

15 Response regarding Helicopter consents on Waiheke

Resolution number WHK/2021/178

MOVED by Chairperson C Handley, seconded by Member R Tucker:

That the Waiheke Local Board:

- a) **thank the Plans and Places Department and the Resource Consents Department for their work in providing a response to the notice of motion by the Waiheke Local Board regarding helicopter activity, and for resourcing that response in the face of difficult fiscal and workload priorities.**
- b) **note the requirement within consent conditions for recording, monitoring, reporting and reviewing helicopter movements, however, is concerned this is not currently being enforced and that consequently the data required to demonstrate the current number of flights is not available to substantiate the argument for a plan change.**
- c) **request the council obtain tracking records forthwith as outlined within each helipad consent from 2015 onwards and set up an on-going compliance monitoring framework for those helipads and instigate an educational regime for those consented prior to 2015 as recommended in the report.**
- d) **note the 2020 Waiheke Local Board Plan includes an overarching premise of Waiheke being a sanctuary in the Hauraki Gulf and that council has an obligation to recognise and fulfil local objectives, and that the central premise is at odds with sustaining the current level of helicopter movement and consenting further helicopter pads and/or movements as is evidenced by the Quiet Sky petition presented to the Planning Committee.**
- e) **note that the achievement of the vision of Waiheke as a sanctuary in the Hauraki Gulf for the economic, environmental and community benefits that would widely accrue is not possible until helicopter movements are controlled and restricted, and that the current criteria for assessment of helicopter effects only include the positive impacts on tourism.**
- f) **ask the governing body to resource Plans and Places to respond to the Hauraki Gulf Island District Plan and helicopter consenting issues to enable them to fulfil council's obligations to the residents of Waiheke Island to enable the wishes of its people and its board to be realised to:**
 - i. **mitigate and reduce the cumulative effects of an ever-increasing number of helipads and associated movements that cause a loss of well-being for residents and their right to quiet enjoyment of their lives**
 - ii. **support the natural environment of Waiheke to flourish and regenerate without intrusive noise**
 - iii. **mitigate future carbon emissions with urgency in relation to the Climate Emergency declared by the council.**
 - iv. **fulfil council's obligation to the central premise in the Local Board Plan to recognise Waiheke as a sanctuary in the Gulf.**
- g) **request as an interim measure that, in accordance with the matters in para 4-6 above, that the Resource Consents Department confirm it will consider criteria 2, 3 and 4 (matters of discretion) under Rule 13.8.2 in the assessment of all helipad consents due to "Waiheke's special circumstances", noting this would**

- then trigger public notification.
- h) ask the council to seek an urgent ruling in the Environment Court:
- i. to establish whether the assertion by planner, Planorama, is correct: that helipads should default to non-complying under the general rules of HGI/DP and this overrides Section 13.8, as opposed to the council's standard practice of 13.8 taking precedent.
 - ii. on its interpretation of its restriction of its own discretion to those matters listed under clause 13.8.2 in the HGI District Plan, when the cumulative impacts on Waiheke residents beyond the notional boundary of specific helicopter acoustic impacts are not considered and neither are those other matters covered in 2-6 above.
 - iii. to determine whether NZS 6807:1994, the noise standard incorporated into Section 13.8, that contains an "override" provision, can be applied and the validity of the council's view that the general rule in the HGIDP re noise restrictions is over-ridden by the specific clauses on helicopter noise effects.
 - iv. to identify whether the scope of council's definition of 'amenity' values under the current HGIDP clause 13.8.2 (Assessment criteria 4) is adequate or should be broadened to considerations of the amenity of the population at large and visitors.
- i) request that subject to responses to the matters raised in paras 5 and 6 above that council instigates HGIDP plan changes with urgency by preparing a section 32 evaluation under the RMA but first seeks clarification on whether there is any emergency provision enabling council to clarify the intended application of rules for helipads in the HGIDP.
- j) seek to support planning over the long term by preparing suitable regulatory provisions to replace the HGIDP helicopter provisions at the soonest opportunity with those that can be carried over into the AUP
- k) note that the current situation is not sustainable or tolerable for the community of Waiheke and that at the current rate of consent applications for helicopter pads and movements, that the current number of 48 pads might well be doubled by the time the HGIDP is migrated into the AUP.
- l) seek representation by the board at the February meeting of the council's Planning Committee to present to this motion.

CARRIED UNANIMOUSLY

Note: The meeting was adjourned at 8.06pm
The meeting reconvened at 8.11pm

16 Community Resilience and Local Economic Development 2021/2022 - Waiheke Island Tourism Inc

Resolution number WHK/2021/179

MOVED by Member B Upchurch, seconded by Deputy Chairperson K Matthews:

That the Waiheke Local Board: