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Name	James Burgess
Organisation	
Email	
Response Date	Jul 18 22
Notes	
Q1	Select the chapter you want to provide feedback on
Q2	In general, to what extent do you support the contents of this chapter?
Q3	Objective/Policy/Rule/Standard reference:
Q4	Feedback/Comments
Q5	Objective/Policy/Rule/Standard reference:
Q6	Feedback/Comments
Q7	Objective/Policy/Rule/Standard reference:
Q8	Feedback/Comments
Q9	Objective/Policy/Rule/Standard reference:
Q10	Feedback/Comments
Q11	supporting documents?
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Q12	If you need more space, or have any other general comments, please leave them here
	<p>Hello, My name is James burgess, I am an agricultural pilot for Super Air Ltd. I have been involved in the agricultural aviation industry since 2004 and am a committee member of the New Zealand Agricultural Aviation Association (NZAAA). I have industry knowledge and experience both within New Zealand and internationally. Please find attached my feedback on the Waitaki draft district plan. Any questions or comments, please get in touch with me. Kind regards, Jimbo</p>

WAITAKI DISTRICT COUNCIL

IN THE MATTER

of the Proposed Review of the Waitaki
District Plan (PDP)

**STATEMENT BY JAMES BURGESS
AGRICULTURAL PILOT and MEMBER OF THE NEW ZEALAND
AGRICULTURAL AVIATION ASSOCIATION
18/07/2022**

1. ABOUT NZAAA

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:

- Primary 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 primary sector production, responding to biosecurity threats, and protecting biodiversity values.

2. JAMES BURGESS QUALIFICATIONS AND EXPERIENCE

My name is James Burgess, and I am an aerial applicator for Super Air Ltd. I have been involved in the agricultural aviation industry since 2004 completing 9,000+ hours of flying as a fixed-wing pilot. The work area I cover includes South Canterbury, Otago and the West Coast. I have worked and flown in 13 other countries and have experience in agricultural aviation activities including weed control, crop protection, fertiliser application, and pest eradication.

3. GENERAL OBSERVATIONS OF THE PROPOSED PLAN

a) The PDP allows for the use of airstrips and helicopter landing areas by fixed-wing and helicopters as a permitted activity for primary production that includes agricultural and forestry activities with some exceptions relating to settlements and rural lifestyle zones.

I support the proposed permitted activity rule but do not support the exceptions relating to settlements and rural lifestyle zones.

b) The PDP does not address the use of rural airstrips and helicopter landing areas by agricultural fixed-wing and helicopters undertaking activities relating to biosecurity and biodiversity values – particularly on public land.

The WDC website notes: *“Biodiversity in the Waitaki District is undergoing a significant decline. As the remaining patches of tussock and bush get smaller they also tend to get overrun with weeds and pest animals like possums, rabbits and hares that eat native plants and animals. Animal pests can also introduce weed species like blackberry, banana passionfruit, and hawthorn.”*

Biosecurity and biodiversity activities that utilise aircraft that are relevant in the WDC area include but are not limited to:

- MPI's wilding conifer eradication program
- LINZ Lagarosiphon Major control works on the Waitaki lakes
- LINZ weed and pest control on riverbeds and crown-owned land
- OSPRI Tbfree eradication program
- NZ Predator free 2050 program
- DOC weed and pest control on conservation land
- Regional council weed and pest control on riverbeds

c) The inclusion of specific rules and definitions in the PDP that define agricultural aviation activities would assist the council in controlling the effects of aircraft land use whilst ensuring that primary production, biosecurity, and biodiversity activities are not adversely affected.

NOTE: This submission relates to the intermittent use of rural airstrips and helicopter landing areas for the purposes of agricultural aviation. Aircraft depots/bases that are used on a regular basis are not part of the permitted activity that is sought.

4. DEFINITIONS RELATING TO YOUR PROPOSED PLAN

a) PDP Definition of an "Aircraft"

The proposed definition in the PDP is the same as the RMA and Civil Aviation Authority (CAA) definition with the addition in the proposed PDP, ".....excludes kites and drones"

I support the definition of an aircraft except that the term UAV (unmanned aerial vehicle) should replace the term "drone" however I further submit that the term "drone" (UAV) be deleted from the PDP – Rationale:

Rationale: Removing the term "drone (UAV/drone) "future proofs" the plan. UAV's are an emerging technology that will eventually have similar size and capacity to conventional manned aircraft and therefore will have the same effects that the council is wanting to address. UAVs are aircraft under this definition.

b) Definition of an "Agricultural aviation activity"

I propose that a definition for agricultural aviation activities be included in the PDP:

Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, 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)

Rationale: Agricultural aviation activities are intermittent. A specific rule would be separate from other rules that manage the use of land for other types of aircraft landings and take-offs at airports or aircraft depots.

c) PDP Definition of a Helicopter landing area

I do not support the definition of a Helicopter landing area in the PDP. I propose that the definition of a Helicopter landing area should be:

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

Rationale:

- The proposed definition is confusing regarding the term “primary purposes”
- Helicopters undertaking agricultural activities require on-site servicing e.g., re-fuelling and loading
- Bullet point number 5 in the PDP definition is opposed (refer to separate comments 6 (a))

d) Definition of a Rural Airstrip

I propose the inclusion of a definition for a rural airstrip in the PDP:

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.

Rationale: A definition provides for a specific rule relating to agricultural aviation activities.

5. PROPOSED SPECIFIC AGRICULTURAL AVIATION ACTIVITY RULE

I consider that there are two ways that agricultural aviation activities could be permitted in your district plan:

- (a) Agricultural aviation activities be included as an ancillary activity to primary production, farming, biosecurity, and biodiversity activities;

OR

- (b) Inclusion of a specific permitted activity rule that provides for intermittent agricultural aviation activities using rural airstrips or helicopter landing areas for primary production, farming, biosecurity, and biodiversity activities;

AND

Recognition in the noise provisions of the plan that noise for intermittent agricultural aviation activities are part of the rural environment and exempt from noise restrictions.

NOTE: This rule would be separate from other rules that may manage the use of land for other types of aircraft landings and take-offs at airports or aircraft depots.

6. OTHER PDP MATTERS

- a) PDP Definition Helicopter Landing Area “other than 5. Rural farming operations (where the site boundary is greater than 2km from a boundary with the Settlement Zone or Rural Lifestyle Zone)”

I oppose the exclusion of helicopter landing areas within 2kms of a settlement or Rural lifestyle zone for intermittent use in farming and primary production activities.

Rationale: Farming activities occur within Rural Lifestyle zones that require intermittent use of agricultural helicopters. District plans can only control land use activities therefore inflight activities can occur on the boundaries of Settlement Zones or within Rural Lifestyle Zones creating the same effects that the council is attempting to address with land use limitations.

The CAA rules appropriately regulate aircraft in flight that prohibits aircraft from being operated in a manner that may cause a hazard to 3rd parties, persons, or property.

- b) GRUZ-R13 PER-5
Fixed-wing activities “for the purpose of primary production” is a permitted activity
EXCEPT: Flight paths over rural lifestyle zones

I oppose the exclusion PER-5.

Rationale: The council controls land use NOT aircraft once they are in flight. The CAA rules appropriately regulate aircraft in flight that prohibits aircraft from being operated in a manner that may cause a hazard to 3rd parties, persons, or property.

7. ADDITIONAL INFORMATION

- a) Aircraft Noise

Noise from agricultural aviation activity is generally accepted in rural areas as beneficial to the economy. Operations are an intermittent seasonal activity, not year-round.

Agricultural aircraft noise has reduced significantly in recent years as piston engine aircraft have been replaced by larger turbine-powered aircraft. Increasing aircraft efficiency generally leads to noise reduction as new technology enters operation.

- b) Economic Impacts

Restricting agricultural aviation activities would compromise the industry’s ability to respond to biosecurity and pest and disease outbreaks coupled with the detrimental effects on primary production.

Agricultural aviation is a key tool in protecting NZ’s biodiversity values. Agricultural aviation plays a significant role in the drive toward Predator-free 2050, the MPI program to eradicate

wilding conifers from NZ along with weed and pest control on conservation land and other public lands such as riverbeds and lakes.

c) Standards

Agricultural aircraft activities are heavily regulated with the HSWA Act managing operations up to the point of imminent flight at which time the Civil Aviation regulations come into effect. All CAA certificated Agricultural operators require an operating and effective Safety Management System (SMS) under the Civil Aviation Rule Part 100. SMS is certified, monitored, and audited by the Civil Aviation Authority.

In addition to a Commercial pilot license, agricultural-rated pilots undertake extensive specific role training in agricultural operations of at least 75 hours of flight time to attain an "Agricultural rating" and remain under supervision for a further 1000 hours of productive agricultural flight time.

Aviation NZ has a pilot noise abatement training program for both helicopters and fixed-wing. This is available to all aircraft operators and pilots in New Zealand, not just NZAAA and AvNZ members. It trains pilots to minimise noise effects through the way they operate their aircraft (power settings, flight paths, maneuvering etc). Noise abatement training is based on the "Fly Neighbourly" program administered by the Helicopter Association International (HAI). Training is renewed bi-annually.

I welcome the opportunity to discuss specific provisions for agricultural aviation activities with you and provide further information to assist in your plan development.



James Burgess
Agricultural Pilot
Super Air Ltd

