 12-14 of that advice.

KLCL has obtained its own legal advice which has confirmed that although Ms Parham's advice on behalf of WDC was provided on a topic unrelated to re-zoning, that the findings and conclusions are relevant for this situation.

Thus respectively, we ask that as part of your 42A Reporting that you identify and consider the adverse effects on all the landowners affected by the MAL submission and any changes outlined in the evidence presented by MAL's consultants.

KLCL has reviewed the submission and evidence submitted by MAL's consultants and are deeply concerned at the actual and future potential for adverse effects should the MAL submission be allowed (in part or in whole though the Proposed Mercer Airport Zone ("**PMAZ**")).

For clarity the matters raised by KLCL (and references to KLCL) include the effects on KDL as the operator.

Noise related amenity effects

The current consent limits aircraft noise to not exceed the 55dBA_{Ldn} contour. The evidence produced by Mr Hegley has shown modelling for significant higher noise limits and has included modelling for types of aircrafts which are significantly different to the consented activities.

The proposed "Outer Contour Boundary" is just clear of a cluster of dwellings located on the KLCL landholding as located in **Attachment 2**. The practical difference between the control limit boundary location and the location KLCL dwellings of minimal and KDL does not expect that this will make any real difference in noise effects experienced by residents when compared to "within the line".

Any increase in noise from the limits set by the resource consent will create adverse effects on the amenity of the KLCL property and any ambient noise levels experienced.

The consented limits for noise do not include measurements only being taken at the "notional boundary" of a dwelling. Thus, there will in actuality be a significant increase in noise across the entire property if the MAL submission was allowed. The use of a "notional boundary" to measure noise limits, does not take into account noise experienced when working outside, and only ensures noise at the dwelling house is an appropriate. The noise generated from MAL activities (and proposed activities) is not usual rural noise and in KLCL's opinion should be treated and regulated differently. It is not sufficient to limit noise from activities proposed by MAL to the dwellings only when farm work occurs outside and activities such a rocket launches/testing etc create significant effects.

Furthermore, there appears to be no limit on aircraft (or Rocket Lab) activities in the PMAZ. The noise contours produced and which relate to the "out control limits", in reality only limit development on third party land only (i.e. KLCL and other neighbours). They have not been included as a method for a noise contour or limit that MAL and all of its aircraft and rocket testing/activities must meet. Clear limits for all activities occurring on the MAL site must be secured.

The increase in traffic movements will generate additional noise which will create adverse effects on KLCL property.

Unlimited noise from MAL is inconsistent with section 16 and 17 of the RMA which place a duty to avoid, remedy or mitigate against any unreasonable effects (including noise).

Traffic Effects

KLCL are joint owner of the access used by MAL. For clarity MAL do not access their property directly from a public road. MAL have a "right of way" ("**ROW**") easement over KLCL land. The proposed increase in traffic is substantial (more than double) the consented limit.

Any increase in traffic on the shared access creates a direct adverse effect on KLCL and KDL. The proposed mitigation works and/or any works to create a suitably standard of access would be significant and well beyond what is being proposed in terms of passing bays and speed signs etc. The current formation of the ROW does not physically enable two way passing traffic (due to construction failing of the most recent attempt by MAL to upgrade the ROW). Even with two-way traffic passing this does not resolve the operational constraints that sharing the access with 320 vehicles per day will create. This includes risks to the KDL operations whereby road users inexperienced with rural environments are being required to share the access with tractors, herd movements, farm bikes, hay and silage operators, feed out wagons, calf trailers, and milk tankers.

The ROW is also used for cattle crossings. As herds can range from 350-400 cows at any one time a full crossing can take up to 30 minutes. Inexperienced rural road users may not be aware of typical rural practices for encountering crossing herds, which creates significant risks for farming operations and safety of all people using the ROW. A significant increase in ROW traffic will only make this risk worse.

The past history of the site includes a dangerous accident occurring at the junction of the ROW which led to a KDL staff member being seriously injured. The driver indicated that they were suffering from sunstroke and did not have sufficient visibility to see the farm worker utilising the ROW. Increases in traffic will increase these risks. The location of this accident is marked on the Map in **Attachment 2**.

The increased traffic will have wider effects beyond KLCL land which will extend to the wider roading network including on and off ramps and Koheroa Road. Koheroa Road is also unsuitable for the current volumes of traffic with significant works require to fix potholes and slips.

The MAL evidence refers to mitigation works, however, there is no mitigation linked to any method/rule in the PMAZ for the increase that has been proposed, NOR has any traffic expert provided justification that the increase can be accommodated on the site and/or the wider network and that the "upgrades" are even suitable to mitigate effects.

KLCL and KDL are further concerned that there is no distinction between light and heavy vehicles making up the allowable trip numbers. While the combined total will have adverse effects, a limit that does not preclude the full allocation of vehicles being a heavy vehicle, such as a bus or a truck, would create significantly greater adverse effects on both the KLCL property and the wider transport network.

Rural Character / Reverse Sensitivity on existing rural operations

In addition to the identified amenity effects, based on the PMAZ we expect an increase in adverse effects on the both the rural character of our site and the surrounds and a growing incompatibility (reverse sensitivity) between the activities undertaken on KLCL land and the MAL site.

The effects on rural character include:

- Loss of rural character due to significant increase in traffic proposed to be undertaken. The proposed volume of traffic (up to 320 movements per day) is not commensurate with rural activities, nor is their presence on rural roads or over private land (via easements). Thus it will detract from the rural character of the immediately adjoining sites and the wider area.
- The provisions include a range of activities listed in proposed Rule 29.1.1 which can be undertaken as of right (i.e. there is no mechanism for managing the adverse effects of these activities) nor consideration for how they are compatible with the

rural character of the surrounding area or which are "controlled activities" which cannot be declined by Council for their effects. These activities include:

- Unlimited patronage for "accommodation" activities which were previously limited by the 2014 Environment Court decision to be 30 persons maximum.
 - Any activities for aircraft maintenance and including Rocket Lab facilities and testing
 - Café and clubs rooms
 - Storage and warehousing (not necessarily related to aviation)
 - Non-aviation temporary events
- The provisions enable a significant scale of commercial and warehouse operations and buildings with no discretion over their appearance and compatibility with the surrounding rural environment. The resultant character will be more akin to an industrial site than the rural environment.
 - The noise produced from activities is not anticipated in a rural environment,

The effects on rural operations undertaken by KDL on KLCL land include:

- An increase from 120 to 320 vehicle movements per day through land owned by KLCL creates significant operational issues. While the evidence package identifies upgrades to be undertaken, there is no mechanism in the proposed provisions to specifically require such works and thus no guarantee that any upgrades would happen.
- Risks to the KLCL and KDL operations whereby road users inexperienced with rural environments are being required to share the access with lengthy time delays associated with herd movements and general use by tractors, farm bikes, hay and silage operators, feed out wagons, calf trailers, and milk tankers.
- Increase in noise from operations including and particularly from jet testing and aircraft movements that does startle the animals present on the KLCL property. Startled cattle do behave similarly to a startled horse, but can also cause herd behaviours (i.e. herd stampede) and this can cause serious damage to both the animals and property.
- The unlimited cap on "accommodation" and increased users on the ROW has the potential to have reverse sensitivity effects of odour from dairy operation, odour from fertiliser used onsite (chicken manure) and spraying etc associated with harvesting activities and general paddock maintenance. Increased users on the ROW also can increase the same effects as the ROW is adjacent to irrigation sprayers (which create odour).
- The existing consent has a specific condition restricting aircraft movements during the essential mechanical cleaning of the drainage canal (Kopuera stream). This is a shared responsibility between all landowners to effectively manage the complex series of drainage canals that operate to avoid flooding. KLCL are concerned that the mechanical cleaning devices will intrude into the obstacle limitation surface and will therefore not be permissible to be utilised. This is a significant concern for KLCL as without regular maintenance adverse flooding over properties (including the MAL land) will occur. This places people, livestock and farm operations at a significant risk.
- Increased traffic numbers also result in increased persons on the MAL site. In general people inexperienced with rural practises can become "alarmed" for animal welfare particularly during calving seasons which creates ongoing issues for KLCL dealing with unfounded complaints.

Cumulative Effects on amenity

The combined increase in aircraft movements, hours of operation and removal of noise limitations (or even using the contours as a predicted noise limitation) will significantly impact on amenity. Furthermore, there is no restriction imposed on the hours of operation of any other activity which is permitted to occur on the MAL site.

Unlimited hours of operation will enable night time vehicle movements (creating noise) night time activities for all commercial and café type activities, and combined with night time flying and associated lighting, will impact on the sleep of any person residing in any dwelling on KLDL land, and the aural quality of the night-time environment, and create significant lighting changes and residual glow on the night sky when viewed from KLCL landholdings (and further).

The current consent limits the height of aircraft over dwellings to no less than 250m, but there are no similar limitations nor is there any justification for deletion of this provision or the effects on properties associated with it. The loss of this restriction combined with the proposed increased in aircraft movements, types of aircrafts and lack of any restriction on hours of operation creates further potential for cumulative effects on the amenity of KLCL land.

KLCL and KDL are also concerned that night time vehicle movements and flights will:

- create safety issues due to inability to regulate/monitor or control persons entering the property and cause safety issued for KDL equipment, sheds, stock etc.
- create transport safety issues along the ROW triggering the need for lighting of the ROW (which would create additional night time lighting adverse effects on KLCL land).

Loss of development rights

Noise Contours

The noise contours will place additional costs directly to us and will sterilise part of our land when deciding on appropriate places to construct dwellings and/or farm workers accommodation.

The noise contours will mean that all new habitable buildings we may wish to build (such as workers accommodation or a minor dwelling) as well as extensions to any existing dwelling will require acoustic insulation and mechanical ventilation systems in order to comply with the internal noise standards.

This adds considerable cost to any construction which are not considered to be "minor" increases as suggested by MAZ consultants. No compensation has been offered, or provided for in the planning provisions, for these additional building costs.

The imposition of noise contours also significantly compromises any further development that KLDL may wish to undertake on their property through use of the rural subdivision/boundary adjustments in the future. This severely impacts our property rights and has a direct adverse economic impact due to constraints on the land.

Obstacle Limitation Surface ("OLS")

KLCL is significantly concerned that it is unable to determine the full extent of any effects created by the proposed OLS as the evidence package does not include the height above Moturiki Datum for the obstacle limitations surface area in the proposed provisions, which

makes it impossible to understand exactly how the OLS affects our property above the natural ground level.

There is currently no OLS in the resource consent approved by the Environment Court for the Airport. The proposed OLS will substantially affect the ability to construct permitted activity farm building across our property due to the height limitations.

The OLS would also restrict permitted activity shelterbelts or other planting needed for both environmental enhancement and/or commercial purpose. Furthermore, other machinery used for farm purposes, such a fence post machines etc, drilling machinery for bore's, etc would also potential intrude into the OLS and thus would not be able to be used on the farm.

These factors severely impacts our property rights and have a direct adverse economic impact on our operation (due to constraints on the land).

We have also been made aware that despite having "existing use rights" for vegetation that may already fall within the OLS, that this may not provide sufficient protection and if the OLS is approved substantial works (at KLCL costs) will need to be undertaken to accommodate the OLS limits.

Use of future technology

Like most industries technologies for farming operations are advancing. It is possible that in the future these technologies will advance to drone (or similar) use for irrigation, welfare checking, monitoring and maintenance. KLCL is concerned that expanded aircraft operations and associated restrictions will have flow on effects which will inhibit the ability of KLCL to utilise these technologies that may conflict with aircraft flightpaths etc.

Traffic

The increase in traffic along the shared accessway immediately causes KLCL a loss of potential development rights as the capacity of the ROW (if Council and/or the Hearing Panel consider the MAL submission should be allowed) will be fully extinguished. As noted previously, the ROW is not suitable for the proposed level of traffic and conflicts between legitimate farming operations and "visitors" to the MAL site will occur.

Discharges and Contaminants

KLCL are particularly concerned at the proposed large quantities of hazardous substances which are intended be sorted on site, as of right, without any consideration for potential safety effects on KLCL operations. At present the MAL resource consent does not include any hazardous substances storage component, and the increase combined with permitted status is alarming. Adding to that is the intention to allow these substances to be stored underground where the groundwater table is high, and the site is located within a significant flood plain. These factors perpetuate the potential for adverse effects.

At present the MAL site is within an area of high floods and high groundwater table. The increase in activities will cause increases in ground stormwater runoff and treatment requirements from high containment generating activities, and wastewater services.

Potential seepage from contaminants, fuel spills, stormwater discharges and wastewater have the potential to contaminate groundwater resources which are essential for the operation of the KLCL farming operations which rely on bore water for stock and irrigation etc. Furthermore, KLCL are aware that the firefighting foam used by airports during

emergencies is particularly contaminating for groundwater resources and cannot easily be remedied once it has infiltrated below ground level. While KLCL understand the need to have emergency remedies for firefighting purposes, the risk of these needing to be used increases significantly under the MAL proposal where the aircrafts, helicopter and Rocket Lab testing is unlimited (compared to the consented 100 movements per day).

There is a significant risk that contaminants and discharges will also affect the downstream network being the Koperua stream, the Whangamario wetland, and ultimately the Waikato River. KLCL are aware of the new National Freshwater Policy Statement and the legislation surrounding the protection of the Waikato River including the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which in tandem prioritises the health and wellbeing of streams, wetlands and the Waikato River **over** the needs of people.

The Koperua stream, Whangamario wetland, and the Waikato River should be protected from additional contaminants and discharges which will result from allowing the MLZ submission.

Flooding

KLCL are concerned that additional impermeable surface associated with additional buildings on the airport will decrease the level of infiltration and increase the frequency and duration of flooding. The MAZ provisions will allow up to 60% of the site being impervious.

Furthermore, a significant volume and area of earthworks and importation of cleanfill are proposed to be permitted, despite these works falling within a flood prone area. There is no consideration in the permitted activity standards for the potential to "increase flows" onto neighbouring properties. The provisions requiring maintenance on "natural drainage patterns" do not provide enough surety that increased volumes across the existing pattern will not occur. Furthermore, there is actually no requirement on the cleanfilling provisions to manage floodplain and depths of flows and effects on neighbours at all.

Other Effects

KLCL also have concerns that other adverse effects on KLCL land and operations will occur from the range of temporary activities permitted to occur on the site. The PMAZ permits non-aviation related temporary activities which can occur up to three times per year, but these can operate for a full working day up to 10pm at night. KLCL are concerned that this permitted activity status may allow for festivals (including music festivals which could last up to 3 days), markets, etc all of which will create adverse effects on KLCL land and operations and have the potential to create safety risks for the KLCL activities.

Existing Consent Compliance

The Evidence package presented includes reference to specific activities occurring on the site which **do not form part of the approved consent**, but have been identified as activities which are proposed to be permitted.

These include:

- Helicopter flights and maintenance.
- Rocket Lab activities.
- "overflights" which is a manoeuvre whereby planes from other airports approach the runway as if to land but fly along the runway at an elevation of 30m before departing.¹ This manoeuvre is identified by the evidence to be "outside of the control

¹ Para 19 of Mr Hegley evidence

of Mercer Airport" and thus have not previously been included in the 100 movements allowed per day.

The admission from MAL that there is current non-compliance with their consent is not justification for any future increases or demand, and should not be taken as any admission that the effects of these activities are suitable for the environment.

KDCL will be pursuing separate compliance and enforcement action on these issues with the WDC and trust that the precedent set by continued disregard for set limits will be taken into account.

PMAZ provisions

The below outlines other areas of concern (some of which are also raised above under the adverse effects section) with the PMAZ provisions should the Council and/or Hearing Panel be minded to accept the MAL submission in part or whole:

- There is no limit proposed on aircraft or rocket noise. The noise contours proposed do not have a method linking them to a limit on aircraft or rocket noise (they only have methods relating to acoustic insulation for any future dwelling falling within them).
- There is no limit on the hours of operation for aircraft or any other permitted activities.
- Non-aircraft noise is proposed to be set at a limit which is higher than the rural zones. There is no basis for allowing a higher standard than the adjoining rural sites.
- The noise limits proposed do not guarantee that any cumulative noise (from different activities operating at the same time) will be taken into account in determining compliance.
- Rocket testing should not be a permitted activity. It has significant effects which are not captured by any development standard. This activity should be required to seek resource consent and publicly notified to neighbours (including provision to secure warnings to neighbours at least 14 days prior to any testing date/time).
- Vehicle movements are not restricted or split between light and heavy vehicles. There is nothing to stop MAL activities having 320 truck or bus movements per day.
- There is no mechanism in the proposed provisions to specifically require transport related upgrades/mitigation works.
- Temporary activities for non-aviation activities should not be a permitted activity. It has significant effects which are not captured by any development standard and no provision to ensure that the 3 days are not undertaken "consecutively". This activity should be required to seek resource consent and publicly notified to neighbours (including provision to secure warnings to neighbours at least 14 days prior to any such activity).

Section 32AA Assessment

While the council is not obliged to consider any comments that are made below regarding the section 32, the following is highlighted.

Table 1 of the section 32 assessment fails to consider either applying for a private plan change AND/OR a notice of requirement. Both of these options are more appropriate for the proposal than the current option and would enable a full consideration of effects on other land and persons.

Table 2 of the Section 32 fails to recognise the sterilisation of land that will occur due to the controls imposed by the Noise Contours and OSL and the combined adverse effects of the additional controls and reduction in some limitations previously included in the RC.

The Section 32AA fails to assess the objectives proposed by the rezoning including whether they are the most appropriate to achieve the purpose of the Act and fails to adequately address and assess the provisions proposed achieve the objectives.

In addition the Section 32AA fails to contain a level of detail that corresponds to the scale and significance of the adverse environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal. The implication of the zoning is addressed above and contains far greater detail than what the submitter has provided.

Conclusions

We are concerned at the large number of people affected by the MAL submission, who like KLCL have been completely unaware of the process, the requirements of the PWDP in terms of submissions/further submissions and are shocked that such a proposal could be heard without input from those directly affected.

KLCL would like to thank you for considering our concerns, and if you need any further information please contact Roger Tomlin Roger.Tomlin@ballebros.co.nz.

Please feel free to attach our letter to your Section 42A report as we feel it is important for the Hearings Panel to understand the effect this submission will have on us, if they accept it. If the Hearings Panel wish to ask us any questions, we are happy to attend the hearing.

Sincerely



Roger Tomlin on behalf of
Kopuera Land Company Limited and
Kopuera Dairies (2016) Ltd

Waikato District Council
15 Galileo Street
Ngaruawahia 3742
30 March 2021

Attention: Yvonne Legarth
Principal Planner

Dear Yvonne

Submission requesting rezoning by Mercer Airport

We understand you are preparing a Section 42A report addressing the submission to the Proposed District Plan from Mercer Airport (submission number 921).

We are land owners and residents on Koheroa Road and surrounds, in the districts of Mercer and Mangatwhiri.

We understand that we have missed our opportunity to be a further submitter to the submission from Mercer Airport. We are aware that there is no requirement under the RMA for Council to notify individual landowners whose properties may be potentially affected by a submission. We are aware of Ms Parham's advice to the Hearings Panel on 19 August 2020 who considered that, despite a number of landowners not having standing as a submitter, their interests can be taken into account in the Commissioners' decision-making on submissions concerning their property. Ms Parham goes on to state:

12. The legal basis for this is section 76(3) of the RMA. This expressly provides that in making a rule, Council shall have regard to the actual or potential effect on the environment, including in particular, any adverse effects.

13. The definition of "environment" in section 2 of the RMA is broad and includes:

(a) ecosystems and their constituent parts, including people and communities; and

(b) all natural and physical resources; and

(c) amenity values; and

(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.

14. Hence, the landowner and the land itself makes up part of the environment, as does the social and economic conditions which affect the landowner and land, being the restrictions imposed

Although Ms Parham's advice was in the context of scheduling a site as being a Maori Area or Site of Significance, our situation is similar. In determining whether to accept the submissions seeking the inclusion of a new zone and suite of provisions for Mercer Airport, Ms Parham considers the Commissioners must take into account the adverse effects on the landowners. We understand from Ms Parham's advice that this obligation applies notwithstanding the landowners have not engaged in the submission process.

We respectfully ask that you identify and consider the adverse effects on all of the landowners affected by the submission from Mercer Airport in your Section 42A report. The interests of the landowners are highly relevant to the evaluation required under section 32AA of the RMA if the submissions were to be accepted.

We note these are all adverse effects, and there are actually no positive effects for us arising from the submission.

Number and frequency of planes

- The current consent limits the number of aircraft movement to an average of 100 movements per day averaged over a rolling 3-month period. This is already a considerable number for a rural environment, and any increase will affect the noise and amenity of our site. Rule 29.2.12 allows 40 jet movements per 12 month period, and there is no limit on any other plane or helicopter movements.
- There is no limitation on circuit training.
- The range of aircraft is much broader including fixed wing, helicopters, jets and rockets (refer Policy 1d and Rule 29.1.1) all of which have considerable different acoustic characteristics and flight paths from the Catalina and the current consented fixed wing aircraft using the airport.
- The current consent limits aircraft movement to between the hours of 7.00am to 10.00pm. Any extension to these hours will affect the sleep of ourselves and our children.
- Fog occurs frequently in the mercer lowlands where the airport is located which increases the potential safety risk for aircraft operations and this risk is intensified with the increase in aircraft movements. In addition, if fog delays regular schedules this may result in increased periods of noise while the airport operations "catch up" on flights.
- Mercer Airport borders a large wetland full of wild fowl including a large population of Canadian geese a large bird quite capable of bringing down aircraft if struck during take-off. The increase in aircraft movement and noise risks scaring the birds, which heightens the risk of bird strike (particularly the noise of air craft preparing to take off) as the birds would be airborne at exactly the same time as an aeroplane was most vulnerable to a catastrophic crash. Water fowl are nearly always in the Kopuera stream which is immediately off the end of the runway. The potential for these types of effects and risks associated with this will only increase with the expansion of activities.
- Any increase in the number of flights will affect the quiet enjoyment of living in the countryside. We understand that to many newcomers may not consider rural activities as "quiet", however there is a significant difference between rural noise and aircraft noise.

Vehicle movements

- The increase in traffic movements from the consented 60 vehicles per day (60 movements in and 60 movements out) will have safety effects on Koheroa Road.

- Koheroa Road is already in need of improvements without the additional traffic. Increased movements will affect the safety of users of Koheroa Road, in particular, school busses which collect and drop off children along Koheroa Road.
- Increases in non-rural road users and in particular tourists to the airport creates significant additional safety concerns, as Koheroa road is regularly used by farm vehicles including tractors and machinery. There has already been a serious crash involving a foreign person traveling on the wrong side of the road who was associated with the airport.

Obstacle limitation surface area

- We understand the issue of Section 10 existing use rights in terms of trees within an obstacle limitation surface area was recently canvassed in the hearing for Te Kowhai Airpark and we remain concerned that our existing trees would need to be substantially trimmed to accommodate the obstacle limitation surface area.
- There is currently no obstacle limitation surface embedded in the District Plan for the Airport. The obstacle limitation surface area substantially affects the development of any trees or structures on our properties to varying degrees depending on location. This has a negative economic impact and constrains any further development we may wish to undertake.
- Duck shooting is both a recreational and necessary activity, to control wild fowl numbers we are concerned that this may intrude into the obstacle limitation surface and/or conflict with aircraft safety and movements.
- The ability to use drones for every day jobs on the surrounding farms would be impossible under the proposed height limitation surface area and has the potential to be at risk from interfering with aircraft flightpaths. This prevents us from future proofing the management and monitoring of our farms.
- The height above Moturiki Datum for the obstacle limitations surface area is missing from Appendix 13 of the proposed provisions, making it impossible to understand exactly how this affects our properties.
- The imposition of obstacle limitation surface area and noise contours will decrease the value of our properties significantly.

Groundwater and flooding

- The additional development proposed on the Airport will require onsite wastewater treatment systems. This area already has a very high groundwater level and we are concerned at the potential for contamination of the groundwater and the risk of contamination of the Kopuera Stream.
- This area is low lying and has a complex arrangements of drainage canals, all of which drain to the single pump station located at the end of the Kopuera stream. We are concerned that additional impermeable surface associated with additional buildings on the airport will decrease the level of infiltration and increase the frequency and duration of flooding. Rule 29.3.3 allows up to 60% of

the site being impervious. We note this area was identified as being within the Defended Area in the recently notified Proposed Waikato District Plan (Stage 2) planning maps.

- It is common for the Motukaraka drainage area to be affected by high water levels due to a large catchment area being channelled to the single pump station at the end of the Kopuera stream creating backlog flooding.
- Flooding in the area has to be shared by all land owners equally. We are very concerned that this factor has been overlooked or not realised
- We are also concerned at the increased risk to people and property from flooding, in terms of the planes housed in the hangars, as well as any additional dwelling accommodation the Airport may construct. We are concerned that essential Mechanical cleaning of the drainage canal (Kopuera stream) will intrude into the obstacle limitation surface, current Resource consent condition Schedule 1 k.
- This area is identified as being within the "Defended Area" in the recently notified Proposed Waikato District Plan (Stage 2) planning maps due to the presence of an existing stop bank for flooding and is still subject to flooding which will worsen with effects of climate change. If there was a breach to the stopbank flood waters up to 3.6m in depth could occur across the area. We do not consider that the airfield operation such that as proposed by the expansion and new rules by mercer airport would be a suitable or compatible activity in such a high risk flooding area and given the depths of potential floods.
- We are concerned at the increase in the storage of aviation fuel that the rules enable and the increase in combustion risk, as well as increased potential for contamination of groundwater.

Activities

- We are concerned at the range of activities in Rule 29.1.1 which can be undertaken as of right, with no consent required and therefore no mechanism for allowing the adverse effects of those activities to be assessed or managed.

Other effects

We are concerned at the large number of people affected by the obstacle limitation surface in particular, who have absolutely no idea that this overlay is intended to apply to their property. The first time they will be aware of it is on a Land Information Memorandum when they are selling their property or undertaking construction.

Below is a list of names and signatures of affected parties.

Thank you for considering our concerns, and if you need any further information please contact Victoria on behalf of the concerned residents of Koheroa Road and surrounds in the Districts of Mercer and Mangatawhiri

Yours Sincerely

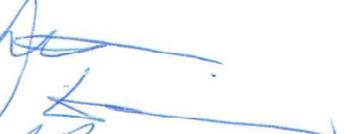
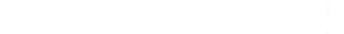
localsagainstexpansion@gmail.com

NAME

ADDRESS (Physical)

Email/phone

Signature

Anne Parker	908 Koheroa Rd	hunka@xtra.co.	
Dave & Judy Eady	Koheroa Rd		
Sue Cockrell	Kelly Road	mookaflats@gmail.com	
Dave Dean	King Rd	davedean412@gmail.com	
Katrina Spence	Koheroa Road		
Victoria Schroder	Koheroa road		
Zech Schroder	Koheroa road		
Murray Twining	696 Koheroa Rd.		
Shane & Judith Bertling	46 Kelly Rd -539 Koheroa Rd -990 Koheroa Rd		 
Scott & Megan Wooten	5 King Rd		 
Graham Haddock	626 Koheroa Rd		
Jim Ball	R.D. 2 Mercer		
LOGAN HAWES	907 KOHEROA ROAD		
Matthew Dean	78 Kelly Rd RD2 Mercer 2474		
Sheila Dean	"		

NAME

ADDRESS (Physical)

Email/phone

Signature

Shane Coulter

1039 Koheroa Rd

0273285885



Ramesh Singh

590 F Koheroa Rd

0277360786



Manpreet Singh

590 F Koheroa Rd.

0284106655



Daniel Colgan

416 Koheroa rd

02102490173



Paul Johnston

652 Koheroa rd

Tehau Robinson

590 F Koheroa rd

0224008475



Daniel Wisheaw

590 H Koheroa RD

0273593943



Carl Van Hellenand

342 Koheroa Rd

R.D.2 Mercer

0277427081



Clark Tracey

590 E KOHEROA RD.

R.D.2 MERCER

0212177196

GARY Owen Prop 2008 Ltd.
774 Koheroa Rd.

0273288678



NAME

ADDRESS (Physical)

Email/phone

Signature

FRED SENIOR 33 Kelly Rd Mercer. 092326792
Sam and Shelley Dean 771 Koheroa Rd

GAVIN MURRAY

JULZ TATLER Koheroa Road.

Donna + Geoff Batt Koheroa road

Batt

Heather + Andrew Overcrest. Koheroa Rd

Heather + Andrew

Todd Black 389 Koheroa Road Mercer

Todd Black

James Chapman - 830 Koheroa Rd.
james@jamieson-park.co.nz

Annette Black Koheroa rd

Brad & Ellie
Cockrell 257 Koheroa rd
Mercer brad.elli Cockrell @
gmail.com

Natalie - 604A Koheroa Rd

Boy - " " "

Bubbia - " " "

N Remiere

NAME

ADDRESS (Physical)

Email/phone

Signature

Allan Nixon 87 Kelly Rd Mercer allanandheidie@hotmail.com 

Heidi Nixon 87 Kelly Rd, Mercer allanandheidie@hotmail.com 

Kevin O'Neill 59 Kelly Road Mercer N/A 

Timi Wood 539 & 990 Koharoa Rd Mercer woodacres2018@gmail.com 

Edna May Wood 539 & 990 Koharoa Rd Mercer woodacres2018@gmail.com 
Edna Wood.

MARK + Robyn Ben 604 Koharoa rd Mercer 

we are opposed to Mercer
Airport Expansion.

NAME

ADDRESS (Physical)

Email/phone

Signature

Mark Pope

~~_____~~ KOHEROA ROAD
Mangatawhiri

M Pope

Lin Galvin

~~_____~~ Koheroa Rd.
Mangatawhiri

Geraldine
VanderBrink

Koheroa Rd
Mangatawhiri
Koheroa Rd.
Mangatawhiri

G. Brink

AFA LEUU

Jane VanderBrink

Koheroa Rd Mangatawhiri

Melissa van den
Brink.

Koheroa Rd.
Mangatawhiri

M. van den Brink

LANCE OLSEN

KOHEROA RD
MANGATAWHIRI

Janet Olsen

Koheroa Road,
Mangatawhiri

J. Olsen

Samantha-Leigh Olsen

Koheroa Road
Mangatawhiri

S. Olsen

Adam Pope

Mangatawhiri
Koheroa Road

Elizabeth Pope

Koheroa Road, mangatawhiri

Elizabeth Pope

We are opposed to Mercer
Airport Expansion.

NAME ADDRESS (Physical) Email/phone Signature

~~Mark Pope~~ ~~KOHEROA ROAD~~

~~Mangatawhiri~~

~~Milnes~~

~~in Gal~~

~~Koheroa Rd~~

~~Mangatawhiri~~

~~Gal~~

Emiel Koek Mercer

Kedra Krystal Kira Koheroa Road.

Linda e Paul Coles Koheroa rd (sent email).

Adele e Mark Dalton Mangatawhiri

NAME
Signature

ADDRESS (Physical)

Email/phone

Rachel Dean 92 King Road, RD2, Mercer
Ru

r.mckenzie@4adgmail.c.

0274047714
Karina.jex@gmail.com
0272142173

Karina Jex 92b King Rd, RD2, Mercer
~~KJ~~

Chris French 92b King Rd RD2 Mercer.

0275465075.

Ann Youngman 130 Kelly Road

0278250106

Kaitlyn Lee 108 King Road, RD2, Mercer
kglee

0274846262

kaitlyngrocelee@gmail.com

Marcus Brears 65 King Road

0211106620

Shiva Sami 42 King Rd

0272065049

Warren Adams 1054 Kohere Rd.

021531810
war.adams@icloud.com

Murray Adams 1022 Kohere Rd
Deanne

0273332261
murrayanddianna@
xtra.co.i



(no subject)

30 March 2021 at 08:21

----- Forwarded message -----

From: MarK Pope <markwpope57@gmail.com>

Date: Sat, 27 Mar 2021, 5:34 PM

Subject:

To: <localsagainstexpansion@gmail.com>

I oppose the expansion of mercer airport signed Mark Pope & Lin
Galvin [895 Koheroa Road Mangatawhiri](#)
Regards Mark



(no subject)

1 message

30 March 2021 at 08:21

----- Forwarded message -----

From: Joe Pope <jpope@powerfarming.co.nz>

Date: Sat, 27 Mar 2021, 5:26 PM

Subject: Mercer airport

To: localsagainstexpansion@gmail.com <localsagainstexpansion@gmail.com>

Please add my name Joe Pope and my partner Sarah Addy in opposition to the ridiculous proposed expansion of Mercer airfield.

From [388C Lyons road Mangatawhiri](#).

Regards

Joe

Sent from my iPhone



(no subject)

1 message

30 March 2021 at 08:22

----- Forwarded message -----

From: Linda Coles <linda@lindacoles.com>

Date: Sat, 27 Mar 2021, 6:47 AM

Subject: Mercer airport

To: <localsagainstexpansion@gmail.com>

Please add Paul and Linda Coles to the list of names against the airport expansion.

Kind regards,

Linda Coles, Author.

021 675 745

Treat everyone as though it's your last day on earth.

Sent from my phone.



Fwd: Mercer air port

1 message

30 March 2021 at 11:53

Begin forwarded message:

From: "kelly@thinkhrlimited.co.nz" <thinkhrlimited@gmail.com>

Subject: Re: Mercer air port

Date: 30 March 2021 at 10:51:10 AM NZDT

Reply-To: kelly@thinkhrlimited.co.nz

Hi,

I'm happy for my name to be added to the letter - details below.

Thanks

Kelly

Kelly Hughes, [249 Koheroa Road](#), Mercer, kelly@thinkhrlimited.co.nz, 0210677558