

To: Timaru District Council - Proposed District Plan  
[pdp@timdc.govt.nz](mailto:pdp@timdc.govt.nz)

Submission from: NZ Agricultural Aviation Association (NZAAA)

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Submissions due: 5pm on 15 December 2022

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: 09/12 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 (conservation).

The Plan has provisions for the intermittent use of aircraft for primary production activities undertaken for a limited duration, in the General Rural Zone. The provisions do not entirely meet the objectives and policies that “enable primary production” because they are overly complex and the proposed setbacks would be unduly restrictive in many operational situations.

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

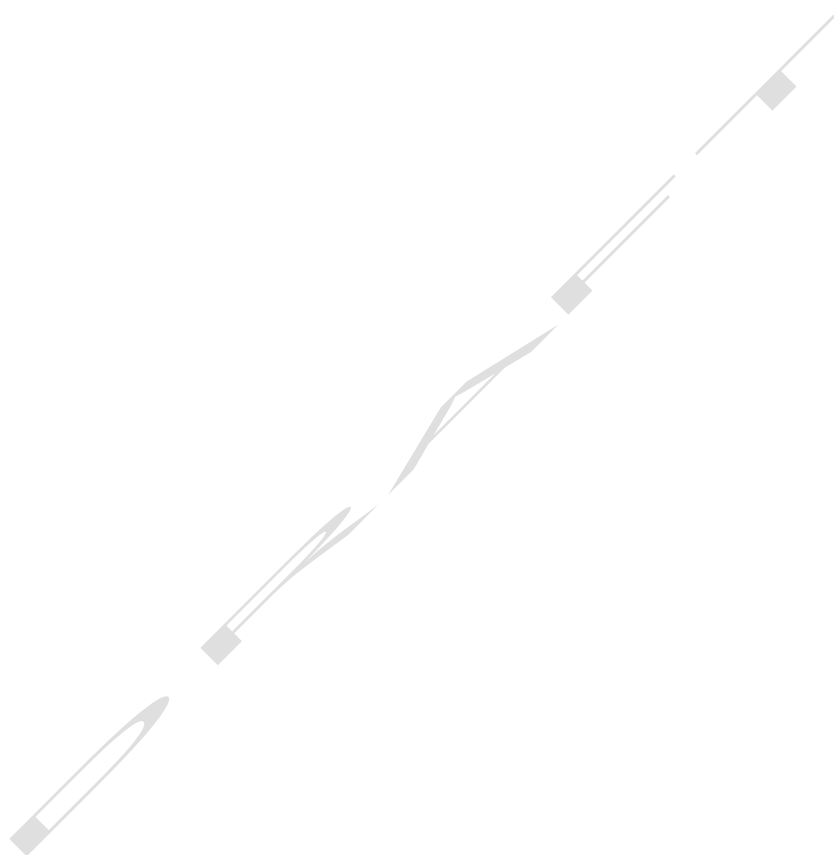
Plan objectives and policies include “strategies that recognise, protect and enhance indigenous vegetation and native flora and fauna.” DOC undertakes extensive weed and pest control and eradication programs throughout the area. Agricultural aircraft activities are critical tools in meeting these objectives.

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 and conservation activities included as a permitted activity.

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**NZAAA SPECIFIC SUBMISSION'S**

Plan section	Plan provision	Support / Oppose	Reason	Decision sought
Definitions	<p>AGRICULTURAL AVIATION ACTIVITIES</p> <p>New</p>	n/a	<p>NZAAA seeks to have agricultural aviation defined to include primary production, biosecurity, and conservation activities undertaken by agricultural aviation</p>	<p><b><u>Add a new definition:</u></b></p> <p><b><u>Agricultural aviation activities; means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, 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></b></p>
Definitions	<p>AIRCRAFT</p> <p>New</p>	n/a	<p>NZAAA seeks to have the definition of an aircraft included as defined by the RMA to future-proof the plan</p>	<p><b><u>Add a new definition:</u></b></p> <p><b><u>Aircraft; means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth</u></b></p>

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Definitions	<p>CONSERVATION ACTIVITY</p> <p>New</p>	n/a	<p>NZAAA seeks to have the definition of Conservation activity amended to reflect a broader range of conservation activities</p> <p>The scope of PDP definition of “DEPARTMENT OF CONSERVATION ACTIVITY” is too narrow and does not adequately address the full range of conservation activities including weed and pest control for biosecurity and biodiversity activities</p>	<p><b><u>Add a new definition:</u></b></p> <p><b><u>Conservation activity; means the use of land or buildings for any activity undertaken for the purposes of protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It includes ancillary activities which assist to enhance the public’s appreciation and recreational enjoyment of the resource, including weed and pest control and the intermittent use of aircraft for conservation purposes.</u></b></p>
Definitions	<p>DAY</p> <p>New</p>	n/a	<p>NZAAA seeks to have the definition of a DAY as it relates to agricultural aviation activities added to the definitions to support the proposed alternative wording in GRUZ-R14 and NZAAA’s proposed rule for NOSZ</p>	<p><b><u>Add a new definition:</u></b></p> <p><b><u>A “Day” as it relates to agricultural aircraft activities; means 10.5 hours aircraft hours conducted between the beginning of civil morning twilight (MCT) and the end of civil evening twilight (ECT).</u></b></p> <p><b><u>NOTE. A day is defined in the Civil Aviation rules as: the hours between—</u></b></p> <p><b><u>(1) the beginning of morning civil twilight, which is when the centre of the rising sun’s disc is 6 degrees below the horizon; and</u></b></p> <p><b><u>(2) the end of evening civil twilight, which is when the centre of the</u></b></p>

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				<b><u>setting sun's disc is 6 degrees below the horizon</u></b>
Definitions	HELICOPTER LANDING AREA  New	n/a	NZAAA seeks to have a definition of a Helicopter Landing Area included in the plan	<b><u>Add a new definition:</u></b>  <b><u>Helicopter landing area; means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u></b>
Definitions	IMPROVED PASTURE	Support	NZAAA supports the definition of improved pasture as defined in the National Policy Statement for Freshwater Management 2020 (NPSFM 2020)	Retain the definition
Definition	PLANTATION FORESTRY	Support in part	NZAAA supports the definition of Plantation Forestry and seeks to have agricultural aviation added to the definition	<b><u>Add to the definition:</u></b>  b. includes all associated forestry infrastructure <b><u>and agricultural aviation activities;</u></b> but
Definitions	PRIMARY PRODUCTION	Support	NZAAA supports the definition that is consistent with the NPS definition	Retain the definition
Definitions	RURAL AIRSTRIP  New	n/a	NZAAA seeks to have a definition of a Rural Airstrip included in the plan	<b><u>Add a new definition:</u></b>  <b><u>Rural airstrip; means any defined area of land intended or designed to be used, whether wholly or</u></b>

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				<b><u>partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u></b>
Definitions	Hazardous facility	Support in part	<p>The definition of hazardous facility is relevant to HS-R1.</p> <p>The mixing and application of hazardous substances for pest control should not be limited to 'the site' as defined in the plan. Mixing may occur at a mixing point but application is on land other than 'the site'.</p> <p>Land based primary production is not defined in the Plan but 'primary production' is. Clause 3 should refer to 'primary production'.</p> <p>Also 'which are not located in a drinking water' Agrichemicals should be stored in accordance with NZS8409:2021 to ensure that they are safely stored.</p>	<p>Amend the definition of hazardous facility by: <b><u>deleting 'on site' from clause 8</u></b></p> <p>Amend clause 3 by: <b><u>deleting 'land-based'</u></b> and <b><u>'which are not located in a drinking water'</u></b></p>
District-wide matters Strategic Direction The Natural and Historic Environment	SD-O2	Support	NZAAA supports strategies that recognise, protect and enhance indigenous vegetation and native flora and fauna	Retain the strategy

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District-wide matters Strategic Direction Rural Areas	SD-O9	Support in part	<p>NZAAA supports strategies that enable primary production, protect versatile soils, and manage reverse sensitivities.</p> <p>However clause ii) refers to 'intensive activities' which isn't defined so it is unclear what it refers to. The focus should be on ensuring that sensitive activities don't affect primary production.</p> <p>Clause iii) seeks to manage 'new sensitive activities'. NZAAA seeks that the plan ensure that sensitive activities do not adversely affect primary production, including reverse sensitivity effects.</p>	<p>Amend SD-O9 as follows:</p> <p>Amend: <b><u>A range of primarily productive activities</u></b> to <b><u>A range of primary productive activities</u></b>.</p> <p><b><u>Delete clause ii)</u></b></p> <p>Amend clause iii): <b><u>ensuring that sensitive activities do not adversely affect primary production, including reverse sensitivity effects</u></b>.</p>
District Wide Hazards and Risk Hazardous substances	HS-R1	Oppose in part	<p>NZAAA seeks to ensure that the definition of hazardous facility is amended to ensure that agrichemicals and fertilisers are able to be used as a permitted activity within the 'sensitive environments' as defined in the Plan.</p> <p>It is important that weed and pest control can occur within these areas.</p>	<b><u>Amend the definition of hazardous facility as sought above.</u></b>
District-wide matters NATURAL ENVIRONMENT VALUES	ECO-O2	Support	NZAAA supports objectives that seek to maintain and enhance indigenous biodiversity	Retain the objective



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Ecosystems and indigenous biodiversity				
District-wide matters NATURAL ENVIRONMENT VALUES Ecosystems and indigenous biodiversity	ECO-P1	Support	NZAAA supports policies that provide for the management of pest plants and pest animals to enhance biodiversity values	Retain the policy
District-wide matters NATURAL ENVIRONMENT VALUES Ecosystems and indigenous biodiversity	ECO-P3	Support in part	NZAAA supports the protection of indigenous biodiversity but the policy should provide for weed and pest control to maintain biodiversity values	Retain the policy <b><u>and adding to the policy:</u></b>  Protect indigenous <a href="#">biodiversity</a> <b><u>by providing for weed and pest control to maintain and enhance biodiversity and,</u></b> managing the <a href="#">clearance of indigenous vegetation</a> in the following sensitive areas
District-wide matters NATURAL ENVIRONMENT VALUES Ecosystems and indigenous biodiversity	ECO-R1 (1) Significant Natural Areas Overlay	Support	NZAAA supports the rule that allows for the clearance of indigenous vegetation for biosecurity purposes and the removal of pest plants and animals.  Further, NZAAA notes that clearance of native vegetation is a permitted activity below 900 mts and slope is less than 30o.	Retain the rule

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District-wide matters NATURAL ENVIRONMENT VALUES Ecosystems and indigenous biodiversity	ECO-R1 (2) Within 50m of any wetland Within 20m of any waterbody or spring In CE within 20m of MHWS Land with average slope of 30o or greater	Support	NZAAA supports the rule that allows for the clearance of indigenous vegetation for biosecurity purposes, the removal of pest plants and animals, grown up under plantation forestry or within an area of improved pasture	Retain the rule
General District Wide Matters Noise	NOISE-O1	Support	Noise effects being compatible with the zone is appropriate but it needs to be recognised that the rural zone is not a 'quiet' area.	<b><u>Ensure that the rural zones are not described as 'quiet' and that noise associated with primary production activities is anticipated.</u></b>
General District Wide Matters Noise	NOISE-O2	Oppose in part	Primary production activities in the Rural Zone should not be constrained by reverse sensitivity effects arising from noise sensitive activities.	Retain NOISE-O2 <b><u>and add:</u></b> The Airport, Raceway, State Highway, railway lines and the Port and activities located within commercial, mixed use and Industrial zones <b><u>or primary production activities in rural zones,</u></b> are not constrained by reverse sensitivity effects arising from noise sensitive activities.
General District Wide Matters Noise	NOISE-P1	Support in part	Noise effects being compatible with the zone is appropriate but it needs to be recognised in the description of the rural zone that it is not a 'quiet' area.	<b><u>Ensure that the rural zones are not described as 'quiet' and that noise associated with primary production activities is anticipated.</u></b>

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General District Wide Matters Noise	NOISE-P5 Reverse sensitivity	Support in part	<p>Reverse sensitivity effects are not limited to the 'higher noise environments' listed in the policy.</p> <p>NZAAA seeks to have noise sensitive activities managed in rural zones to ensure that reverse sensitivity effects on primary production is avoided.</p>	<p><b>Delete reference to 'higher noise environments' in NOISE-P5,</b></p> <p>or</p> <p><b><u>Include a specific policy for reverse sensitivity from noise sensitive activities in rural zones.</u></b></p>
General District Wide Matters Noise	NOISE-R1	Support in part	<p>NZAAA supports the exemption for aircraft using airstrips and helicopter landing sites for activities in the rural zone that complies with GRUZ-R14.</p> <p>NZAAA seeks an exemption to the provisions of NOISE-R1 for aircraft using airstrips and helicopter landing sites for activities in the Natural Open Space zone that complies with the rule proposed by NZAAA in this document (NOSZ). It is important that there is the ability to use aircraft for weed and pest control for conservation activities outside of the rural zones.</p>	<p>Retain the rule <b><u>and add:</u></b></p> <p><b><u>10. Aircraft using airstrips and helicopter landing sites for activities in the Natural Open Space zone that complies with NOSZ- (Rule numbering to be determined)</u></b></p> <p><b><u>Include definitions of HELICOPTER LANDING AREA and RURAL AIRSTRIP as sought above</u></b></p>
Area-specific matters General Rural Zone	GRUZ-O2	Support in part	<p>The description of the rural zone is important to ensure that it adequately describes that it can be a noisy environment.</p> <p>Noise in the rural zone is from primary production and associated activities. Sensitive activities locating in a rural zone should not be anticipating a higher level of amenity in a working rural</p>	<p>Amend GRUZ-O2 <b><u>by adding:</u></b></p> <p>2. a working environment of mostly utilitarian buildings and structures where primary production <b><u>and associated activities</u></b> generates noise, odour, light overspill and traffic, often on a cyclic and seasonable basis;</p> <p><b>Delete clause 3:</b></p>

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			production environment. This is inconsistent with GRUZ-O3 which seeks to protect primary production from sensitive activities	<b><u>higher levels of amenity immediately around sensitive activities and zone boundaries</u></b>
Area-specific matters General Rural Zone	GRUZ-O3	Support in part	NZAAA supports recognising the importance of primary production and its long-term protection but should be clear that it is reverse sensitivity effects from sensitive activities that it is protected from.	Retain the objective <b>and add:</b> The land resource of the General Rural Zone is not diminished by activities with no functional or operational need to locate in the General rural zone, and primary production is protected from <b><u>reverse sensitivity effects</u></b> and sensitive activities.
Area-specific matters General Rural Zone	GRUZ-O4	Oppose in part	GRUZ-O4 refers to 'intensive activities' which isn't defined so it is unclear what it refers to. The focus should be on ensuring that sensitive activities don't affect primary production.  Sensitive activities locating in rural zones should recognise that they are locating in a working rural production environment so 'protecting' their amenity is inappropriate.  It is unclear what 'land close to' residential, rural settlement, Maori purpose and Open space zones would be. Management of the boundary interface should be through the use of setbacks.	<b><u>Delete GRUZ-O4</u></b>  or  <b><u>Amend GRUZ-O4:</u></b> <b><u>Sensitive activities locating in the General Rural Zone anticipate effects that are generated by primary production activities and the boundary of the rural zones are managed through setbacks.</u></b>
Area-specific matters General Rural Zone	GRUZ-P1	Support in part	NZAAA supports the enabling of primary production activities	<b><u>Amend GRUZ-P1:</u></b> <b><u>Enable a range of primary production and associated activities where they:</u></b>

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			NZAAA seeks to have agricultural aviation acknowledged as part of the rural character	<p><u>1....</u>  <u>2....</u>  <b>3. meet the standards and requirements to avoid, remedy or mitigate adverse effects on the environment</b>  <b>Add 4:</b>  <b>4. enabling a range of compatible activities that support primary production activities, including ancillary activities, and agricultural aviation.</b></p>
Area-specific matters General Rural Zone	GRUZ-P2	Support	Use of separation distances are supported.	Retain GRUZ-P2
Area-specific matters General Rural Zone	GRUZ-P5	Support	NZAAA supports the protection for primary production activities from reverse sensitivity effects	Retain the policy
Area-specific matters General Rural Zone	GRUZ-P10	Support	Providing for conservation activities in the General Rural Zone is supported but NZAAA seeks to ensure that the definition of conservation activities is amended as sought above.	Retain the policy and: <b><u>Amend the definition of DEPARTMENT OF CONSERVATION ACTIVITY as sought above.</u></b>
Area-specific matters General Rural Zone	GRUZ-R10	Support in part	Provision should be made for equipment used for weed and pest control	Retain the rule <b>and add:</b> Land, buildings, structures <b>and equipment, machinery, vehicles and aircraft</b> are used for; or <b><u>Weed and</u></b> pest control

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<p>Area-specific matters General Rural Zone Use of airstrips and helicopter landing sites</p>	<p>GRUZ-R14</p>	<p>Oppose</p>	<p>NZAAA supports the enabling of the use of rural airstrips and helicopter landing sites for primary production purposes as a permitted activity however the proposed rule is overly complex and the proposed setbacks will be unduly restrictive which are not supported or justified by the s32 Report.</p> <p>NZAAA seeks an alternative rule that will be enabling.</p>	<p><b><u>Amend heading to Use of Rural Airstrips and Helicopter Landing Areas</u></b></p> <p><b><u>Delete PER 1, 2 &amp; 3 wording:</u></b></p> <p><b><u>PER-1</u></b>  <b><u>The flights are for emergency purposes such as medical evacuations, search and rescue, firefighting or civil defence; or</u></b></p> <p><b><u>PER-2</u></b>  <b><u>The use is for primary production including spraying, stock management, fertiliser application or frost protection for:</u></b></p> <ol style="list-style-type: none"> <li><b><u>1. a maximum of seven days within any three month period where the airstrip or helicopter landing site is setback between 500m-1,000m from:</u></b> <ol style="list-style-type: none"> <li><b><u>a. any Residential zone; and</u></b></li> <li><b><u>b. the notional boundary of a building containing a noise sensitive activity, not located on the site of the airstrip or helicopter land site; or</u></b></li> </ol> </li> <li><b><u>2. the airstrip or helicopter landing site is setback greater than 1,000m from:</u></b> <ol style="list-style-type: none"> <li><b><u>a. any Residential zone; and</u></b></li> </ol> </li> </ol>

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				<p data-bbox="1682 272 2101 453">b. <u>the notional boundary of a building containing a noise sensitive activity, not located on the site of the airstrip or helicopter land site; or</u></p> <p data-bbox="1541 496 2101 858"> <u>PER-3</u>  <u>Take offs or landings must not exceed 10 per month; and the airstrip or landing site is setback a minimum of 500m from:</u> <ol style="list-style-type: none"> <li data-bbox="1585 644 1957 676">1. <u>any Residential zone; and</u></li> <li data-bbox="1585 683 2033 858">2. <u>the notional boundary of a building containing a noise sensitive activity not located on the site of the airstrip or helicopter land site.</u></li> </ol> </p> <p data-bbox="1541 903 1868 935"><u>Insert alternative wording:</u></p> <p data-bbox="1541 978 2101 1193"> <u>“Agricultural aviation activities for the purpose primary production or conservation on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12 month period or 315 aircraft hours (whichever is the greater).”</u> </p> <p data-bbox="1541 1236 2101 1303">Amend activity status where compliance not achieved to Restricted Discretionary</p>

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Area-specific matters Natural Open Spaces	NOSZ-P1	Support	NZAAA supports activities that protect, maintain and enhance biodiversity	Retain the policy
Area-specific matters Natural Open Spaces	NOSZ-P3	Support in part	Conservation activities are not limited to Department of Conservation activities. A new definition is sought for conservation activities that includes the wider range of conservation activities that can be undertaken, including weed and pest control.	<b><u>Amend NOSZ-P3:</u></b> <b><u>Enable conservation activities that will enhance or protect the open space zone</u></b>  <b><u>Include a new definition for CONSERVATION ACTIVITIES as sought above.</u></b>
Area-specific matters Natural Open Spaces	NOSZ-additional permitted activity rule  New	n/a	NZAAA seeks to have the use of airstrips and helicopter landing sites for conservation purposes as a permitted activity	<b><u>Add to NOSZ permitted activity rule:</u></b>  <b><u>“Agricultural aviation activities for the purpose of conservation on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12 month period or 315 aircraft hours (whichever is the greater).”</u></b>



