

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of hearings on the Proposed Te Tai o Poutini Plan
Addendum #2 to Section 42A Report on Noise

Submission from:

New Zealand Agricultural Aviation Association
(NZAAA)

To:

Hearing Commissioners, Te Tai o Poutini Plan

Date:

14/02/2025

Introduction

I am Tony Michelle, the Executive Officer of the NZAAA.

I filed a statement of evidence on matters pertaining to the NOISE hearing on behalf of NZAAA.

1. General Comments

- 1.1 The s32 report lists activities identified as being exempt from noise standards including:
'agricultural machinery, aircraft and equipment used seasonally or intermittently.'
- 1.2 The notified PDP provided for agricultural aviation activities without limitations through NOISE-R2.11 and 12 :
*'11. Agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery, aircraft or equipment used on a seasonal or intermittent basis in the General Rural and Rural Lifestyle zones;
12. Infrequent aircraft landing for rural production purposes on an intermittent basis, including aerial topdressing and helicopter movements;'*
- 1.3 The original submission S190.536 from Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora opposed in part the provisions of NOISE-R2
- 1.4 The reasons given in S190.536 were that:
'The exclusion of certain activities from zone noise limits is appropriate. However, in this instance a wider range of activities are included than in most district plans, including some activities that commonly cause noise disturbance. If retained, those activities should be subject to alternative controls, such as timing and duration, or removed from this rule.'
- 1.5 The decisions sought in S190.536 was to strike out of NOISE-R2:
'12. Infrequent aircraft landing for rural production purposes on an intermittent basis, including aerial topdressing and helicopter movements;'
- 1.6 The original s42A Report (para 129) stated:
'I do not support the deletion of clause 12, it is considered that infrequent aircraft landing is essential to support rural production activities, these are typically temporary

in nature and managed by NZ Standards ensuring that effects are appropriately managed. I recommend a further minor amendment for clarity to remove 'infrequent' and replace this with a set number of days per year that this can occur (on the advice of Mr Peakall).'

- 1.7 The original s42A Report (para 143) recommended amendments to NOISE-R2.11 and 12: '11. *Agricultural, pastoral and horticultural and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery, aircraft or equipment used on a seasonal or intermittent basis in the General Rural and Rural Lifestyle zones;*
- 12. ~~Infrequent~~ Aircraft take off and landing for associated with rural production activities and conservation activities purposes on an intermittent basis for no more than 30 days in any 12 month period, including aerial topdressing and helicopter movements;*
- 1.8 The S190 submitter, nor any other submitter, sought to have setbacks from 'noise sensitive activities' added to NOISE-R2 (12) in original or further submissions.
- 1.9 The original s42A Report did not recommend the addition of setbacks from 'noise sensitive activities' in NOISE-R2.12.
- 1.10 The original s42A Report (para 129) considered that the addition of a set number of days per year (supported by Mr Peakall) would appropriately meet the changes originally sought by the S190 submitter.
- 1.11 Agricultural aviation activities are undertaken in the rural areas that are largely expansive.
- 1.12 The original s42A Report (Para 143) that recommends that NOISE-R2.12 be amended to include 'for no more than 30 days in any 12 month period' was opposed by the NZAAA in the evidence presented by the NZAAA at the NOISE hearing.

2. NZAAA Response to the Addendum #2 to Section 42A Report on Noise and Joint Witness Statement (JWS)

JWS NOISE-R2.12 – Appropriate parameters (non-acoustic) for exemption of aircraft movements, including consideration of separation distances from houses.

- 2.1 The Expert Witness Conference did not include the NZAAA expert witness.
- 2.2 Table 2 (1) NOISE-R2.12 a) of the JWS notes that: *'Mr Peakall and Dr Chiles agree that restrictions on aircraft associated with rural production and conservation activities are necessary. However, we also both agree that numerical noise limits are not the best form of control in this case.'*
- 2.3 The S190.536 original submission reasoned that: *'those activities should be subject to alternative controls, such as timing and duration, or removed from this rule.*' that was subsequently addressed in the s42A Report recommendations.

- 2.4 Dr Chiles and Mr Peakall offer no scientific or technical justification for the addition, or extent, of setbacks from noise sensitive activities in the JWS, they offer unsubstantiated 'considerations'.
- 2.5 The NZAAA agrees with Mr Peakall where he states in table 1. d) of the JWS:
'Mr Peakall considers that based on the nature of the activity and likely occurrence and intensity of such activity that an additional setback distance is not entirely necessary'
- 2.6 The NZAAA submits that the addition of any setback from a 'noise sensitive activity' is unjustified given that:
- No issues were raised in relation to agricultural aviation activities in the 32A report
 - The 32A report sought to be enabling for agricultural aviation activities
 - The notified PDP did not include any limitations
 - The addition of setbacks was not sought in any original or further submissions
 - The addition of setbacks does not meet the policy objective to enable primary production in the Rural Zone
 - The NZAAA expert was not engaged in the Expert Witness Conference
 - No scientific or technical justification has been provided by the experts in the JWS
- 2.7 The recommendation in the Noise-post-hearing-addendum-report 31-1-25 to include an advice note exempting activities on land managed under the Conservation Act 1987 from NOISE-R2.12 is supported.

3. Decisions sought

- 3.1 Reject the JWS recommendation to include a setback from noise sensitive activities in NOISE-R2.12 and the limitation of days recommended in the original s42A Report:
~~12. Infrequent aircraft take-off and landing, including helicopter movements, for associated with rural production activities and conservation activities at least 250 metres from any sensitive activity and purposes on an intermittent basis for no more than 30 days in any 12 month period per site including aerial topdressing and helicopter movements;~~
- 3.2 Accept the recommendation in the Noise-post-hearing-addendum-report 31-1-25 to add to NOISE-R2.12:
Advice note: NOISE-R2.12 does not apply to land held or managed under the Conservation Act 1987.
- 3.3 Accept as sought by the NZAAA that the original s42A proposed revised provision for agricultural aviation activities in NOISE-R2.12 be amended:
12. Infrequent aircraft take-off and landing associated with rural production activities and conservation activities purposes on an intermittent basis



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