

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of hearings on the Proposed Mackenzie District
Council District Plan Stream Plan Change 29

Submission from:

New Zealand Agricultural Aviation Association
(NZAAA) and the New Zealand Helicopter
Association (NZHA)

To:

Hearing Commissioners, Mackenzie District
Council Plan

Date:

22/05/2025

1. Introduction

1.1 I am Tony Michelle, Executive Officer of the New Zealand Agricultural Aviation Association. In these matters I also represent the interest of the New Zealand Helicopter Association (NZHA).

1.2 I recently retired after 38 years as a commercial helicopter pilot and CEO of my own helicopter company in North Canterbury that included operations in the Mackenzie District.

1.3 The NZAAA, one of 6 divisions of the Aviation Industry Association of New Zealand (AIANZ), represents fixed-wing and helicopter operators engaged in applying fertilisers, agrichemicals, and vertebrate toxic agents (VTA's).

Agricultural aircraft are crucial in maintaining and enhancing primary production, responding to biosecurity threats, and protecting biodiversity values.

1.4 The NZHA, another division of AIANZ, represents helicopter operators engaged in commercial helicopter operations across a range of activities including the installation, maintenance and repair of infrastructure, disaster relief, supporting conservation activities, biosecurity activities and aerial transport.

Helicopters are critical for maintaining communication and energy infrastructure, disaster relief such as wildfire and adverse weather events and responding to biosecurity threats such as wallaby and wilding pine incursions.

General

2.1 On behalf of the NZAAA and NZHA, AIANZ appealed the decisions to Plan Change 23 to the Mackenzie District Plan (ENV-2024-CHC-092), with mediation held April the 2nd 2025.

2.2 The following provisions appealed in the AIANZ appeal are:

- (a) GRUZ-P8 Aircraft movements, Airfields and Helicopter Landing Areas
 - (b) GRUZ-R15 Aircraft and Helicopter Movements;
 - (c) GRUZ-R16 (4) Airfields and Helicopter Landing Areas;
 - (d) Definition for Temporary Helicopter landing area;
 - (e) Definition for rural airstrip;
 - (f) Definition of airfield; and
 - (g) GRUZ- R16 - Airfields and Helicopter Landing Areas – heading.
- 2.3 The Consent Memorandum was lodged with the Court 21st of May 2025. All matters proposed for the Court's endorsement address the issues that NZAAA and NZHA have sought to be addressed through consequential submissions to Plan Change 29.
- 2.4 The NZAAA and NZHA seek a 'placeholder' (as noted in the s42A Report Para 123) for consequential decisions sought in submissions to Plan Change 29 in the event the Court rejects part of, or entirely the agreed matters in the Consent Memorandum.
- 2.5 The NZHA has sought that construction activities and temporary helicopter activities be provided for in GRUZ-R15.
- 2.6 The s42A Report (para 174) recommendation that a new objective and policy for reverse sensitivity be rejected is not supported. Reverse sensitivity has a wider scope than those identified in the report and can include 'existing activities' such as primary production and activities ancillary to primary production adjacent to 'new activities' that are potentially sensitive to noise.
- 2.7 The setback provisions in the decisions for GRUZ-R16 'Airfields and Helicopter Landing Areas' are problematic because:
- 2.7.1. Rural airstrips are often located in proximity to roads for secure access when ground conditions are wet.
- 2.7.2. In flight during spraying or fertiliser application, aircraft operate at a height between 10 feet and 120 feet above ground level and may operate in close proximity to persons or buildings so long as they do not create a hazard (in accordance with the provisions in the Civil Aviation Act) therefore, the effects are the same or similar to the use of a rural airstrip or temporary helicopter landing area.
- 3. Decisions sought**
- 3.1 In the event that the Court rejects 2.2 (e) above (Definition for rural airstrip), NZAAA seeks a consequential change to have the definition as sought accepted:

Rural airstrip:
means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.

- 3.2 In the event that the Court rejects 2.2 (d) above (Definition for Temporary Helicopter landing area), NZAAA and NZHA seek a consequential change to have the definition as sought accepted:

Temporary Helicopter Landing area:

Temporary commercial helicopter activities are intermittent activities that are of limited duration such as:

- **Infrastructure repairs and development**
- **Construction**
- **Aerial spotting**
- **Asset management**
- **Disaster relief work (when State emergency has ended)**
- **Flight training**
- **Science and research**
- **Surveillance**
- **Survey operations**
- **Infrequent transportation of people**

- 3.3 In the event that the Court rejects 2.2 (c) and (g) above (GRUZ-R16 (4) Airfields and Helicopter Landing Areas) and (GRUZ- R16 - Airfields and Helicopter Landing Areas – heading); NZAAA seeks a consequential change to have the amendment to NOISE-R2 accepted as sought:

Amend NOISE-R2 by adding:
i) agricultural aviation activities

- 3.4 In the event that the Court rejects 2.2 (b) above (GRUZ-R15 Aircraft and Helicopter Movements), NZHA seeks consequential changes to NOISE-R6 to provide for construction and temporary commercial helicopter activities by adding:

1. The Aircraft and Helicopter Movements are permitted under GRUZ-R15, or
2. temporary commercial helicopter activities

- 3.5 Accept the s42A Report (para 111) recommendations to amend NOISE-O1:

*Noise is ~~consistent~~ **compatible** with the purpose, and anticipated character and qualities of the receiving environment, and maintains the health and well-being of people and communities.*

- 3.6 Accept the new objective and policy sought for reverse sensitivity:

NOISE-O# Reverse sensitivity
The function and operation of existing and permitted noise generating activities are not compromised by reverse sensitivity effects from noise sensitive activities.

NOISE-P# Manage reverse sensitivity

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 areas that consistently experience higher noise levels.

Thank you for the opportunity to present this statement in support of the NZAAA and NZHA submissions and further submissions.

A handwritten signature in blue ink, appearing to read 'Tony Michelle', is positioned above a faint, light blue circular stamp.

Tony Michelle
Executive Officer
NZ Agricultural Aviation Association