

Te Tai o Poutini - Proposed Combined District Plan for the West Coast

To: Te Tai o Poutini - Proposed Combined District Plan for the West Coast
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Submission from: NZ Agricultural Aviation Association (NZAAA)

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Submissions due: October 28, 2022, 5pm

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

NZAAA wishes to speak to this submission.

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

NZAAA's submissions are set out in the attached table.

Signature:



Date: 23 September 2022

Background

The New Zealand Agricultural Aviation Association (NZAAA), a division of Aviation New Zealand (AvNZ), represents fixed-wing and helicopter operators engaged in applying fertilisers, agrichemicals, and vertebrate toxic agents (VTA's) for the purposes of:

- Rural production
- Forestry production
- Crop protection and disease control
- Weed and pest control
- Biosecurity threats
- Biodiversity and conservation values

The industry is made up of circa 109 Civil Aviation Authority (CAA) certificated organisations operating circa 76 fixed-wing aircraft and 248 helicopters. Services provided by our industry add an estimated \$2.5BN annually to primary production for the NZ economy alone.

Agricultural aircraft are crucial in maintaining and enhancing production, responding to biosecurity threats, and protecting biodiversity values including farming, plantation forestry, public land, and conservation land.

Restrictive district plan requirements can adversely affect the ability of aerial operators to undertake and respond (particularly to biosecurity and biosecurity threats) so the industry seeks to ensure the use of airstrips and helicopter landing areas for agricultural aviation activities on an intermittent basis are adequately provided for in plans.

General submission

NZAAA seeks to ensure that agricultural aviation activities are provided for within the Plan, including activities for primary production (farming and forestry production), biosecurity, and biodiversity.

The Plan has provisions for the intermittent use of aircraft for agriculture, horticulture and pastoral farming activities undertaken for a limited duration, in the General Rural and Rural Lifestyle zones and infrequent aircraft landings for rural production purposes on an intermittent basis, including aerial topdressing and helicopter movements in all zones.

The Plan references the National Environmental Standards for Plantation Forestry (NES-PF) as the control mechanism for plantation forestry activities. Agricultural aviation activities are crucial tools in establishing and maintaining productive Plantation Forests. The NES-PF does not address land use as it relates to the use of airstrips and helicopter landing areas for agricultural aviation activities, NZAAA seeks to have these included in the Plan as permitted activities.

The Plan does not address the intermittent use of airstrips and helicopter landing areas for biosecurity or biodiversity activities in "Open Space and Recreation Zones" that includes all DOC land. The

Department of Conservation administers 84% of the land on the West Coast under the Conservation Act which is also included in the Open Space and Recreation Zones.

Policies in the Plan include “Promote the protection and enhancement of existing natural environment values having regard to the relevant OSRZ - Open Space and Recreation Zone and the opportunities for enhancement of these on the site.” DOC and Zero Invasive Predators (ZIP) undertake extensive weed and pest control and eradication programs throughout the West Coast region with aspirations toward Predator-Free 2050.

Agencies such as LINZ, Tbfree NZ (OSPRI), DOC, Predator Free 20250 (Zero Invasive Predators) and the Regional Council undertake weed and pest control activities on public lands, riverbeds, riverbanks, lakes, and lake shorelines. Additionally, agencies such as MPI and the Regional Council have an interest in the expeditious use of aircraft to control biosecurity threats such as wilding pines and disease threats to exotic and native vegetation. Forestry companies have an interest in controlling disease outbreaks such as Dothystroma.

NZAAA seeks to have the intermittent use of airstrips and helicopter landing areas for biosecurity or biodiversity activities included as a permitted activity in all zones.

NZAAA notes that the plan proposes to limit the clearance of native vegetation in the Westland and Buller districts. We consider that the limitations would adversely impact the viability of Rural Production in those districts. NZAAA seeks to have the clearance of native vegetation in an improved pasture as a permitted activity.

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Specific submissions of NZAAA

Plan section	Plan provision	Support / Oppose	Reason	Decision sought
Strategic Direction	AG-O1	Support	<p>The strategic objective seeks to maintain the productive value of versatile soils and agricultural land for current and future agricultural and horticultural uses.</p> <p>Existing agricultural and horticultural uses are undertaken on land appropriate for these purposes</p>	Retain objective AG-O1
Strategic Direction	AG-O2	Support	<p>The strategic objective seeks to recognise the significance of agriculture to the West Coast economy, provide for agricultural development and innovation and enable the support industries and services needed to maintain agricultural viability within rural areas.</p> <p>Agricultural aviation is an important support service needed to maintain agricultural viability and contribute to the economy of the region</p>	Retain objective AG-O2
Strategic Direction	NENV- O1	Support in part	<p>NENV-O1 seeks to protect a range of features. To be consistent with s6 of the RMA the focus should be on 'outstanding' natural features and landscapes and 'significant' indigenous biodiversity</p> <p>Also the protection is from 'inappropriate subdivision use and development' – not protection per se.</p>	<p><u>Amend NENV-O1:</u></p> <p><u>To recognise the features that contribute to the West Coast's character and identify and Poutini Ngai Tahu's cultural and spiritual values by preserving natural character, and protecting outstanding natural features and landscapes and significant</u></p>

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				<u>indigenous biodiversity from inappropriate subdivision use and development</u>
Strategic Direction	NENV- O3	Support in part	<p>The strategic objective seeks to protect the natural environment values</p> <p>NZAAA submits that weed and pest control are critical tools in maintaining the natural environment and seeks to have this recognised in the objectives</p>	<p>Retain objective NENV-02 <u>and add:</u></p> <p><u>d. The need for weed and pest control to protect and maintain the natural environment values</u></p>
Definitions	Agricultural, Pastoral and horticultural activities	Support in part	<p>NZAAA supports the inclusion of the use of rural airstrips and helicopter landing areas by aircraft for agricultural, pastoral and horticultural activities.</p> <p>NZAAA notes that there are no provisions for the use of aircraft for forestry, biosecurity, or biodiversity (conservation) purposes. The use of aircraft is not provided for in the NES-PF.</p> <p>NZAAA seeks the addition of a new definition for Agricultural Aviation activities and the inclusion of agricultural aviation activities in k) of the definition.</p>	<p><u>Add a definition for "Agricultural aviation activity" as sought below</u></p> <p>AND</p> <p><u>Amend the Definition of agricultural, pastoral and horticultural activities as follows:</u></p> <p>k) intermittent use of rural airstrips and landing areas by aircraft <u>undertaken for agricultural aviation activities</u></p> <p>AND</p> <p><u>Amend the definition of conservation activities as sought below</u></p>

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Definitions	A new definition for “AGRICULTURAL AVIATION ACTIVITY”		NZAAA seeks a new definition for agricultural aviation activity so that it can be used in relevant rules and definitions to clearly describe the use of rural airstrips and landing areas by aircraft for rural production, biosecurity and biodiversity (conservation) activities.	<p><u>Add a definition Agricultural aviation activity:</u></p> <p><u>means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities including rural production and plantation forestry production, and conservation activities for biosecurity, or biodiversity purposes, including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u></p>
Definitions	Conservation activity	Support in part	NZAAA supports the inclusion of a definition for conservation activity but seeks that it explicitly includes weed and pest control and the use of aircraft.	<p><u>Amend the 2nd sentence of the definition of Conservation Activity:</u></p> <p>It includes ancillary activities which assist to enhance the public's appreciation and recreational enjoyment of the resource, <u>including weed and pest control and the intermittent use of aircraft for conservation purposes.</u></p>

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Definitions	A new definition for IMPROVED PASTURE		NZAAA seeks a definition of Improved Pasture to clarify rules for native vegetation clearance	<u>Add a definition of Improved Pasture:</u> <u>means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed for livestock grazing</u>
Definitions	Reverse sensitivity	Support	NZAAA supports the definition and recognition of reverse sensitivity	Retain the definition
Definitions	Temporary activities	Support in part	NZAAA seeks that it is clear that agricultural aviation activities are not classed as a temporary activity.	<u>Amend the definition of temporary activities to include an additional exemption:</u> <u>iv) agricultural aviation activities</u>
Definitions	A new definition for RURAL AIRSTRIP		Policy RURZ-P27 uses the term airfield but the term is not defined. RURZ-P26 refers to airstrips which are also not defined. Rural airstrips are linked to rural land uses such as rural production. It would be useful to have a definition for rural airstrip so it is clear what facilities are included as such.	<u>Include a definition for Rural Airstrip:</u> <u>means an area of land in the rural zone used for agricultural aviation activities.</u>
Definitions	A new definition for HELICOPTER LANDING AREA		NZAAA seeks to have clarity relating to helicopter landing areas	<u>Include a definition for Helicopter Landing Area:</u>

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				<u>means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>
Definitions	A new definition for RURAL PRODUCTION		There are a number of places in the plan that uses the term 'rural production' which is not defined. If the term "rural production" is to be used it should be defined as including agricultural, pastoral, horticultural, or forestry activities, essentially as a subset of primary production from the National Planning Standards.	<u>Include a definition for Rural Production:</u> <u>means agricultural, pastoral, horticultural, or forestry activities.</u>
Natural Environment Values Ecosystems	ECO-P8	Support in part	There should be recognition in the Plan that vegetation may need to be removed for weed, pest, biosecurity, and biodiversity purposes.	<u>Include an additional clause in ECO-P8:</u> <u>f) providing for clearance of weeds and pests for biosecurity and biodiversity purposes.</u>
Natural Environment Values Ecosystems	ECO-R1	Support in part Oppose in part	NZAAA submits that limiting native vegetation clearance in improved pastures would adversely affect the viability of rural production land. NZAAA seeks to have the clearance of native vegetation in improved pastures added as a permitted activity in the Westland and Buller districts.	<u>Delete ECO—R1 5 (i) and (ii) and replace them with:</u> 5. Within the Buller and Westland Districts: <u>Indigenous vegetation clearance where it is within an area of improved pasture</u> <u>Delete Advice Note item #1</u>

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Natural Environment Values Natural Character	NC - P4	Support in part	<p>Policy NC-P4 seeks to encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers, and wetlands.</p> <p>NZAAA supports the policy, noting that weeds and pests are a significant threat to the natural character of the riparian margins of lakes, rivers, and wetlands. NZAAA seeks to have weed and pest control acknowledged in the policy.</p>	Retain NC-P4 and <u>add the words:</u> <u>including weed and pest control.</u>
Natural Environment Values Natural Character	NC – R1	Support in part	There should be provision in the rules for the clearance of weeds and pests and for biosecurity purposes within the riparian margins	Amend NC-R1 <u>by adding:</u> <u>1. k) clearance of weeds and pests and for biosecurity purposes</u>
General District Wide Matters Noise	NOISE-O1	Support	An objective that recognises that the benefits of noise-generating activities are provided for is supported.	Retain NOISE-O1
General District Wide Matters Noise	NOISE-O2	Support	An objective that recognises that existing and permitted noise-generating activities are not compromised by adverse effects including reverse sensitivity effects from noise-sensitive activities is supported.	Retain NOISE-O2
General District Wide Matters Noise	NOISE-P1	Support	A policy that enables the generation of noise when it is of a type, character, scale and level that is appropriate to the zone is supported.	Retain NOISE-P1

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			NZAAA considers that aircraft noise for intermittent agricultural aviation activities is appropriate as a permitted activity in rural and open space zones.	
General District Wide Matters Noise	NOISE-R1	Support in part	General standard 5) applies NZS6807:1994 to helicopter landing areas. The standard is not appropriate for intermittent use of helicopter landing areas for agricultural aviation activities which are exempted from the noise standards in NOISE-R2.	<u>Amend NOISE-R1 5) by adding:</u> <u>Unless otherwise exempted in NOISE-R2.</u>
General District Wide Matters Noise	NOISE-R2	Support in part	NZAAA supports the intent of the rule which permits infrequent aircraft landing for rural production purposes on an intermittent basis, including aerial topdressing and helicopter movements as an exemption to the zone noise rules. NZAAA further seeks to have infrequent aircraft landing and helicopter movements for plantation forestry, biosecurity, and biodiversity included in the exemption to the zone noise rules and seeks an amendment that encompasses these activities.	<u>Amend NOISE-R2 12) as follows:</u> <u>Infrequent aircraft take-offs and landings for agricultural aviation activities on an intermittent basis for rural production and conservation activities including biosecurity and biodiversity activities.</u> <u>Amend</u> the definition of <u>conservation activity</u> as sought above. <u>Include</u> a definition for <u>rural production</u> as sought above.
Zones and Development Areas Open Space Zone	OSRZ - P7	Support	The policy supports the biodiversity values of the region.	Retain OSRZ - P7

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Zones and Development Areas Open Space Zone	OSRZ - P13	Support	OSRZ-P13 provides for agricultural, horticultural or pastoral activities in the zone. NZAAA supports this inclusion, which includes the intermittent use of aircraft for agricultural aviation activities.	Retain OSRZ-P13.
Zones and Development Areas Open Space Zone	OSRZ - P19	Support	The policy supports the biodiversity values of the region.	Retain OSRZ - P19
Zones and Development Areas Rural Zones	Note re plantation forestry	Support in part	It is recognised that the NES-PF applies to forestry activities in rural areas. However, the NES-PF does not include provisions relating to the use of aircraft so forestry production activities need to be explicitly included in provisions for agricultural aviation activities to enable the use of aircraft for forestry production purposes.	<u>Amend</u> the note re <u>plantation forestry</u> to ensure that forestry production activities include the use of agricultural aviation. OR <u>Amend</u> the plan to ensure that agricultural aviation activities are part of <u>forestry production activities</u> .
Zones and Development Areas Rural Zones	RURZ-O1	Support	NZAAA supports Objective RURZ -O1 that seeks to provide for a range of activities, uses and developments that maintain the amenity and rural character values of the rural environment, while retaining highly productive land and rural activities, and supporting a productive rural working environment.	Retain objective RURZ-O1
Zones and Development Areas Rural Zones	RURZ-P1	Support in part	The policy seeks to enable a variety of activities to occur within the RURZ while maintaining rural amenities and character. Part of the rural character in the RURZ is the noises, smells, and odours that occur as part of rural production activities. These	<u>Amend RURZ-P1 by adding:</u> <u>g) Be consistent with the level of noise and odour from rural production activities.</u>

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			should be specifically recognised in the description of the character of the rural area.	
Zones and Development Areas Rural Zones	RURZ-P15	Support	This policy is supported as important to enable existing activities to maintain support to rural production activities and the economy of the region.	Retain RURZ-P15
Zones and Development Areas Rural Zones	RURZ-P26	Support in part	This policy is supported as it recognises the importance of these facilities to rural land uses but amendments are sought to better reflect the rural production and conservation activities	<u>Amend RURZ-P26:</u> <u>Provide for the development and use of ancillary infrastructure such as rural airstrips and helicopter landing areas which support rural land uses including rural production, conservation, and recreation.</u>
Zones and Development Areas Rural Zones	RURZ-P27	Support in part	RURZ-P27 appears to provide for airfields and helicopter landing areas for activities other than rural production and conservation, which are provided for in RURZ-P26. NZAAA seeks amendments so that it is clear that Policy RURZ-27 is distinct to RURZ-P26 which provides for agricultural aviation activities.	<u>Amend RURZ-P27:</u> <u>Manage the location and operation of airfield and helicopter landing areas within the rural area for activities other than rural production, and conservation to provide for the amenity values of the surrounding rural and settlement areas.</u>
Zones and Development Areas Rural zones	RURZ-P28	Support in part	RURZ-P28 is supported as it provides for agricultural aviation activities. But NZAAA seeks that the policy refer to agricultural aviation activities (which is sought to be defined) which provide for rural	<u>Amend RURZ-P28:</u> <u>Enable aircraft movements within the rural area for agricultural aviation</u>

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			production and conservation activities in the rural zone.	<u>activities ancillary to rural production and conservation activities on a seasonal and short-term basis.</u>
Zones and Development Areas Rural Zones	Note re Plantation Forestry	Support in part	The Note for Plantation Forestry states that the NES-PF regulates plantation forestry. However, there is no reference to use of aircraft in the NES-PF. NZAAA seeks clarification that use of aircraft for forestry purposes is permitted under the plan either through an addition to the note or a rule that provides for the activity.	<u>Amend The Note for Plantation Forestry to state:</u> <u>Intermittent use of agricultural aircraft for forestry production purposes is permitted.</u>
Zones and Development Areas Rural Zones	GRUZ-R1	Support	The rule provides for Agricultural, pastoral or horticultural activities and buildings to be permitted subject to standards. The rule would include agricultural aviation activities as they are included in the definition of Agricultural, horticultural and pastoral farming activities.	Retain GRUZ-R1
Zones and Development Areas Rural Zones	GRUZ-R2	Support in part	NZAAA seeks that use of aircraft for intermittent activities is included in the definition of conservation activities. Inclusion in the definition will ensure that agricultural aviation activities for conservation purposes can be undertaken for conservation activities.	Retain GRUZ-R2 and <u>Amend</u> the definition of <u>conservation activities</u> as sought above to include <u>intermittent use of aircraft for conservation purposes.</u>