

How the impact of helicopter traffic over Waiheke Island can be reduced

Currently Waiheke is in the unprecedented situation of having 48 consented helipads. There has been no consideration or assessment of the cumulative impact on noise and safety. There are constant complaints by residents of violations of consent conditions in terms of flight paths used, altitude, number of flights, running engines while landed, etc.

Auckland Council says it has no capacity to monitor or enforce consent conditions and disclaims any authority for helicopter movements above 500 feet.

Nevertheless, Council should at least attempt to mitigate the situation through the following measures:

1. Review all 48 consents to determine if any have lapsed during the past 5 years so that the resource consent can be cancelled pursuant to Resource Management Act Section 126.
2. Impose a moratorium on any new helipad consents until the Gulf Islands District Plan for Waiheke is revised to make new helipads a non-complying activity that will be denied if it would cause any loss of amenity to existing residents or permitted residential uses.
3. Where a review provision exists in a consent, undertake a review pursuant to Resource Management Act Section 128, to determine how conditions of operation could be changed to reduce their impact on amenity value. Notification should be made of each review to receive public comment on adverse effects which have been experienced.
4. Subsequent to each review, conditions should be amended or added, including, at a minimum, a requirement that each helicopter shall implement tracking (such as the ADS-B satellite-based system) sufficient to show its approach and departure routes taken to any consented helipad, and that the tracking shall be available online to the public so that it can be monitored even in the absence of any Council monitoring. For monitoring to be practical, it is essential that consent conditions require that helicopter operators may not request or require flight tracking websites to withhold their aircraft from public display on those websites. With the flight information available, Council or the public will be able to monitor and enforce consents, which is currently not done.

5. Auckland Council should support a request to the Minister of Transport to establish a **“Special Use Airspace”** pursuant to Section 29A of the Civil Aviation Act of 1990 (see further outline of this below).

Special Use Airspace over Waiheke

The Civil Aviation Act of 1990 states that the reasons for a Special Use Airspace can include:

- (1) safety or security within the civil aviation system; or
- (2) national security; or
- (3) **“for any other reason in the public interest.”**

Special Use Airspaces have been created for such things as restricted areas, mandatory broadcast zones, danger areas, volcanic hazard zones, and military operating areas. Each Special Use Airspace has specific rules that are enforceable by fines or, in case of severe violations, revocation of a pilot’s license.

The “public interest” justification for a Special Use Area over Waiheke Island is that it has a density of helipads not approached by anywhere else in New Zealand, creating a density of helicopter flights during peak periods like summer holidays with unacceptable cumulative noise impacts during overflights. Also, since Waiheke is uncontrolled airspace (not subject to air traffic control) this density creates a safety hazard to both helicopters and residents on the ground.

The rules for a Waiheke Special Use Area should basically be implementation of the recommendations and approach of a document entitled “Fly Neighbourly Guide” published by the Helicopter Association International, an industry group. [www.yumpu.com/en/document/read/50032410/fly-neighborly-guide-helicopter-association-international] (Notably, a perfunctory reference to this Guide is made in the consents of some vineyards, but there is no detail as to what is expected, let alone enforcement.)

The Fly Neighbourly principles that should be enacted as Special Use Airspace rules for Waiheke include:

1. Maintaining an altitude of at least 2,000 feet except when making landing or departure. (This greatly reduces noise heard on the ground.)
2. Staying over water, at least a kilometre from shore, until directly opposite the consented flight path leading to a helipad. On departure, fly on the consented flight path directly to water. No overflights for “sightseeing” only.
3. Steep approaches and departures. (Limiting spread of noise)

4. Reduced speed over land. (Less noise)

To enable monitoring, the Special Use Airspace should also be designated as a CAA “Transponder Mandatory Airspace (TM)” which requires helicopters to carry a transponder making them easily monitored by radar. This would enable enforcement of the minimum altitude rule. CAA should require tracking (such as the ADS-B system) which documents the flight path and identifies the aircraft, made accessible to the public.

Respectfully submitted,

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