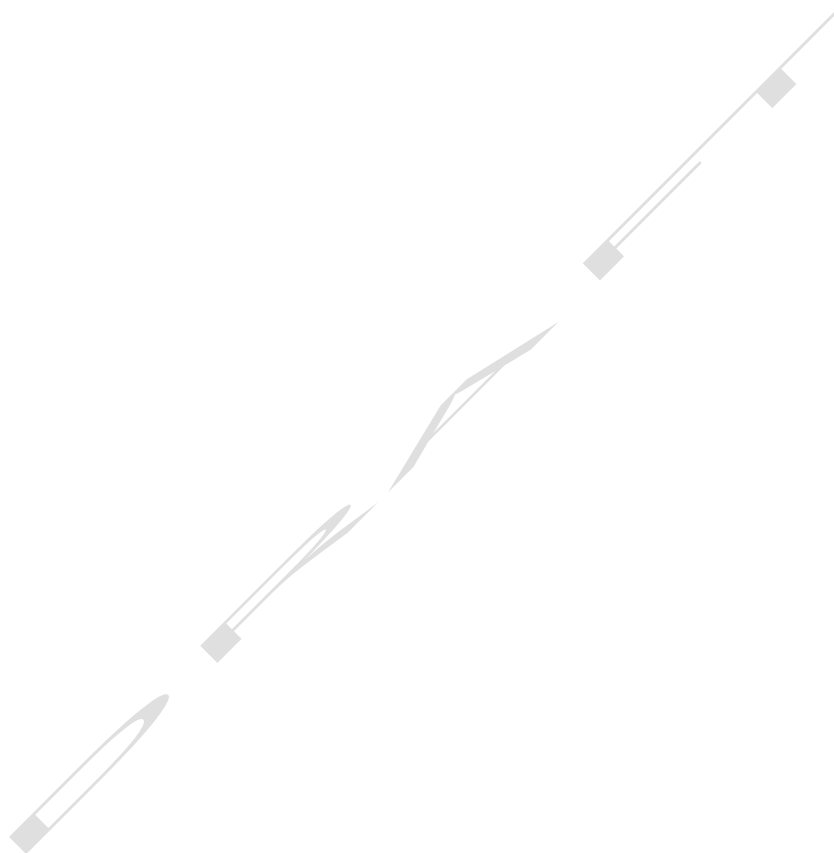


KAIPARA DISTRICT COUNCIL

IN THE MATTER

of the Proposed Kaipara District Plan

**SUBMISSION BY TONY MICHELLE
FOR THE NEW ZEALAND HELICOPTER ASSOCIATION**



To: Kaipara District Council - Proposed District Plan
districtplanreview@kaipara.govt.nz

Submission from: NZ Helicopters Association (NZHA)

Submitter contact details:

Tony Michelle
Executive Officer
NZ Agricultural Aviation Association

Phone: 0274 325 085

Email: tonzaaa@aviationnz.co.nz

Postal address:

Aviation Industry Association
PO Box 2096, Wellington, 6140

Submissions due: 30 June 2025

NZHA would not gain an advantage in trade competition through this submission.

NZHA wishes to speak to this submission.

If others make a similar submission, we will not consider presenting a joint case.

Submissions are set out in the attached table.

Signature:



Date: 23/06/2025

1. EXECUTIVE OFFICER QUALIFICATIONS AND EXPERIENCE

Tony Michelle, Executive Officer (EO) NZAAA

My name is Tony Michelle, and I am the EO of the NZAAA. In this matter I represent the interests of the New Zealand Helicopter Association (NZHA).

I have been in the agricultural aviation and commercial helicopter industry since 1983 completing 11,000+ hours of flying. In 2022 I sold my interests in the Company I owned and managed for 33 years specializing in agricultural aviation and commercial helicopter activities including land and aquatic weed control, crop protection, fertiliser application, pest eradication, search and rescue, commercial lifting and aerial transport.

2. ABOUT THE NZHA

The NZHA, another division of the AIANZ, represents the commercial interests of helicopter aviation (other than agricultural aviation). Commercial aviation businesses support NZ communities and the economy in a range of activities that includes but are not limited to:

- the construction, maintenance and repair of critical infrastructure, particularly energy and communications
- asset management, survey and surveillance
- infrastructure construction works
- adverse event relief
- flight training,
- conservation management, science and research
- search and rescue
- ad hoc transportation
- aerial photography and filming

The helicopter sector operates circa 900 helicopters nationwide with a large portion operating in commercial roles supporting communities and the economy.

3. COMMERCIAL HELICOPTER ACTIVITIES - THE USE OF TEMPORARY HELICOPTER LANDING AREAS

The NZHA supports intermittent, infrequent or temporary commercial helicopter activities as a permitted activity – Rationale:

- a. activities are crucial for maintaining critical infrastructure, ensuring continuity and security of services such as energy and communications
- b. are essential for responding to emergencies and adverse events
- c. activities are used widely for maintaining and enhancing conservation infrastructure
- d. activity is intermittent, infrequent or temporary. Multiple flights are usually undertaken over a relatively short timeframe with no subsequent activity over long periods; therefore, the overall effects are limited and minor

NOTE FOR CLARIFICATION

These submissions relate to the intermittent, infrequent or temporary use of rural airstrips and temporary helicopter landing areas.

Airfields, aircraft depots/bases, and heliports that are used on a regular basis are not part of the permitted activity that is sought.

4. GENERAL FEEDBACK TO THE PROPOSED PLAN

- a. There are no specific definitions proposed in the PDP that clearly identify the difference between intermittent, infrequent or temporary use of rural airstrips and temporary helicopter landing areas vs airfields, aircraft depots/bases, and heliports that are used on a regular basis.
- b. There are no provisions in the PDP that adequately provide for the use of temporary helicopter landing areas relating to emergencies and ad hoc activities.
- c. Helicopters undertaking the installation, repair and maintenance of infrastructure are undertaking construction works. Clarity for this activity is sought.

5. NZHA SPECIFIC SUBMISSIONS RELATING TO THE PDP

| Plan section | Plan provision | Support / Oppose | Reason | Decision sought |
|--------------|-------------------------------|------------------|---|--|
| Definitions | Aircraft New | n/a | UAV's are an 'aircraft' by definition (RMA). It is appropriate to include UAV's where they have similar effects to conventional aircraft however council should not manage small UAV's that have minimal effects. | <u>Add new definition</u> <u>Aircraft means any machine that can derive support in the atmosphere from the reactions of air otherwise than by reactions of the air against the surface of the earth excluding kites.</u> <u>Note: this definition excludes drones and unmanned aerial vehicles (UAV's) that weigh less than 200 kgs.</u> |
| Definitions | Conservation activity | Support | The intent of the definition is supported. | Retain the definition as notified |
| Definitions | Construction works New | n/a | NOISE-R2 is a rule for construction works noise but there is no definition for construction noise in the plan. There is a definition of 'construction works' in NZS6803 that is the appropriate definition for construction works. Styles Group Report January 2022 recommended that the definition from NZS6803 for construction work was included in the Plan. NZHA supports that recommendation. Helicopters are a critical tool for construction works for the installation, maintenance and repair | <u>Add new definition:</u> <u>Construction works means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:</u> <u>a) any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or in part above or below ground level;</u> |

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|--------------|----------------|------------------|--|--|
| | | | of infrastructure in remote locations, where rapid response is required or where other methods are unsuitable. | <p><u>b) Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal or aerodrome;</u> <u>c) Any drainage, irrigation or river control work;</u> <u>d) Any electricity, water, gas or telecommunications reticulation;</u> <u>e) Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel or reclamation; or</u> <u>f) Any scaffolding.</u></p> <p><u>Construction work includes:</u> <u>a) Any work in connection with any excavation, site preparation, or preparatory work carried out for the purpose of construction work;</u> <u>b) the use of any plant, tools, gear, or material for the purpose of any construction work;</u> <u>c) Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation; and</u> <u>d) Any inspection or other work carried out for the purpose of determining whether construction work should be carried out.</u></p> |

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|--------------|--------------------------------|------------------|---|--|
| | | | | <u>Construction noise is defined in NZS6803 to mean noise arising from any construction work as defined above.</u> |
| Definitions | Helicopter movement New | n/a | A definition of a helicopter movement provides clarity for the plan. | <u>Add new definition:</u> <u>Helicopter movement means a single helicopter flight operation (landing or departure) of any helicopter.</u> |
| Definitions | Heliport New | n/a | Inclusion of a definition for a 'heliport' clarifies the difference between a 'temporary helicopter landing area' that is used on an intermittent, infrequent or temporary basis compared to a 'heliport' that is used on a regular basis or as a permanent helicopter base. The definition sought is the NZS 6807 Management of Helicopter Noise definition for a 'heliport'. | <u>Add new definition:</u> <u>Heliport means a facility for helicopter movements including support services for passengers or aircraft. A heliport may include passenger terminals, administration, freight, refuelling, helicopter parking or hangaring, and helicopter maintenance and servicing.</u> |
| Definitions | Reverse sensitivity New | n/a | Inclusion of definition for reverse sensitivity is important for clarity an ensuring that existing lawfully established activities are protected. | <u>Add a new definition:</u> <u>Reverse sensitivity means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse</u> |

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| | | | | <u>environmental effects generated by an existing activity.</u> |
| Definitions | Temporary helicopter landing area New | n/a | <p>It is important to provide a definition of a 'temporary helicopter landing area' that can be used to clarify the difference between a landing area used on an intermittent, infrequent or temporary basis compared to a permanent heliport used on a regular basis or as a helicopter base.</p> <p>Heliports will often include facilities for ticketing, passenger management, aircraft storage and servicing. Inclusion of 'no commercial aviation infrastructure or facilities' ensures that the permitted activity is specific to intermittent, infrequent or temporary helicopter use.</p> | <p><u>Add new definition:</u></p> <p><u>Temporary helicopter landing area means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement (excluding heliports) where there is no commercial aviation infrastructure or facilities.</u></p> |
| NOISE | NOISE-O1 Manage noise effects | Support in part | <p>Recognising the benefits of appropriate noise generating activities is important to the economic and social wellbeing of the district. An amendment is sought to ensure that the benefits are recognised.</p> <p>Receiving environment is not defined or described so it is better to refer to the zone in which the activity occurs.</p> | <p>Amend the objective by deleting and adding:</p> <p>Adverse effects of noise on amenity values and the health, safety and wellbeing of people and communities are managed to be reasonable and consistent with the anticipated outcomes for the receiving environment.</p> <p><u>The benefits of activities generating noise and vibration are recognised where the adverse effects are compatible with the</u></p> |

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| | | | | <u>purpose, character and amenity values of the zone and the zone in which the activity occurs and do not adversely affect the health, safety or wellbeing of people and communities.</u> |
| NOISE | NOISE-O2 Reverse sensitivity effects | Support | Protecting existing and lawfully established noise generating activities from reverse sensitivities is supported. | Retain the objective as notified |
| NOISE | New policy Recognising existing lawfully established noise emitting activities | n/a | Providing for existing and lawfully established noise generating activities is supported. | <u>Add new policy:</u> <u>Provide for adequate areas where activities generating higher levels of noise can operate, subject to appropriate controls and where the special characteristics of noise generating activities are accommodated to reflect the function, character and amenity values of each zone including existing lawfully established activities that are high noise generators.</u> |
| NOISE | New Policy Manage reverse sensitivity | n/a | There should be a policy that reduces the potential for reverse sensitivity and gives effect to NOISE-O2 and manages new noise-sensitive activities in proximity to areas that consistently experience higher noise levels. | <u>Add new policy:</u> <u>NOISE-P# Manage reverse sensitivity</u> <u>Reduce the potential for reverse sensitivity effects by employing land use controls that manage the design and/or location of new noise sensitive activities in proximity to</u> |

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| | | | | <u>areas that consistently experience higher noise levels.</u> |
| NOISE | NOISE-P5 Construction work noise | Support in part | Noise sensitivity for construction works should only be considered in the zone in which the activity occurs. | Amend the policy by adding: Adopt the best practicable option for noise from construction work to ensure the level, timing and duration of the noise and level of disruption is reasonable <u>having regard to the sensitivity of the zone in which the activity occurs.</u> <u>Accept: the new definition sought for: Construction works.</u> |
| NOISE | NOISE-R2 Construction work noise | Support in part | NZHA seeks to have helicopter construction activities recognised in the plan by inclusion of a definition for construction works from NZS6803 and adding a note to NOISE-S13. | <u>Accept: the new definition sought for: Construction works.</u> <u>Add</u> a note to NOISE-S13 as sought. |
| NOISE | NOISE-S13 Construction work noise | Support in part | NZHA seeks to have helicopter construction activities recognised in the plan by adding a note to NOISE-S13. Helicopter operations that are part of construction work are included within the definition sought for construction work but it needs to be clear that they are included. | Amend the standard by <u>adding</u> to the notes: Notes: <u>3. Noise from helicopters associated with construction works is provided for by NOISE-R2</u> |

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|--------------|--|------------------|--|---|
| NOISE | NOISE-R6 Noise levels from a helicopter landing area | Oppose in part | <p>The rule is appropriate for the movements from a fixed location airfield or heliport used on a regular basis.</p> <p>Separate provisions should be made for the use of temporary helicopter landing areas for emergencies and ad hoc commercial helicopter activities.</p> | <p>Amend the rule title by deleting and adding:</p> <p>NOISE-R6 Noise levels from a helicopter landing area <u>heliport</u></p> <p><u>Accept new definitions sought for:</u> <u>Heliport</u>, and <u>Temporary helicopter landing area</u>.</p> |
| NOISE | <p>New rule</p> <p>NOISE-R#</p> <p>Noise levels from a temporary helicopter landing area</p> <p>General rural zone Rural lifestyle zone Māori Purpose Zone Natural open space zone</p> | n/a | <p>Temporary helicopter landing areas should be provided for as a permitted activity for helicopters responding to emergencies such as medical, wildfire, search and rescue and adverse weather events. These are important for the well-being of the community.</p> <p>Intermittent, infrequent or temporary helicopter activities include operations such as joy rides at community events, survey flights and the ad hoc transportation of people or equipment by air that should be provided for.</p> <p>These activities are infrequent and of a short duration, so it is appropriate that they are provided for.</p> | <p><u>Add new rule:</u></p> <p><u>NOISE-R# Noise levels from a temporary helicopter landing area</u></p> <p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. Temporary helicopter movements from or to a site are undertaken on no more than 3 days (either consecutively or non-consecutively) over a 3-month period; and</u></p> <p><u>b. Movements are only undertaken between the hours of 7am and 7pm; and</u></p> <p><u>c. The site is not within the General Residential Zone.</u></p> <p><u>Note: For the purpose of NOISE-R# 1. a.</u></p> |

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| | | | | <p><u>'a day' is counted where there is at least one movement although there is no limit on the number of movements which may be undertaken on that 'day'.</u></p> <p><u>The following activities are exempt from the provisions of 1. a, b, and c;</u></p> <ol style="list-style-type: none"> <u>1. Helicopter movements for emergencies by police, fire and emergency, ambulance, medical, civil defence or for search and rescue purposes; or</u> <u>2. helicopter movements to support primary production activities; or</u> <u>3. helicopter movements to support biosecurity or biodiversity activities authorised by a statutory agency.</u> <p><u>Accept new definitions sought for:</u> <u>Heliport,</u> and <u>Helicopter movement,</u> and <u>Temporary helicopter landing area.</u></p> |
| Natural open space zone | NOSZ-P3 Implementation of plans and strategies | Support | Enabling activities that are included in a conservation or reserve management plan are supported. | Retain the policy as notified |

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|-------------------------|--|------------------|--|------------------------------|
| Natural open space zone | NOSZ-R2 Activities authorised by strategies and plans | Support | Enabling conservation activities as a permitted activity in accordance with a conservation management strategy, conservation management plan or a reserve management plan is supported | Retain the rule as notified. |
| Natural open space zone | NOSZ-R3 Conservation activities | Support | Providing for conservation activities as a permitted activity is supported. | Retain the rule as notified. |

