



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier NA43B/354
Land Registration District North Auckland
Date Issued 28 June 1979

Prior References
NA28B/411

Estate Fee Simple
Area 4.3640 hectares more or less
Legal Description Lot 3 Deposited Plan 71896
Registered Owners



Interests

Subject to a right of way over part marked A and a boat deposit right marked B on Plan 89254 created by Transfer 747847.2

Subject to Section 10 Maori Affairs Amendment Act 1967

A511622 Status Declaration by the Registrar of the Maori Land Court - 16.11.1970 at 9.00 am

**DECLARATION OF CHANGE OF STATUS OF LAND
(PART I OF THE MAORI AFFAIRS AMENDMENT ACT 1967)**

In the Maori Land Court
of New Zealand

TOKERAU

District.

RAWHITI No. 2A No. 8 Block.

UPON being satisfied in respect of the land described in the schedule hereto (being land to which Part I of the Maori Affairs Amendment Act 1967 applies) as to the matters specified in section 6 of that Act I HEREBY DECLARE that the status of the land shall cease to be that of Maori land.

Dated at Whangarei this 5th day of August 19 70



SCHEDULE

NORTH AUCKLAND LAND DISTRICT

All that piece of land containing 20 acres
00 rods 00 perches more or less being the
block situated in Block XV Bay of Islands*111
and Russell Survey District called Rawhiti
No 2A No 8



Note: Upon the registration of this declaration the above-described land will, in terms of subsection (2) of section 7 of the above-mentioned Act, cease to be Maori land.

A511622

85

PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL. 103 FOLIO 285

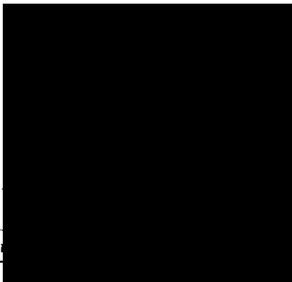
THE 16th DAY OF November 1970
AT 9.0 O'CLOCK.



North Auckland



OP



Abstr



A511622

TRANSFER
Land Transfer Act 1952



DocID: 310473688

S.O.L.S.

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

NORTH AUCKLAND

Certificate of Title No. All or Part? Area and legal description -- *Insert only when part or Stratum, CT*

17D

1154

All

Transferor *Sumames must be underlined or in CAPITALS*

William Philip YATES, Richard Ernest YATES, David Charles FOSTER, Sarah Louise Rose YATES, Catherine Anne McKENZIE and Ross Edward GREEN

Transferee *Sumames must be underlined or in CAPITALS*

THE SHOOTING BOX LIMITED

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No; Right of way etc.*

Electricity, and Transformer and Underground Cable Easements (continued on pages 2-6 Annexure Schedule)

Consideration

\$1.00

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEEE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this

5

day of

July 02.

Attestation

(continued on pages 2-7 Annexure Schedule)

Signature, or common seal of Transferor

Certified correct for the purposes of

Certified that no conveyance duty is payable by virtue of Section 2(1) of the Stamp and Cheque Duties Act 1991. (DELETE INAPPLICABLE CERTIFICATE)

Solicitor for the Transferee

Annexure Schedule

TRANSFER

Dated

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of

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Pages



Continuation of "Estate or Interest or Easement to be created"

1 Grant of Electricity Easement

The Transferee shall have the full, free, uninterrupted and unrestricted right liberty and privilege (in common with the Transferor and any other person lawfully entitled so to do) from time to time and at all times to convey and lead electricity in a free and unimpeded flow in and through that part of the land in Certificate of Title 17D/1154 (hereinafter referred to as the "Servient Land") marked "A" on DP 210205, and in such reasonable quantity required to satisfy the Transferee's reasonable needs together with the incidental rights set out in clause 3, such right liberty and privilege being forever appurtenant to the land of the Transferee contained in Certificate of Title 55A/617 (hereinafter referred to as the "Dominant Land").

2 Grant of Transformer and Underground Cable Easement

The Transferee shall have the full, free and uninterrupted right liberty and privilege (in common with the Transferor and any other person lawfully entitled so to do) from time to time and at all times to draw electricity from the 100KVA transformer and 11kV Underground Cable as installed at the date hereof or similar (or any replacement transformer and/or Underground Cable) established or to be established on that part of the Servient Land marked "B" on DP 210205, to the extent of 50% of the capacity of the said transformer and Underground Cable on all three phases, such right liberty and privilege being forever appurtenant to the Dominant Land.

3 Terms Conditions and Restrictions:

In respect of the Electricity Easement the following rights shall apply:

- 3.1 The full, free, uninterrupted, and unrestricted right, liberty and privilege for the Transferee (in common with the Transferor and any other persons lawfully entitled so to do):
- (a) To use any Underground Cable already laid on easement area "A" or any Underground Cable in replacement or in substitution for all or any of that Underground Cable;
 - (b) Where no such Underground Cable exists, or where such Underground Cable is of insufficient size or capacity for the optimal use of the Electricity Easement granted herein, to lay, place and maintain or to have laid, placed and maintained, an Underground Cable of sufficient size and capacity for the transmission of a three-phase supply under the surface of easement area "A";
 - (c) In order to construct or maintain the efficiency of any such Underground Cable the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the Transferee with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose following reasonable notice to enter upon easement area "A" (or to such parts of the Servient Land of the Transferor as is reasonably necessary to gain access to easement area "A") and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining and renewing the Underground Cable or any part thereof and of opening up the soil of easement area "A" to such extent as may be necessary and reasonable in that regard.

Annexure Schedule



Insert below

"Mortgage", "Transfer", "Lease" etc

Dated

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3.2 The Transferee in exercising its rights under clause 3.1 shall cause as little disruption as possible to the Transferor and any business of the Transferor conducted on the Servient Land and shall cause as little disturbance as possible to the surface of the land of the Transferor and shall restore the surface to the condition in which the surface of the land was immediately prior to the carrying out of the work and make good other damage done by reason of the aforesaid operations.

In respect of the Transformer and Underground Cable Easement the following provision shall apply:

3.3 Notwithstanding any future subdivision of the Dominant Land or the Servient Land into two or more lots, the total extent of the Dominant Land's right to draw electricity under the Transformer and Underground Cable Easement shall never be more nor less than 50% of the capacity of the transformer and Underground Cable in place at any time.

4 Maintenance

4.1 In respect of the Electricity Easement all costs of maintaining the Underground Cable shall be paid by the Transferee. In respect of the Transformer and Underground Cable Easement all costs of maintaining the Underground Cable (and any costs of maintaining the transformer not met by the owner of the transformer) shall be paid equally by the Transferor and the Transferee, provided that the Transferor shall not be liable for the cost of any repairs or maintenance to any part of the installation caused by the improper or negligent actions of the Transferee or its servants and agents.

4.2 The Transferor shall not be liable for any loss that the Transferee may suffer as a result of any interruption to or failure of supply of electricity to the Transferee.

4.3 The Transferee agrees to indemnify and hold harmless the Transferor against any actions, suits or claims that may be made against the Transferor by any person arising out of or in connection with the Underground Cable established upon the Transferor's property and the conveying of electricity through the Underground Cable to the Transferee's property pursuant to the Electricity Easement and/or the Transformer and Underground Cable Easement.

4.4 Each party agrees to indemnify and hold harmless the other against any actions, suits or claims that may be made by any person arising out of or in connection with the installation of the transformer, to the extent of 50% of any costs incurred, provided that neither party shall be liable for any costs incurred as a result of the improper or negligent actions of the other party or its servants and agents.

5 Default

5.1 If any party (the defaulting party) neglects or refuses to perform or join with the other party (the *other party*) in performing any obligation under the within easements the following provisions shall apply:

- (i) The other party may serve upon the defaulting party a written notice (*a default notice*) requiring the defaulting party to perform or to join in performing such obligation and stating that, after the expiration of 10 days from service of the default notice the other party may perform such obligation;
- (ii) If at the expiry of the default notice the defaulting party still neglects or refuses to perform or join in performing the obligation the other party may:

Annexure Schedule



Insert below

"Mortgage", "Transfer", "Lease" etc

Dated

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- (a) perform such obligation; and
- (b) for that purpose enter such parts of the relevant Servient Land or Dominant Land as are necessary and carry out any work;
- (iii) The defaulting party shall be liable to pay to the other party the costs of the default notice and the costs incurred in performing such obligation;
- (iv) The other party may recover from the defaulting party as a liquidated debt any moneys payable pursuant to this subclause.
- (v) Until notified otherwise, for the purposes of the within easements the Transferor's address for service shall be at the Transferor's property being the Servient Land (for the attention of Mr P S Yates), or alternatively at the Auckland address of Mr P S Yates, being 48 Entrican Avenue, Remuera, Auckland. The Transferee's address for service shall be c/- McConnell International Limited, Level 19, ASB Centre, 135 Albert Street, Auckland, (for the attention of Mr David McConnell).

6 Transferor not to impede

- 6.1 Subject to compliance by the Transferee of its obligations under the within easements the Transferor shall not do any act which impedes, interferes with or restricts the rights of the Transferee in relation to any easement.

7 Dispute resolution

- 7.1 All differences and disputes between the parties hereto concerning these presents or any act or thing to be done in pursuance hereof (except as otherwise expressly provided) shall be referred to the arbitration in New Zealand of two arbitrators (one to be appointed by each party) and an umpire (to be appointed by the arbitrators before their entering upon the reference) in accordance with the Arbitration Act 1996.

8 Limitation of trustees' liability

The liability of the Transferor under or in connection with the within easements shall be limited to the assets of the P S Yates Family Trust created by Deed dated 23 March 1983.

9 Costs

All survey, legal and other costs associated with the grant of the within easement, (including the legal costs of the Transferor to a maximum of \$750 plus GST), shall be payable by the Transferee.

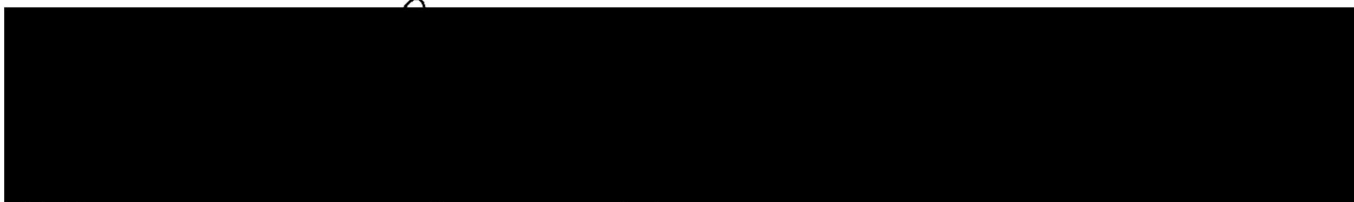
10 Interpretation

- 10.1 Unless the context otherwise requires:

"*Transferee*" in relation to each easement, means the registered proprietor for the time being of the Dominant Land to which the relevant easement is appurtenant, and, where appropriate, means the Transferee's agents, servants, workmen, tenants, licensees and invitees.

"*Transferor*" in relation to each easement means the registered proprietor for the time being of the Servient Land which is subject to the relevant easement and, where appropriate, means the Transferor's agents, servants, workmen, tenants, licensees and invitees.

"*Underground Cable*" means underground lines, wires, cables and all underground conducting media of any other kind and includes any insulation casing fixture or other equipment or material associated with such lines, wires, cables and conducting media.



Annexure Schedule



Insert below
"Mortgage", "Transfer", "Lease" etc

Dated

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Continuation of "Attestation"

Signed in my presence by the Transferor

Signed in my presence by the Transferor

CATHERINE ANNE MCKENZIE:

SARAH LOUISE ROSE YATES:



Annexure Schedule



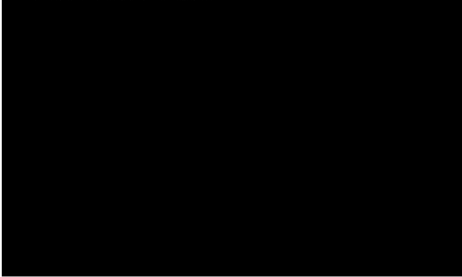
Insert below
"Mortgage", "Transfer", "Lease" etc

Dated

Page of Pages

Signed by the Transferee **THE SHOOTING**

BOX LIMITED:



Annexure Schedule



Insert below
"Mortgage", "Transfer", "Lease" etc

Transfer

Dated

Page 7 of 7 Pages

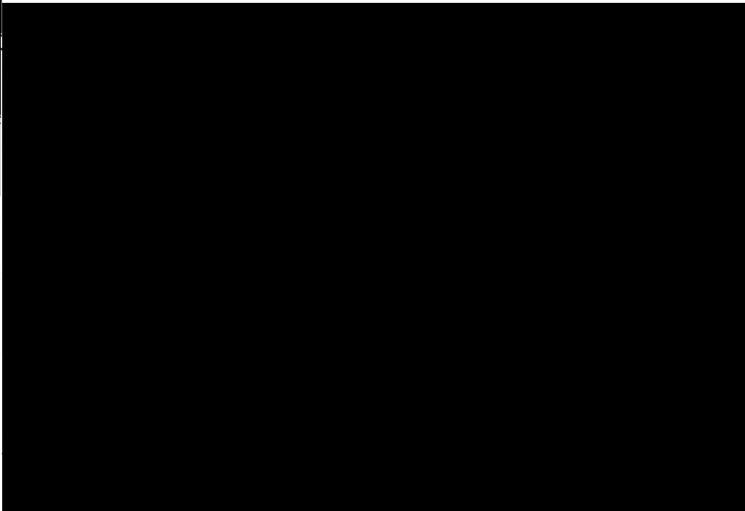
CONSENT OF MORTGAGEE

WESTPAC BANKING CORPORATION as Mortgagee under Mortgage No D.227164.3
HEREBY CONSENTS to the within Transfer creating Electricity and Transformer
and Underground Cable easements but without prejudice to its rights powers and
remedies under the said Mortgage.

Dated this 17th day of May 2002

EXECUTION

Signed by **WESTPAC BANKING CORPORATION**
as Mortgagee by its attorneys:



If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

**CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY
BONDS, FACILITY AGREEMENTS AND POWERS OF ATTORNEY**

I, **TIMOTHY JULIAN URQUHART-HAY** of Auckland in New Zealand, Bank Officer

HEREBY CERTIFY -

1. **THAT** by Deed dated the 10th of July 1996 copies of which are deposited in the Land Registry Offices at -

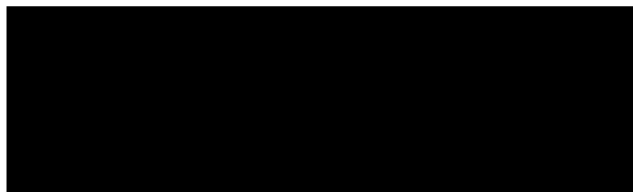
AUCKLAND (North Auckland Registry) and there numbered D.043055.1
BLLENHEIM (Marlborough Registry) and there numbered 187102
CHRISTCHURCH (Canterbury Registry) and there numbered A.257595/1
DUNEDIN (Otago Registry) and there numbered 915888
GISBORNE (Poverty Bay Registry) and there numbered G.212187.1
HAMILTON (South Auckland Registry) and there numbered B.367046
HOKITIKA (Westland Registry) and there numbered 105721
INVERCARGILL (Southland Registry) and there numbered 244294.1
NAPIER (Hawkes Bay Registry) and there numbered 646199.1
NELSON (Nelson Registry) and there numbered 361557.1
NEW PLYMOUTH (Taranaki Registry) and there numbered 435551
WELLINGTON (Wellington Registry) and there numbered B.533510.1

WESTPAC BANKING CORPORATION ABN 33 007 457 141 incorporated in New South Wales, Australia ("Westpac") appointed me its attorney on the terms and subject to the conditions set out in that Deed and the attached document is executed by me under the powers conferred by that Deed.

2. **THAT**, at the date of this certificate I am a Legal Counsel for Westpac.
3. **THAT**, at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of Westpac or otherwise.

SIGNED at Auckland

this 17th day of *May* 2002



Approved by Registrar-General
of Land under No. 1995/1004EF



TRANSFER

Land Transfer Act 1952

Law Firm Acting
Chapman Tripp Sheffield Young Solicitors AUCKLAND

Auckland District Law Society
REF: 4135 /4

This page is for Land Registry Office use only.
(except for "Law Firm Acting")

MEREDITH • CONNELL

Office of the Crown Solicitor

12 July 2002

TO: The District Land Registrar
North Auckland Registry

Certificate of Title 17D/1154

WE HEREBY AUTHORISE Chapman Tripp or their duly appointed agents to register a Transfer creating a power easement with respect to the land comprised in Certificate of Title 17D/1154 on production under No. 2476.

Yours faithfully

MEREDITH CONNELL



I:\yat733\M4 Power Easement\L_20020712_1116 authority.doc

PARTNERS

B F CONNELL Notary Public
D C FOSTER
M J RUFFIN
S J EISDELL MOORE Crown Solicitor
C P EISDELL MOORE
J CHRISTINE GORDON

M A WOOLFORD
K RAFTERY
P K HAMLIN
A J F PERKINS
R J A MARCHANT

A R BURNS
C K WOOD
S J BONNAR
B H DICKEY
M R HERON

ASSOCIATES

C B CATO
P S DEAN
SUSAN J GRAY
ANNE E KIERNAN
H D M LAWRY

R J WILLOX
YELENA V YELAVICH
HELEN M GILBERT

MEREDITH • CONNELL

General Buildings
Cnr Shortland &
O'Connell Streets
Auckland 1
New Zealand

Telephone: 09 336 7500
Facsimile: 09 336 7629
P.O. Box 2213 Auckland
DX CP24063

27 May 2002

The District Land Registrar
NORTH AUCKLAND REGISTRY

RE: CERTIFICATE OF TITLE 17D/1154

We hereby authorise, Meredith Connell or their duly appointed agents to register a Transfer creating a Power Easement with respect to the land comprised in Certificate of Title 17D/1154 on production under No.2476.

Yours faithfully
LEGAL SERVICES



CHRISTINE BICKNELL
LEGAL EXECUTIVE

i:\personal\deborah lowthian\lrs\letters\letter of authority.doc



We're a bank for New Zealanders and we want to show it, so wherever you see a WestpacTrust branch you'll also see a great New Zealand piece of art, 'RED X 2' by RALPH HOTERE.

NOTICE OF PRODUCTION OF INSTRUMENTS

LT 107
LAND INFORMATION NZ
NORTH AUCKLAND

MEREDITH CONNELL
MESSES
SOLICITORS

For office use only
Date 24/5/02
Number 2476

The following are produced (Firm intending to register)
List of Instruments Produced by Number or C.T. Reference

CERTIFICATE OF TITLE 17D/1154

To enable registration of:

- 1. A EASEMENT from _____ to _____
- 2. A _____ from _____ to _____
- 3. A _____ from _____ to _____
- 4. A _____ from _____ to _____

After Registration Instruments Listed Above To Be Returned To:

WESTPAC TRUST
C/O BERESFORT LEGAL
LTC BOX 17 AUCKLAND

Received Above Instruments
For LINZ / /

CHALCER PRESS 26009/5.0

This copy to be returned to firm producing as its receipt
This copy to be given to firm producing as receipt
above will not be accepted without production of this notice.

(Approved by the Registrar-General of Land, Wellington, No. 228594.2)

(Approved by the District Registrar, Auckland, No. 4203/74)

(New Zealand)

747847.2 TE

(C)

Under the Land Transfer Act, 1952

Memorandum of Transfer



\$300,

WHEREAS ATHOL CROYDON WILSON formerly of Auckland, clerk now of Okaihau, farmer
(hereinafter called "the transferor") being registered as proprietor
of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten
or endorsed hereon in those pieces of land situated in the Land District of North Auckland
containing FIRST 9350 square metres

more or less being Lot 1 Deposited Plan 71896 and being part Rawhiti 2A8 Block and
being all of the land comprised and described in Certificate of Title No. 28B/409
Subject to status declaration A511622 and Section 10 Maori Affairs Amendment Act
1967 (hereinafter called "the first above described land")

AND SECONDLY 4.3640 hectares more or less being Lot 3 Deposited Plan 71896 and
being part Rawhiti 2A8 Block and being all of the land comprised and described in
Certificate of Title No. 28B/411 Subject to status declaration A511622 and Section
10 Maori Affairs Amendment Act 1967 (hereinafter called "the secondly above
described land")

AND WHEREAS the transferor has for the consideration hereinafter appearing agreed
with RICHARD JOHN McGRANE of Auckland, Solicitor (hereinafter called "the
transferee") to sell to the transferee the first above described land and grant a
right of way over and a right to deposit a boat or boats accessories and equipment
upon that part of the secondly above described land in the terms hereinafter set
forth

17MA79 53499 QTY *\$ 100 00

NEW ZEALAND STAMP DUTY 1965

NOW THEREFORE pursuant to the premises and in consideration of the sum of THIRTY THOUSAND DOLLARS (\$30,000.00) paid to the transferor by the transferee (the receipt of which sum is hereby acknowledged) the transferor first DOTH HEREBY TRANSFER to the said RICHARD JOHN McGRANE all his estate and interest in the first above described land and secondly the transferor DOTH HEREBY TRANSFER AND GRANT unto the transferee his successors and assigns and his and their tenants agents servants licensees invitees workmen visitors and all persons having business with him and them the full free uninterrupted and unrestricted right of way ingress egress and regress from time to time and at all times by day and by night on horseback or on foot with or without domestic animals of any kind and with or without vehicles motor vehicles and trailers of every description loaded and unloaded and with or without implements and machinery of any kind over and along that part of the secondly above described land marked "A" delineated on the plan of survey deposited in the Land Registry Office at North Auckland on the 18th day of June 1979 under No. 89254 (hereinafter called "the said plan") for the purpose of giving access to and from the first above described land and any part thereof and to and from Whiorau Bay shown on the said plan. TO THE INTENT that the easement of right of way hereby created shall be forever appurtenant to the first above described land or any part thereof and thirdly the transferor DOTH HEREBY TRANSFER AND GRANT unto the transferee his successors and assigns and his or their tenants agents servants licensees invitees workmen visitors and all persons having business with him and them the full free uninterrupted and unrestricted right liberty and privilege to deposit place land or store from time to time and at all times by day and by night for unlimited periods as the transferee shall think fit a boat or boats accessories and equipment of every description and without limiting the generality of the foregoing with or without boat trailers and cradles sails engines masts booms rudders oars centreboards and life jackets upon that part of the secondly above described land marked "B" on the said plan TO THE INTENT that the easement to deposit a boat or boats accessories and equipment of every description hereby created shall be forever appurtenant to the first above described land or any part thereof PROVIDED HOWEVER that nothing aforesaid shall permit the transferee his successors and assigns to build construct or otherwise erect any shed or other type of building in which to deposit place land or store any boat or boats accessories and equipment of every description or for any other purpose whatsoever.

In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

said piece of land above described

In witness whereof these presents have been executed this *2nd* day of

May

19 79

Signed by the above named

ATHOL CROYDON WILSON

in the presence of



No.

TRANSFER OF FREEHOLD

Lot 1 D.P. 71896 C.T. 28B/409

Correct for the purposes of the Land Transfer Act.

A.C. WILSON

Transferor

I HEREBY CERTIFY THAT
I HAVE TRAVENE THE PROVISION
MENT PROMOTION AND

R.J. McGRANE

Transferee

Particulars entered in the Registers set out in the Schedules
herein at the day and hour endorsed below

Assistant Land Registrar
of the District of

L 118 7/1
26233

RUSSELL McVEAGH MCKENZIE BARTLEET & CO
AUCKLAND

Solicitors for the Transferee

THE LAW SOCIETY OF THE DISTRICT OF AUCKLAND
Penrose Print—9501(S)



JUN 28 9 14 AM '79

747847.2
288/409
District Land Registry
Auckland No.4





**PETER HALL
PLANNING LIMITED**

P S Yates Family Trust: Helicopter Landing Areas 1 & 23 Kokinga Point Road, Rawhiti

**Resource Consent Application to Far North District Council
Assessment of Effects on the Environment Report**

6 November 2023



Revision Summary

Report prepared by Peter Hall Planning Limited for P S Yates Family Trust

Rev:	Date:	Issue To:	Version:
A	21 October 2023	Client	Draft
B	03 November 2023	Internal	Final Draft
C	06 November 2023	Far North District Council	Final

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Appendices

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- Appendix 2 Compliance Assessment
- Appendix 3 Marshall Day Acoustics Report
- Appendix 4 Written Approval

Resource Management Act 1991

Form 9: Application for resource consent

To: Far North District Council

1. **P S Yates Family Trust, apply for the following type(s) of resource consent:**

Section 9(3) RMA 1991 land use consent (district rules).

2. **The activity to which the application relates (the proposed activity) is as follows:**

To use helicopter landing areas on both properties that are the subject of this application in the manner described in the Assessment of Effects on the Environment Report (**AEE**) which accompanies the application.

3. **The sites at which the proposed activity is to occur is as follows:**

1 Kokinga Point Road, Rawhiti (Legal Description: Lot 3 DP 71896) (4.36ha); and
23 Kokinga Point Road, Rawhiti (Legal Description: Part Te Kokinga Block) (7.99ha).

The records of title for the properties are included at **Appendix 1** of this AEE.

Refer Section 3.0 of this AEE for a full description of the sites.

4. **The other activities that are part of the proposal to which the application relates are as follows:**

Refer Section 4.0 of this AEE for a description of the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, **Appendix 2** explains how the activity complies with the requirements, conditions, and permissions for the permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.

5. **Additional resource consents are not needed for the proposal to which this application relates.**

6. **I attach** an assessment of the proposed activity's effect on the environment that—

- (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

7. **I attach** an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

8. **I attach** an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

9. The proposed activity **does not occur** in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.

Date: 06/11/23

Signature:



Peter Hall (Peter Hall Planning Limited)

(Applicant/person authorised to sign on behalf of applicant)

Contact details

Electronic address for service of applicant: peter@phplanning.co.nz

Telephone: 0274 222118

Postal address (*or alternative method of service under section 352 of the Act*): Peter Hall Planning Limited, PO Box 226, Shortland Street, Auckland 1140.

Contact person: Peter Hall

1.0 Introduction

The P S Yates Family Trust seeks resource consent to use two separate helicopter landing areas on 1 and 23 Kokinga Point Road in the manner described in this AEE Report.

The helicopter landing areas will be used in association with normal domestic uses on the properties and not for commercial activity.

The use of the helicopter landing areas will be limited in the manner described in this AEE Report, with restrictions on the frequency and hours of use.

The P S Yates Family Trust has engaged acoustic consultants Marshall Day Acoustics to model compliance with the District Plan and New Zealand Standard NZS 6807:1994, applicable to helicopter noise, and make recommendations on reasonable cumulative noise effects, based on the proposed number of daily helicopter movements.

The proposed use of the helicopter landing areas both readily complies with NZS6807:1994, taking into account separation from dwellings and the proposed relatively limited frequency of use. Resource consent is sought however under the Operative Far North District Plan which does not use NZS6807:1994. As noted by Marshall Day Acoustics, the Operative Far North District Plan noise rule is inappropriate for the assessment of helicopter noise effects as it does not adequately quantify the intermittent noise of helicopters and is not a useful measure of noise effects since it does not take into account the number of movements, nor effects in relation to noise sensitive activities. In contrast, NZS6807:1994 has been designed to measure these effects, is directly applicable to helicopters and notably has been used as the basis for the Proposed Far North Plan's helicopter noise rule.

The conclusion by Marshall Day Acoustics in respect to helicopter noise effects have been adopted in this AEE and their recommendations (including recommended conditions) adopted in this application. The Marshall Day Acoustics report is attached as **Appendix 3** to this AEE. Recommended conditions of consent are set out in section 6.4.3 of this AEE, and these include limitations on the frequency of use of the landing areas, hours of use and flight paths, to ensure compliance with NZS6807:1994 and otherwise protect the amenity of the locality and health and wellbeing of people.

This AEE addresses the requirements of Schedule 4 of the Resource Management Act 1991, and after assessing the relevant RMA matters, concludes that the application can be properly processed without full or limited notification, and granted consent subject to the conditions as recommended.



Figure 1: Sites and Surrounds (with approximate 500ft altitude marks) (Marshall Day Acoustics 2023)

2.0 Applicant and Property Details

The summary details relating to the applicant and subject site are as follows:

To:	Far North District Council
Applicant's Name:	P S Yates Family Trust
Address for Service:	Peter Hall Planning Limited PO Box 226 Shortland Street Auckland 1140 Attn: Peter Hall Phone: 0274222118 Email: Peter@phplanning.co.nz
Address for Fees:	P S Yates Family Trust 23 Kokinga Point Road, Rawhiti Email: wyates@genetic.co.nz
Site Address:	1 Kokinga Point Road, Rawhiti (4.3640ha more or less); and 23 Kokinga Point Road, Rawhiti (7.9900ha more or less).
Legal Description:	Lot 3 Deposited Plan 71896 (NA43B/354) Part Te Kokinga Block (NA17D/1154) (refer Records of Title, in Appendix 1)
Owner/Occupier Name and Address:	1 Kokinga Point Road: Yates Family Investments Limited 23 Kokinga Point Road: William Philip Yates, Richard Ernest Yates, Sarah Louise Yates, Catherine Anne McKenzie, Ross Edward Green, Christopher Patrick Eisdell Moore and Philip Seabrook Yates
District Plan Zoning:	Both c/- P S Yates Family Trust 23 Kokinga Point Road, Rawhiti Email: wyates@genetic.co.nz General Coastal Zone (Operative Far North District Plan 2009) Rural Production Zone (Proposed Far North District Plan 2022) Outstanding Landscape (Operative Far North District Plan 2009)
Designations / Limitations:	Outstanding Natural Landscape, Coastal Environment, High Natural Character, Outstanding Natural Character (Proposed Far North District Plan 2022)

3.0 Site Description and Surrounds

The properties at 1 and 23 Kokinga Point Road are located on the Kokinga headland which, together with Okuia Point to the north, enclose Omakiwi Cove to the north and Parekura Bay to the south in the Bay of Islands.

Kokinga Point Road, on which the properties are located, comes off Rawhiti Point Road, which connects the wider Rawhiti Peninsula.

The P S Yates Family Trust and associated company Yates Family Investments Limited, has owned the property at 23 Kokinga Point Road since the 1990s and purchased 1 Kokinga Point Road after that time.

1 Kokinga Point Road sits at the base of the headland and has a southerly aspect into the Whiorau Bay immediately south and beyond this into Parekura Bay. This 4.3640ha property is mostly in native bush and has no dwellings or buildings. There is a cleared grass area of some 1000m² accessed by a driveway which has been nominated as the helicopter landing area for this property.

23 Kokinga Point Road occupies the headland itself. Its coastal fringe is in native coastal forest, with the main spine through the headland in open grass. There are two dwellings on this property, with the main house occupying a commanding position at the western end and a smaller dwelling set above a jetty, ramp and boathouse to the east. The nominated helicopter landing area is located about half way along the headland between the two dwellings on the property, in an elevated open grass area of some 800m² on the northern side of the driveway.

The Marshall Day Acoustics Report in sections 2.0 and 6.0 provides a full description of the nearest properties and dwellings for the purpose of its assessment, including the distances to these.

To the immediate north of 23 Kokinga Point Road is the property owned by The Shooting Box Limited which has given its written approval to the subject application.

Adjoining to the north of 1 Kokinga Point Road is Rawhiti Road and Kokinga Point Road. Beyond Kokinga Point Road is another property owned by the Shooting Box Limited.

Table 5 of the Marshall Day Acoustics report sets out the location and distance of the nearest dwellings and buildings relative to both proposed landing areas. The nearest building is in relation to the proposed landing area at 1 Kokinga Point Road and to the north of this at a distance of 140m (an auxiliary building on 467 Rawhiti Road). Dwellings and buildings are sparsely located in the surrounding area and within the scope of the area assessed for potential noise effects by Marshall Day range in distance from 140m - 2570m. Within this scope of assessment, there are 13 dwellings, associated buildings and building platforms. This makes for a relative sparsely populated area.

The wider landscape around the subject sites is characterised by a complex coastline of many small bays and coves that is occupied with houses - albeit relatively sparsely - and set against a backdrop of bush-clad hills. The area is remote from any settlement of note, with a cluster of houses at Te Uenga Bay (zoned Coastal Residential) some 1.5km across the water to the south in the wider Parekura Bay being the closest, and to the north east, some 1.7km to Rawhiti (zoned Coastal Living).

Flight paths for the landing pads are to the west over the water of the Rawhiti Inlet of the Bay of Islands to at least 500 ft (arrival and departure) as shown in the Marshall Day Acoustics Report.

4.0 Proposal

It is proposed to use the nominated helicopter landing areas on each of the properties in association with normal domestic uses, and specifically in accordance with the conditions as recommended by

Marshall Day Acoustics at section 10.0 of its report. These include the following limitations on use for both landing areas:

- a. Flights shall only occur between morning civil twilight or 08:00 (whichever is later) and evening civil twilight or 20:00 (whichever is earlier).
- b. For 1 Kokinga Point Road the maximum number of helicopter movements shall be 2 on any single day, and based on a seven-day rolling average, a maximum of 7 (ie an average of 1 per day across seven days).
- c. For 23 Kokinga Point Road the maximum number of helicopter movements shall be 8 on any single day, and based on a seven-day rolling average, a maximum of 28 (ie an average of 8 per day across seven days).
- d. All arriving and departing helicopters will follow the arrival and departure vector where practicable (as shown in the Marshall Day Acoustics Report) when flying at altitudes of less than 500 feet, unless required to deviate for safety or to meet Civil Aviation Authority requirements.
- e. The helicopter landing areas will not be used for engine testing unless required for demonstrable safety or emergency reasons.
- f. The helicopter landing areas will not be used as a flight school.

The remaining conditions as recommended by Marshall Day Acoustics will also be complied with, including that the consent holder ensures at all times that a complete and accurate log of all helicopter movements to and from the site is kept.

No physical works are required or proposed to form the helicopter landing areas as they will utilise existing flat grassed areas.

Appendix D to the Marshall Day Acoustics report provides a description of typical helicopter operational characteristics which are anticipated also to apply to the subject helicopter landing areas. In summary:

- Helicopter departures are typically steeper than arrivals. Helicopters typically climb to above 500 feet at 500 metres (horizontally) from the landing pad on departure. On arrival, helicopters are typically above 500 feet at 1 kilometre (horizontal) from the landing pad.
- It is generally preferable to land into a headwind. An ideal helicopter consent would contain at least two possible vectors into to predominant wind direction, but consents with only one vector are often issued to reduce noise emissions.
- Departure of a modern helicopter to 500 feet will normally take around 30 to 70 seconds of helicopter warm up time with pre-flight checks (low noise), 30 seconds of higher noise at flight idle and in-ground effect flight near the landing pad, then 45 seconds of lower noise to climb to 500 feet (around 2.5 minutes in total). Some pilots may take longer to complete pre-flight checks, however ground idle noise is much lower than noise of the flight idle and flight near the landing pad.
- Arrival takes a similar duration overall. Noise sensitive pilots will normally shut off engines within approximately 30 seconds of landing. Some helicopters require longer cool down times (around 2 minutes) due to oil lubrication requirements in bearings.
- Ground idle is much quieter than the level of noise generated by the aircraft when power is on, such as during flight idle, lift off, final descent, etc. The noise level received in and around

the landing pad is dominated by the “power on” parts of the operation and ground idle contributes little to the overall sound exposure level. The aircraft generates more significant noise prior to entering effective translational lift and this part of the departure generates appreciably higher noise levels.

- Common single turbine engine aircraft operating in New Zealand are AS350 (Squirrel), EC130 and EC120. Robinson R44 aircraft are piston powered helicopters that are used privately and commercially. Common twin-engine turbine aircraft include B427, B429 and EC135.

5.0 Reasons for the Application

5.1 Operative Far North District Plan 2009

10.6.5.1.10 Noise

Rule 10.6.5.1.10 of the Operative Far North District Plan specifies compliance with the following as a permitted activity in the General Coastal zone:

“10.6.5.1.10 NOISE

All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone:

0700 to 2200 hours 55 dB L10

2200 to 0700 hours 45 dB L10 and 70 dB Lmax.

Noise Measurement and Assessment:

Sound levels shall be measured in accordance with NZS 6801:1991 “Measurement of Sound” and assessed in accordance with NZS 6802:1991 “Assessment of Environmental Sound”.

Marshall Day Acoustics has advised that it cannot be concluded with certainty that compliance with this rule would be achieved. Of particular note here, the rule applies at the boundary of any other site in this zone (in this case the General Coastal Zone), as opposed to the notional boundary relative to dwellings and other sensitive receivers as is the case with NZS6802.

Here they note that while it may be possible for a single helicopter movement to potentially technically “comply” with 55 dB LA10 at around 130 metres from the landing pad, it is difficult to provide certainty because helicopter noise cannot be easily assessed using NZS6802 as it requires broad assumptions to be made around Special Audible Characteristics (SAC), averaging and noise level (hence why NZS6807 was prepared).

Marshall Day Acoustics considers that it is probable that helicopter operations at 23 Kokinga Point Road could technically “comply” with the 55 dB LA10 noise limit, while helicopter activity at 1 Kokinga Point Road could technically “exceed” 55 dB LA10. However they caution that neither compliance or exceedance of the zone standard bears any useful relationship to effects¹.

Marshall Day Acoustics further state that the LA10 used in the General Coastal zone standard is inappropriate for the assessment of helicopter noise as it does not adequately quantify the

¹ Footnote 2: Marshall Day Acoustics Report Rp 001 20230543 1 & 23 KOKINGA POINT ROAD PROPOSED HELICOPTER LANDING AREAS ASSESSMENT OF NOISE EFFECTS | 26 September 2023

intermittent noise of helicopters and is not a useful measure of “noise effects” since it does not take into account the number of movements.

Given this uncertainty and difficulty in actually determining compliance and out of an abundance of caution, this application is made for both helicopter landing areas.

Rule 10.6.5.3, specifies that an activity is a **restricted discretionary activity** in the General Coastal Zone if it does not comply with rule 10.6.5.1.10 Noise.

10.6.5.1.11 Helicopter Landing Areas

Rule 10.6.5.1.11 specifies that, to be a permitted activity, a helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.

The nearest Coastal Residential zoned properties are some 1.5km to the south of the proposed helicopter landing areas at Te Uenga. The proposed helicopter landing areas locations **comply** with this rule.

5.2 Proposed Far North District Plan 2022

There are no rules in the Proposed District Plan that have immediate legal effect that are applicable to the subject proposal or trigger the need for consent.

5.3 National Environmental Standards

There are no National Environmental Standards that are applicable to the subject proposal or trigger the need for consent.

5.4 Proposed Regional Plan for Northland (2023 Appeals Version)

There are no rules under the Proposed Regional Plan for Northland (or its operative in part predecessor) that are applicable to the subject proposal or trigger the need for consent .

5.5 Permitted Activity Assessment

Schedule 4 Clause 3 of the RMA 1991 specifies that, if a permitted activity is part of the proposal, the application must also include a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)).

The assessments against the relevant rules and provisions of the Far North Operative District Plan is attached at **Appendix 2**.

6.0 Assessment of Effects on the Environment

6.1 Schedule 4 of the RMA 1991

This assessment has been prepared in accordance with the requirements of sections 6 and 7 of Schedule 4 of the RMA 1991. In summary and in respect of these matters:

6.1.1 Section 6 (Schedule 4) Information required in assessment of environmental effects

(1) An assessment of the activity's effects on the environment must include the following information:

(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

The activity will not result in any significant adverse effects on the environment, and therefore no assessment of alternatives is required.

(b) an assessment of the actual or potential effect on the environment of the activity:

These matters are addressed in the relevant parts of section 6.0 of this AEE.

(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:

The activity does not include the use of hazardous installations.

(d) if the activity includes the discharge of any contaminant, a description of–

(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and

(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:

The proposal will not involve the discharge of any new contaminant.

(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:

Mitigation measures offered as conditions of consent are described in the relevant parts of section 6.0 of this AEE.

(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

The written approval of the immediately adjoining sites to the north owned by the Shooting Box Limited has been obtained.

Given the nature and scale of the proposed activity, the nature of the receiving environment, and the minimisation of adverse effects, wider consultation is not considered necessary.

(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

The scale and significance of the effects of the activity, as described in section 6.0 of the AEE, are such that monitoring will not be required beyond the monitoring offered in proposed consent condition 5 which requires that the consent holder keep a complete and accurate log of all helicopter movements to and from the site. The log must be made available to Council officers within ten working days upon request.

(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

There are no protected customary rights that the activity may have an adverse effect on.

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

The requirements of the relevant policy statement and plans have been incorporated into this AEE.

6.1.1 Section 7 (Schedule 4) Matters that must be addressed by assessment of environmental effects

(1) An assessment of the activity's effects on the environment must address the following matters:

(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:

(b) any physical effect on the locality, including any landscape and visual effects:

(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:

(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

These matters are assessed to the extent they are relevant to the proposal in the relevant parts of section 6.0 of this AEE.

(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

The requirements of the relevant policy statement and plans have been incorporated into this AEE.

6.2 Section 104(2) Permitted Baseline

Under section 104(2) of the RMA 1991, when forming an opinion for the purposes of subsection s104(1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the District Plan permits an activity with that effect.

Sections 95D(b) and 95E(2)(a) also provide that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect.

This is known as the permitted activity baseline test. The baseline has been defined by case law as comprising non-fanciful (credible) activities that would be permitted as of right by the plan in question.

Section 9(5) of the RMA specifies that restrictions on the use of land applies to overflying by aircraft (ie helicopters) only to the extent to which noise emission controls for airports have been prescribed by a national environmental standard or set by a territorial authority. Noise emission controls for airports do not apply in this instance, therefore noise emissions from overflying helicopters over land are not subject to a rule in the Plan, can occur as a permitted activity and are part of the permitted baseline. Section 12(5) of the RMA applies the same permitted baseline to helicopters over the coastal marine area.

In this instance, the conservative approach taken however is that there is no certain permitted baseline in respect to helicopter *landing and take-off from land*. As noted above, while Marshall Day Acoustics conclude that it may be possible for a single helicopter movement to potentially technically

comply with the Operative District Plan Rule at around 130 metres from the landing pads, it is difficult to provide certainty because helicopter noise cannot be easily assessed using the Operative District Plan Rule. Also, while it is probable that helicopter operations at 23 Kokinga Point Road could technically comply with the 55 dB LA10 permitted noise limit, compliance or exceedance of the zone standard bears any useful relationship to effects and the Operative Plan standard is inappropriate for the assessment of helicopter noise.

6.3 Receiving Environment

The receiving environment is described in section 3.0 of this AEE. The location of sites and dwellings relative to the proposed landing areas is set out in greater detail in section 6.0 of the Marshall Day Acoustics Report - Table 5. This table sets out the location of the nearest dwellings or buildings to the landing pads which range in distance from 140m to 2570m for the proposed landing area at 1 Kokinga Point Road and from 240m to 1960m for the proposed landing area at 23 Kokinga Point Road.

The “receiving environment” includes existing unimplemented consents that are likely to be implemented. In this instance, there are no known unimplemented consents within the sphere of the assessed area. The exception is the building platforms which have been established at 473 Rawhiti Road and identified in Table 5. Because the construction of houses on these platforms would more than likely require a resource consent (the sites being within the General Coastal Zone), they do not technically form part of the receiving environment as sensitive receivers, being building platforms only. That said, the Marshall Day Acoustics Report conservatively assumes for the purpose of its assessment that they are occupied by dwellings and has factored that into its assessment of potential noise effects.

6.4 Assessment of Effects

As set out above in section 5.0 of this AEE, resource consent for a **restricted discretionary activity** is required for the anticipated breach of rule 10.6.5.1.10 Noise.

Section 104C of the RMA 1991 specifies that when considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—

- (a) a discretion is restricted in national environmental standards or other regulations;
- (b) it has restricted the exercise of its discretion in its plan or proposed plan

Section 10.6.5.3.5 Noise applicable to restricted discretionary activities specifies that in assessing an application resulting from a breach of Rule 10.6.5.1.10, the matters to which the Council will restrict its discretion are:

“(a) the character, level and duration of noise from any activity as received at the notional boundary of another site;

(b) the hours of operation in relation to the surrounding environment;

(c) the effectiveness of any noise mitigation measures proposed”.

The following sections assess these matters in turn.

6.4.1 (a) The character, level and duration of noise from any activity as received at the notional boundary of another site.

Method to Assess the Effects of Helicopter Noise

This assessment criterion (a) refers to effects of noise as received “at notional boundaries of another site”.

Chapter 3 Interpretation of the Operative District Plan sets out the definition of “Notional Boundary” as “Means a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling”.

This definition of notional boundary is as distinct from site boundary. It provides an accepted method to understand the effects of noise on occupants of dwellings (ie effects on people), as opposed to as received at site boundaries, which in rural areas in particular do not necessarily have any relationship to actual effects of noise on people.

With reference to the above definition, Marshall Day Acoustics has identified dwellings in the immediate and wider environment of the proposed helicopter landing areas for the purpose of assessing potential noise effects from the helicopter landing areas (the map of these is reproduced as Figure 1 above).

As noted above, Marshall Day Acoustics consider that NZS 6807:1994 is the appropriate standard for the assessment of helicopter noise. This standard is also referenced in the Proposed District Plan (and typically in other District Plans around the country).

Modelling Helicopter Noise Effects

In forming its conclusions on the potential noise effects from the helicopter landing areas, Marshall Day Acoustics have measured noise emissions from several typically used helicopter models at heliports and other sites around New Zealand with helicopters arriving, departing, and flying at 500 feet.

For the purpose of the subject application, Marshall Day Acoustics calculated the number of helicopter movements that comply with the 50 dB Ldn criterion from NZS 6807:1994, using the SoundPLAN noise prediction software. Noise levels and prepared noise contour maps were calculated based on Helicopter Class H1.1 of the standard (single and twin-engine helicopters with less than 3000 kg Maximum Take-off Weight). H1.2 helicopters have been provided for at half the movements proposed for the H1.1 and H1.0 classes.

Table 5 of the Marshall Day Acoustics report shows the resultant helicopter noise levels as received at notional boundaries within the wide study radius considered.

From this work, Marshall Day Acoustics make the following conclusion in relation to the proposed helicopter landing areas:

- The calculated noise levels received at existing adjacent notional boundaries where no written approval has been provided are no greater than 35 dB Ldn(7-day). This is readily compliant with the NZS6807:1994 guideline with a margin of more than 10 decibels.
- Noise levels from helicopter operations at 23 Kokinga Point Road (the western landing area) would generate very little noise at existing dwellings where written approval has not been provided. Noise levels would be lower than 30 dB Ldn(7-day) in all cases, which is substantially lower than the NZS6807:1994 guideline.
- At potential future building platforms at 473 Rawhiti Road, noise levels will be 31 dB Ldn(7-day) or below at all times, which also is substantially lower than with the NZS6807:1994 guideline.

- Noise levels would therefore be readily compliant with the proposed District Plan helicopter rule as well as the guidelines in New Zealand Standard NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. This would be the case even if both landing areas were used on the same day or regularly over the same 7-day period.

Character, level and duration of noise generated

Returning to the above assessment criterion, and based on the Marshall Day Acoustics Report the following conclusions are therefore made on the character, level and duration of noise generated by helicopters using the landing areas:

- The activity will comply with the relevant limit with a significant margin (more than 10 decibels). This is substantially less than what NZS6807:1994 recommends as an upper noise limit for this environment.
- Noise will be audible during the loudest part of the movement in the surrounding area. During still conditions where there is a calm sea state, noise will be audible above the background and ambient for a period of perhaps a few minutes. However, noise levels would not be particularly high and would be unlikely to have any material impact on concentration or communication within dwellings (or outside dwellings where people are talking near to each other). The duration of the noise will be brief and will be followed by long periods of quiet. The character of noise will normally be identifiable as a helicopter or aircraft.
- The proposed helicopter landing area at 23 Kokinga Point is very well removed from dwellings. This landing area is proposed to have more movements than 1 Kokinga Point on the basis that it is a significant distance from dwellings. At 1 Kokinga Point, the landing area is around 140 metres from the closest structure, and the number of movements has been limited on this basis. Helicopter landing pads are often established closer to dwellings than this without adverse effects arising.
- Helicopters and aircraft overfly this area at times, and human made noise from boats and other watercraft will be audible at times. Given the low levels of helicopter noise calculated and the limited effect on communication, concentration and relaxation around dwellings, the proposed use will not have a materially adverse effect in this environment.

Cumulative effects of the character, level and duration of noise have also been assessed by Marshall Day Acoustics. In this respect, the following conclusions are made based on its report:

- The nearest existing helicopter landing pad is located 5km to the south-west in Jacks Bay (Lot 1 DP 50648). This landing pad is used for Northland Emergency Services Trust (NEST) rescue helicopter responses to community callouts in this part of the Russell Peninsula.
- NEST would typically use the rescue helicopter landing pad only when emergencies arise which is not a regular occurrence. Furthermore, it is expected that noise arising from rescue helicopter activity will be readily accepted by this remote community. The approach and departure used by NEST to/from the rescue helicopter landing pad is to/from the south which is not over the subject site or any nearby dwellings. The proposed landing areas will not represent a risk to NEST operations or that cumulative effects will arise.
- There is a proposed private landing pad near the NEST site at 245 Kempthorne Road. This flies out to/from the north (over the water). There are also helicopter areas at Paroa Bay. It is possible that these helicopters may fly near to the subject site occasionally - although the typical arrival and departure routes to and from Auckland would make this less likely to occur regularly. Even if helicopters fly near the subject site, they would likely be at well over 1000 feet. Helicopters 'flying neighbourly' would avoid flying directly over built up areas if there are alternative routes.

- There are also proposed or existing helicopter landing area at Manawaroa Road (at Omarino). These are some 2 kilometers away from the subject site and surrounds.
- Helicopter noise from existing landing pads to the south-west would be in the order of 15 to 25 dB Ldn near the subject site, even during busy days of use. Given the limited use likely for both landing pads and the topographical separation, it is not considered cumulative helicopter noise effects will arise.
- Taken in combination with the proposed movements from 20 Kokinga Point Road (which resource consent is being sought for), as shown on the Marshall Day Acoustics Table 6, the total helicopter noise level received at any nearby dwellings where no written approval as been obtained would be 38 dB Ldn or below at all dwellings. This would be well below the proposed noise rule for helicopter activity from any site and would be below guidelines in New Zealand Standard NZS6807.

Based on the above, it is the conclusion of this AEE that the character, level and duration of noise from the proposed helicopter landing areas will not result in material adverse effects on the amenity of this area, including when considering potential cumulative effects. As noted by Marshall Day Acoustics, the proposed departure and arrival direction away from dwellings, the limited number of helicopter movements and the proposed landing area locations that are well-removed from dwellings will all contribute to low overall helicopter noise levels. These noise levels would have little effect on communication, concentration and relaxation in and around dwellings.

6.4.2 (b) The hours of operation in relation to the surrounding environment.

Helicopter noise in non-rescue or non-heliport situations is typically limited to the District Plan daytime period of 0700 to 2200 or to civil daylight (whichever is more restrictive). This ensures that helicopter noise does not typically cause sleep awakenings.

Condition 2 recommended in section 10.0 of the Marshall Day Report proposes that flights from the helicopter landing areas only occur between morning civil twilight or 08:00 (whichever is later) and evening civil twilight or 20:00 (whichever is earlier).

This additional restriction recognises the existence of residential dwellings in the surrounding environment and the quiet nighttime ambient noise levels of this rural-coastal environment.

6.4.3 (c) The effectiveness of any noise mitigation measures proposed.

Helicopter noise is normally mitigated through distance, the use of screening if possible, and by management of the number of movements per week. In this case, significant distance and screening by landform is provided from nearby dwellings.

As noted above, it is proposed to limit noise through a limit on the number of helicopter movements and hours of operation, as well as various other conditions as set out in this report. While a maximum limit is proposed to ensure ready compliance with the applicable NZ Standard on helicopter noise, as with most helicopter landing areas, the maximum permitted level of use is not expected to regularly occur. Busier periods of use tend to occur seasonally.

Based on compliance with these conditions Marshall Day Acoustics conclude that the proposed helicopter landing areas will not result in material adverse effects on the amenity of this area.

Proposed Conditions of Consent

The full set of conditions proposed as noise mitigation is set out in section 10.0 of the Marshall Day Report and repeated here:

1. The consent holder shall ensure that the noise associated with the use of the landing area on the site to which this consent applies for helicopter operations shall not exceed a noise limit of 50 dB Ldn (7-day) as determined in accordance with NZS6807:1994, and as measured at or within the notional boundary of any noise sensitive activity (e.g., dwelling/visitor accommodation) established at the time this consent was granted.
2. Flights shall only occur between morning civil twilight or 08:00 (whichever is later) and evening civil twilight or 20:00 (whichever is earlier).
3. The following number of movements are deemed to satisfy Condition 1:

Helicopter Movements in Accordance with NZS 6807:1994

Helicopter Type*	Proposed number of helicopter movements [†]			
	23 Kokinga Point Road		1 Kokinga Point Road	
	Seven-day rolling average [‡]	Maximum single day [§]	Seven-day rolling average [‡]	Maximum single day [§]
<i>Number of H1.0 or H1.1 helicopter movements (defined according to DIN 45684-1: MTOW < 3000kg)[‡]</i>	<i>28</i>	<i>8</i>	<i>7</i>	<i>2</i>
	<i>(average of 4 per day)</i>		<i>(average of 1 per day)</i>	

* If a helicopter is used that has a maximum takeoff mass of more than 3000kg (i.e. an H1.2 Class helicopter), one movement of that helicopter shall be considered to be the equivalent of two of the above consented movements

[†] Assumes all helicopter operations occur between 7am and 10pm

[‡] Number of movements over a rolling seven-day period (daily average provided in brackets)

[§] Provided the average over any seven-day rolling period is no greater than that contained in this table

4. The consent holder is to ensure that all arriving and departing helicopters follow the arrival and departure vector where practicable (as shown in the Acoustic Assessment by Marshall Day Acoustics [Report 20230543]) when flying at altitudes of less than 500 feet, unless required to deviate for safety or to meet Civil Aviation Authority requirements. If manoeuvring outside the consented vectors is required to operate the helicopter safely near the landing pad in certain wind conditions, this shall not be considered a breach of the conditions provided the consent holder can demonstrate the consented vectors were flown to the maximum extent possible.
5. The consent holder shall ensure at all times that a complete and accurate log of all helicopter movements to and from the site is kept. The consent holder is to keep the following information:
 - the date and time of each flight
 - records of the helicopter owner, operator or helicopter transit company undertaking the helicopter flight
 - the helicopter model type or Civil Aviation Authority registration number visiting the site.
 - The log must be made available to Council officers within ten working days upon request.

6. The helipad is not to be used for engine testing unless required for demonstrable safety or emergency reasons (i.e. to facilitate necessary on-site repairs required to ensure operational safety).
7. The helicopter landing pad shall not be used as a flight school.

7.0 Policy Assessment

In accordance with Section 104(1)(b) of the Resource Management Act 1991 ('RMA'), this part of the report addresses the following statutory documents which are relevant to the assessment of this proposal:

- New Zealand Coastal Policy Statement (**NZCPS**)
- Northland Regional Policy Statement (**NRPS**)
- Operative Far North District Plan 2009
- Proposed Far North District Plan 2022
- Part 2 of the RMA

7.1 New Zealand Coastal Policy Statement

The proposed activity takes place within the coastal environment and so the NZCPS is relevant.

Although the NZCPS does not have policies specifically related to the use of helicopters, the following broader policies on uses in the coastal environment have some relevance here because the site is identified in the Northland Regional Policy Statement mapping as having Outstanding and High Natural Character and Outstanding Natural Landscape values:

- Policy 13: Preservation of Natural Character
- Policy 15: Natural Features and Natural Landscapes

High Natural Character Overlay Reference 339 "Orokawa Bay" applies to part of the northern face and eastern end of the properties and is described as "*Coastal faces with kanuka dominant shrubland & low forest with patches pohutukawa forest & treeland. Several houses with grass & plantings*".

The contributing values are described as: "*Largely indigenous vegetation with few pest plants. Includes some patches of mature pohutukawa. Minimal human-mediated hydrological or landform changes but a few obvious human structures. Part of a community pest control area*".

Outstanding Natural Character Overlay Reference 99 "Parekura Bay" applies to the balance of the coastal edge of the properties and is described as: "*Coastal faces with mixed broadleaved forest (includes pohutukawa, puriri), with some kanuka forest. One karaka green boatshed*".

The contributing values are described as "*Predominantly mature indigenous forest with some younger forest. Minimal human-mediated hydrological or landform changes and few obvious human structures (excluding boatshed). Part of a community pest control area*".

The properties are mapped as within the Outstanding Natural Landscape Karakahuarua to Rawhiti Point Coastal. The Worksheet² for this classification notes that in respect to the value of

² <https://www.nrc.govt.nz/media/o4bpf503/karakahuaruarawhitipoints.pdf>

“Naturalness” this is a clearly “lived in” landscape, with the settlement nearby and scattered housing within the unit. In respect to the value of “Sensory Qualities” it is noted that *“a strong sense of local character and relatedness to the wider Bay of Islands. Passing boat traffic is a feature of this part of the water body and emphasizes the navigational role of Albert Channel”*. In respect to the value of “Remoteness/Wildness”, it is noted that this value is *“Closely connected with settlement and recreational activity”*.

The proposed helicopter landing areas will have no adverse effects on the values that contribute to either the High nor Outstanding Natural Character identification: utilising as they do existing open grassed areas, not requiring the removal of any vegetation, and being screened by adjacent vegetation (ie not prominent).

In respect of the Outstanding Natural Landscape Identification, the use of helicopters in the limited manner proposed will not have any adverse effects on the identified values and characteristics. In this regard, the landing areas do not introduce any additional built aspect or requires any landform modification. In addition, the landscape unit does not have high values of remoteness or wildness where helicopter use may otherwise be detrimental, being characterised by scattered settlement and housing with associated and passing boat traffic. The use is consistent with the recognition that this is a “lived in” landscape.

Based on this, it is concluded that the activity accords with the relevant policies of the NZCPS.

7.2 Regional Policy Statements

The Northland Regional Policy Statement became operative in 2016 and implements the NZCPS.

As with the NZCPS, the NRPS does not have policies specifically related to the use of helicopters, however it does particularise further the policies identified above relating to natural character of the coastal environment and outstanding natural landscapes.

Policy 4.6.1 requires as follows:

4.6.1 (1) In the coastal environment:

a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.

b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:

(i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and

iii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and

(iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised”

This policy directs avoidance on the “characteristics and qualities” which make up the outstanding values of areas of outstanding natural character and outstanding natural landscapes. As concluded

under the NZCPS above, having considered the recorded values and characteristics of these features, it is the conclusion of this AEE that the use of the helicopter landing areas in the manner proposed and in accordance with the restrictions offered, will avoid adverse effects on these characteristics and qualities.

7.3 Operative Far North District Plan

The Operative Far North District Plan was prepared and made operative prior to the NZCPS and the NRPS. As such, the objectives and policies of these higher order documents have been used in this assessment rather than the Operative Plan in respect to landscape and natural character of the coastal environment matters on the basis that they properly give effect to Part 2 of the RMA 1991.

The following policies of Chapter 10 - Coastal Environment are considered relevant as it deals with matters not directly dealt with in the policies discussed above.

Appropriate use in the coastal environment is referred to in policy 10.4.1 below:

10.4.1 That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:

- (a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and*
- (b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and*
- (c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and*
- (d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and*
- (e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and*
- (f) recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and*
- (g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and*
- (h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.*

Matters (a) and (b) are discussed above. In respect of the matters at (d) and (f), while not scheduled in the District Plan, the landing areas avoid the pa site located at the end of the peninsula. In respect to (g) there is no publicly accessible land in proximity to the landing areas (other than public roads).

Amenity of the coastal environment is referred to in policy 10.4.12 below:

10.4.12 That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:

- (a) the siting of buildings relative to the skyline, ridges, headlands and natural features;*
- (b) the number of buildings and intensity of development;*
- (c) the colour and reflectivity of buildings;*

(d) the landscaping (including planting) of the site;

(e) the location and design of vehicle access, manoeuvring and parking areas.

None of these matters refers to helicopter use, however notwithstanding that, it is the conclusion of this AEE that the proposed intensity of use of the sites will not increase as a result of their use - that being limited and associated with the existing domestic use and limited by the conditions as proposed. The overall obligation to minimise adverse effects on amenity of the coastal environment will be achieved through the proposed conditions.

7.4 Proposed Far North District Plan

Hearings on submissions to the Far North District Plan have yet to be held, and at this point in time very little weight can be placed on it. That said, as a proposed plan, while its provisions relevant to the subject proposal have no legal effect its objectives and policies are a relevant consideration for the subject application. These are discussed below.

Objective NOISE-O1 deals with noise as follows:

“NOISE-O1 Activities generate noise effects that are compatible with the role, function and character of each zone and do not compromise community health, safety and wellbeing”.

This objective is implemented by Policy NOISE-P1 as follows:

“NOISE-P1 Uphold the character and amenity of each zone by controlling the types of activities and noise levels that are permitted in each zone”.

And by Policy NOISE-P3 as follows:

“NOISE-P3 Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment by having regard to:

- a. type, scale and location of the activity in relation to any noise sensitive activities;*
- b. hours of operation and duration of activity;*
- c. the temporary or permanent nature of any adverse effects; and*
- d. the ability to internalise and/or minimise any conflict with adjacent activities”.*

Objective O1 and Policy P1 refer to the role, function, character and amenity of each zone. In this case, the sites are zoned Rural Production in the Proposed Plan. The proposed use of the helicopter landing areas will not impact on any rural production function, with very little of this activity in proximity (the exception being very limited pine on properties to the north, which will not be affected by the proposal). The character of the zone is not described in the zone description, however, for the reasons set out above, there will be no material effect on this or on amenity.

Objective O1 also refers to community health, safety and wellbeing. As concluded in the Marshall Day Acoustics Report, the calculated noise levels are well below the threshold that are typically used to assess health effects in New Zealand. The calculated noise levels are also well below all the thresholds that are discussed in the WHO Environmental noise guidelines for the European Region.

Policy P3 refers to noise effects generated by an activity being of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment. These effects are discussed in full above and concluded as being appropriate, with character of the receiving environment being one of the matters for consideration of the application as a restricted discretionary activity.

The helicopter landing area locations are within the coastal environment under the Proposed Plan. The objectives and policies here largely give effect to the NZCPS and NRPS in respect to natural character and outstanding landscapes which are discussed above.

The proposal is not inconsistent with any of the objectives and policies relating to the Rural Production Zone, including those which seek to maintain it for rural production/primary production purposes (objectives RPROZ-O1 - RPROZ-O3 and their associated policies). As noted above, the subject sites are well-removed from any rural production activity that could be adversely affected by helicopter use.

Objective RPROZ-O4 seeks that “*The rural character and amenity associated with a rural working environment is maintained*”. Important here is the reference to “rural working environment”. Although the subject locality is not strongly one of these, the use of helicopters in such environments is a normal part of rural activity and generally accepted as a normal part of rural environments.

Policy RPROZ-P7 sets out matters relevant to the consideration of an application in the Rural Production Zone. Of the relevant matters “*c. consistency with the scale and character of the rural environment*” has already been discussed, as has “*i. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity*”.

7.5 Section 104 (1) (c) Any Other Matter Relevant and Reasonably Necessary to Determine the Application

7.5.1 Northland Conservation Management Strategy 2014-2024

The Department of Conservation’s Northland Conservation Management Strategy 2014-2024 (**NCMS**) includes policies on the use of aircraft at section 16.4. The NCMS notes that aircraft may have adverse effects on users of public conservation lands and waters, impacting on values such as amenity, natural quiet, wildlife and remoteness. In order to manage the effects of aircraft landings on public conservation lands and waters, four aircraft access zones (as shown on the Maps included with the Strategy) have been developed and applied nationally. These zones reflect the different management methodologies required.

The subject landing areas and flight paths are not within nor in proximity to any of the mapped aircraft zones in the NCMS, as shown on the figure below and therefore is consistent with the NZCMS.

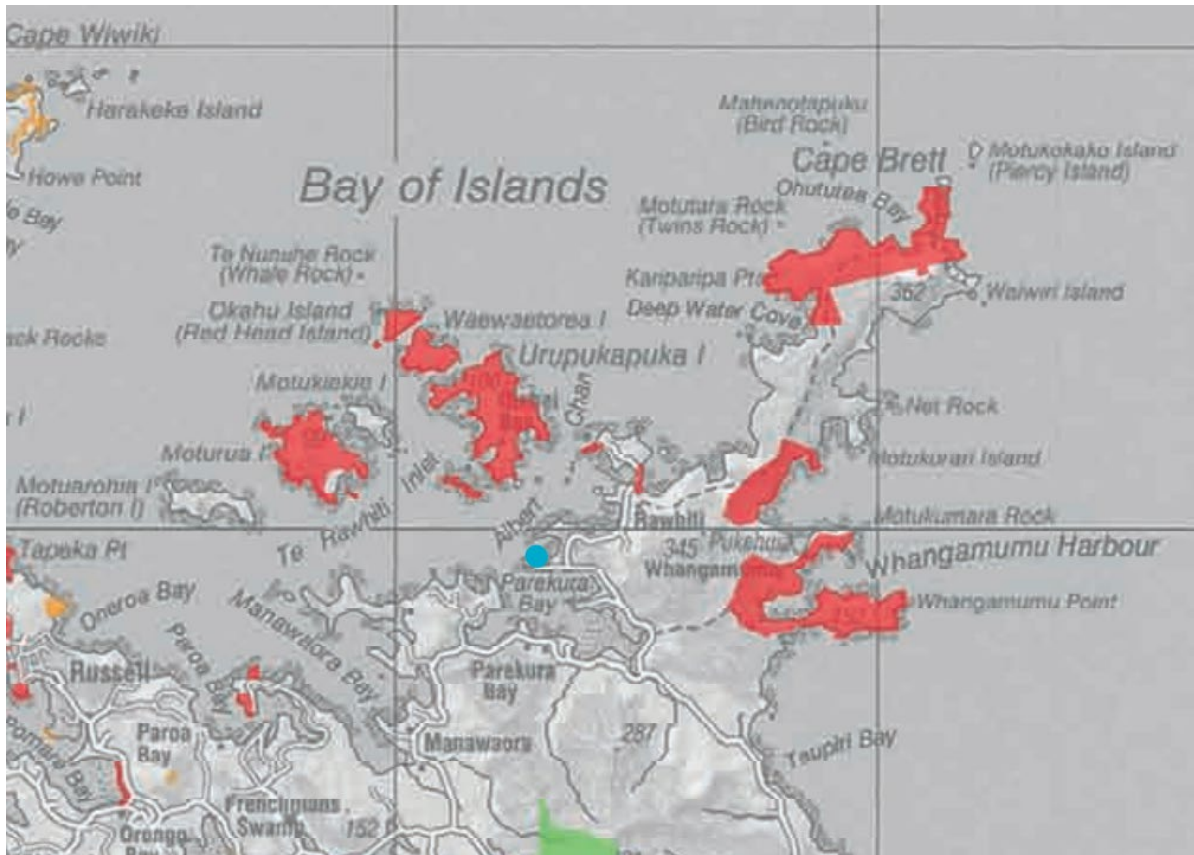


Figure 2: Northland Conservation Management Strategy - detail of Map 9.8 Aircraft Access Zones (subject site shown with blue dot)

7.5.2 NZS 6807:1994

NZS 6807:1994 details the procedures for the measurement and assessment of noise from helicopter landing areas and recommends land use planning measures where necessary to mitigate the adverse effects of noise on land uses surrounding the helicopter landing area.

The standard was produced to provide guidelines for controlling helicopter landing and take-off noise in the context of the RMA 1991.

The Marshall Day Acoustics Report concludes that the proposed activity can readily comply with the standard. Compliance with the Standard and its appendices is recommended as a condition to manage noise effects from the activity.

8.0 Part 2 of the RMA 1991

The activity has been assessed against all relevant planning instruments and is consistent with / not contrary to those instruments.

Except as identified above in relation to the Operative Plan and the NZCPS/NRPS, those instruments are not considered to be invalid, incomplete, or uncertain, and in turn can be assumed to have particularised and already given effect to Part 2 of the Act, therefore the Activity is also consistent with Part 2.

However, for the purposes of completeness, and in compliance with Schedule 4(2)(a) RMA, a separate assessment against Part 2 of the Act follows.

Part 2 of the RMA sets out the purpose (Section 5) and principles (Sections 6-8) of the RMA.

Section 5 of the RMA states that the purpose of the RMA is:

“to promote the sustainable management of natural and physical resources”.

Section 5 also states:

“(2) In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposal promotes the sustainable management purpose of the Act by enabling the owners of the property to provide for their wellbeing, and for the wellbeing and health of communities through the appropriate noise conditions and limitations on use. This will be done in a manner that avoids and mitigates adverse effects on the environment as described in section 6.0 of this AEE.

Section 6 “Matters of National Importance” of the RMA states:

“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance.”

The “Matters of National Importance” considered potentially relevant to this proposal are:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (f) The protection of historic heritage from inappropriate subdivision, use, and development.*

The preservation of the natural character of the coastal environment and the protection of outstanding natural features and landscapes ((a) and (b) above) is achieved as described above in the discussion of these matters under the NZCPS. The proposal, by avoiding the Pa site at the end of the peninsula will recognise and provide for ((e) and (f)) above.

Section 7 “Other Matters” of the RMA states:

“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—”

The “Other Matters” considered potentially relevant to this proposal are:

- (c) *The maintenance and enhancement of amenity values.*
- (f) *Maintenance and enhancement of the quality of the environment.*

The maintenance of the amenity values (other matter (c)) is achieved in the manner described in section 6.0 of this AEE, where it is concluded that the proposed helicopter landing areas will not result in a material adverse effect on the amenity of this area. Likewise, the quality of the environment is discussed above (other matter (f)), where it is concluded that given the low levels of helicopter noise calculated, the proposed use will not have a materially adverse effect in this environment.

Section 8 of the RMA states:

“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).”

The principal of Active Protection is taken into account by avoiding known archaeological sites on the property.

9.0 Consultation

Consultation has occurred with the owners of the adjoining properties to the immediate north of the subject site which are owned by The Shooting Box Limited (specifically with Directors of this company David McConnell and John McConnell). The Shooting Box Limited is making an application for helicopter use also, with Marshall Day Acoustics advising on that application. This consultation has ensured that the cumulative effects of both applications have been taken into account by Marshall Day Acoustics and has resulted in David McConnell and John McConnell providing their written approval to the application as directors of The Shooting Box Limited (refer **Appendix 4**).

10.0 Notification

10.1 Public Notification

The application has been assessed against each of the steps under section 95A to determine whether public notification is required. None of the steps are applicable in this instance to warrant public notification. In particular:

- The applicant does not request notification.
- Public notification is not required under section 95C for the application.
- There is no relevant rule or NES requiring notification.
- As set out in this AEE and summarised below, the activity is not considered likely to have adverse effects on the environment that are more than minor in accordance with section 95D.
- No special circumstances apply; in particular, the application is a restricted discretionary activity under the Operative District Plan due to an inability to confirm with certainty compliance with the noise standards of the District Plan but otherwise complies with the relevant rules applicable to helicopter landing areas (ie setbacks from sensitive zones).

Adverse effects assessment (section 95D)

Based on the assessment above in this AEE and the conclusions of the reports attached, the activity will **not have adverse effects on the environment that are more than minor** because:

- The activity will comply with the relevant limit with a significant margin (more than 10 decibels). This is substantially less than what the NZS6807:1994 recommends as an upper noise limit for this environment.
- Noise will be audible during the loudest part of the movement in the surrounding area. However, noise levels would not be particularly high and would be unlikely to have any material impact on the amenity of the area.
- The proposed helicopter landing area at 23 Kokinga Point is very well removed from dwellings. This landing area is proposed to have more movements than 1 Kokinga Point on the basis that it is a significant distance from dwellings.
- At 1 Kokinga Point, the landing area is around 140 metres from the closest structure, and the number of movements has been limited on this basis. Helicopter landing pads are often established closer to dwellings than this without adverse effects arising.
- Cumulative effects due to the subject landing areas and the proposed landing pad at 20 Kokinga Point Road would produce levels of up to 38 dB Ldn(7 day) at the nearest dwelling(s) on Rawhiti Road. All other nearest landing pads are well removed from the site and located to the southwest with typical flight paths away from the subject site.
- Helicopters and aircraft overfly this area at times, and human made noise from boats and other watercraft will be audible at times. Given the low levels of helicopter noise calculated and the limited effect on communication, concentration and relaxation around dwellings, the proposed use will not have a materially adverse effect in this environment.

Effects that must be disregarded

The council **must disregard** any effects on the land in, on, or over which the activity will occur, **and on persons who own or occupy any adjacent land** (s95D(a)). The properties marked on the map below with a red dot are excluded as these are located directly adjoining or adjacent the subject site.



Figure 3: Proposed Helicopter Landing Areas in blue. Adjacent land on which effects must be disregarded for the purposes of s95D(a) of the RMA 1991 - marked with a red dot.

Effects that may be disregarded (permitted baseline)

Section 95(b) states that a consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect for the purpose of determining whether effects are more than minor.

For the reasons set out in section 6.2 of this AEE, the conservative approach is that there is no credible or certain permitted baseline in this case.

10.2 Limited Notification

The application has also been assessed against each of the steps under section 95B to determine whether limited notification is required. None of the steps are applicable in this instance to warrant limited notification. In particular:

- None of the circumstances of step 1 (section 95B(2) or (3)) exist;
- There are no adversely affected persons from the activities sought in the application in accordance with section 95E (as assessed below); and
- There are no special circumstances which would warrant limited notification of the application under Section 95B(10) to persons other than those assessed under section 95E.

Affected Persons

Under Section 95E, a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor):

With reference to Section 95E there is no adversely affected person who must be notified of this application because:

- Other than the adjacent property which written approval has been obtained from, the noise levels from helicopter movements at 1 Kokinga Point Road at the next closest property to the north at 467 Rawhiti Road will be no greater than 37 dB $L_{dn(7\text{-day})}$ at the notional boundary of the auxiliary building on this property (140m to the north of the landing area). This uses the 7-day average measurement consistent with the NZS6807:1994 for helicopter noise (from the Marshall Day Acoustics Table 5). As concluded by Marshall Day, this is readily compliant with NZS6807:1994 with a margin of more than 10 decibels. The main dwelling on 467 Rawhiti Road is 200m from the landing area and the predicted noise will be no greater than 37 dB $L_{dn(7\text{-day})}$ at the notional boundary of this dwelling, which again is readily compliant with NZS6807:1994.
- The helicopter landing area at 1 Kokinga Point Road will only be used with a maximum single day movement frequency of 2 per day, provided that the seven-day rolling average is no more than 7. This is a very low frequency of use.
- The next adjoining property 420m to the east of 1 Kokinga Point Road is 488 Rawhiti Road and is owned by Fire and Emergency New Zealand. It is bush clad and has no buildings, dwellings or other sensitive uses on it.
- Compliance with NZS6807:1994 and the very low frequency of use proposed will mean that adverse effects from this landing area will be less than minor, including on the health of amenity of people.
- Noise levels from helicopter operations at 23 Kokinga Point Road (the western landing area) would generate very little noise at existing dwellings where written approval has not been provided. Noise levels would be lower than 30 dB $L_{dn(7\text{-day})}$ in all cases, using the 7-day average measurement, which is substantially lower than with the NZS6807:1994 guideline.
- While the frequency of use of this landing area is proposed to be greater than that at 1 Kokinga Point Road, its separation from dwellings and sensitive receivers ensures ready compliance with NZS6807:1994 and its use will also have less than minor effects on health and amenity of people.
- The above conclusions still stand when considering the cumulative effects of both landing areas operating at the same time (that albeit being a very unlikely occurrence). In this regard, Marshall Day Acoustics have noted that noise levels would be readily compliant with the proposed District Plan helicopter rule as well as the guidelines in New Zealand Standard NZS 6807:1994. This would be the case even if both landing areas were used on the same day or regularly over the same 7-day period.
- As noted above the owner of the adjoining properties to the north, which have existing dwellings/buildings within 240m and 270m of the proposed landing areas, have provided written approval to the application.

Protected Customary Rights Group

With regard to Section 95F and Section 95G, no protected customary rights groups or customary marine title groups are considered to be potentially affected because no such groups are identified relative to the subject property.

10.3 Conclusion of Notification Assessment

Pursuant to Sections 95 to 95G of the RMA, the application must be processed without public notification and without limited notification to any person, protected customary rights group or customary marine title group because:

- None of the steps under section 95A are made out requiring the consent authority to publicly notify the application; and
- None of the steps made out under section 95B are made out requiring the consent authority to give limited application.

11.0 Conclusion

The P S Yates Family Trust seeks resource consent to use two separate helicopter landing areas on 1 and 23 Kokinga Point Road, Rawhiti.

Resource consent is sought for a restricted discretionary activity for both helicopter landing areas for the reasons set out in section 5.1 of this AEE. While both helicopter landing areas comply with the setback requirements of rule 10.6.5.1.11 relative to sensitive zones, it cannot be shown with certainty that compliance with noise rule 10.6.5.1.10 will be achieved, due to the limitations of this rule in measuring noise from helicopters.

In respect to the relevant restricted discretionary activity matters, this AEE concludes that the character, level and duration of noise from the proposed helicopter landing areas will not result in a material adverse effect on the amenity of the area, including when considering potential cumulative effects. As noted by Marshall Day Acoustics, the proposed departure and arrival direction away from dwellings, the limited number of helicopter movements and the proposed landing area locations that are well-removed from dwellings will all contribute to low overall helicopter noise levels. These noise levels would have little effect on communication, concentration and relaxation in and around dwellings. Hours of operation are proposed on the landing areas in recognition of the existence of residential dwellings in the surrounding environment and the quiet nighttime ambient noise levels of this rural-coastal environment. Other conditions are proposed on their use and operation which are considered to be effective mitigation.

The proposal accords with the relevant objectives and policies of applicable policy documents to which regard must be had to, being the NZCPS, the NRPS and the Operative and the Proposed District Plans. In terms of Part 2 of the RMA 1991, the overall proposal represents the sustainable management of natural and physical resources for the reasons set out in this AEE and has proper regard to relevant section 6, 7 and 8 matters.

Therefore, for the reasons set out in this AEE, the application can be properly processed without full or limited notification, and granted consent subject to the conditions as recommended in this AEE.

Appendix 1 Records of Title

Appendix 2 Compliance Assessment

Appendix 3 Marshall Day Acoustics Report

Appendix 4 Written Approval



MARSHALL DAY
Acoustics 

1 & 23 KOKINGA POINT ROAD
PROPOSED HELICOPTER LANDING AREAS
ASSESSMENT OF NOISE EFFECTS

Rp 001 20230543 | 26 September 2023

Project: **1 & 23 KOKINGA POINT ROAD
HELICOPTER LANDING AREAS**

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Report No.: **Rp 001 20230543**

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APPENDIX D RELEVANT INFORMATION ON HELICOPTER OPERATIONS

1.0 SUMMARY

Marshall Day Acoustics (MDA) has been engaged to assess noise from helicopter activity at 1 and 23 Kokinga Point Road, Rawhiti. This report is to accompany a submission for Resource Consent.

This report summarises the permitted numbers of arrivals and departures at the site, in accordance with the Far North District Plan General Coastal Section - Rule 10.6.5.1.10. The assessment has been undertaken using a combination of calculation and noise modelling, as well as reference to previous measurements.

The site would comply with 50 dB L_{dn} (the limit recommended in NZS 6807) and would result in reasonable cumulative noise effects, based on the proposed number of daily helicopter movements as detailed in this report. A glossary of terminology is provided in Appendix A.

2.0 SITE AND SURROUNDS

The application sites are on two separate properties on the waterfront of Kokinga Point, Parekura Bay, Rawhiti. These properties are: 23 Kokinga Point Road (**western**) and 1 Kokinga Point Road (**eastern**). The helicopter landing areas are proposed on elevated clearings on both sites.

The closest dwelling(s) to either of the proposed landing areas are located at least 135 metres to the north-east of the proposed eastern landing area (on 1 Kokinga Point Road) as shown in the map overleaf. There is also a site to the immediate north of the proposed western landing area (23 Kokinga Point Road) that is owned by the McConnell family who will be providing written approval for the helicopter movements in this report.

The property topography and surrounding land use has been obtained from Far North District Council. Flight paths over the water (arriving and departing to/from the northwest/southwest – see Figure 1) have been recommended.

Table 1: Site details

Location of Landing Pads:	1 and 23 Kokinga Point Road (Lot 1 DP97835/DP71896)	
Local Authority:	Far North District Council	
Approximate co-ordinates of landing pads (NZTM):	1713637 E, 6099103 N (eastern, 1 Kokinga Pt Rd) 1712989 E, 6099188 N (western, 23 Kokinga Pt Rd)	
Landing pads existing or proposed?	Proposed	
Flight track(s) details	Refer Figure 1	
Written approvals obtained	20 Kokinga Point Road (property owned by McConnell)	
Nearest property for assessment purposes	To the north-east	467 Rawhiti Road (135m)
	To the east	488 Rawhiti Road (440m) 511 Rawhiti Road (585m)
	To the north	366 Rawhiti Road (830m)
	To the south-east	72 Hikuwai Road (630m) 90 Hikuwai Road (720m)
	To the south-west	439C Manawaora Road (1150m)
	To the west	Omarino (1060m)
	Future building platforms	1: Lot 4 DP 70986 (250m) 2: Lot 4 DP 70986 (485m) 3: Lot 4 DP 70986 (590m) 4: Lot 4 DP 70986 (640m)

The proposed helicopter landing pad is shown in the following figures. Figure 1 shows the site and nearby receivers as well as the flight track in relation to the wider area.

Figure 1: Site and Surrounds (with approximate 500ft altitude marks)



Figure 2: Helicopter Landing Area (1 Kokinga Point Road, eastern)

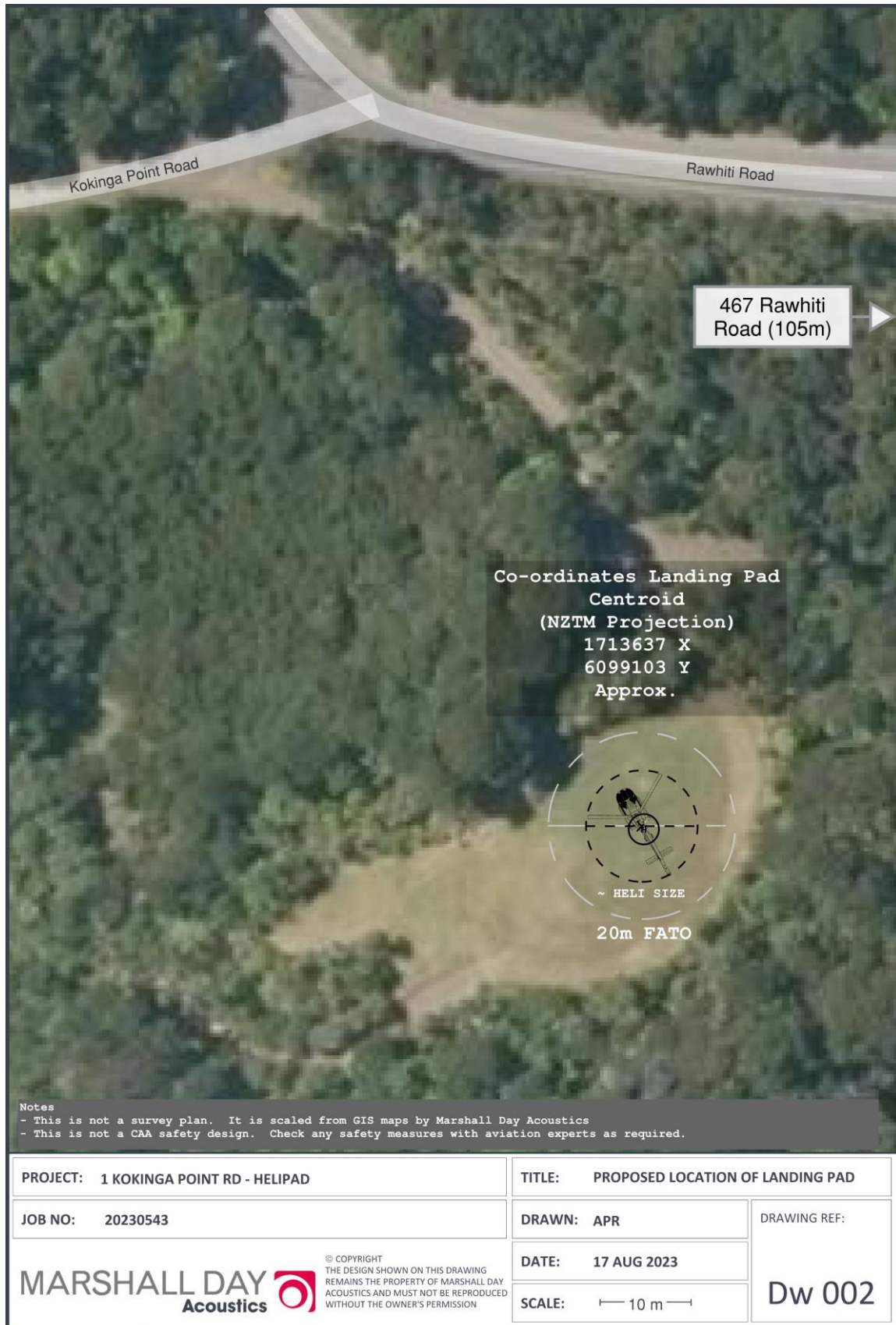


Figure 3: Helicopter Landing Area (23 Kokinga Point Road, western)



3.0 DISTRICT PLAN PERFORMANCE STANDARDS

The site is zoned *General Coastal* in the Operative District Plan as are all adjacent sites. There is some *Conservation* and *Coastal Living* land at a much greater distance.

3.1 Operative District Plan Noise Rule

The Far North District Plan contains the following rules relating to permitted activities in the *General Coastal* zone:

10.6.5.1.10 NOISE

All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone:

0700 to 2200 hours	55 dB L ₁₀
2200 to 0700 hours	45 dB L ₁₀ and 70 dB L _{max}

Noise Measurement and Assessment:

Sound levels shall be measured in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound".

The District Plan states the following restricted matters of discretion in assessing applications that breach the permitted noise rule above:

10.6.5.3.5 NOISE

In assessing an application resulting from a breach of Rule 10.6.5.1.10 Noise the matters to which the Council will restrict its discretion are:

- (a) the character, level and duration of noise from any activity as received at the boundary, or notional boundary of another site;*
- (b) the hours of operation in relation to the surrounding environment;*
- (c) the effectiveness of any noise mitigation measures proposed.*

The District Plan states that helicopter landing areas in the *General Coastal* zone are permitted activities where they comply with the permitted standards. The following section sets out where an activity is discretionary:

10.6.5.4 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity in the General Coastal Zone if:...

- (a) it complies with Rules 10.6.5.4.1 Residential Intensity; 10.6.5.4.2 Transportation; 10.6.5.4.3 Scale of Activities and 10.6.5.4.5 Helicopter Landing Areas and/or 10.6.5.4.4 Integrated Development below; and*
- (b) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in Part 3 of the Plan - District Wide Provisions; but*
- (c) it does not comply with one or more of the other standards for permitted, controlled or restricted discretionary activities in this zone as set out under Rules 10.6.5.1; 10.6.5.2 and 10.6.5.3 above.*

The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application, the Council will have regard to the assessment criteria set out under Chapter 11.

10.6.5.4.5 HELICOPTER LANDING AREA

A helicopter landing area within 200m of the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.

3.2 Comment on Operative District Plan Noise Standards

The District Plan (10.6.5.1.10) states that activities complying with the zone noise rule of 55 dB L_{A10} are permitted activities¹.

The *General Coastal* zone standard of 55 dB L_{A10} is inappropriate for the assessment of helicopter noise². The L_{A10} metric is inappropriate for the assessment of helicopter noise effects as it does not adequately quantify the intermittent noise of helicopters and is not a useful measure of “noise effects” since it does not take into account the number of movements³.

It is partly for these reasons that the standard referenced in rule 10.6.5.1.10 (NZS6802) specifically states that it should not be used to assess noise from transportation (which includes helicopters). Later versions (e.g. NZS6802:2008) specifically exclude rotary winged aircraft from assessment in accordance with NZS6802, and instead direct that NZS 6807:1994 should be used.

The appropriate standard for the assessment of helicopter noise in New Zealand is NZS 6807:1994 “*Noise Management and Land Use Planning for Helicopter Landing Areas*”. It is this standard that is referenced in the proposed District Plan as discussed in the following section.

3.3 Proposed District Plan

Far North District Council have released the proposed District Plan for submissions. The site would be zoned *Rural Production* in the Proposed District Plan with a *Coastal Environment* overlay. The proposed District Plan contains a provision for helicopter landing areas in NOISE-R7 which would permit helicopter landings where they comply with NOISE-S4 as given below:

Table 2: Proposed District Plan helicopter landing area rule

NOISE-S4	Helicopter landing areas	Matters of Discretion
<i>All zones</i>	<i>Noise generated from the movements and landing of helicopters shall comply with the following noise limits when measured at any point within any General Residential and Rural Residential zones, or within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori</i>	<i>Matters of discretion are restricted to:</i> <ol style="list-style-type: none"> <i>the extent of non-compliance and whether the proposal complies with noise limits of 50 dB L_{dn};</i> <i>whether there are any restrictions on the number of movements proposed;</i> <i>the level, duration and character of the noise;</i> <i>proximity and nature of nearby activities and the adverse effects they may experience from the noise;</i>

¹ 10.6.5.4.5 states landing areas within 200m of specified zones are discretionary activities – none of these zones are nearby.

² While it may be possible for a single helicopter movement to potentially technically “comply” with 55 dB L_{A10} at around 130 metres from the landing pad, it is difficult to provide certainty as helicopter noise cannot be easily assessed using NZS6802 as it requires broad assumptions to be made around SAC, averaging and noise level (hence why NZS6807 was prepared). Marshall Day typically avoids considering helicopter noise against the District Plan L_{A10} zone standards, however if such an assessment was required for this project it is considered probable that helicopter operations at 23 Kokinga Point Road could technically “comply” with the 55 dB L_{A10} noise limit, while helicopter activity at 1 Kokinga Point Road could technically “exceed” 55 dB L_{A10} . However neither compliance or exceedance of the zone standard bears any useful relationship to effects.

³ For example, it is possible that if only one brief helicopter movement were measured over a typical measurement period (15 minutes as defined in NZS 6801:1991), it would not trigger the L_{A10} metric at all and therefore the measured L_{A10} noise level would technically ‘comply’ with the 55 dB L_{A10} limit, irrespective of the number of movements that occurred over a day. Alternatively, it is equally conceivable that a slightly longer duration helicopter movement (i.e. with an idle time of greater than 90 seconds) could breach the zone limit, even if only one movement per annum occurred. Neither of these outcomes relate to the actual effects of helicopter noise.

<i>NOISE-S4</i>	<i>Helicopter landing areas</i>	<i>Matters of Discretion</i>
	<i>Purpose zones when assessed in accordance with NZS 6807:1994: Noise Management and Land Use Planning for Helicopter Landing Areas. Note: Section 4.3 of NZS 6807:1994 shall not apply.</i>	<ul style="list-style-type: none"> <i>e. effects on character and amenity values on the surrounding environment;</i> <i>f. effects on health and wellbeing of people;</i> <i>g. noise mitigation measures proposed;</i> <i>h. any wider social or community benefits from the operation of helicopters; and</i> <i>i. any potential cumulative effects.</i>

The rule does not give a noise limit in the text (this will likely be resolved through submissions); however, the matters of discretion suggest that the noise limit is 50 dB L_{dn}. This accords with the *NZS 6807:1994: Noise Management and Land Use Planning for Helicopter Landing Areas* recommendations (refer to Section 4.0 for a summary of this standard).

3.4 Overall Summary of District Plan Rules

We consider that the proposed District Plan rule is broadly an appropriate noise rule for the assessment of effects of helicopter noise⁴. In contrast the operative District Plan rule does not provide an appropriate basis for noise measurement and assessment. For this reason it cannot be concluded with certainty that compliance with the operative District Plan noise rules (which apply at the site boundary) would be achieved.

Although the proposed District Plan has not yet received submissions, we consider it a useful guide to the level of helicopter noise anticipated in this location by the Far North District Council. It is also consistent with criteria that we would use to inform a helicopter noise effects assessment in the absence of any statutory criteria (i.e. that set out in NZS6807:1994).

The proposed District Plan rules can therefore be used to inform the effects assessment required by the operative District Plan. The following matters require assessment under the operative and proposed District Plans to which we provide comments within our area of expertise:

Operative Plan

11.13 NOISE

- (a) *The character, level and duration of noise from any activity as received at the boundary, or notional boundary, of another site.*

We consider that this is best addressed by considering the activity using the helicopter landing area noise rules in the Proposed District Plan. These reference the appropriate assessment standard and are consistent with the National Planning Standards guidelines⁵.

- (b) *The hours of operation in relation to the surrounding environment.*

Helicopter noise in non-rescue or non-heliport situations is typically limited to the District Plan daytime period of 0700 to 2200 or to civil daylight (whichever is more restrictive). This ensures that helicopter noise does not typically cause sleep awakenings.

- (c) *The effectiveness of any noise mitigation measures proposed.*

Helicopter noise is normally mitigated through distance, the use of screening if possible, and by management of the number of movements per week. In this case, significant distance and screening is provided from nearby dwellings.

⁴ Although we do not agree that Section 4.3 of NZS6807:1994 should be excluded.

⁵ We consider that the exclusion of Section 4.3 of NZS6807:1994 as required by the National Planning Standards is unnecessary, however we have referred to this methodology in this assessment given that it is specifically mentioned in the operative rule.

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Proposed Plan

- (a) *the extent of non-compliance and whether the proposal complies with noise limits of 50 dB L_{dn}*
This matter of discretion does not require interpretation. This is an appropriate “limit” and accords with guidelines in NZS6807:1994. It is typically not appropriate for a private helicopter landing area to exceed 50 dB L_{dn} unless there are other mitigating circumstances.
- (b) *whether there are any restrictions on the number of movements proposed*
It is typical for an application to propose a restriction on the number of helicopter movements that can occur over a specific period (these are interrelated with the L_{dn} noise level)
- (c) *the level, duration and character of the noise*
See operative plan rule above
- (d) *proximity and nature of nearby activities and the adverse effects they may experience from the noise*
Typically, private helicopter landing areas cannot be established close to dwellings without generating noise levels above 50 dB L_{dn}. Distances between landing areas and dwellings of c. 80 to 120+ metres can be required (depending on the proposed activity)
- (e) *effects on character and amenity values on the surrounding environment*
- (f) *effects on health and wellbeing of people*
The above matters are normally managed through achieving compliance with a suitable helicopter noise level (where helicopter landings are anticipated in the zone)
- (g) *noise mitigation measures proposed*
See operative plan rule above
- (h) *any wider social or community benefits from the operation of helicopters*
- (g) *any potential cumulative effects*
Noise from proposed helicopter landing areas requires consideration together with other helicopter landing areas in the general area.

4.0 NZS 6807:1994 – DETAILS OF STANDARD

As discussed in Section 3.0, NZS 6807:1994 is the appropriate standard for the assessment of helicopter noise and is the basis for the proposed District Plan and the National Planning Standards provisions for helicopter noise. New Zealand Standard NZS 6807:1994 “*Noise Management and Land Use Planning for Helicopter Landing Areas*” provides a standard approach to managing the effects of helicopter sound on sensitive receivers. This section summarises the provisions of this standard.

NZS 6807:1994 recommends that the L_{dn} metric is used when assessing the noise effects of helicopters. L_{dn} uses the cumulative ‘noise energy’ that is produced by all movements during a typical day with a 10 dB penalty applied to any night movements. This metric is used extensively in New Zealand and overseas for helicopter and airport noise assessment and it has been found to correlate well with community response to helicopter noise.

NZS 6807 is intended for helicopter landing areas used for ten or more flight movements in any month or where flight movements are likely to result in a maximum sound level exceeding 70 dB L_{AFmax} at night or 90 dB L_{AFmax} during the day in any residential zone or notional boundary of any rural dwelling. It is not intended to apply to infrequently used helicopter landing areas or emergency operations.

The Standard sets out noise limits (L_{dn}) for helicopter noise for a range of receiver categories/zones (Table 3 below).

Table 3: NZS 6807 Limits of Acceptability

Affected Land Use	L_{dn} day-night average sound level (dB)	L_{AFmax} night-time maximum sound level (dB)
Industrial	75	n/a
Commercial	65	n/a
Residential	50	70
Rural (at notional boundary)	50	70
Residential (internal)	40	55

The hours for night-time L_{max} shall be defined by the local authority. In the absence of any specific definition by the local authority for helicopter landing areas, the hours of 10.00pm to 7.00am the following day shall be defined as night-time for the purposes of the Standard.

The Standard defines a limit of 50 dB L_{dn} (and 70 dB L_{AFmax} at night) for residential and rural receivers. The standard suggests a maximum seven-day average L_{dn} which means that the noise level can be higher on some days (up to 53 dB L_{dn}) provided the average over seven days does not exceed 50 dB L_{dn} .

5.0 MEASURED SOUND LEVELS

We have measured noise emissions from several typically used helicopter models in general accordance with NZS 6801:2008. These noise measurements were performed at heliports and other sites around New Zealand. Detailed sound exposure level (L_{AE} or SEL) measurements of these helicopters arriving, departing, and flying at 500 feet have been performed. We used these measurements in the assessment of noise from this proposed helipad in conjunction with the noise modelling information discussed below⁶.

6.0 HELICOPTER NUMBER OF MOVEMENTS AND CALCULATED NOISE LEVELS

We have calculated the number of helicopter movements that comply with the 50 dB L_{dn} criterion for this site. These calculations were performed in SoundPLAN and verified against the L_{AE} sound levels as discussed in Section 5.0. SoundPLAN uses *DIN45684 Acoustics – Determination of aircraft noise exposure at airfields – Calculation Method*. GIS data for this project has been sourced from Far North District Council GIS.

We have calculated noise levels and prepared noise contour maps based on Helicopter Class H1.1 of the standard (single and twin-engine helicopters with less than 3000 kg Maximum Take-off Weight). H1.2 helicopters have been provided for at half the movements proposed for the H1.1 and H1.0 classes⁷.

The following table outlines the number of helicopter movements proposed at 23 and 1 Kokinga Point Road.

⁶ A temporary consent to conduct testing on the site has not been obtained and measurements of at the site have not been performed. However, Marshall Day Acoustics has performed measurements of representative helicopter activity at several other sites. This information has been used to correlate the noise model results of this assessment with representative field measurements.

⁷ This results in broadly the same overall noise level based on DIN45684 levels. This is broadly consistent with measurements.

Table 4: Proposed Helicopter Movements in Accordance with NZS 6807:1994

Helicopter Type*	Proposed number of helicopter movements [†]			
	23 Kokinga Point Road		1 Kokinga Point Road	
	Seven-day rolling average [‡]	Maximum single day [§]	Seven-day rolling average [‡]	Maximum single day [§]
Number of H1.0 or H1.1 helicopter movements (defined according to DIN 45684-1: MTOW < 3000kg) [‡]	28 (average of 4 per day)	8	7 (average of 1 per day)	2

* The applicant is likely to typically use helicopters with a maximum take-off mass of less than 3,000kg. If a helicopter is used that has a maximum takeoff mass of more than 3000kg (i.e. an H1.2 Class helicopter), one movement of that helicopter shall be considered to be the equivalent of two of the above consented movements.

† Assumes all helicopter operations occur between 7am and 10pm.

‡ Number of movements over a rolling seven-day period (daily average provided in brackets)

§ Provided the average over any seven-day rolling period is no greater than that contained in this table

¶ Refer to Appendix B for helicopter definitions in accordance with the standard.

Table 5 details the calculated noise levels received at adjacent notional boundaries, based on the movements detailed in Table 4.

Table 5: Resultant Helicopter Noise Levels

Dwelling or Building	Helicopter Noise Level (dB)			
	23 Kokinga Point Road		1 Kokinga Point Road	
	L _{dn} (1 day)	L _{dn} (7-day)	L _{dn} (1 day)	L _{dn} (7-day)
To the north-east				
467 Rawhiti Road - Auxiliary (570m / 140m)	29	26	40	37
467 Rawhiti Road - Main (600m / 200m)	29	26	38	35
366 Rawhiti Road (1060m / 810m)	28	25	24	21
To the east				
488 Rawhiti Road (870m / 420m)	27	24	30	27
To the south-east				
72 Hikuwai Road (1130m / 630m)	27	24	30	27
90 Hikuwai Road (1140m / 710m)	28	25	30	27
To the south-west				
Omarino - DP 391213 (1960m / 2570m)	31	28	25	22
To the north-east (473 Rawhiti Road building platforms)				
BP 1: Lot 4 DP 70986 (660m / 250m)	32	29	34	31
BP 2: Lot 4 DP 70986 (920m / 580m)	29	26	26	23
BP 3: Lot 4 DP 70986 (1000m / 470m)	26	23	26	23
BP 4: Lot 4 DP 70986 (1200m / 630m)	25	22	24	21
To the north-west (written approval obtained)				
20 Kokinga Point Rd – Aux (370m / 270m)	39	36	43	40
20 Kokinga Point Rd - Main (240m / 400m)	45	42	40	37

From the results of the calculations, the following conclusions have been made:

- The calculated noise levels received at existing adjacent notional boundaries where no written approval has been provided are no greater than 37 dB $L_{dn(7\text{-day})}$. This is readily compliant with the NZS6807:1994 guideline with a margin of more than 10 decibels.
- Noise levels from helicopter operations at 23 Kokinga Point Road (the western landing area) would generate very little noise at existing dwellings where written approval has not been provided. Noise levels would be lower than 30 dB $L_{dn(7\text{-day})}$ in all cases, which is substantially lower than with the NZS6807:1994 guideline.
- At potential future building platforms at 473 Rawhiti Road, noise levels will be 31 dB $L_{dn(7\text{-day})}$ or below at all times, which is substantially lower than with the NZS6807:1994 guideline.
- Noise levels would therefore be readily compliant with the proposed District Plan helicopter rule as well as the guidelines in New Zealand Standard NZS 6807:1994 *Noise Management and Land Use Planning for Helicopter Landing Areas*. This would be the case even if both landing areas were used on the same day or regularly over the same 7-day period.

Refer to Figures Figure 4 and Figure 5 for maps showing noise contours for the maximum number of helicopters operating on each site over a single day.

6.1 Summary of Noise Effects

The effects of helicopter noise on people and residential amenity can be more difficult to describe than other constant environmental noise sources. This is because helicopter activity occurs over a brief time period (a movement is usually only audible for a few minutes) and in residential or rural settings there are typically few helicopter movements occurring over any 7-day period. Any effects are transient and are normally flowed by long periods of respite.

In this case, the maximum number of movements that could occur over the busiest period would be fourteen movements (an average of two movements per day), however this number of helicopter movements would not occur regularly.

To address effects, we have provided comments against the proposed District Plan assessment criteria. These are similar to the Operative Plan assessment criteria

- the extent of non-compliance and whether the proposal complies with noise limits of 50 dB L_{dn}*
The activity will comply with the limit with a significant margin (more than 10 decibels). This is substantially less than what the District Plan and NZS6807:1994 recommend as an upper noise limit for this environment.
- whether there are any restrictions on the number of movements proposed*
It is proposed to limit the number of movements to no more than 28 movements over the busiest 7-day period (for 23 Kokinga Point, which is well removed from dwellings) and no more than 7 movements at 1 Kokinga Point Road. As with most helicopter landing areas, the maximum permitted level of use is not expected to regularly occur. Busier periods of use tend to occur seasonally.
- the level, duration and character of the noise*
Noise will be audible during the loudest part of the movement in the surrounding area. During still conditions where there is a calm sea state, noise will be audible above the background and ambient for a period of perhaps a few minutes. However noise levels would not be particularly high and would be unlikely to have any material impact on concentration or communication within dwellings (or outside dwellings where people are talking near to each other). The duration of the noise will be brief and will be followed by

long periods of respite. The character of noise will normally be identifiable as a helicopter or aircraft.

- (d) *proximity and nature of nearby activities and the adverse effects they may experience from the noise*

The proposed helicopter landing area at 23 Kokinga Point is very well removed from dwellings. This landing area is proposed to have more movements than 1 Kokinga Point on the basis that it is a significant distance from dwellings. At 1 Kokinga Point, the landing area is around 135 metres from the closest structure (which may not be a dwelling), and the number of movements has been limited on this basis. Helicopter landing pads are often established closer to dwellings than this without adverse effects arising.

- (e) *effects on character and amenity values on the surrounding environment*

Helicopters and aircraft overfly this area at times, and human made noise from boats and other watercraft will be audible at times. Given the low levels of helicopter noise calculated and the limited effect on communication, concentration and relaxation around dwellings, we do not consider the proposed use will have a materially adverse effect in this environment.

- (f) *effects on health and wellbeing of people*

The calculated noise level are well below the threshold that are typically used to assess health effects around airports in New Zealand. The calculated noise levels are well below all the thresholds that are discussed in the *WHO Environmental noise guidelines for the European Region*⁸

- (g) *noise mitigation measures proposed*

It is proposed to limit noise through the limit on the number of helicopter movements. It is expected that quieter helicopters e.g. H130, H145 would be the aircraft typically visiting the site.

- (h) *any wider social or community benefits from the operation of helicopters*

We have not addressed this matter as it is beyond our expertise.

- (g) *any potential cumulative effects*

this matter is addressed separately in Section 7.0. Cumulative noise levels are also low overall.

Based on the above analysis, we consider that the proposed helicopter landing areas will not result in a material adverse effect on the amenity of this area. The proposed departure and arrival direction away from dwellings, the limited number of helicopter movements and the proposed landing area locations that are well-removed from dwellings will all contribute to low overall helicopter noise levels. These noise levels would have little effect on communication, concentration and relaxation in and around dwellings.

⁸ These provide risk noise levels for matters like ischemic heart disease, hypertension, prevalence of highly annoyed population, hearing impairment, impairment of reading skills and oral comprehension in children. All of the risk increase noise levels are much higher than the noise levels calculated from this proposed helicopter landing area.

Figure 4: Noise emissions from Helicopter Operation at 23 Kokinga Point Rd (dB L_{dn} noise level over 7-day period, maximum of 28 x H1.1 helicopter movements)

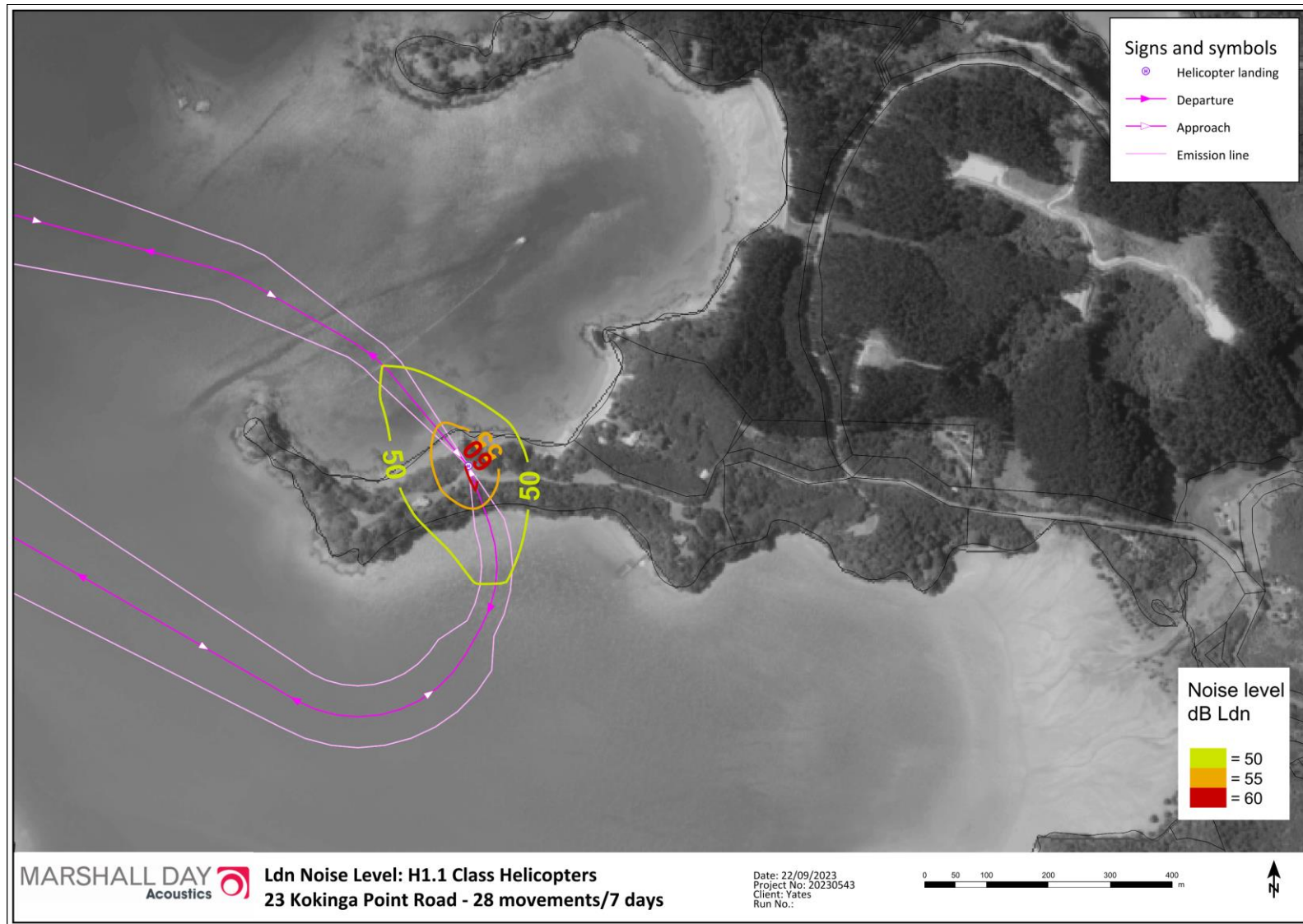
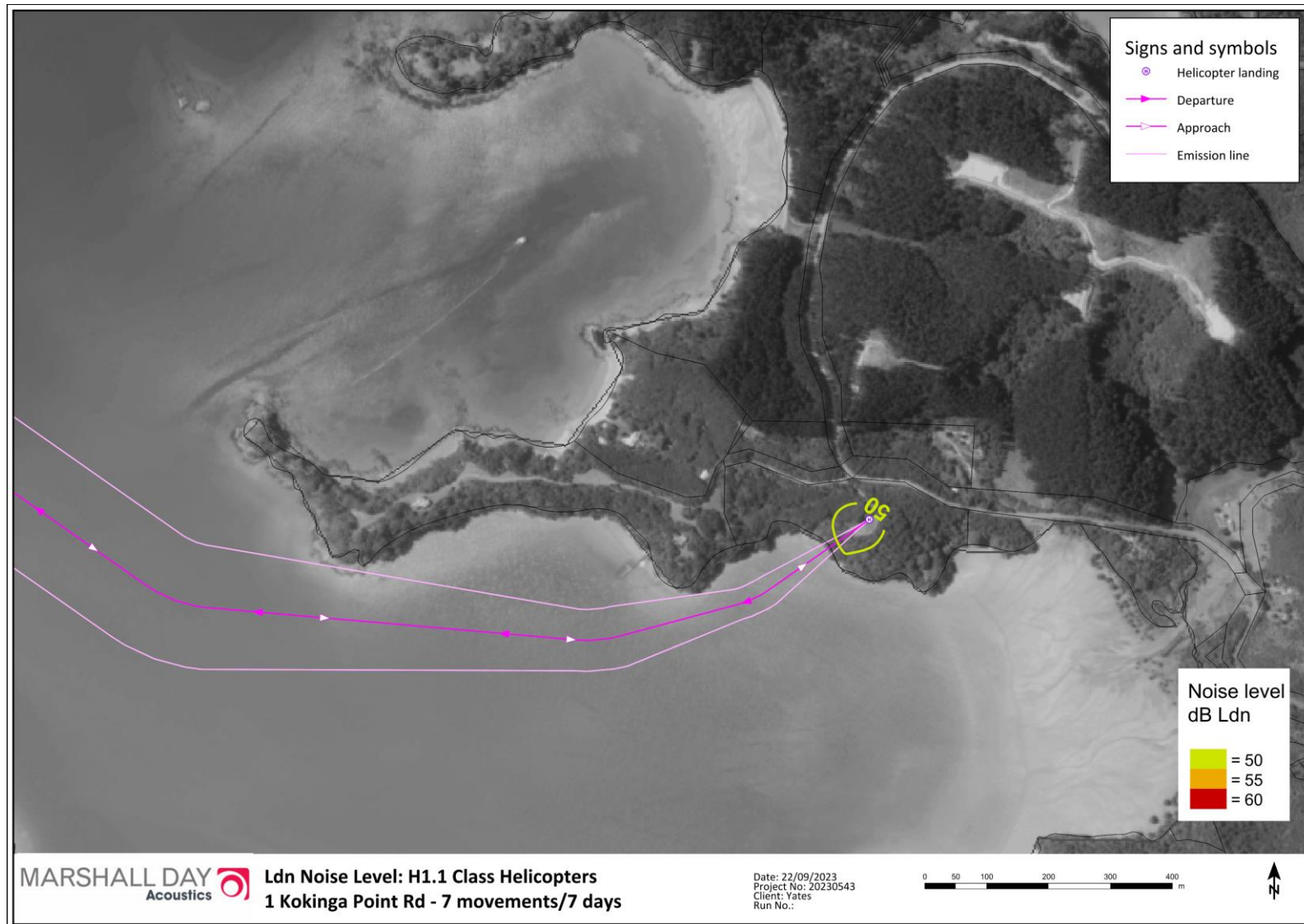


Figure 5: Noise emissions from Helicopter Operation at 1 Kokinga Point Rd (dB L_{dn} noise level over 7-day period, maximum of 7 x H1.1 helicopter movements)



7.0 CUMULATIVE EFFECTS

McConnell property (20 Kokinga Point Road)

A nearby site at 20 Kokinga Point Road is subject to a consent application for a private landing pad (up to 4 movements in a day). The owner of this neighbouring site and the applicant for the subject site have mutually provided written approval for the helicopter activities as these are nearby their dwellings.

Figure 6: Map of nearby landing pads



NEST

The nearest existing helicopter landing pad is located 5km to the south-west in Jacks Bay (Lot 1 DP 50648). This landing pad is used for Northland Emergency Services Trust (NEST) rescue helicopter responses to community callouts in this part of the Russell Peninsula.

We expect that NEST would typically use the rescue helicopter landing pad only when emergencies arise which is not a regular occurrence. Furthermore, it is expected that noise arising from rescue helicopter activity will be readily accepted by this remote community. The approach and departure used by NEST to/from the rescue helicopter landing pad is to/from the south which is not over the subject site or any nearby dwellings. We do not consider that the proposed landing pad represents a risk to NEST operations or that cumulative effects will arise.

Other private landing pads

There is a proposed private landing pad near the NEST site at 245 Kempthorne Road. This flies out to/from the north (over the water). There are also helicopter areas at Paroa Bay. It is possible that these helicopters may fly near to the subject site occasionally – although the typical arrival and departure routes to and from Auckland would make this less likely to occur regularly. Even if helicopters fly near the subject site, they would likely be at well over 1000 feet. Helicopters ‘flying neighbourly’ would avoid flying directly over subdivisions if there are alternative routes.

There are also proposed or existing helicopter landing area at Manawaroa Road (at Omarino). These are some 2 kilometers away from the subject site and surrounds.

We expect that helicopter noise from existing landing pads to the south-west would be in the order of 15 to 25 dB L_{dn} near the subject site, even during busy days of use. Given the limited use likely for both landing pads and the topographical separation, we do not consider cumulative helicopter noise effects will arise.

Table 6: Cumulative Helicopter Noise Levels

Helicopter Landing Pad at adjacent site	Helicopter Noise Level dB L _{dn} (7 day) at:				Details
	467 Rawhiti Road	473 Rawhiti Road (building platforms)	488 Rawhiti Road	439C Manawaora Road	
Proposed (subject site) landing area - West 23 Kokinga Point Road	26	29	24	30	Refer to details in this report
Proposed (subject site) landing area - East 1 Kokinga Point Road	37	31	27	26	Refer to details in this report
20 Kokinga Point Road	30	36	24	24	Four movements in a single day
CUMULATIVE NOISE dB L _{dn} (7 day)	38	38	30	32	Sum of all nearby helicopter noise

As shown in Table 6, the total helicopter noise level received at any nearby dwellings that will not provide written approval would be 38 dB L_{dn} (7 day)⁹ or below at all dwellings. This would be well below the proposed noise rule for helicopter activity from any site and would be below guidelines in New Zealand Standard NZS6807.

8.0 EQUIVALENT NOISE FROM MIXED HELICOPTER TYPES

If different helicopter models are used on the site over a given period, the overall number of helicopter movements shall be determined using an 'equivalence' approach to determine the equivalent number of H1.1 movements.

This shall be based on the following equivalences:

- 1 x H1.0 movement is equivalent to 1 x H1.1 movement
- 1 x H1.2 movement is equivalent to 2 x H1.1 movements

Using the above approach will ensure that the level of noise emission from this site will not exceed the noise levels given in Table 5.

Refer to APPENDIX C for an example of how to calculate noise emissions from the site in the event wherein a range of helicopters visit the site.

⁹ Excluding noise from landing pads where the receiver has given written approval to the existing landing pad

9.0 CONCLUSIONS

We have assessed helicopter operations at a proposed helipads at 1 and 23 Kokinga Point Road. We have reviewed performance standards for helicopter noise set out in the operative and proposed versions of the Far North District Plan, as well as NZS 6807:1994. For this assessment we recommend a limit of 50 dB $L_{dn(7\text{ day})}$ at the notional boundary of noise sensitive activities existing at the time consent was granted.

The site is calculated to comply with 50 dB $L_{dn(7\text{ day})}$, based on the number of helicopter movements proposed in this report. The calculated noise levels received at existing adjacent notional boundaries where no written approval has been provided are no greater than 37 dB $L_{dn(7\text{ day})}$. This is readily compliant with the NZS6807:1994 guideline with a margin of more than 10 decibels.

Cumulative effects due to the subject landing areas and the proposed landing pad at 20 Kokinga Point Road would produce levels of up to 38 dB $L_{dn(7\text{ day})}$ at the nearest dwelling(s) on Rawhiti Road. All other nearest landing pads are well removed from the site and located to the southwest with typical flight paths away from the subject site.

We consider that the proposed helicopter landing area will not result in a material adverse effect on the amenity of this area. The proposed departure and arrival direction away from dwellings, the limited number of helicopter movements and the proposed landing area location that is well-removed from dwellings will all contribute to low overall helicopter noise levels. These noise levels would have little effect on communication, concentration and relaxation in and around dwellings.

It is recommended that helicopter operations to and from the site be conducted in accordance with the 'Fly Neighbourly' guide published by the Helicopter Association International, and as recommended by the New Zealand Helicopter Association.

10.0 POTENTIAL CONSENT CONDITIONS

1. The consent holder shall ensure that the noise associated with the use of the landing area on the site to which this consent applies for helicopter operations shall not exceed a noise limit of 50 dB L_{dn} (7-day) as determined in accordance with NZS6807:1994, and as measured at or within the notional boundary of any noise sensitive activity (e.g., dwelling/visitor accommodation) established at the time this consent was granted.
2. Flights shall only occur between morning civil twilight or 08:00 (whichever is later) and evening civil twilight or 20:00 (whichever is earlier).
3. The following number of movements are deemed to satisfy Condition 1:

Helicopter Movements in Accordance with NZS 6807:1994

Helicopter Type*	Proposed number of helicopter movements [†]			
	23 Kokinga Point Road		1 Kokinga Point Road	
	Seven-day rolling average [‡]	Maximum single day [§]	Seven-day rolling average [‡]	Maximum single day [§]
Number of H1.0 or H1.1 helicopter movements (defined according to DIN 45684-1: MTOW < 3000kg) [§]	28 (average of 4 per day)	8	7 (average of 1 per day)	2

* If a helicopter is used that has a maximum takeoff mass of more than 3000kg (i.e. an H1.2 Class helicopter), one movement of that helicopter shall be considered to be the equivalent of two of the above consented movements

† Assumes all helicopter operations occur between 7am and 10pm

‡ Number of movements over a rolling seven-day period (daily average provided in brackets)

§ Provided the average over any seven-day rolling period is no greater than that contained in this table

4. The consent holder is to ensure that all arriving and departing helicopters follow the arrival and departure vector where practicable (as shown in the Acoustic Assessment by Marshall Day Acoustics [Report 20230543]) when flying at altitudes of less than 500 feet, unless required to deviate for safety or to meet Civil Aviation Authority requirements. If manoeuvring outside the consented vectors is required to operate the helicopter safely near the landing pad in certain wind conditions, this shall not be considered a breach of the conditions provided the consent holder can demonstrate the consented vectors were flown to the maximum extent possible.
5. The consent holder shall ensure at all times that a complete and accurate log of all helicopter movements to and from the site is kept. The consent holder is to keep the following information:
 - the date and time of each flight
 - records of the helicopter owner, operator or helicopter transit company undertaking the helicopter flight
 - the helicopter model type or Civil Aviation Authority registration number visiting the site.
 - The log must be made available to Council officers within ten working days upon request.
6. The helipad is not to be used for engine testing unless required for demonstrable safety or emergency reasons (i.e. to facilitate necessary on-site repairs required to ensure operational safety).
7. The helicopter landing pad shall not be used as a flight school.

APPENDIX A GLOSSARY OF TERMINOLOGY

dB	<u>Decibel</u> The unit of sound level. Expressed as a logarithmic ratio of sound pressure P relative to a reference pressure of $P_r=20 \mu\text{Pa}$ i.e. $\text{dB} = 20 \times \log(P/P_r)$
dba	The unit of sound level which has its frequency characteristics modified by a filter (A-weighted) so as to more closely approximate the frequency bias of the human ear.
A-weighting	The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.
$L_{Aeq}(t)$	The equivalent continuous (time-averaged) A-weighted sound level. This is commonly referred to as the average noise level. The suffix "t" represents the time period to which the noise level relates, e.g. (8 h) would represent a period of 8 hours, (15 min) would represent a period of 15 minutes and (2200-0700) would represent a measurement time between 10 pm and 7 am.
L_{Amax}	The A-weighted maximum noise level. The highest noise level which occurs during the measurement period.
L_{dn}	The day night noise level which is calculated from the 24 hour L_{Aeq} with a 10 dB penalty applied to the night-time (2200-0700 hours) L_{Aeq} .
SEL or L_{AE}	<u>Sound Exposure Level</u> The sound level of one second duration which has the same amount of energy as the actual noise event measured. Usually used to measure the sound energy of a particular event, such as a train pass-by or an aircraft flyover
NZS 6801:2008	New Zealand Standard NZS 6801:2008 <i>"Acoustics – Measurement of environmental sound"</i>
NZS 6802:2008	New Zealand Standard NZS 6802:2008 <i>"Acoustics – Environmental Noise"</i>
NZS 6805:1992	New Zealand Standard NZS 6805:1992 <i>"Airport Noise Management and Land Use Planning"</i>
NZS 6807:1994	New Zealand Standard NZS 6807:1994 <i>"Noise Management and Land Use Planning for Helicopter Landing Areas"</i>

APPENDIX B CLASSIFICATION OF HELICOPTER TYPES ACCORDING TO DIN45684-1 (EXAMPLES)

Model	Classification ¹⁰	MTOW (kg)	No. of engines
<i>H1.0 Single Engine</i>			
CH-7 Angel	H1.0	400	1
Robinson R 22 BETA	H1.0	600	1
Hughes 269 C	H1.0	900	1
<i>H1.1 Single Engine</i>			
Eurocopter EC120 Airbus H120	H1.1	1800	1
Eurocopter EC130 Airbus H130	H1.1	2500	1
Eurocopter AS350 Airbus Single Squirrel H125	H1.1	2250	1
Eurocopter AS350 B	H1.1	2000	1
Eurocopter AS350 B2	H1.1	2300	1
Eurocopter AS350 B3	H1.1	2300	1
Bell 206 Jetranger Longranger B206	H1.1	1500	1
Bell 206L-3	H1.1	1900	1
Robinson R44 Raven II	H1.1	1140	1
Hughes 500 / 369 McDonnell Douglas MD500 / MD520	H1.1	1400	1
<i>H1.1 Twin Engine</i>			
Eurocopter EC135 Airbus H135	H1.1	2980	2
Bell 427	H1.1	2971	2
Eurocopter Airbus AS355	H1.1	2540	2
<i>H1.2 (Mostly Twin Engine)</i>			
Bell 429	H1.2	3175	2
Bell 205A-1 / UH-1	H1.2	4300	1
Eurocopter EC145 Airbus H145	H1.2	3800	2
MBB/BK117 B	H1.2	3350	2
Eurocopter EC155 Airbus H155	H1.2	4920	2
<i>H2.1 (Twin)</i>			
S-76	H2.1	5306	2

¹⁰ H 1.0 MTOW ≤ 1000 kg
H 1.1 1000 kg < MTOW ≤ 3000 kg
H 1.2 3000 kg < MTOW ≤ 5000 kg
H 2.1 5000 kg < MTOW ≤ 10 000 kg

APPENDIX C CUMULATIVE NOISE ASSESSMENT EXAMPLE

For 23 Kokainga Point Road, the equivalent number of movements should be no more than 28 x H1.1 movements over a seven-day period and 8 x H1.1 movements on any single day.

This shall be based on the following equivalences:

- 1 x H1.0 movement is equivalent to 1 x H1.1 movement
- 1 x H1.2 movement is equivalent to 2 x H1.1 movements

An example calculation is given below:

Example to determine overall compliance with criterion from a range of aircraft types

Aircraft	Number of Movements in a seven-day period	H1.1 equivalence value	H1.1 equivalent number of movements	Compliant with criteria?
	"A"	"B"	"C" = A x B	
EC130 (H1.1)	2	1.0	2	Yes
B429 (H1.2)	2	2.0	4	Yes
Total	4	-	6	Yes (less than 28)

APPENDIX D RELEVANT INFORMATION ON HELICOPTER OPERATIONS

The following summarises our understanding of helicopter operations. We have acquired this information during a large number of helicopter assessments and in conversations with many pilots. This information is provided generally in regard to noise and no warranty is provided in relation to helicopter operations. Safe operation of the helicopter is the responsibility of the licenced pilot.

Helicopter Altitudes

Helicopter departures are typically steeper than arrivals. Helicopters typically climb to above 500 feet at 500 metres (horizontally) from the landing pad on departure. On arrival, helicopters are typically above 500 feet at 1 kilometre (horizontal) from the landing pad.

Arrivals and Departures in Tailwinds

It is generally preferable to land into a headwind. An ideal helicopter consent would contain at least two possible vectors into to predominant wind direction, but consents with only one vector are often issued to reduce noise emissions.

Arrivals in a downwind condition can occur safely – there are commercial helipads in operation in urban centres in New Zealand where only one landing / departure vector can be used (and thus are frequently used by light helicopters in tailwind conditions). This is safely done on a daily basis in a crowded urban area. At other sites, pilots are often comfortable making late turns into the wind immediately prior to landing or simply landing directly to the landing pad with the known tailwind.

In conditions where only one vector is possible, a small manoeuvring radius around the landing pad will normally provide flexibility on landing without needing to overfly adjacent sites. Significant deviations from the proposed vectors are not normally required.

Single approach / departure vectors therefore have few safety constraints. Any such safety constraints on the use of landing areas would only potentially relate to helicopters with heavy loads landing in very strong tailwinds. In those conditions, some helicopters (especially lighter helicopters) may not be able to land if the pilot determines that it is not safe to do so. However in most situations these constraints are expected to be rare (if such constraints occur at all). The safe operation of the helicopter is the ultimate responsibility of the pilot.

Time Taken for Helicopter to Arrive and Depart at Site

Departure of a modern helicopter to 500 feet will normally take around 30 to 70 seconds of helicopter warm up time with pre-flight checks (low noise), 30 seconds of higher noise at flight idle and in-ground effect flight near the landing pad, then 45 seconds of lower noise to climb to 500 feet (around 2.5 minutes in total). Some pilots may take longer to complete pre-flight checks, however ground idle noise is much lower than noise of the flight idle and flight near the landing pad.

Arrival takes a similar duration overall. Noise sensitive pilots will normally shut off engines within approximately 30 seconds of landing. Some helicopters require longer cool down times (around 2 minutes) due to oil lubrication requirements in bearings.

Ground Idle Noise

Ground idle is much quieter than the level of noise generated by the aircraft when power is on, such as during flight idle, lift off, final descent, etc. The noise level received in and around the landing pad is dominated by the “power on” parts of the operation and ground idle contributes little to the overall sound exposure level. The aircraft generates more significant noise prior to entering effective translational lift and this part of the departure generates appreciably higher noise levels.

The sound exposure level from 90 seconds of ground idle (alone) is typically around 10 decibels below the overall sound exposure level from the departure or arrival (including the ground idle component).

Helicopters normally would normally have to ground idle for around 3 to 4 minutes before the contribution of ground idle would increase the overall noise level by 1 decibel – this does not occur if pilots operate in a noise sensitive manner (minimising operation time and avoiding long ground or flight idle times).

Helicopter Calculation Algorithms

DIN45684.1 Acoustics – Determination of aircraft noise exposure at airfields – Calculation Method is often used by Marshall Day Acoustics to calculate noise from helicopters. We have carefully calibrated / compared the results of this algorithm to a wide range of helicopter measurements carried out in the field and have found it to be reliable and accurate.

The Integrated Noise Model is another reliable method used to calculate noise from heliports.

Common Helicopters Operating in New Zealand

Common single turbine engine aircraft operating in New Zealand are AS350 (Squirrel), EC130 and EC120. Robinson R44 aircraft are piston powered helicopters that are used privately and commercially. Common twin-engine turbine aircraft include B427, B429 and EC135.

Compliance Assessment Table :Far North Operative District Plan

P S Yates Family Trust: Helicopter Landing Areas 1 & 23 Kokinga Point Road, Rawhiti

Chapter 10 - COASTAL ENVIRONMENT – 10.6 General Coastal Zone		
10.6.5.1.1 VISUAL AMENITY	The following are permitted activities in the General Coastal Zone: (a) any new building(s)...	No new buildings are proposed. Complies
10.6.5.1.2 RESIDENTIAL INTENSITY	Residential development shall be limited to one unit per 20ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m ² for its exclusive use surrounding the unit plus a minimum of 19.7ha elsewhere on the property.	No change to residential intensity is proposed. Complies
10.6.5.1.3 SCALE OF ACTIVITIES	The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed 4 persons per site or 1 person per 1ha of net site area whichever is the greater.	No change to the scale of activities is proposed. Complies
Rules 10.6.5.1.4 BUILDING HEIGHT to 10.6.5.1.9 KEEPING OF ANIMALS		Not applicable
10.6.5.1.10 NOISE	All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone: 0700 to 2200 hours 55 dBA L10 2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax	As noted in the AEE, compliance with this rule can not be confirmed (see below for restricted discretionary activity status which results).

	Exemptions: The foregoing limits shall not apply to activities of a limited duration required by normal farming and plantation forestry activities provided that the activity shall comply with the requirements of s16 of the Act.	
10.6.5.1.11 HELICOPTER LANDING AREA	A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.	The nearest Coastal Residential zoned properties are some 1.5km to the south of the proposed helicopter landing areas at Te Uenga. Complies
10.6.5.3 RESTRICTED DISCRETIONARY ACTIVITIES	An activity is a restricted discretionary activity in the General Coastal Zone if: (a) <u>it does not comply with any one of the following Rules</u> 10.6.5.1.1 Visual Amenity; 10.6.5.1.4 Building Height; 10.6.5.1.5 Sunlight; 10.6.5.1.7 Setback from Boundaries and/or <u>10.6.5.1.10 Noise</u> ; but (b) it complies with all of the other rules for permitted activities under Rules 10.6.5.1 and 10.6.5.2; and (c) it complies with Rules 10.6.5.3.1 Visual Amenity; 10.6.5.3.2 Building Height; 10.6.5.3.3 Sunlight; 10.6.5.3.4 and Setback from Boundaries; 10.6.5.3.5 Noise below; and (d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in Part 3 of the Plan - District Wide Provisions. The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent. In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the specific matters listed for each rule below, or where there is no	The activity does not comply with rule 10.6.5.1.10 Noise, but it complies with all of the other rules for permitted activities under Rules 10.6.5.1 and 10.6.5.2. Therefore it is a restricted discretionary activity under 10.6.5.3.

	rule, to the specific matters listed below under the appropriate heading.	
Chapter 12 - NATURAL AND PHYSICAL RESOURCES - Section 1 – Landscape and Natural Features		
12.1.6.1.2 INDIGENOUS VEGETATION CLEARANCE IN OUTSTANDING LANDSCAPES		No indigenous vegetation clearance is proposed Complies
12.1.6.1.3 TREE PLANTING IN OUTSTANDING LANDSCAPES		No tree planting is proposed Complies
12.1.6.1.4 EXCAVATION AND/OR FILLING WITHIN AN OUTSTANDING LANDSCAPE		No excavation or filling is proposed Complies
12.1.6.1.5 BUILDINGS WITHIN OUTSTANDING LANDSCAPES		No buildings are proposed Complies
12.1.6.1.6 UTILITY SERVICES IN OUTSTANDING LANDSCAPES		No utility services are proposed Complies
Chapter 12 - NATURAL AND PHYSICAL RESOURCES - Section 7 – Lakes, Rivers, Wetlands and the Coastline		
12.7.6.1.1 SETBACK FROM LAKES, RIVERS AND THE COASTAL MARINE AREA Any building and any impermeable surface must be set back from... the boundary of the coastal marine area.... The setback shall be:	No buildings are proposed Complies

	(a) a minimum of 30m in the Rural Production, Waimate North, Rural Living, Minerals, Recreational Activities, Conservation, General Coastal, South Kerikeri Inlet and Coastal Living Zones;	
Chapter 15 – TRANSPORTATION - Section 1 – Traffic, Parking and Access		
Table 15.1.6A.1 MAXIMUM DAILY ONE WAY TRAFFIC MOVEMENTS		No change to the maximum daily one-way traffic movements will result. Complies
15.1.6A.2.1 TRAFFIC INTENSITY		No change to the traffic intensity will result. Complies