

IN THE MATTER OF
AND
IN THE MATTER OF

the Resource Management Act 1991

resource consent application RC-170030
by AR & DK Godfrey Family Trust to
Westland District Council for consent to
operate a commercial helicopter
business in the rural zone at
Kowhitirangi.

DECISION OF THE HEARING COMMISSIONER APPOINTED BY
WESTLAND DISTRICT COUNCIL PURSUANT TO SECTION 34A OF
THE RESOURCE MANAGEMENT ACT 1991

Independent Commissioner:

Don Turley

14th

August 2017

APPOINTMENT

- [1] Pursuant to section 34A of the Resource Management Act 1991 (RMA), independent commissioner Don Turley was appointed by the Westland District Council (WDC) for the hearing of Resource Consent Application RC-170030 by AR & DK Godfrey Family Trust (Applicant) to operate a commercial helicopter business in the rural zone at Kowhitirangi.

[2] PROCEDURAL MATTERS

Directions

- [3] The commissioner issued a minute/direction #1 on 25 July 2017 formally closing the hearing from that day after the Applicants had provided their written reply on Friday 21 July 2017.

Site visit

- [4] I undertook a site visit to the proposed site of the commercial helicopter business on a property off Whitcombe Valley Road on Thursday 6 July 2017 to familiarise myself with the subject site and the surrounding environment. During that site visit on Thursday 6 July 2017 I was accompanied by Fiona Scadden the planning manager at WDC. I also visited the property of Brian and Shirley Godfrey referred to as the Gorge Farm at the end of Whitcombe Valley Road close to the Hokitika River Gorge. I also visited the Hokitika River Gorge park and walked the pathway at that park down to the swing-bridge across the Hokitika River.

Decision format

- [5] I have had regard to the requirements of section 113 of the RMA when preparing this decision. In particular I note and have acted in accordance with section 113(3) which states:

“A decision prepared under subsection (1) may, -

- (a) instead of repeating material, cross-refer to all or a part of -
 - (i) the assessment of environmental effects provided by the applicant concerned;
 - (ii) any report prepared under section 41 C, 42A, or 92; or
- (b) adopt all or a part of the assessment or report, and cross-refer to the material accordingly.”

THE APPLICATION PROCESS

- [6] The applicants on 15 March 2017, lodged a resource consent application and assessment of environmental effects with the Westland District Council (WDC) to operate a commercial helicopter business on rural zoned land at Kowhitirangi.
- [7] The application was limited notified on the 6th April 2017 to BF & SJ Godfrey with the submission period closing on the 10th May 2017. I record that I have read the application, including the AEE, and all supporting documentation.
- [8] WDC received a submission in opposition by BF & SJ Godfrey within the prescribed submission period. The following parties had provided written affected party approvals to the proposal: N & C Monk; Barry Paterson; and the Department of Conservation (DOC).
- [9] A summary of the application and the notification process and the application site and surrounding environment and the submissions is detailed in Sections 3.0 to Section 6.0 inclusive in the 42A RMA report ("**the Hearing Report**")¹ prepared by Fiona Scadden, Planning Manager for WDC, for the hearing and is not repeated here. I adopt those sections of the Hearing Report as part of my decision. I note that Fiona Scadden tabled at the hearing an Addendum 1 to her hearing report.
- [10] I record that I have read the submissions in full and that I have had regard to them as part of my evaluation of the application.
- [11] All expert evidence was pre-circulated in accordance with section 130B of the RMA. I record that I have read all of the evidence and have taken it into account as part of my evaluation of the application.
- [12] In so far as the processing and hearing time of this application have deemed it necessary then I consider that it is appropriate that this application be granted an extension under section 37 RMA to the time within which the hearing occurred on 7 July 2017, and was thereafter formally closed for deliberation on 25 July 2017 and I do so grant that extension.

THE HEARING and ATTENDANCES

- [13] The hearing was held in the Westland District Council Chambers, in Hokitika on 7 July 2017 at 9.00am. The hearing continued until approximately 1.15 pm when it was adjourned to allow the applicant to provide a reply in writing to be filed with the WDC on or before 4.00 pm on Friday the 21st July 2017.
- [14] Having received the applicants' reply in writing on Friday the 21st July 2017, with the understanding that the reply had been distributed to all the parties; I closed the hearing on 25th July 2017. I record that I have read and taken account of the written reply of the applicant as part of my evaluation of this application.
- [15] The following parties and witnesses appeared.

¹ Section 42A Report, Pages 2-8

Applicant

[16] For the applicant

- Ms Lara Kelly – Planner / Surveyor of Coastwide Resource Consultancy Ltd. Ms Kelly referred to her statement of evidence and presented a further summary statement of evidence at the hearing. Ms Kelly answered questions on the permitted baseline and noise rules for the property and clarified additional measures by the applicants to lessen the effects of the proposed activity.
- Kay Godfrey and Alvin Godfrey – for the applicant. Kay Godfrey presented and spoke to a written statement of evidence. She also referred to her son concerning his proposed involvement.

Submitters

[17] For the submitters BF & SJ Godfrey:

- Ms Sarah Godfrey is the daughter of Brian and Shirley Godfrey and Sarah spoke to the written brief of evidence of Brian and Shirley who were both present at the hearing and answered questions. There was also reference to their son Ross and his involvement.
- Mr Martin Kennedy of West Coast Planning Limited presented and spoke to written submissions and answered questions.
- Mr Nevil Hegley of Hegley Acoustic Consultants presented and spoke to his written statement of evidence and answered questions.

WDC Council officers

[18] The following WDC council officers were in attendance and responded to matters raised:

- Ms Fiona Scadden – Planning Manager for WDC
- Mr Jim Ebenhoh – Group Manager – Planning, Community and Environment. Mr Ebenhoh was present for part of the hearing.

[19] All of the material presented by the above parties is held on file at the WDC. I took my own notes of the verbal presentations and any answers to my questions. For the sake of brevity I do not repeat that material in the decision. I do however refer to relevant matters raised in the material in subsequent parts of the decision.

LEGAL DESCRIPTION AND ZONING

[20] The property ("**the subject site**") is legally described as follows:

Legal Description: Lot 1 Deposited Plan 494329

District Plan Zone: The subject site is within land zoned Rural in the Westland District Plan.

THE APPLICATION

- [21] Full details of the proposal are contained in the AEE and the hearing report. I therefore only recite the key elements here.
- [22] The applicants applied to WDC for Land Use resource consent to establish and operate a commercial helicopter operation on a property in the rural zone on Whitcombe Valley Road at Kowhitirangi. The activity includes the provision for two on – site signs.
- [23] The applicant introduced amendments to the proposal during the application process and through the hearing process with the final version of the proposal summarised in the written reply of the applicants dated 21 st July 2017.

ACTIVITY STATUS

- [24] The Hearing Report at section 5.0 refers to the applicable rules under the Westland District Plan which confirm that the activity under the resource consent sought is a Discretionary Activity.
- [25] Ms Lara Kelly for the applicant and Mr Martin Kennedy for the submitters concurred that the appropriate overall activity status was as a Discretionary Activity. I heard no expert planning evidence to the contrary, so I accept that activity status classification.

STATUTORY PROVISIONS

- [26] This application is therefore considered as a discretionary activity under Part 2 and sections 104 and 104B, of the RMA.

SECTION 104B OF THE RMA

- [27] As a discretionary activity, the application must be considered against the requirements of Section 104B, which states that:

“After considering an application for a discretionary activity or non-complying activity, a consent authority –

- May grant or refuse the application; and*
- If it grants the application, may impose conditions under section 108.”*

SECTION 104 (2) OF THE RMA – PERMITTED BASELINE

- [28] Section 104(2), states that:

When forming an opinion for the purposes of subsection (1)(a) [of section 104], a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

PRINCIPAL ISSUES IN CONTENTION

Noise

- [29] I note and accept from the evidence that the relevant noise standard is NZS6807:1994 for the relevant properties and in particular the adjoining properties of the submitters Brian and Shirley Godfrey. I refer to and adopt as part of my decision the Reply dated 21 July 2017 of Lara Kelly for the applicant. Given the changes to the application set out in the Reply I prefer the assessment of Malcolm Hunt on noise to that of Mr Hegley. The proposed use of the helicopter and the proposed flight paths are such that I find that noise from helicopter flights as part of this application will meet the standard set out in NZS6807:1994 for land adjoining the site of the proposed activity. I note in particular that the site of the proposed helipad has been moved further away from the adjoining land of Brian and Shirley Godfrey and also the ROW. I do not find it is acceptable for the helicopter operation site to be moved to the site suggested by Mr Hegley.

Permitted Baseline

- [30] I have received considerable assistance on this subject from all planning experts. I refer to and adopt the helpful and comprehensive section headed Permitted Baseline in paragraphs 7.1 to 7.16 of the hearing report. I agree with Lara Kelly in paragraphs 21, 22 and 23 of her Reply. I find that this activity and its effects is not fanciful.

Section 104(i)(a) of the RMA

- [31] I have given full consideration to any actual or potential effects on the environment of allowing this activity. I find that the WDP is a permissive plan and this site is within the Rural Zone. I refer to and adopt paragraphs 7.16 through to paragraph 8 of the hearing report.

Assessment of Amended Proposal

- [32] I refer to and adopt the reply of the applicant through Lara Kelly. I find that the amended proposal confirms that the applicant has taken considerable note and action on the matters that have been raised by the submitters. On this basis and subject to the proposed conditions I find that this application can be given consent in terms of the RMA, and I find that the proposed activity subject to the proposed conditions will result in an acceptable activity in the context of the amenity values of the area.

Signage

- [33] I find that the proposed signage of the applicants including the dimensions of the proposed new signs is acceptable.

Proposed Conditions to apply to Consents

- [34] On the basis that resource consent is granted then that consent will be subject to the attached conditions set out in **Appendix A** to this decision. The reasons for these conditions are apparent from their terms or are covered in evidence presented at this hearing.

Section 104 RMA

[35] Section 104 (1) of the RMA requires that a consent authority:

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

(a) any actual and potential effects on the environment of allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard;

(ii) other regulations;

(iii) a national policy statement;

(iv) a New Zealand coastal policy statement;

(v) a regional policy statement or proposed regional policy statement;

(vi) a plan or proposed plan, and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

[36] I have had regard to the significance of any actual or potential effects on the environment of allowing the activity in the above sections, and turn now to the statutory provisions requirement of section 104(1)(b). In particular I have given due and proper regard to the relevant provisions of the:

- Westland District Plan
- West Coast Regional Policy Statement 2000
- Proposed West Coast Regional Policy Statement 2015

Other matters

[37] I consider that it is of significance to the application for this consent that there was evidence from Kay Godfrey at paragraphs 30 to 35 of her brief of evidence statement that there is a demand for tourist facilities in the Hokitika Gorge area and I find that this proposal will go some way to meeting that demand.

[38] Experts - I have noted the submissions made on behalf of the submitters concerning expert witnesses at this hearing. I note that all experts have given particulars of their experience and all experts have confirmed acceptance of the Environment Courts Code of Conduct for experts. On that basis I have given due and proper weight to the evidence of all experts presenting evidence and expert opinions to this hearing.

[39] Conflict of Interest – I have noted the submissions on this topic for the submitters and others. In the circumstances I do not find there is any conflict of interest by any party involved in this hearing.

[40] Section 16 of the RMA – Duty to Avoid Unreasonable Noise. I have given due and proper regard to the requirements of section 16 of the RMA. I consider that the revised proposal coupled with the conditions to apply to this proposal will mean that this proposed activity will fully comply with section 16 of the RMA.

Conditions s108

[41] Conditions to apply to these consents are attached as **Appendix A** to this decision.

PART 2 – RMA

- [42] This application is to be considered under section 104 of the RMA, which sets out the matters that consent authorities shall have regard to when considering resource consent applications, subject to Part 2 of the RMA, as discussed above.
- [43] In coming to an overall broad judgement as to whether the proposal is likely to promote the sustainable management of natural and physical resources, as defined in section 5 of the RMA, I have carefully considered the evidence presented.
- [44] With respect to the seven section 6 RMA matters of national importance which must be recognised and provided for in decisions, in my decision I have given proper regard and I have recognised and provided for the matters set out in (a), (b),(c),(d),and (f) of this section.
- [45] With respect to the eleven section 7 RMA other matters to which decision makers must have particular regard, I find that sections 7(b), (c) and (f) and (g) have some relevance to my decision in this matter and I have given regard to these matters in my decision.
- [46] The requirement to “have particular regard to” is a less onerous requirement than that imposed by section 6. Nonetheless these are matters to which decision makers are required to turn their minds in considering the application and I have done so in reaching my decision.
- [47] With respect to section 7(c) of the RMA, the maintenance and enhancement of amenity values, *Amenity Values* is defined in section 2 of the RMA as follows:
means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.
- [48] I have noted above my findings with respect to this matter.
- [49] The final task for decision makers is to make an overall broad judgement of the application in light of the purpose of the RMA, as stated in section 5.
- [50] Section 5 Purpose states:
- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
 - (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.”*
- [51] The RMA requires applicants to demonstrate that their activities promote the sustainable management of natural and physical resources, and that provided the adverse effects generated by such activities fall within “acceptable” bounds –

either through being avoided, remedied or mitigated – their activities are enabled.

- [52] As discussed within the body of this Decision and based on the evidence heard and the submissions received, I am satisfied that the proposed activity covered by these consents will not result in such significant adverse effects that are unable to be dealt with by way of appropriate conditions.
- [53] I am also satisfied that the application for this activity either gives effect to or is consistent with the relevant planning documents when read as a whole. Furthermore, and having considered all relevant requirements, I find that the purpose of the RMA is likely to be better served by granting this aspect of the application with appropriate conditions than by declining it.

Conclusion and Decision

- [54] Acting under delegated authority pursuant to section 34A, and sections 104, 104B, and 108 of the Resource Management Act 1991, the application made by the Applicant to Westland District Council for Resource Consent RC-170030 to operate a commercial helicopter business in the rural zone at Kowhitirangi is **granted**, subject to conditions.
- [55] This decision is made for the reasons discussed throughout and, in summary, because:
- The activity that is **granted** consent is consistent with the purpose and principles of the Resource Management Act 1991;
 - Subject to the imposition of appropriate conditions, the activity that is **granted** consent is generally consistent with the provisions of the Westland District Plan and the operative and proposed West Coast Regional Policy Statement; and
 - The activity that is **granted** consent is unlikely to have any significant adverse effects on the environment provided the conditions imposed are fully implemented.
- [56] The consent conditions attached as **Appendix A – Conditions of Consent** are imposed.

DATED this 14th day of August 2017



Don Turley (Independent Commissioner)

Appendix A: Conditions of Consent

General

1. The activities authorised by this consent are to be undertaken in accordance with the application formally received by Westland District Council (Council) on 15th March 2017 including amendments to the proposal received on 21st July 2017 and Marked 'A' on the attached plans.
2. There shall be no overflying of the properties owned by B&S Godfrey being Section 1 Survey Office (SO) Plan 11711, Rural Section (RS) 5827, RS5828, RS6465, Sections 1-3 SO Plan 443294. See attached plan marked 'B' for a plan of the properties.
3. The helicopter type shall be limited to the use of an AS350 Eurocopter (Squirrel) or similar helicopter with the same or lesser noise output.
4. No more than one helicopter shall operate from the site.
5. Prior to the commencement of flights from the helipad the Council shall be advised of the type and model of helicopter to be used, including evidence confirming that noise output will be the same or less than proposed in the application.
6. Any proposed change in type or model of helicopter following commencement of this consent shall be notified to the Council before any flight to or from the helipad, including provision of evidence to the Council that there will be no increase in noise output as a result of the change.
7. The maximum number of flights per day shall not exceed 20 and shall occur no more than three times within any 60 minute period. Note: a flight includes one departure and one arrival excluding for search and rescue purposes (the site cannot be used as a base for search and rescue).
8. All helicopters operating from the site shall keep an activity log specifying departure and arrival times for each flight, which are to be made available to the WDC Planning Manager on demand.
9. Departures and landings shall be limited to the TALO area indicated on plans at attachment 'C'.
10. No flights or manoeuvres are to be undertaken below 500 feet outside of the 'TALO' area, except in the case of emergencies.

11. At the expiration of the activity, the site is to be rehabilitated to grazing pasture and that the helipad and all associated structure, buildings, works and signage that did not exist prior to the operation are removed.
12. Hours of operation shall be 7am to 7pm Monday to Friday and 9am to 7pm Saturday, Sunday and public holidays from October to April and 8am to 5pm Monday to Friday and 9am to 5pm Saturday, Sunday and public holidays for May to September.
13. No flight training, engine testing, test flying or maintenance shall be undertaken from the site.
14. All helicopter flights shall be undertaken in accordance with the recommendations of the 'Fly Neighborly Guide'.
15. All helicopter operators authorised by the consent holder to operate out of the Hokitika Gorge Heliport shall comply with all operational requirements and protocols contained within the Helicopter Management Plan attached to this decision and marked as 'D' including any subsequent amendments or variation that may be made to this document.
16. All authorised operators (under the Right of Way Management Plan) shall comply with all operational requirements and protocols contained with the Right of Way Management Plan attached to the decision and marked as 'E'.
17. The access to the site from Whitcombe Valley road shall be formed to Council Standards.
18. Landscaping at the carpark area (near the boundary of Whitcombe Valley Road) shall be developed prior to the operation commencing, and shall be maintained for the duration of the activity.
19. Fuel use and storage shall be undertaken in accordance with the letter from RD Petroleum dated 6th June 2017.
20. Signage – both of the signs shall be free standing and positioned on the Applicants property as indicated in the Resource Consent Application. The face of each sign shall be no greater than 1.5m² in area and no part of each sign shall extend beyond the applicants boundary. The signs shall be no higher than 2.5m above ground level and the signs shall be well maintained.
21. Prior to the carpark area opening for business, the carpark area shall be formed and certified by Council that it satisfies the requirements of Part 8 of the Westland District Plan.

22. Pursuant to Section 125 of the Resource Management Act 1991, this resource consent will lapse 14 August 2022 if the consent is not exercised before the end of the period. However, this period can be extended under the Resource Management Act 1991 upon application to the Consent Authority.

Note: Boundaries are indicative only

Titan
Solutions

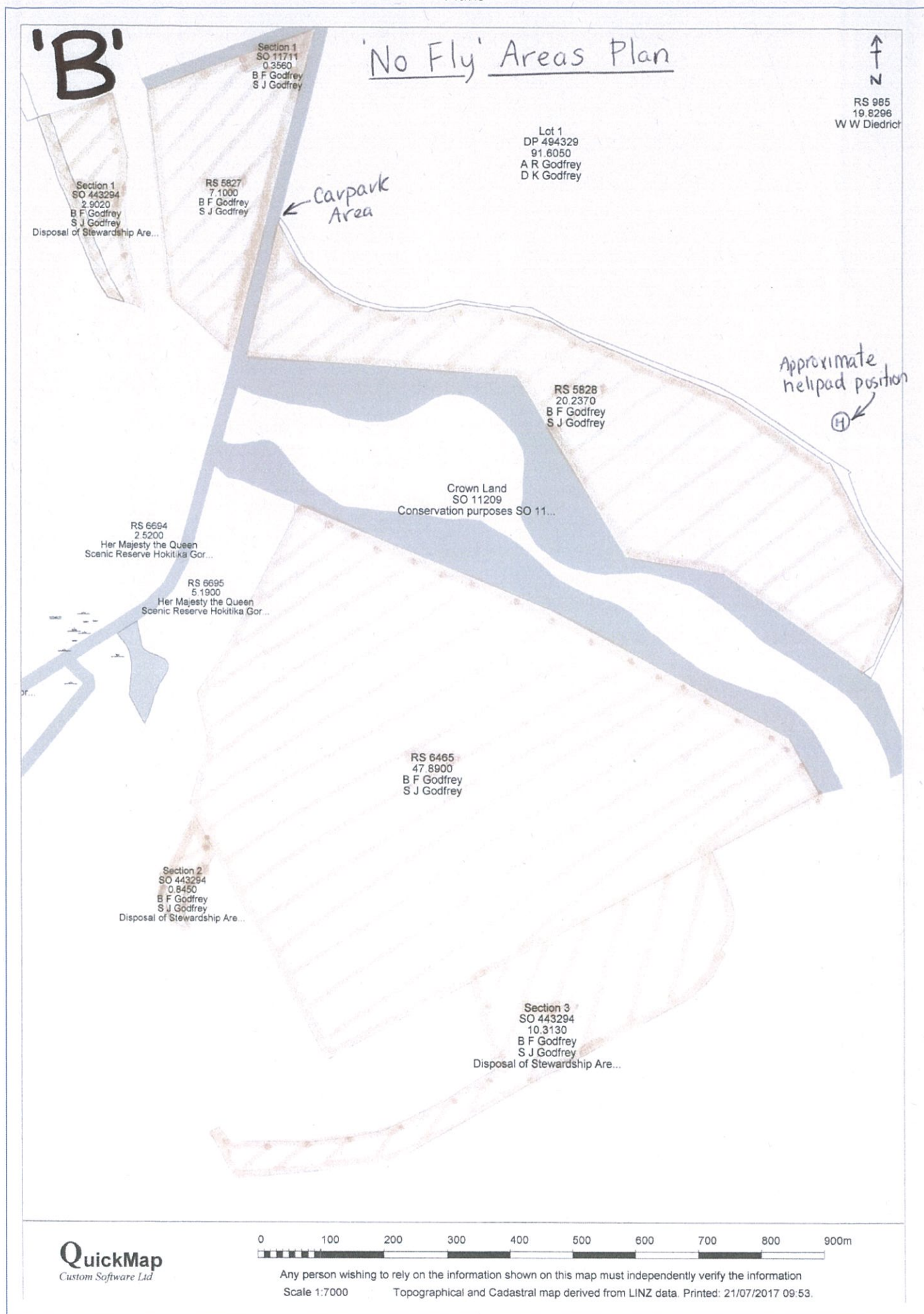
Lara Kelly
021 0478356
lara@titansolutions

JOB TITLE: **Resource Consent Application**
K & A Godfrey - Overall Proposal on Lot 1 DP494329

CLIENT: Godfrey (3)	DATE: 16 Jul 2017
DRAWING: A4 Overall	REVISION: 6
SCALE (A4): 1 : 8000	RC No.: RC170030







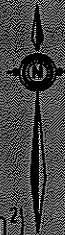


CLIENT: Godfrey (3)	DATE: 16 JUL 2017
DRAWING: A4 FP & TALO	REVISION: 6
SCALE (A4): 1 : 8000	RC No.: RC170030

JOB TITLE: Resource Consent Application
K & A Godfrey - Revised Flight Path & TALO

Lara Kelly
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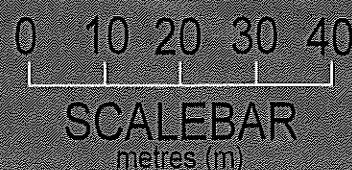
RS5827
B&S Godfrey

Proposed Sign 1 (1.5m²)

Lot 1 DP494329
Applicant's Property

Car Park & Office Area

Cattle Yards
B&S Godfrey



Note: Boundaries & Areas are indicative only

Titan
Solutions

Lara Kelly
021 0478356
lara@titansolutions.co.nz

JOB TITLE:
Manoeuvring Curves
(Indicative only)

CLIENT: Godfrey (3)
DRAWING: Manoe
SCALE (A4): 1 : 1000

DATE: 19 Jul 2017
REVISION: 1
RC No.: RC170030



Precision Helicopters Limited

Precise in nature, action and performance

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Helicopter Management Plan for Hokitika Gorge Heliport, West Coast

Statement of Intent

AR & DK Godfrey Family Trust are the owners of the property and consent holder of the Hokitika Gorge Heliport. Precision Helicopters Limited (PHL) hold the Conditional Determination from Civil Aviation Authority (CAA) for the Hokitika Gorge Heliport. Both the Godfreys (Alvin and Kay) and PHL will work together to administer the use of the Hokitika Gorge Heliport, with the Godfreys undertaking the Resource Consent Conditions and PHL undertaken the CAA rules and regulation. Where the Consent and CAA rules overlap, they will work together to administer.

This Helicopter Management Plan seeks to describe the way in which the helicopter operations will be conducted at the Hokitika Gorge Heliport and the protocols for all authorised operators to abide by.

Health & Safety

The Godfreys, are considered a *Person Conducting a Business of Undertaking* (PCBU) under the *Health and Safety at Work Act 2015*. PCBU's have obligations under the *Health and Safety at Work Act 2015* and Precision Helicopters Limited and any other authorised operators will be required to follow all Health and Safety obligations/protocols. Where required (eg at the heliport area) Precision Helicopters Limited will integrate with the Godfreys to ensure all Health and Safety issues are addressed.

Operator Training

PHL are the authorised primary operators for the Hokitika Gorge Heliport. Prior permission from PHL is required prior to any pilot and/or helicopter company using the Heliport. Pilots or helicopter Companies who are approved to use the Heliport must be briefed by the primary operator and they must demonstrate to PHL's satisfaction, competent knowledge and understanding of the protocols for use of the Heliport.

The Heliport is not open to itinerant aircraft (except in the case of an emergency).

(Any specific pilot training required to operate from Hokitika Gorge Heliport will be included into PHL's Exposition for operations at the Hokitika Gorge Heliport).

Flight Operations

The hours of commercial helicopter operations shall be:

Summer (October – April): 0700– 1900 Mon-Fri & 0900–1900 Sat, Sun and Public Holidays

Winter (May–Sept): 0800 – 1700 Mon-Fri & 0900–1700 Sat, Sun and Public Holidays

The total number of commercial flights per day will be limited to no more than 20 per day with no more than three flights occurring in a 60-minute period. No more than one helicopter shall operate from the site.

Note: A flight includes one departure and one arrival. Flights required for search and rescue purposes are exempt.



Precision Helicopters Limited

Precise in nature, action and performance

Helicopters to be used

The primary type of aircraft to be used from the Hokitika Gorge heliport is to be an Airbus AS350 B2, or any helicopter with the same or less noise output.

Flight Paths

PHL has developed an approach and departure path that will not cause hazard, risk or distress to third party, including persons, livestock and property.

The approach and departure paths will not cross the "right of way" which leads from the main road to the heliport. No flights below 500 feet will occur over dwellings within the rural zone, except in the case of an emergency.

Other than an emergency or any other situation that the pilot has not foreseen, and where safety may be compromised, all commercial flight paths shall be in accordance with these flight routes (as shown in the below figure 1). If there is a deviation to the flight paths, this deviation must be recorded onto the flight record explaining why the deviation occurred.

The flight paths will be included into PHL's Exposition for operations at the Hokitika Gorge heliport.

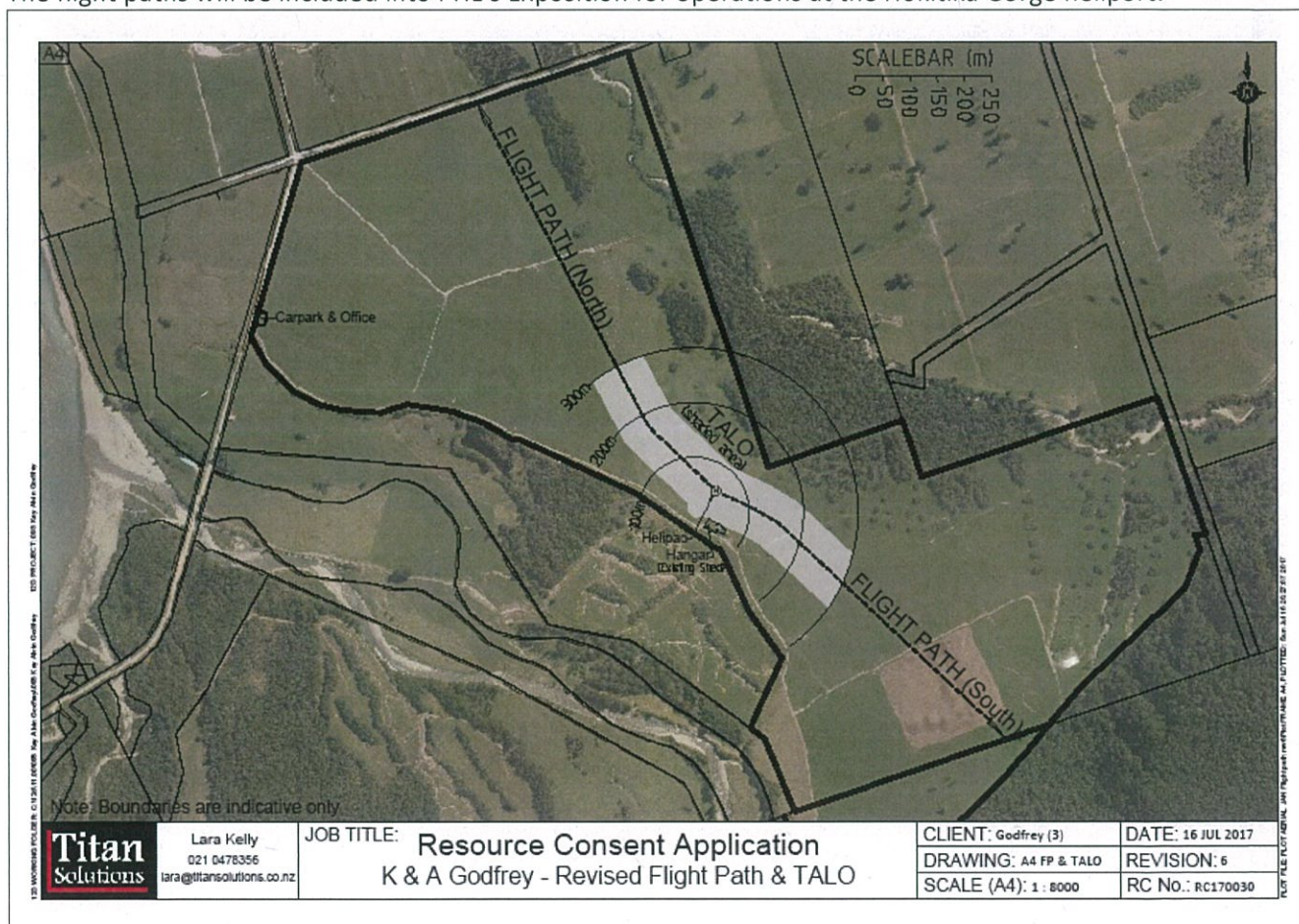


Figure 1 - Flight Paths & TALO (shaded area)

No Flight areas

There shall be no flights over the properties owned by B&S Godfrey as listed below and shown on the figure 2 over the page. Properties: Section 1 Survey Office (SO) Plan 11711, Rural Section (RS) 5827, RS5828, RS6465, Sections 1-3 SO Plan 443294.

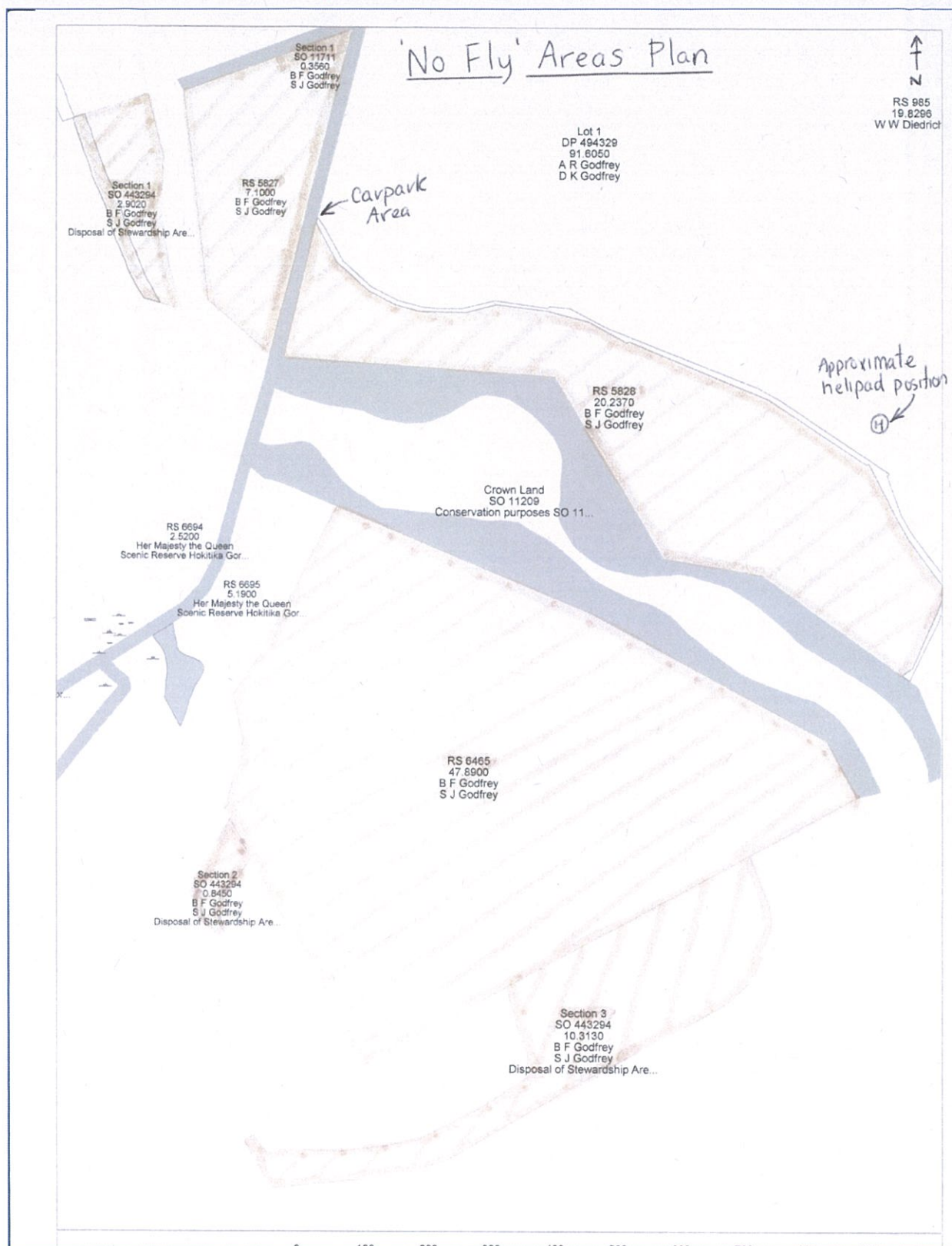


Figure 2 - Areas hatched show the 'No fly' areas owned by B&S Godfrey

Fly Neighborly

All flights will be in accordance with PHL Noise Abatement procedures and the requirements of the AIA Fly Neighborly Guide:

<http://www.aia.org.nz/site/aianz/files/Aircare/Fly%20Neighbourly%20Guide.pdf>



Precision Helicopters Limited

Precise in nature, action and performance

Record Keeping

All flights records for the Hokitika Gorge heliport are to be made available to the local Westland District Council on request. The flight records include the following information:

- Flight Date
- Aircraft Type
- Aircraft Registration
- Pilot in Command
- Time of Departure
- Destination and Via Points

Number of Passengers

Refueling

All refueling will be carried out according to the Legal Requirements.

Consultation

PHL will consult with and notify neighbours to ensure they are aware of helicopter operations from the Hokitika Gorge heliport including flight paths.

Access

Vehicle access to the helipad and hangar from the carpark area near Whitcombe Valley Road is to be along the gravel road (it is a Right of Way (ROW)). There is a separate ROW Management Plan which shall be complied with by all users of the site). Vehicle parking near the Hangar area is to be in the designated area to the north of the hangar, no parking is permitted on the ROW (on the south of the hangar).

Complaints

Any complaints regarding helicopter operations from the Hokitika Gorge Heliport should be directed to:

Precision Helicopters Limited
PO Box 50
Urenui
Taranaki 4349

Email: admin@precisionhelicopters.com
Office: 06 755 1685
Chief Pilot: 0274 444 630

Any complaints regarding non-helicopter operations from the Hokitika Gorge Heliport should be directed to:

Kay and Alvin Godfrey
1809 Kaniere-Kowhitirangi Road
Kowhitirangi RD1
Hokitika

Email: k.godfrey@xtra.co.nz
Home: 03 755 7938
Mobile: 021 027 80874



Hokitika Gorge Heliport AR & DK Godfrey Family Trust

Right of Way Management Plan for Hokitika Gorge Heliport, West Coast

Statement of Intent

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This Right of Way (ROW) Management Plan seeks to describe the way in which the operations will be conducted at the Hokitika Gorge Heliport and the protocols for all authorised operators to abide by with regard to the ROW.

Health & Safety

The Godfreys, are considered a *Person Conducting a Business of Undertaking* (PCBU) under the *Health and Safety at Work Act 2015*. PCBU's have obligations under the *Health and Safety at Work Act 2015* and Precision Helicopters Limited and any other authorised operators will be required to follow all Health and Safety obligations/protocols. Where required (eg at the heliport area) Precision Helicopters Limited will integrate with the Godfreys to ensure all Health and Safety issues are addressed.

Operator Training

The Godfreys shall ensure the person driving the transfer vehicle (authorised operator of the ROW vehicle) that will transfer passengers from the carpark/office area to the heliport, is trained in all aspects of this ROW Management Plan. The ROW shall not be used by passengers to access the heliport (eg there are to be no self-drive vehicles on the ROW). There will be a sign at the gate near the ROW (at the carpark) indicating only permitted vehicles are to enter.

The authorised operator and PHL shall be made aware that the gravel road from the carpark to the hangar area has a ROW easement over it and that entitles B&S Godfrey the right to travel over the ROW (as set out in Schedule 4, (6) of the Land Transfer Regulations 2002). Therefore other users of the gravel road can be expected.

Operations

- The primary type of vehicle to be used would be a SUV (or similar) (SUV=sport utility vehicle)
- Vehicle speed on the ROW shall be limited to 20km/hr.
- No vehicles shall stop on the ROW (except in the case of an emergency).
- Parking near the Hangar is to be in the designated area to the north of the hangar and no parking on the ROW near the hangar is permitted.
- There are many Passing areas on the ROW. Normal courtesy road rules shall apply.

Flight Paths of helicopters

PHL has developed an approach and departure path that will not cause hazard, risk or distress to third party, including persons, livestock and property. The approach and departure paths will not cross the ROW that leads from the main road to the heliport.

Record Keeping

All records for the Hokitika Gorge Heliport with regard to the ROW, shall be made available to the local Westland District Council on request. The records include the following information:

- Date
- Trips (movements from the Carpark to the hangar)
- Passenger Numbers
- Vehicle Driver (licence Number)

Access

The transfer vehicle shall access the helipad and hangar from the carpark area near Whitcombe Valley Road and travel along the gravel road. The access onto the gravel road (from the carpark) is only to be from the gate at the carpark and not the gate from Whitcombe Valley Road. Vehicle parking near the Hangar area is to be in the designated area to the north of the hangar, no parking is permitted on the ROW (on the south of the hangar).

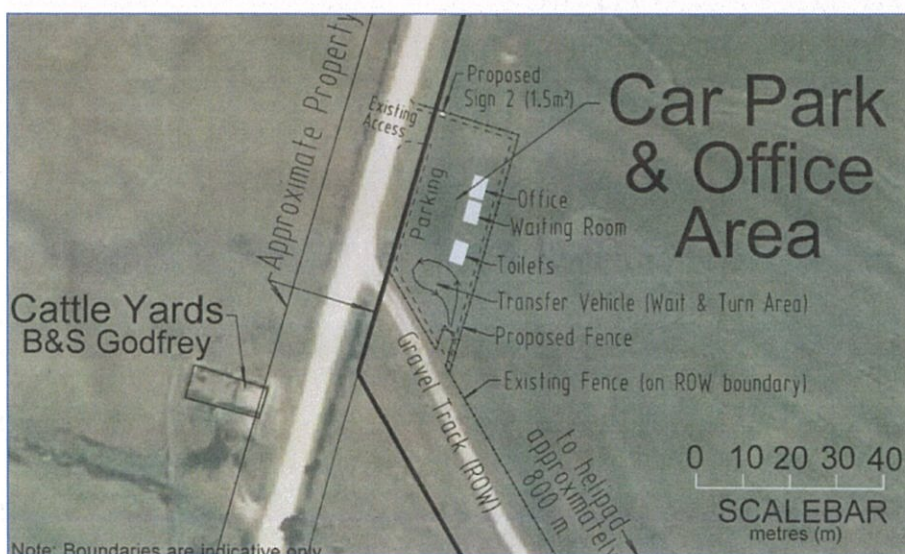


Figure 1 - Car Park and Office Area

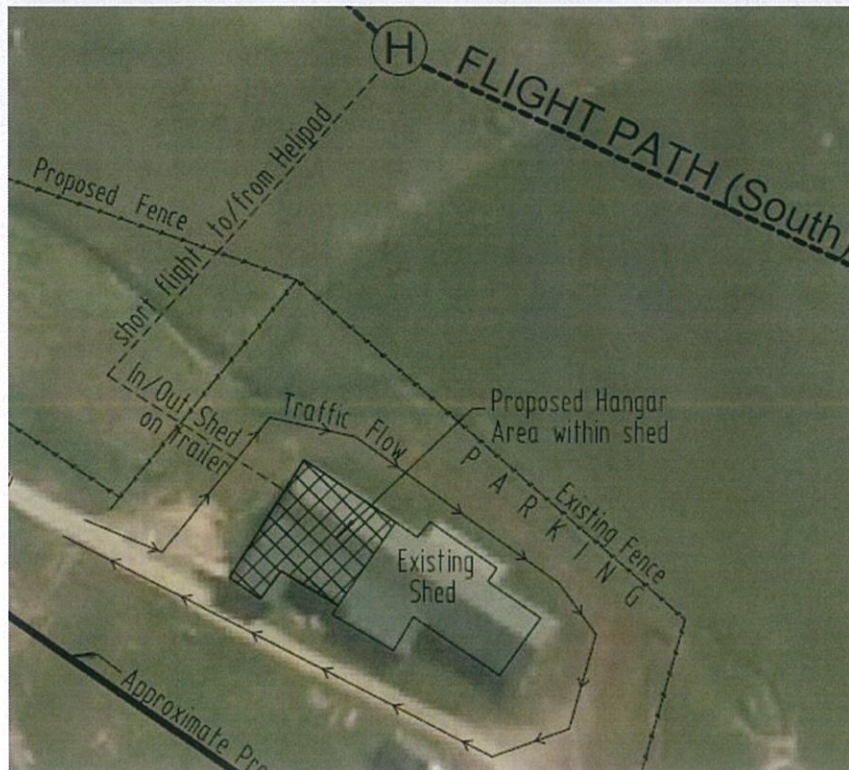


Figure 2 - Hangar Parking Area

Consultation

The Godfreys (Alvin and Kay) will consult with and notify B&S Godfrey (as other Legal Users of the ROW) to ensure they are aware of helicopter and vehicle operations at the Hokitika Gorge heliport

Complaints

Any complaints regarding non-helicopter operations from the Hokitika Gorge Heliport should be directed to:

Kay and Alvin Godfrey
1809 Kaniere-Kowhitirangi Road
Kowhitirangi RD1
Hokitika

Email: k.godfrey@xtra.co.nz
Home: 03 755 7938
Mobile: 021 027 80874

Any complaints regarding helicopter operations from the Hokitika Gorge Heliport should be directed to:

Precision Helicopters Limited
PO Box 50
Urenui
Taranaki 4349

Email: admin@precisionhelicopters.com
Office: 06 755 1685
Chief Pilot: 0274 444 630