

<p style="text-align: center;">Wellington City District Plan – Omnibus Plan Change Helicopter Landing Noise and Agricultural Aviation</p>
<p>Scope of Proposed Change</p> <p>To remove “<i>And Agricultural Aviation</i>” from the title of NOISE-R4 to correct an error in this title.</p>
<p>Background</p> <p>The Noise chapter in the 2024 District Plan lists out activities whose noise is exempt from the chapter. One of these activities is agricultural aviation activities (item 9). Agricultural aviation activities are defined as follows:</p> <p><i>“means the intermittent operation of an aircraft over a rural or natural open space zone using a rural airstrip or helicopter landing area for primary production activities; conservation activities for biosecurity, or biodiversity purposes (including stock management); and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTAs). Aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAVs)”.</i></p> <p>This exemption is the product of a recommendation by the Independent Hearings Panel (IHP).</p> <p>However, NOISE-R4’s rule title includes “And agricultural aviation”, implying that this rule will manage agricultural aviation noise. The content of the rule is not relevant to agricultural aviation.</p>
<p>Issue</p> <p>That the framework in the 2024 District Plan does not reflect the recommendations of the IHP¹, to exempt agricultural aviation activities from the noise chapter regulation. This likely stemmed from an error in the translation of their recommendations to the ‘tracked changes’ version, which was used to update the ePlan for tranche 1 decisions.</p> <p>As currently drafted, it would be unclear if the activities are to be exempt, as per the exemptions list, or require resource consent under NOISE-R4. The content of the rule only relates to helicopter landing area noise, and notwider agricultural aviation activities as the rule title would suggest.</p>
<p>Assessment of Options</p> <p>The following assessment sets out whether or not amendments to the provisions are necessary for improved District Plan implementation and consistency.</p> <p><i>Relevant Options</i></p> <p>For the purposes of this evaluation, the following options have been considered:</p> <ul style="list-style-type: none"> • Option 1: Retain the status quo. • Option 2: Remove reference to agricultural aviation activities from NOISE-R4 chapeau.

¹ [IHP Report 5A: Noise](#), Para 109 – 117.

Cost/Benefit Assessment

Cost and benefits associated with the options are addressed in the tables below.

Option 1: Status Quo	
Costs <i>Environmental</i> <ul style="list-style-type: none">• There are no environmental costs to this option. <i>Economic</i> <ul style="list-style-type: none">• As this was an error in implementation of the ePlan, it could risk legal cost for challenge. <i>Social</i> <ul style="list-style-type: none">• There are no social costs to this option. <i>Cultural</i> <ul style="list-style-type: none">• There are no cultural costs to this option.	Benefits <i>Environmental</i> <ul style="list-style-type: none">• There are no environmental benefits to this option. <i>Economic</i> <ul style="list-style-type: none">• There are no economic benefits to this option. <i>Social</i> <ul style="list-style-type: none">• There are no social benefits to this option. <i>Cultural</i> <ul style="list-style-type: none">• There are no cultural benefits to this option.
<i>Effectiveness and efficiency</i> <p>Option 1 is not effective at remedying the issue as the issue is the status quo differs from the intention of the IHP. The status quo inherently cannot address the issue. It is not an effective or efficient option because it lacks clarity as there is differing direction on whether agricultural aviation noise should be exempt or addressed through NOISE-R4.</p>	
<i>Overall evaluation of Option 1</i> <p>This option is ineffective at addressing the issue and <u>is not recommended</u>.</p>	
Option 2: Remove reference to agricultural aviation activities from NOISE-R4 chapeau	
Removing reference to agricultural aviation activities from the title of the rule would mean that it is clear the rule does not apply to these activities and the agricultural aviation activities would be exempt from regulation under the chapter. This would align with the inclusion of this activity in the exemptions list in the Introduction to the chapter.	
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<p><i>Effectiveness and efficiency</i></p> <p>Option 2 is the most effective option to address the issue because it gives effect to the intention of the IHP and remedies the incorrect translation of their intention into the ePlan.</p>											
<p><i>Overall evaluation of Option 2</i></p> <p>Option 2 is recommended as it will remedy the lack of clarity between the exemptions list and the rule addressing agricultural aviation activities.</p>											
<p>Risk of acting/not acting</p> <p>There is sufficient information to analyse the appropriateness of not acting as:</p> <ul style="list-style-type: none"> • Potential legal challenge due to the error in carrying over the IHP recommendations. • Potentially capturing agricultural aviation noise in the resource consent process when it is not intended to. <p>The proposed amendment does not change how the rule is intended to be applied, and there are no risks associated with making this change.</p>											
<p>Consultation</p> <p>The Council's Environmental Noise Team has advised that they support this change.</p>											
<p>Recommended Option</p> <p>Option 2 is the preferred option for the reasons stated above.</p>											
<p>Recommended Changes</p> <table border="1"> <tr> <th>NOISE-R4</th><th>Helicopter landing noise and Agricultural Aviation</th></tr> <tr> <td>Hospital Zone</td><td>Activity status: Permitted</td></tr> <tr> <td>Airport Zone</td><td>Note: The likelihood of <u>noise</u> arising from helicopter activity in the area surrounding Wellington Regional Hospital (Newtown) is signalled by a mapped <u>noise</u> advisory overlay. Aircraft (which includes helicopters) used in emergencies or as air ambulances, are exempt from the provisions of the Noise chapter. There are no associated standards.</td></tr> <tr> <td>All other Zones</td><td>Activity status: Permitted Where: Compliance with the recommended limits and noise management provisions as set out in NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas is achieved.</td></tr> <tr> <td>All other Zones</td><td>Activity status: Discretionary Where: Any of the requirements of NOISE-R4.2 are not achieved.</td></tr> </table>		NOISE-R4	Helicopter landing noise and Agricultural Aviation	Hospital Zone	Activity status: Permitted	Airport Zone	Note: The likelihood of <u>noise</u> arising from helicopter activity in the area surrounding Wellington Regional Hospital (Newtown) is signalled by a mapped <u>noise</u> advisory overlay. Aircraft (which includes helicopters) used in emergencies or as air ambulances, are exempt from the provisions of the Noise chapter. There are no associated standards.	All other Zones	Activity status: Permitted Where: Compliance with the recommended limits and noise management provisions as set out in NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas is achieved.	All other Zones	Activity status: Discretionary Where: Any of the requirements of NOISE-R4.2 are not achieved.
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Consequential Amendments

No consequential changes are required.