

Leigh Collecutt

From: Alison Francis
Sent: Tuesday, 30 October 2018 9:11 AM
To: s7(2)(a)
Subject: Otane Airstrip queries

Hi s7(2)(a)

Can you please ask front desk to send any airstrip queries my way. I'm working from home today, so questions through to my mobile will be fine.
Thanks

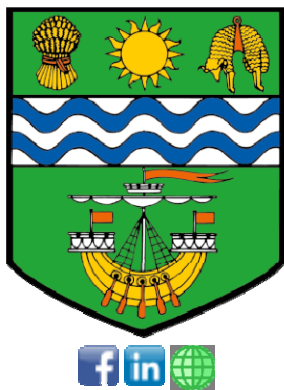
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Leigh Collecutt

From: Monique Davidson
Sent: Tuesday, 30 October 2018 10:19 AM
To: Alison Francis; Gina McGrath
Cc: Doug Tate; Josh Lloyd; s7(2)(a)
Subject: RE: top dressing airstrip

Thanks this is really helpful! I think I have enough to go to media and my elected members.


Keep up the good work team.



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 601 1711

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From: Alison Francis
Sent: 30 October 2018 10:16 AM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Gina McGrath <gina.mcgrath@chbdc.govt.nz>
Cc: Doug Tate <doug.tate@chbdc.govt.nz>; Josh Lloyd <josh.lloyd@chbdc.govt.nz>; s7(2)(a)
Subject: RE: top dressing airstrip

Hi all

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The hangar will require a building consent if it can't get an exemption, and Mr Calder can apply for that when necessary. I can give him a call to check what he was going to do about that.

I understand that this will be a business owned and operated by Mr Calder, but I do not know the details for certain. Mr Calder has said that it appears that the information being circulated by the neighbours in a mail drop is not correct, and he has already spoken to immediate neighbours. If it was for commercial use, this may change the activity status, but I think that as our Plan is largely silent on what the aerodrome/air strip can be used for, and as commercial and recreational activities are both provided for as permitted in the Rural zone, as long as he complies with noise it won't matter whether the airstrip is used as a business or not.

Give me a call if you need anything further.

Thanks



Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

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Cc: Doug Tate <doug.tate@chbdc.govt.nz>; Josh Lloyd <josh.lloyd@chbdc.govt.nz>; s7(2)(a)

s7(2)(a)

Subject: RE: top dressing airstrip

Thanks - a couple of questions.

Does the fact that it's a top dressing airstrip therefore some chemicals/hazardous substances change anything?

Also a question from an elected member – what designation the hangar is under for the building consent and if the airstrip operation is classified as commercial or private.

The talk within the community is that this airstrip will be for commercial use not private use as they will be running business through it. Does that change anything?



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Cc: Doug Tate <doug.tate@chbdc.govt.nz>; Josh Lloyd <josh.lloyd@chbdc.govt.nz>; s7(2)(a)

s7(2)(a)

Subject: RE: top dressing airstrip

Hi all

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We have provided all the information we can to date, I did speak with Gina and she said that there probably isn't any bylaw that covers this either. At the moment we'll just have to wait for it to get underway and then monitor noise and nuisance, but I would think that with only a few plane movements per day, and only during the day, it's not going to breach any of our noise rules.

Hope that helps, let me know if you need anything further.



Regards



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Central Hawkes Bay District Council

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Sent: Monday, 29 October 2018 4:31 PM

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Cc: Doug Tate <doug.tate@chbdc.govt.nz>; Josh Lloyd <josh.lloyd@chbdc.govt.nz>

Subject: FW: top dressing airstrip

Hi Team

Are you able to provide me some bullet points and I will craft a response.

If I can get something before 10am tomorrow that would be appreciated.

Monique



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Chief Executive
Central Hawkes Bay District Council

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From: Andrew Ashton <Andrew.Ashton@nzme.co.nz>
Sent: 29 October 2018 03:47 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>
Subject: top dressing airstrip

Hi Monique

Just researching a story for Wednesday's paper. We have a couple of people from Otane complaining about plans to create an aerodrome and top dressing outfit there. Are you able to shed any light on this plan from the council's point of view.
Have these plans, resource consents applied for and been received and will the council discuss this plan at a meeting?

If you could get back to me by 3pm tomorrow, that would be great.

Cheers

Andrew

Andrew Ashton (BA., MA.)

Senior Reporter

P: 06 8730846

M: 0272814849

E: Andrew.Ashton@hbtoday.co.nz



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Leigh Collecutt

From: Monique Davidson
Sent: Tuesday, 30 October 2018 11:12 AM
To: Alison Francis; s7(2)(a)
Subject: FW: top dressing airstrip


I wonder whether you could give the customer a heads up that this is what I have sent to media.



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From: Monique Davidson
Sent: 30 October 2018 11:06 AM
To: 'Andrew Ashton' <Andrew.Ashton@nzme.co.nz>
Cc: Josh Lloyd <josh.lloyd@chbdc.govt.nz>; Doug Tate <doug.tate@chbdc.govt.nz>
Subject: RE: top dressing airstrip

Hi Andrew

Aerodromes are a permitted activity in the Rural zone of our District Plan (as a Recreational Activity), and as such, there are no specific activity standards they are required to abide by. That said, any activity must always comply with the noise standards of the District Plan, along with access, parking, signs etc.

We understand that this airstrip will be for private use.

When we were first contacted, we encouraged an approach to HBRC and the Civil Aviation Authority.

The level of earthworks required is not high enough to warrant the Hawke's Bay Regional Council involvement.

The CAA have also not indicated to us that they do not have any concerns.

It is worth noting that Council are currently reviewing the District Plan which was first written in 1998 and finalised in 2003. Since becoming operable in 2003 the District Plan has not been reviewed and following Project Thrive Council has identified a review of the current District Plan as a key strategic priority.

Feel free to connect with me if you have any further questions.

Thanks

Monique

From: Andrew Ashton <Andrew.Ashton@nzme.co.nz>
Sent: 29 October 2018 03:47 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>
Subject: top dressing airstrip

Hi Monique

Just researching a story for Wednesday's paper. We have a couple of people from Otane complaining about plans to create an aerodrome and top dressing outfit there. Are you able to shed any light on this plan from the council's point of view.
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Leigh Collecutt

From: Alison Francis
Sent: Tuesday, 30 October 2018 1:30 PM
To: Monique Davidson; s7(2)(a)
Cc: Josh Lloyd; Doug Tate
Subject: RE: Message re: Otane Aerodrome

Thanks Monique

I have spoken with Mr Calder a couple of times today, the paper has also contacted him and he has provided comment. I think that background by Councillor Aitken is very useful.

Mr Calder will also apply for a building consent when necessary for any hangar he puts on the site.

s7(2)(a) and I are also monitoring and replying to any comments from concerned neighbours as a result of the flyer drop. I have asked front desk to call me directly if anyone comes through the general phone line.

Thanks all

From: Monique Davidson
Sent: Tuesday, 30 October 2018 11:13 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>; s7(2)(a)
Cc: Josh Lloyd <josh.lloyd@chbdc.govt.nz>; Doug Tate <doug.tate@chbdc.govt.nz>
Subject: FW: Message re: Otane Aerodrome


FYI



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From: Tim Aitken (Councillor)
Sent: 30 October 2018 11:11 AM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Councillors <Councillors@chbdc.govt.nz>
Subject: RE: Message re: Otane Aerodrome

As I understand it, this is for private use where he can operate his business from, he does own a couple of Cresco's which one is currently based at Waipukurau. They operate from farm strips around the region not from Otane every day all day, which the current district plan would stop, noise restrictions. Also to note there has been a private airstrip that has had a topdressing, spraying operating off it for 20 plus years next to Otane, currently not being operated off, with no issues or complaints that I know of.

Tim



Tim Aitken (Councillor)
Central Hawkes Bay District Council

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From: Monique Davidson
Sent: Tuesday, 30 October 2018 10:38 AM
To: Councillors <Councillors@chbdc.govt.nz>
Subject: Message re: Otane Aerodrome

Morning All

I am aware of increasing concerns within the Otane community related to a proposal to build an aerodrome.

I will be making a public statement to the media this afternoon but wanted to get to you the latest information I have. I also wanted to provide this to you should you get questions from the public.

Aerodromes are a permitted activity in the Rural zone of our District Plan (as a Recreational Activity), and as such, there are no specific activity standards they are required to abide by. That said, any activity must always comply with the noise standards of the District Plan, along with access, parking, signs etc. We understand that this airstrip will be for private use. When we were first contacted, we advised the neighbour to approach HBRC and the Civil Aviation Authority. HBRC are not concerned as the level of earthworks required is not high enough to warrant their involvement and there doesn't seem to be any discharge issues at present. The CAA have also not indicated to us that they have any concerns.

At the moment our current rules (lack of them) means that from an enforcement and implementation perspective our hands are tied. We essentially need to wait for it to get underway and then monitor noise and nuisance, but I would think that with only a few plane movements per day, and only during the day, it is unlikely to breach any of our current noise rules.

I have had a couple of questions regarding the chemicals and whether that triggers a consent requirement. I have been advised that you can store a fair amount of chemicals on a rural site. We have advised the customer of the and we are of the opinion that he will exceed them. Our District Plan still has a hazardous substances chapter, but will not have one in the new District Plan, as all of this is now covered by Worksafe and the HASNO Act. The customer has informed us he is working with Worksafe.

The hangar will require a building consent if it can't get an exemption. The team are working with the customer on this.

The customer has advised us that the aerodrome is for private use, if it was for commercial use, this may change the activity status, but given our Plan is largely silent on what the aerodrome/air strip can be used for, and as commercial and recreational activities are both provided for as permitted in the Rural zone, as long as he complies with noise it won't matter whether the airstrip is used as a business or not.

The reality is that this is a great example of why our District Plan needs reviewing.

If you have any questions, please do not hesitate to contact me.

Monique



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Chief Executive
Central Hawkes Bay District Council

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Leigh Collecutt

From: Alison Francis
Sent: Tuesday, 30 October 2018 1:33 PM
To: Josh Lloyd
Subject: RE: top dressing airstrip

Any time. Airstrips are my new specialist subject.

From: Josh Lloyd
Sent: Tuesday, 30 October 2018 10:22 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: RE: top dressing airstrip

I love how much you are over this! Thank you ☺



Josh Lloyd
Group Manager - Community Infrastructure and Development
Central Hawkes Bay District Council

PO Box 127
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021 521 791

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Senior Reporter

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From: s7(2)(a)
Sent: Tuesday, 30 October 2018 9:22 PM
To: Alison Francis
Subject: Re: CHBDC - Ask Us A Question [#185]

Thanks again for your helpful response.
We have also been in touch with the Calders and hope there won't be issues.

Best regards, s7(2)(a) and s7(2)(a)

On 30/10/2018, at 02:31, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Hi

We have noise rules in the Rural zone as follows:

4.9.11 Noise

On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- 55dBA L10 - 6:00am - 11.00pm Monday to Saturday
- 45dBA L10 - at all other times
- 75dBA Lmax - at all other times

There are noise rules for the Waipukurau Aerodrome, which allow for a slightly higher noise threshold than these rules above, however, this is only for the aerodrome and not for any other airstrip activity within the rural zone. Noise rules can be difficult to understand, and if we get a complaint about noise in the future, we will get a specialist to come and assess the noise from the activity to determine if it meets the rules.

I can't give any assistance on the Civil Aviation requirements I'm afraid, any information about what they permit would have to come from them. Because the airstrip is a permitted activity under our District Plan, we cannot limit number of flights or times of operation.


If there is a dust issue when the operation starts, that is something that ourselves and the Regional Council can look into for you, but as with the noise, we won't know if there is an issue until the activity gets underway.

Regards

Alison Francis
Customer & Consents Manager
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Sent: Tuesday, 30 October 2018 10:22 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Re: CHBDC - Ask Us A Question [#185]

Thanks Alison and we appreciate your response.
Have tried to check District Plan about noise, which is our main concern but the references are to Civil Aviation requirements and it would be more helpful if these could be spelt out in the plan, as opposed to fighting our way through Civil Aviation rules.
Are you able to simplify, ie what times planes are allowed to start in morning and how many landings and take offs during a day?
Noise is subjective also but we are really concerned about noise and possibly excessive dust
.

Best regards, s7(2)(a)

On 29/10/2018, at 21:54, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Dear s7(2)(a)

Thanks for your email, this has been passed on to me, I am the manager of the consents team.

We are aware that earthworks are underway for an airstrip at 359 Elsthorpe Road, Mr Calder has been in touch a few times to confirm he can undertake this activity. An airstrip is defined as an aerodrome under our District Plan and is a permitted activity in the Rural zone. There is no requirement for a resource consent as our District Plan does not have any rules pertaining to earthworks. Mr Calder is aware he has to abide by other rules in our District Plan, of relevance here would be noise, transport and traffic and signs.

Mr Calder has also confirmed that he has sought advice from the Regional Council, who do not have any concerns, and he is also following the rules of the Civil Aviation Authority.

Once the airstrip is operating, if there are any noise complaints, we will monitor these, and if necessary, work with Mr Calder to ensure that he meets these rules if a breach occurs.

I understand that it is difficult to get information when you are away, so please email me directly if you have any further concerns.

Regards

Alison Francis
Customer & Consents Manager

Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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From: Information

Sent: Tuesday, 30 October 2018 8:42 AM

To: Alison Francis <alison.francis@chbdc.govt.nz>

Subject: FW: CHBDC - Ask Us A Question [#185]

From info email

From: CHBDC Website Request - Ask a Question <no-reply@wufoo.com>

Sent: Monday, 29 October 2018 10:59 PM

To: Information <info@chbdc.govt.nz>

Subject: CHBDC - Ask Us A Question [#185]

Name: * s7(2)(a)

Question: *

We live at s7(2)(a) Road Otane. We are currently away but have been advised that major earthworks are being carried out in a paddock adjoins our boundary by Josh and Suzie Calder.

A flyer has been dropped in our letterbox indicating that there will be an airfield for the topdressing business operated by the Calders.

We have received no notification from either you or HBRC and would have expected something as affected neighbours.

We very much value our peace and quiet (as do most of us who have expended money and time on our lifestyle properties). Noise will have a major impact on our health and well being.

Please advise if resource consent has been obtained and the conditions of that consent.

We do expect a reply. Thank you.

s7(2)(a)

How By Email
would you
like to be
contacted?
*

Email s7(2)(a)
Address: *

<image002.jpg>

Leigh Collecutt

From: Monique Davidson
Sent: Thursday, 1 November 2018 8:12 AM
To: Ethna Renner; Alison Francis; Doug Tate
Subject: RE: Facebook message

Importance: High

Hi Ethna

Thanks here is a message that you can use to reply to anything on social media

We are getting lots of questions about the aerodrome in Otane.

Aerodromes are a permitted activity in the Rural zone of our District Plan (as a Recreational Activity), and as such, there are no specific activity standards they are required to abide by. That said, any activity must always comply with the noise standards of the District Plan, along with access, parking, signs etc.

We understand that this airstrip will be for private use.

When we were first contacted, we encouraged an approach to HBRC and the Civil Aviation Authority.

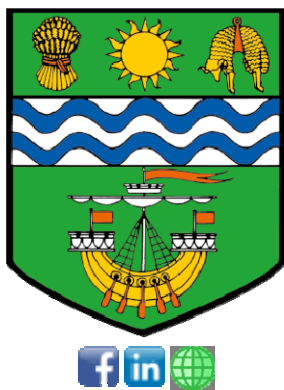
The level of earthworks required is not high enough to warrant the Hawke's Bay Regional Council involvement.

The CAA have also not indicated to us that they do not have any concerns.

At the moment our current rules means that from a enforcement and implementation perspective our hands are tied. We essentially need to wait for it to get underway and then monitor noise and nuisance, if any exists. Given we understand the number of daily flights will be low; it is unlikely to breach any of our current noise rules.

Previous communication has suggested that the aerodrome will exceed the limit of dangerous good able to be stored. This was incorrect, and in discussions with the landowner we are of the opinion that he will NOT exceed them.



In this case because of the lack of rules, a consent is not required



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 601 1711

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From: Ethna Renner
Sent: 31 October 2018 09:19 PM

To: Alison Francis <alison.francis@chbdc.govt.nz>; Monique Davidson <monique.davidson@chbdc.govt.nz>; Doug Tate <doug.tate@chbdc.govt.nz>

Subject: Facebook message



✕ Chizel Tweedie

FACEBOOK

Went to Karamu High S
Lives in Otane, New Ze

7:15 PM



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Ethna Renner
Communications Lead
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 441 2652

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Leigh Collecutt

From: Monique Davidson
Sent: Thursday, 1 November 2018 8:18 AM
To: Staff
Subject: Airstrip in Otane

Hi All

You may have noticed there is quite the discussion about the new airstrip in Otane

You are likely to get questions from the public. Here is a public statement I have made which will assist you.

Please ensure all enquiries go through Alison.

I was to be in New Plymouth for Mayors and CE meeting today and tomorrow, but now here in the office. So come say Hi. Have a great day

Thanks

We are getting lots of questions about the new airstrip in Otane.

Aerodromes are a permitted activity in the Rural zone of our District Plan (as a Recreational Activity), and as such, there are no specific activity standards they are required to abide by. That said, any activity must always comply with the noise standards of the District Plan, along with access, parking, signs etc.

We understand that this airstrip will be for private use.

When we were first contacted, we encouraged an approach to HBRC and the Civil Aviation Authority.

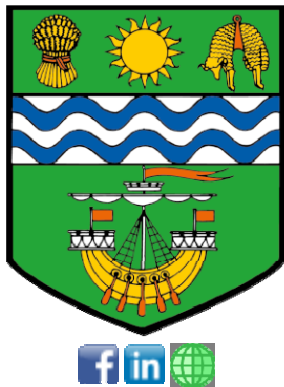
The level of earthworks required is not high enough to warrant the Hawke's Bay Regional Council involvement.

The CAA have also not indicated to us that they do not have any concerns.

At the moment our current rules means that from a enforcement and implementation perspective our hands are tied. We essentially need to wait for it to get underway and then monitor noise and nuisance, if any exists. Given we understand the number of daily flights will be low; it is unlikely to breach any of our current noise rules.

Previous communication has suggested that the aerodrome will exceed the limit of dangerous goods able to be stored. This was incorrect, and in discussions with the landowner we are of the opinion that he will NOT exceed them.

In this case because of the lack of rules, a consent is not required



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
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06 857 8060
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Leigh Collecutt

From: Alison Francis
Sent: Thursday, 1 November 2018 9:13 AM
To: Monique Davidson
Subject: RE: Message re: Otane Aerodrome

Hi

To answer the questions in the email below:

Yes, NZS 6805:1992 has been considered in the creation of the noise rules in the rural zone, and it is important to note that the rural zone in general has a lower permissible noise level than the area surrounding the Waipukurau Aerodrome. It is expected that this activity will be able to meet the standard noise requirements in the Rural Zone which are:

4.9.11 Noise

On any site, activities, , shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- 55dBA L10 - 6:00am - 11.00pm Monday to Saturday
- 45dBA L10 - at all other times
- 75dBA Lmax - at all other times

Regarding the discussion around private or commercial use, we are satisfied that either operation would be permitted as the following activities are permitted within the Rural Zone:

Recreational activities, defined as 'means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. It includes the sale of food and beverage for consumption on the site provided it is ancillary to the recreational activity. Recreational activities includes sport clubs, art, craft and hobby clubs (i.e. painting, pottery, bridge, chess, photography clubs), **aerodromes**, and outdoor recreation pursuits, but excludes any recreational activity within the meaning of residential activity.'

An aerodrome is defined as 'means any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.'

A commercial activity is defined as 'means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas; **but excludes recreational**, community and service activities, home occupations or visitor accommodation.'

So the activity can either be a recreational activity OR a commercial activity, regardless of how it is defined, it is a permitted activity within the Rural zone. Again, it is important to note that any activity that is permitted still needs to comply with the relevant rules around noise, traffic, storing of hazardous substances etc. We believe that this activity will be able to comply with those rules and therefore there is no requirement for a resource consent.

Regards


From: Monique Davidson
Sent: Thursday, 1 November 2018 8:13 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: FW: Message re: Otane Aerodrome



Monique Davidson
Chief Executive
Central Hawkes Bay District Council


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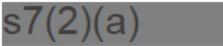
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From: Shelley Burne-Field (Councillor)
Sent: 01 November 2018 07:47 AM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Alex Walker <alex.walker@chbdc.govt.nz>
Subject: Fwd: Message re: Otane Aerodrome

Hi Monique

I've replied to this email detailing about our rewrite of the DP... but I've told  I'll find out aabout the NZS reference...And definition of private use. Could you please find out about this? And have a think about addressing community concerns moving forward.....

Also - I am meeting  this morning listening to his thoughts around their rights as neighbouring properties.

Thanks

Shelley

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Shelley Burne-Field (Councillor)


Central Hawkes Bay District Council

PO Box 127

28 - 32 Ruataniwha Street

Waipawa 4210

06 857 8060

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From: s7(2)(a) >

Sent: Wednesday, October 31, 2018 10:07 PM

To: Shelley Burne-Field (Councillor)

Subject: Re: Message re: Otane Aerodrome

Hi Shelley,

Thanks for the update. To be honest it's a shocking indictment of the Council that there is a District Plan which has not been updated since 2003. I've been reading the district plan for the the rural zone and it's beggar's belief that this was ever passed, it's so wide open the only thing I can see you'd actually struggle to get a resource consent for is, ironically, to build inside the air noise boundary of the Waipukurau aerodrome. Apart from that, as long as you're a few meters away from roads, boundaries and utilities you could do literally anything you wanted.

Activity of this nature should surely prompt an urgent plan change to extend the existing rules around the Waipukurau aerodrome to cover any future aerodrome development in the region. Has the council considered the application of NZS 6805:1992 in relation to the development? I'd be interested in the definition of private use in this respect, surely the moment an aircraft is used to drop any kind of agricultural fertiliser or other chemical it becomes a commercial operation? I'd be surprised if there's an air strip anywhere in the country that can claim to be used solely for private recreational use.

I would certainly be interested in any meeting and would hope yourself and some of the other councillors, as our elected representatives, would take the lead on tackling this issue on behalf of the community.

Many thanks,

On Wed, 31 Oct 2018 at 21:19, Shelley Burne-Field (Councillor) <shelley.burne-field@chbdc.govt.nz> wrote:

Hi 

We (Councillors) received this (frank) email from the CEO Monique Davidson yesterday - and the only other update from today was that if there is a public meeting (which is being talked about in the community) the CEO and other staff are willing to attend to explain Council's position. Councillor Tim Chote and myself have indicated we would like to attend any meeting also.

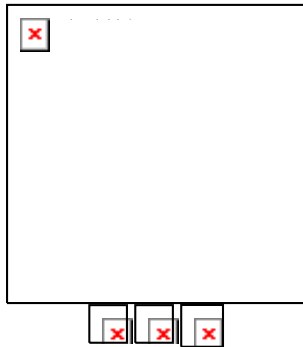
As you can see below - the proposed airstrip is permissible under current operative District Plan - so no resource consent was required.

I sympathise with the situation.

Very best

Shelley Burne-Field


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Shelley Burne-Field (Councillor)
Central Hawkes Bay District Council

PO Box 127
 28 - 32 Ruataniwha Street
 Waipawa 4210

 06 857 8060

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From: Monique Davidson <monique.davidson@chbdc.govt.nz>

Sent: Tuesday, October 30, 2018 10:38 AM

To: Councillors

Subject: Message re: Otane Aerodrome

Morning All

I am aware of increasing concerns within the Otane community related to a proposal to build an aerodrome.

I will be making a public statement to the media this afternoon but wanted to get to you the latest information I have. I also wanted to provide this to you should you get questions from the public.

Aerodromes are a permitted activity in the Rural zone of our District Plan (as a Recreational Activity), and as such, there are no specific activity standards they are required to abide by. That said, any activity must always comply with the noise standards of the District Plan, along with access, parking, signs etc. We understand that this airstrip will be for private use. When we were first contacted, we advised the neighbour to approach HBRC and the Civil Aviation Authority. HBRC are not concerned as the level of earthworks required is not high enough to warrant their involvement and there doesn't seem to be any discharge issues at present. The CAA have also not indicated to us that they have any concerns.

At the moment our current rules (lack of them) means that from a enforcement and implementation perspective our hands are tied. We essentially need to wait for it to get underway and then monitor noise and nuisance, but I would think that with only a few plane movements per day, and only during the day, it is unlikely to breach any of our current noise rules.

I have had a couple of questions regarding the chemicals and whether that triggers a consent requirement. I have been advised that you can store a fair amount of chemicals on a rural site. We have advised the customer of the and we are of the opinion that he will exceed them. Our District Plan still has a hazardous substances chapter, but will not have one in the new District Plan, as all of this is now covered by Worksafe and the HASNO Act. The customer has informed us he is working with Worksafe.

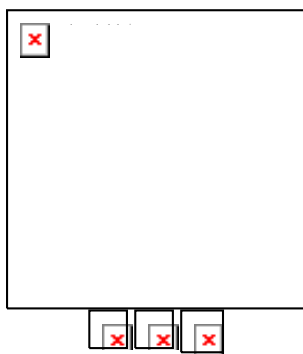
The hangar will require a building consent if it can't get an exemption. The team are working with the customer on this.

The customer has advised us that the aerodrome is for private use, If it was for commercial use, this may change the activity status, but given our Plan is largely silent on what the aerodrome/air strip can be used for, and as commercial and recreational activities are both provided for as permitted in the Rural zone, as long as he complies with noise it won't matter whether the airstrip is used as a business or not.

The reality is that this is a great example of why our District Plan needs reviewing.

If you have any questions, please do not hesitate to contact me.

Monique



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

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Leigh Collecutt

From: Alison Francis
Sent: Thursday, 1 November 2018 9:49 AM
To: 'malcolm@hbrc.govt.nz'; 'wayne@hbrc.govt.nz'
Subject: Otane airstrip

Hi both

Thanks for taking my phone call Wayne, just a quick heads up that if you have any queries about the airstrip here in Otane you can contact me.

In short, Mr Calder at 359 Elsthorpe Road is putting in an airstrip for his top dressing business. An aerodrome is a permitted activity in our District Plan as are commercial activities, so there is nothing we can do to stop this at this point. We have reiterated that he will have to comply with noise and storing of hazardous substances once he is up and running. We also asked that he contact yourselves and the Civil Aviation Authority to ensure all rules are met.

If you get any queries, I think they will be about earthworks and the top dressing activity, we have not provided any information on those rules to callers, to ensure that we don't give the wrong info.

Let me know if you need anything further.

Regards

Leigh Collecutt

From: Monique Davidson
Sent: Thursday, 1 November 2018 10:31 AM
To: Ethna Renner; Doug Tate; Alison Francis
Subject: RE: Comment appears as Visitors post

Thanks Ethna. I don't think we need to comment any further.



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
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From: Ethna Renner
Sent: 01 November 2018 10:15 AM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Doug Tate <doug.tate@chbdc.govt.nz>; Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Comment appears as Visitors post
Importance: High





Ethna Renner
Communications Lead
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

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027 441 2652

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Leigh Collecutt

From: Alison Francis
Sent: Friday, 2 November 2018 8:30 AM
To: 'Rural Air Work'
Subject: RE: Calder

Dear Josh and Suzie

Thanks for coming in to meet with us yesterday and explaining more about your proposal.

Please find the certificate of compliance form here:

<https://www.chbdc.govt.nz/assets/Document-Library/Forms/Building/20180625-Certificate-of-Compliance-Form.pdf>

if you want to fill that out and apply when you're ready, the fee for a COC is \$500 and you can pay online or at the front counter. You can provide a hard copy of the application or an emailed copy.

Regards

-----Original Message-----

From: Rural Air Work <info@ruralairwork.co.nz>
Sent: Wednesday, 31 October 2018 8:16 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Calder

Hi Alison

Please find attached the flyers throughout Otane and also dropped off to business's in CHB.

The fact is:

It's a private farm airstrip in a Rural Zone There is no provisions for fertiliser storage Aircraft will take off to work in the greater Hawkes Bay area and then return We will be well within the noise restriction rules

We are working with in the CHBDC rules, HBRC plan and Civil Aviation Authority of New Zealand. The development of the private farm airstrip is using the "safety guideline for farm airstrips" by Civil Aviation Authority of New Zealand, Department of Labour and Federated Farmers.

We know you are at the helm of the phone calls and there is nothing you can do, but thought if you had some insight it would help.

Thanks Josh and Suzie

Leigh Collecutt

From: Alison Francis
Sent: Wednesday, 7 November 2018 8:38 AM
To: Monique Davidson
Subject: RE: Otane aerodrome

Hi

As discussed, I can't see that there is anything that the CAA have said that would prevent Mr Calder from using the airstrip in the manner he intends to use. The CAA have not specified the type of activity Mr Calder has applied for, and regardless of whether it is applied for under s137 or s157, the CAA has to issue their consent before the proposal gets underway. Under s157 the CAA will notify us of the type of approval given, but it doesn't appear that any information would come from the CAA to us under s137. It looks like in the email below that the CAA have not specified the exact activity Mr Calder has applied for, nor have they given any indication on what their decision is.

If the CAA are unable to issue approval for this airstrip to be used, then we will note that decision and ensure that any complaints of aircraft using the airstrip are followed up. In the meantime, we need to wait to see what the CAA say and we will follow any instruction from them if necessary.

Thanks

From: Monique Davidson
Sent: Wednesday, 7 November 2018 7:46 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: FW: Otane aerodrome


Can you have a look at this and come back to me



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
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027 601 1711

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From: Tim Chote (Councillor)
Sent: 06 November 2018 12:59 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Alex Walker <alex.walker@chbdc.govt.nz>
Subject: Fwd: Otane aerodrome

Sent from my iPhone



Tim Chote (Councillor)
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

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Begin forwarded message:

From: s7(2)(a)
Date: 6 November 2018 at 11:41:02 AM NZDT
To: <tim.chote@chbdc.govt.nz>, "'Shelley Burne-Field \\\(Councillor\\)'> <shelley.burne-field@chbdc.govt.nz>
Subject: FW: Otane aerodrome
Reply-To: s7(2)(a)

Hi Tim and shelly, I received this from The CAA this morning, would you please peruse. I wonder if Mr Calder is aware of this and should someone from the council advise him before he spends any more money

Regards

s7(2)(a)

From: Sean Rogers [<mailto:Sean.Rogers@caa.govt.nz>]
Sent: Tuesday, 6 November 2018 8:22 a.m.
To: s7(2)(a)
Cc: Steve Kern
Subject: RE: Otane aerodrome

Hi s7(2)(a)

This particular airstrip would only be exempt from Rule Part 157 if it was used exclusively for Agricultural operations conducted under Part 137 only. If it is used for anything else, including ferry flights to and from other farm strips where the aircraft are loaded conducted under Part 91 (General Operating and Flight Rules), then Part 157 may apply.

With regard to the designation of Special Use Airspace, I do not believe the Civil Aviation Act provides for the designation of restricted areas for the permanent exclusion of aviation activities. A restricted area as defined within Part 71 must have a specified activity for which each area is designated. In this situation, your primary aim is to exclude aircraft from airspace, which I do not believe is the intent of the rule and would also contradict Rule Part 91 which allows aircraft in uncontrolled airspace to fly at or above 500ft unless in the process of taking off or landing (91.311).

In the context of Rule Part 91, the public interest could extend to anyone else from the public wishing to fly through the airspace in question at 500ft – not just the owner of the proposed airstrip. So the public interest component is also, not that simple, given the consultation will be with all airspace users not just the proposed airstrip owner.

I have included Steve Kern in this conversation for future reference. Steve is the Manager of the Helicopter and Agricultural Unit here at CAA.

Regards,

Sean Rogers

Manager Aeronautical Services

Civil Aviation Authority of New Zealand

Te Mana Rererangi Tūmatanui o Aotearoa

Level 15 | Asteron Centre | 55 Featherston Street | PO Box 3555 | Wellington | 6011

(DDI): +64 (4) **560 9522** Mobile: **027 807 4875**



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From: s7(2)(a)
Sent: Monday, 5 November 2018 10:57 PM
To: Sean Rogers <Sean.Rogers@caa.govt.nz>
Subject: RE: Otane aerodrome

Hi Sean, It would appear that Mr Calder has built a runway etc on his 18 hectare land just outside of Otane and did not need council approval due to district plan allowing it to be built without any consents, I have read Part 137 and it looks like if he has the relevant qualifications etc he can run agricultural operations 7 days a week from this runway. The area is just outside the Otane town site and surrounded by quite a few houses on small lifestyle blocks. Would we have any recourse to prevent the taking off and landing of agricultural planes from this site. Are we able to apply for a restricted air space if so what conditions would have to met. Am i also correct in saying no private or other commercial aircraft are able to use this runway. Should he want to use the runway for private use does he have to follow Part 157.

Sorry about all the questions but myself and many of the townspeople are quite disturbed by these events.

Regards

s7(2)(a)

On 05 November 2018 at 10:30 Sean Rogers <Sean.Rogers@caa.govt.nz> wrote:

Hi s7(2)(a)

I will have our administrator look through previous applications, and get back to you once this is complete.

Regards,

Sean Rogers

Manager Aeronautical Services

Civil Aviation Authority of New Zealand

Te Mana Rererangi Tūmatanui o Aotearoa

Level 15 | Asteron Centre | 55 Featherston Street | PO Box 3555 |

Wellington | 6011

(DDI): +64 (4) 560 9522 Mobile: 027 807 4875



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From: s7(2)(a)
Sent: Monday, 5 November 2018 10:22 AM
To: Sean Rogers <Sean.Rogers@caa.govt.nz>
Subject: Otane aerodrome

Good Morning Sean, further to our telephone conversation this morning would you please be able verify has Mr Calder has submitted a notice of aerodrome /heliport proposal as required by CAA Part 157 or is he proceeding by using CAA part 137

Would you please confirm what documentation Mr Calder has submitted to the CAA

Your help in this matter would be greatly appreciated

Regards

s7(2)(a)

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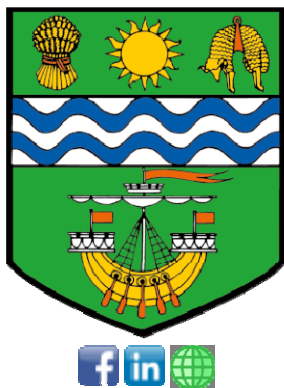
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Leigh Collecutt

From: Ethna Renner
Sent: Wednesday, 14 November 2018 9:21 AM
To: Monique Davidson; Alison Francis
Cc: Doug Tate
Subject: FW: Otane aerodrome - Media Request

Media request below. How would you like me to respond?


Ethna



Ethna Renner
Communications Lead
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 441 2652

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From: Georgia May Gilbertson <georgiamay.gilbertson@nzme.co.nz>
Sent: Wednesday, 14 November 2018 9:18 AM
To: CHBDC Comms <comms@chbdc.govt.nz>
Subject: Otane aerodrome

Hi Ethna,

I got a phone call from s7(2)(a) this morning about the Otane aerodrome, he told me the CHB district council are discussing it in the meeting tomorrow?

Could you just confirm that is correct? If so are you able to give me some insight about what will be discussed?

Kind regards,

Georgia

Reporter

M: 027 650 2629

E: georgiamay.gilbertson@hbtoday.co.nz



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Leigh Collecutt

From: Monique Davidson
Sent: Wednesday, 14 November 2018 2:25 PM
To: Ethna Renner; Alison Francis
Cc: Doug Tate
Subject: RE: Otane aerodrome

Hi Ethna

Council does not have a meeting tomorrow, but do have a workshop of which this is not on the agenda. As it is of high community interest however, Council are likely to discuss the topic.

Thanks

MONIQUE DAVIDSON, CHIEF EXECUTIVE

Email: monique.davidson@chbdc.govt.nz, Mobile: 027 601 1711
Central Hawkes Bay District Council
28 - 32 Ruataniwha Street
Waipawa 4210
Web: www.chbdc.govt.nz

From: Ethna Renner
Sent: 14 November 2018 02:23 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Alison Francis <alison.francis@chbdc.govt.nz>
Cc: Doug Tate <doug.tate@chbdc.govt.nz>
Subject: FW: Otane aerodrome

Hi Team

Georgia is chasing for a response – can you please provide by 3.30pm.

Thanks

Ethna

ETHNA RENNER, COMMUNICATIONS LEAD

Email: Ethna@chbdc.govt.nz, Mobile: 027 441 2652
Central Hawkes Bay District Council
28 - 32 Ruataniwha Street
Waipawa 4210
Web: www.chbdc.govt.nz

From: Georgia May Gilbertson <georgiamay.gilbertson@nzme.co.nz>
Sent: Wednesday, 14 November 2018 2:20 PM
To: CHBDC Comms <comms@chbdc.govt.nz>
Subject: Re: Otane aerodrome

Hi Ethna,

Just wondering if there's any update? Working to a deadline of 3.30 if that works for you?

Kind regards,

Georgia

From: CHBDC Comms <comms@chbdc.govt.nz>

Sent: 14 November 2018 10:00

To: Georgia May Gilbertson

Subject: RE: Otane aerodrome

Hi Georgia

I will look into this and get back to you with a response.

Regards

Ethna



CHBDC Comms
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

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From: Georgia May Gilbertson <georgiamay.gilbertson@nzme.co.nz>

Sent: Wednesday, 14 November 2018 9:18 AM

To: CHBDC Comms <comms@chbdc.govt.nz>

Subject: Otane aerodrome

Hi Ethna,

I got a phone call from s7(2)(a) this morning about the Otane aerodrome, he told me the CHB district council are discussing it in the meeting tomorrow?

Could you just confirm that is correct? If so are you able to give me some insight about what will be discussed?

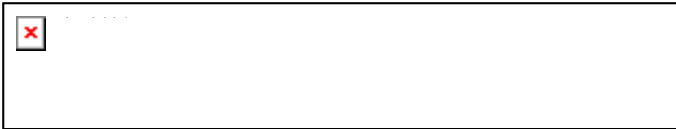
Kind regards,

Georgia

Reporter

M: 027 650 2629

E: georgiamay.gilbertson@hbtoday.co.nz



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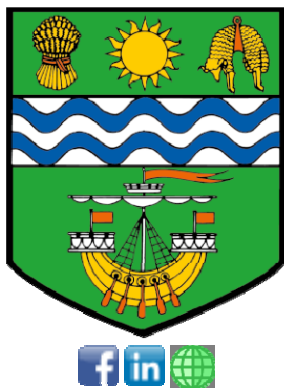
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Leigh Collecutt

From: Monique Davidson
Sent: Friday, 16 November 2018 3:58 PM
To: Helen O'Shaughnessy; Doug Tate
Cc: Alison Francis
Subject: RE: Otane Areodrome

Thanks Helen


Lets get our heads together first thing next week on this.



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 601 1711

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From: Helen O'Shaughnessy
Sent: 16 November 2018 03:52 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>; Doug Tate <doug.tate@chbdc.govt.nz>
Cc: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Otane Areodrome

Hi All,

I have just spoken with s7(2)(a) from Otane in relation to the proposed airstrip at Otane.

He was seeking an application form for a private plan change to be lodged by multiple parties from Otane concerend at the proposed airstrip.

I did explain the district plan review currently being undertaken by Council and where the review is currently sitting in terms of weight.

My understanding is that s7(2)(a) and supporters don't really have any interest in participating in the review through the Council's timeframes.

Their intention is to quite quickly lodge an application for a private plan change so that pending CAA consideration of the airstip proposal (believed to be within the next 90 days) will need to factor in the private plan change and hopefully influence the CAA decision in favour of the Otane residents opposed to this proposal.

s7(2)(a) contact details are;

s7(2)(a)

s7(2)(a) has implied that he and supporters are some way through the preparation of an AEE and they have certainly engaged legal advice. He did suggest that the private plan change may be sufficient to invoke a high court injunction in view of the circumstances re the CAA evaluation. Not sure on the strength or correctness of this, might be time for Council to invest in its own legal opinion.

Regards

Helen



Helen O'Shaughnessy
District Plan Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 283 7778

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Leigh Collecutt

From: s7(2)(a)
Sent: Monday, 19 November 2018 9:43 AM
To: Alison Francis
Subject: Re: CHBDC - Ask Us A Question [#185]

Thank you very much for your detailed clarification . It is appreciated.
It would seem that there is little anyone can do (apart from hoping for goodwill) to restrict the start up time to a reasonable hour and the numbers of flights in and out.

Kind regards, s7(2)(a)

On 19/11/2018, at 09:31, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Hi

Thanks for your email. The new District Plan is in draft form only at present and will be made available for public consultation next year. At that time we will be able to see what is in the plan, at present I cannot discuss any information in the draft plan.

Once public consultation has finished, there will be a period of time when the plan is not adopted as it goes through a hearings process to discuss submissions. After that, the plan will go through a period of adoption. I do not know how long this will be, but it is unlikely to be concluded by the middle of next year.


The airstrip will not be affected by any new rules, as it is a permitted activity under the rules at the time it was established. When a new District Plan comes in, it does not require existing activities to be reassessed if they were permitted (or had a consent) at the time when they were established.

Regards

Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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From: s7(2)(a)
Sent: Saturday, 17 November 2018 8:58 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Re: CHBDC - Ask Us A Question [#185]

Hi Alison

Just a query. When the new district plan comes into operation will there be controls for a private airstrip, such as operating times (eg, no plane startup before say 7am) . If there are new rules for noise , operation, plane numbers will the existing airstrip then be bound by them?

Thanks, s7(2)(a)

On 30/10/2018, at 14:31, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Hi

We have noise rules in the Rural zone as follows:

4.9.11 Noise

On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- 55dBA L10 - 6:00am - 11.00pm Monday to Saturday
- 45dBA L10 - at all other times
- 75dBA Lmax - at all other times

There are noise rules for the Waipukurau Aerodrome, which allow for a slightly higher noise threshold than these rules above, however, this is only for the aerodrome and not for any other airstrip activity within the rural zone. Noise rules can be difficult to understand, and if we get a complaint about noise in the future, we will get a specialist to come and assess the noise from the activity to determine if it meets the rules.

I can't give any assistance on the Civil Aviation requirements I'm afraid, any information about what they permit would have to come from them. Because the airstrip is a permitted activity under our District Plan, we cannot limit number of flights or times of operation.

If there is a dust issue when the operation starts, that is something that ourselves and the Regional Council can look into for you, but as with the noise, we won't know if there is an issue until the activity gets underway.

Regards

Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210
06 857 8060

027 616 2686

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From: s7(2)(a)
Sent: Tuesday, 30 October 2018 10:22 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Re: CHBDC - Ask Us A Question [#185]

Thanks Alison and we appreciate your response.
Have tried to check District Plan about noise, which is our main concern but the references are to Civil Aviation requirements and it would be more helpful if these could be spelt out in the plan, as opposed to fighting our way through Civil Aviation rules.
Are you able to simplify, ie what times planes are allowed to start in morning and how many landings and take offs during a day?
Noise is subjective also but we are really concerned about noise and possibly excessive dust.

Best regards, s7(2)(a)

On 29/10/2018, at 21:54, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Dear s7(2)(a)

Thanks for your email, this has been passed on to me, I am the manager of the consents team.

We are aware that earthworks are underway for an airstrip at 359 Elsthorpe Road, Mr Calder has been in touch a few times to confirm he can undertake this activity. An airstrip is defined as an aerodrome under our District Plan and is a permitted activity in the Rural zone. There is no requirement for a resource consent as our District Plan does not have any rules pertaining to earthworks. Mr Calder is aware he has to abide by other rules in our District Plan, of relevance here would be noise, transport and traffic and signs.

Mr Calder has also confirmed that he has sought advice from the Regional Council, who do not have any concerns, and he is also following the rules of the Civil Aviation Authority.

Once the airstrip is operating, if there are any noise complaints, we will monitor these, and if necessary, work with Mr Calder to ensure that he meets these rules if a breach occurs.

I understand that it is difficult to get information when you are away, so please email me directly if you have any further concerns.

Regards

Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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From: Information
Sent: Tuesday, 30 October 2018 8:42 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: FW: CHBDC - Ask Us A Question [#185]

[From info email](#)

From: CHBDC Website Request - Ask a Question <no-reply@wufoo.com>
Sent: Monday, 29 October 2018 10:59 PM
To: Information <info@chbdc.govt.nz>
Subject: CHBDC - Ask Us A Question [#185]

Name: * s7(2)(a)

Question: *

We live at s7(2)(a) Road Otane. We are currently away but have been advised that major earthworks
carried out in a paddock adjoins our boundary by Josh and Suzie Calder.

A flyer has been dropped in our letterbox indicating that there will be an airfield for the topdressing business
operates by the Calders.

We have received no notification from either you or HBRC and would have expected something as affected
neighbours.

We very much value our peace and quiet(as do most of us who have expended money and time on our
properties) Noise will have a major impact on our health and well being.

Please advise if resource consent has been obtained and the conditions of that consent.

We do expect a reply. Thank you.

s7(2)(a)

How By Email
would you
like to be
contacted?
*

Email s7(2)(a)
Address: *

<image002.jpg>

Leigh Collecutt

From: Monique Davidson
Sent: Wednesday, 21 November 2018 11:55 AM
To: s7(2)(a)
Cc: 'wildlifeservicesnz'; Alison Francis
Subject: RE: Otane aerodrome

Good Morning s7(2)(a)

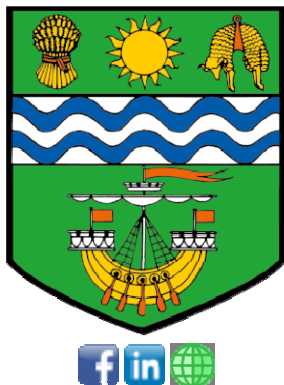
Thanks for your email.

I am more than happy to meet with you and discuss Council's position on this matter, and listen to the information you have.

My EA, s7(2)(a) will be in touch to arrange a discussion which will not be able to be until early next week.

Kind Regards

Monique



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 601 1711

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From: s7(2)(a)
Sent: 21 November 2018 09:51 AM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>
Cc: 'wildlifeservicesnz' s7(2)(a)
Subject: Otane aerodrome

Dear Monique,

As you are aware Mr. and Mrs. Calder are in the process of constructing an aerodrome on the outskirts of Otane township.

This project has caused a significant amount of friction and division within the local community and will have severe ramifications in the years to come should the project comes to fruition.

The Calder's initially proceeded to construct the aerodrome without consent from the Council or the Civil Aviation Authority. Following an extensive communication and research process from our quarter, we have been informed by the CAA that the Calder's will now be required to make a formal application to them

(under section 157 of the CAA Regulations) for the project to be approved, and before any landings and take-offs from this aerodrome can occur.

Under section 157 of the CAA Regulations an investigation and determination needs to be undertaken by the Director of Civil Aviation. This process will involve consultation with the Council, and other effected parties, and will take approximately 90 days to complete.

Previous discussions with the Council and yourself have stated that this matter is out of your hands and that there is nothing you can do. We have now identified that this is not strictly correct.

I have had several conversations with the CAA and they have informed me that the Council would, and should, have a say in whether this proposed aerodrome goes ahead or not. Consultation with the Council will look at not only what the District Plan (both the current Plan and the proposed revision of the current Plan) states, but also what the effects the construction of an aerodrome in this location may have on the local community.

Before this matter proceeds too much further we feel that it is prudent to formally request a meeting with you to discuss this situation, express our concerns and enlighten you on our findings to date. We believe that both you and the Council should be in full possession of all the facts before the CAA begin their investigation and determination.

This formally requested meeting with you will be attended by myself and Tony Billing, who has been a resident of the District for 15 years and also held a senior management position with the Napier City Council for many years.

Can you please consider this request to formally meet and advise me of a suitable date and time.

I await your response.

Regards

s7(2)(a)

Leigh Collecutt

From: Alison Francis
Sent: Thursday, 13 December 2018 10:02 AM
To: s7(2)(a)
Subject: RE: Draft COC for Airstrip
Attachments: 180139 signed.docx

Yep all good, I have signed it

From: s7(2)(a)
Sent: Thursday, 13 December 2018 8:49 AM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: RE: Draft COC for Airstrip

I can't remember where we got to with this/if anything else was required?
But I've accepted all the changes you made.

Was anything else needed? I remember we were discussing the Commercial vs Recreational Activity.



s7(2)(a)
Resource Consents Planner
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

s7(2)(a)

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From: Alison Francis
Sent: Monday, 10 December 2018 3:13 PM
To: s7(2)(a)
Subject: RE: Draft COC for Airstrip

Here you go – a few notes that I think we can chat about



Alison Francis
Customer & Consents Manager
Central Hawke's Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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From: s7(2)(a)
Sent: Monday, 10 December 2018 1:55 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Draft COC for Airstrip

Hi Alison,

Please find attached the Draft COC for Airstrip at 359 Elsthorpe Road, Otane.

Many thanks,



s7(2)(a)
Resource Consents Planner
Central Hawke's Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

s7(2)(a)

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**Report for a certificate of
compliance application under
section 139 of the Resource
Management Act 1991 (RMA)**



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

Ruataniwha Street,
PO Box 127, Waipawa 4240
New Zealand

Phone: 06 857 8060

Fax: 06 857 7179

info@chbdc.govt.nz

www.chbdc.govt.nz

RC Number	RM180139
Applicant's name:	Josh & Susan Calder
Site address:	241 Elsthorpe Road, Otane
Legal description:	Lot 2 DP 397944 (CFR: 391113)
Valuation Number:	1092004800
Site area:	12.7670 ha
Operative plan(s):	Central Hawke's Bay District Plan
Zoning:	Rural
Date further information requested:	N/A
Date further information received:	N/A

Locality Plan



Application documents (plans and reference documents)

The following information has been provided:

- Application Form, and analysis prepared by Josh Calder, dated November 2018.

1. THE PROPOSED PERMITTED ACTIVITY

Proposal

Aircraft Airstrip 450m long and 12m wide.

Background

The applicant has applied for a Certificate of Compliance for the airstrip which is a permitted activity under the Central Hawke's Bay District Plan.

2. REASONS FOR THE APPLICATION

The applicant has requested a certificate of compliance under the following rule(s) for the activity described above:

Central Hawke's Bay District Plan (Section 2.2 Definitions)

- **Aircraft** means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.
- **Aerodrome** means any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.
- **Recreational Activity** means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. It includes the sale of food and beverage for consumption on the site provided it is ancillary to the recreational activity. Recreational activities includes sport clubs, art, craft and hobby clubs (i.e. painting, pottery, bridge, chess, photography clubs), aerodromes, and outdoor recreation pursuits, but excludes any recreational activity within the meaning of residential activity.
- **Commercial Activity** Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas; but excludes recreation, community and service activities, home occupations or visitor accommodation.

Central Hawke's Bay District Plan (Section 4 Rural Zone)

- **4.8.1 Permitted Activities:**
 - g. Recreational Activities (other than on the surface of rivers and lakes)
 - f. Commercial Activities
- **4.9.11 Noise:** On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:
 - 55dBA L10 – 6.00am – 11.00pm Monday to Saturday
 - 45dBA L10 – at all other times
 - 75dBA L10 – at all other times

Central Hawke's Bay District Plan (Section 8 Transport)

- **8.5.1 Parking and Loading:** There is sufficient space for parking available.

- **8.5.2 Vehicle Access:** The activity utilises the existing vehicle access to the site.

Central Hawke's Bay District Plan (Section 11 Signs)

- **11.4.6 Signs in the Rural Zone:** a. The total area of signs on any site shall not exceed 3.0m² in the Rural Zone.
b. Signs shall not exceed the highest point of the roof and the height of a free standing sign shall not exceed 10m in the Rural Zone.
c. Maximum number of signs on any site shall not exceed 2; except that:
this does not apply to:
 - Traffic directional signs, provided that each individual sign does not exceed 1m²; and does not advertise any activity;
 - Signs that are not visible from a public road or place.

Central Hawke's Bay District Plan (Section 13 Hazardous Substances)

- **13.5.1 Permitted Activities:** The following activities shall be Permitted Activities, provided that they comply with all of the Performance Standards specified below.
b. The use and/or storage of hazardous substances identified in quantities not exceeding those specified in Column A of Table 1 for the relevant zone.

CONSIDERATION OF THE APPLICATION

3. STATUTORY CONSIDERATIONS

Section 139 of the Resource Management Act 1991 (RMA) sets out the circumstances under which a consent authority may issue a certificate of compliance.

A certificate must be issued if the activity referred to in the application can be done lawfully in a particular location without a resource consent, and the applicant pays the appropriate administrative charge.

Any certificate which is issued must describe the activity and the location, and state that the activity can be done lawfully in the particular location without a resource consent, as at the date on which the consent authority received the request (section 139(7)).

Under section 139(8), a consent authority must not issue a certificate if the request has been made after a proposed plan has been notified, and the activity referred to in the application could not be done lawfully in a particular location without a resource consent, under the proposed plan.

4. ANALYSIS OF PLAN PROVISIONS

The proposal has been described in the application material. The information submitted by the applicant is considered against the permitted activity rules of the relevant plan below.

Provision / rule	Analysis / Conclusion
4.8.1 Permitted Activity: g. Recreational Activities (other than on the surface of rivers or lakes) f. Commercial activity	The definition of Recreational Activity includes aerodromes.
4.9.11 Noise:	The activity will not exceed the noise requirements of the District Plan.
11.4.6 Signs in the Rural Zone:	The activity does not have a sign that the total area is of greater than 3.0m ² . Nor does the activity have a sign that exceeds the highest point of the roof and any height of a free standing sign does not exceed 10m. The number of signs on the site does not exceed 2.
11.4.2 Signs in the Zones:	The activity will not exceed any of the performance standards outlined in this rule.
13.5.1 Permitted Activities: b. The use and/or storage of hazardous substances identified in quantities not exceeding those specified in Column A of Table 1 for the relevant zone.	The activity will store no more than the permitted amount of hazardous substances (as identified in Column A of Table 1) on site.

5. CONCLUSION

Overall the proposal is compliant with all relevant Rules in the Rural Zone.

6. RECOMMENDATION

Under s139 of the RMA, I recommend that the Council issue a certificate of compliance as:

- a) The activity complies with all relevant Rules in the Rural Zone.

This report and recommendation prepared by:

Name: s7(2)(a)

Title: Resource Consents Planner

Signed:

Date:

**Certificate of compliance issued
under section 139 of the
Resource Management Act 1991**



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

Ruataniwha Street,
PO Box 127, Waipawa 4240
New Zealand

Phone: 06 857 8060
Fax: 06 857 7179

info@chbdc.govt.nz
www.chbdc.govt.nz

RC Number	RM180139
Applicant's name:	Josh & Susan Calder
Site address:	241 Elsthorpe Road, Otane
Legal description:	Lot 2 DP 397944 (CFR: 391113)
Valuation Number:	1092004800
Site area:	12.7670 ha
Operative plan(s):	Central Hawke's Bay District Plan
Zoning:	Rural

To operate an airstrip, considered to be a recreational/commercial activity in the Rural Zone.

I have read the application, supporting documents, and the report and recommendations on the application for certificate of compliance. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

The activity is permitted under the relevant rules of the Central Hawke's Bay District Plan Rule 4.8.1 permitting the use of the land for a Recreational Activity and/or Commercial Activity and Rule 4.9.11 permitting an activity that does not exceed the noise levels of the Rural Zone.

Acting under delegated authority, I certify that the proposal described above and at the above location can be done lawfully without a resource consent as of 13 December 2018.

Delegated decision maker:

Name: Alison Francis
Title: Customer and Consent Manager
Signed:

A handwritten signature in blue ink that reads "A Francis".

Date: 13/12/2018

Advice notes

1. *This certificate is deemed a resource consent under section 139(10) of the Resource Management Act 1991 (RMA) and is issued subject to on-going compliance with any conditions or performance standards specified in the relevant plans referred to above. It is issued without erasure or alteration.*

2. *Section 125 of the RMA applies to this deemed resource consent (refer section 139(12)). Accordingly, this consent will expire five years after the date of the commencement of this deemed consent unless, before the deemed consent lapses:*
 - a) *It is given effect to; or*
 - b) *An application is made to the council to extend the period of the deemed consent, and the council decides to grant an extension after taking into account the statutory considerations set out in section 125(1A)(b) of the RMA.*
3. *The activity must comply with all relevant council bylaws, the Building Act 2004 and any other relevant laws and regulations. This certificate does not constitute building consent approval. All necessary consents under other legislation must be obtained.*

Leigh Collecutt

From: Alison Francis
Sent: Thursday, 20 December 2018 4:11 PM
To: 'Malcolm@hbrc.govt.nz'
Subject: FW: Otane airstrip

From: Alison Francis
Sent: Thursday, 1 November 2018 9:49 AM
To: 'malcolm@hbrc.govt.nz' <malcolm@hbrc.govt.nz>; 'wayne@hbrc.govt.nz' <wayne@hbrc.govt.nz>
Subject: Otane airstrip

Hi both

Thanks for taking my phone call Wayne, just a quick heads up that if you have any queries about the airstrip here in Otane you can contact me.

In short, Mr Calder at 359 Elsthorpe Road is putting in an airstrip for his top dressing business. An aerodrome is a permitted activity in our District Plan as are commercial activities, so there is nothing we can do to stop this at this point. We have reiterated that he will have to comply with noise and storing of hazardous substances once he is up and running. We also asked that he contact yourselves and the Civil Aviation Authority to ensure all rules are met.

If you get any queries, I think they will be about earthworks and the top dressing activity, we have not provided any information on those rules to callers, to ensure that we don't give the wrong info.

Let me know if you need anything further.

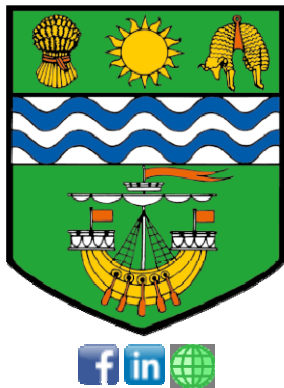
Regards

Leigh Collecutt

From: CHBDC Comms
Sent: Wednesday, 23 January 2019 7:26 AM
To: Monique Davidson; Doug Tate; Alison Francis
Subject: FW: Aerodrome update

[Media Request below.](#)

[Ethna](#)



CHBDC Comms
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

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Together we thrive!
www.chbdc.govt.nz

From: Georgia May Gilbertson <georgiamay.gilbertson@nzme.co.nz>
Sent: Tuesday, 22 January 2019 7:53 PM
To: CHBDC Comms <comms@chbdc.govt.nz>
Subject: Aerodrome update

Hi team,

Happy New Year and I hope all is well :)

We're just doing a small update about the Otane aerodrome as I understand the CAA will be starting up public consultation soon as part of their investigation.

I was just wondering due to the high interest whether the council would be holding a public meeting, as I understand this has been asked by a few members of the public?

Any council comment/ update would be great on your side of things.

I will be out of range tomorrow, but will be contactable via email.

Kind regards,
Georgia

Reporter

M: 027 650 2629

E: georgiamay.gilbertson@hbtoday.co.nz



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Leigh Collecutt

From: CHBDC Comms
Sent: Wednesday, 23 January 2019 2:36 PM
To: Georgia May Gilbertson
Subject: RE: Aerodrome update

Hi Georgia

Response from Central Hawkes Bay District Council as follows:

Council received notification late yesterday from the CAA that they are seeking submissions on the application.

Council encourage interested parties to contact the CAA on how they can make a submission.

Council are happy to attend any public meeting the community might organise.



CHBDC Comms
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060

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Georgia

Reporter

M: 027 650 2629

E: georgiamay.gilbertson@hbtoday.co.nz



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Leigh Collecutt

From: Monique Davidson
Sent: Wednesday, 23 January 2019 4:25 PM
To: Councillors
Cc: Doug Tate; Alison Francis; Josh Lloyd
Subject: FW: 19 157 8 Proposal for Calder Aerodrome Otane
Attachments: 19 157 8 Airstrip Map.pdf; 19 157 8 Proposal.pdf

Afternoon Councillors

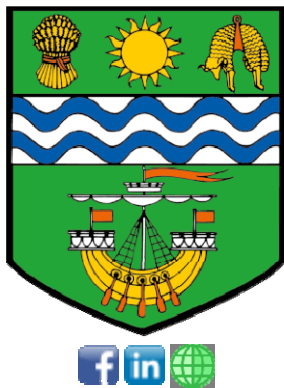
Please find attached correspondence from the CCA regarding the submission process for the Calder Aerodrome.

It is likely that this will be reported in the media.

I have identified this as a workshop item for next Thursday, and intend to brief you and then have a discussion regarding our position.

Kind Regards

Monique



Monique Davidson
Chief Executive
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 601 1711

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From: Dianne Parker <Dianne.Parker@caa.govt.nz>
Sent: 22 January 2019 02:33 PM
To: Monique Davidson <monique.davidson@chbdc.govt.nz>
Subject: 19 157 8 Proposal for Calder Aerodrome Otane

Good afternoon Monique

Please find attached the Proposal and Map for the above.

Cut-off date for submissions is 24 February 2019.

You can send any submission directly to me.

Kind regards

Dianne

Dianne Parker (Mrs) M.A.

Group Executive Officer

Aviation Infrastructure and Personnel


DDI 04 560 9658

Member of the Association of Administrative Professionals New Zealand (AAPNZ)

Winner of the 2016 AAPNZ Administrative Professional Award

Civil Aviation Authority of New Zealand  **Aviation Security Service**

Te Mana Rererangi Tūmatanui o Aotearoa / Kaiwhakamaru Rererangi

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 Level 15, Asteron Centre, 55 Featherston Street, PO Box 3555, Wellington, 6011 New Zealand

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NOTICE OF AERODROME/HELIPORT PROPOSAL

Note: The CAA Standard Rate hourly charge applies.

1. Aerodrome/Heliport operator details:

a. Name: (Individual or Organisation)		JOSH CALDER	
If an individual:	Date of Birth:	Nationality	NZ
b. Address for Service: <i>Civil Aviation Act, s8, requires applicants to provide an address for service in New Zealand (ie, a physical address) and to promptly notify the Director of any changes</i>		359 ELSTHORPE ROAD	
		RD2	
		OTANE HAWKES BAY 4277	
Tel:	06 8568070	Fax:	
Postal Address: (If different from Address for Service.)		Email:	info@ruralairwork.co.nz
Tel:		Fax:	
		Email:	

2. Aerodrome/Heliport Details

a. Aerodrome/Heliport Name:			
b. Aerodrome/Heliport Location Indicator:	(If allocated. See note)		
c. Type of Facility:	Aerodrome:	<input checked="" type="checkbox"/> Heliport:	
d. Nearest City or Town:	OTANE		
e. Local Authority:	Central Hawkes Bay District Council		
f. Distance & Direction from nearest City or Town:	1.9 km	Direction:	West
g. Latitude:	39° 54.0	Longitude:	E 176° 39.5
		Elevation:	302 ft
<i>Note: All aerodromes published in the AIPNZ are allocated a 4 letter designator. Application for this designator is to be made to Airways Corporation of New Zealand.</i>			

3. Reason for Application

a. Construction or Establishment:	<input checked="" type="checkbox"/>	Alteration:	<input type="checkbox"/>
b. Activation Date if Construction or Establishment:			
c. If Alteration, describe change:			

4. Aerodrome/Heliport Data

1. AERODROME:			
a. Magnetic Bearing of runway(s):	033 / 213°		
b. Length of runway(s):	450m		
c. Type of Runway Surface:	Grass		
(Concrete, Asphalt, Grass, etc):			

2. HELIPORT:				
a.	Dimensions of TALO:			
b.	Dimensions of FATO:			
c.	Type of Surface (Turf, Rooftop, etc):			
d.	Magnetic Direction of Approach & Take-off Paths:			

5. Operational Details

a.	Average number of Monthly Landings:		Present:	Proposed:
	Air Transport:		1850 28	less than 120
b.	Are IFR Operations Anticipated:		Yes	No <input checked="" type="checkbox"/>
	Within:	Years:	Type of Nav Aid:	

6. Aeronautical Study Details

a. List all VFR Aerodromes and Heliports within 5 nm, and all IFR Aerodromes within 10 nm:			
Aerodrome/Heliport Name:	Distance:	Direction:	
N/A			
b. List, and plot on a suitable map, any obstructions within a 3 nm radius for VFR Aerodromes and 5 nm for IFR Aerodromes and, for Heliports within 5000 ft of the perimeter of the Heliport Landing and Take-off Area.			
Obstruction Type:	Height above Aerodrome/Heliport:	Direction:	Distance:
Powerlines	12m	South	525m
c. List any Schools, Churches, hospitals, etc, and Residential areas within 2 nm radius for Aerodromes and 1 nm radius for Heliports:			
Identification:	Direction:	Distance:	
ORANGE TOWN	West	1.9km	
ORANGE SCHOOL	WEST	1.5km	

7. Certification

I hereby certify that all the above statements made by me are true and complete to the best of my knowledge.

Josh Calder
Name

[Signature]
Signature

12-11-2018
Date

NOTICE OF AERODROME/HELIPORT PROPOSALS INSTRUCTIONS

Civil Aviation Rules Part 157 requires that each person who intends to do any of the following shall notify the Civil Aviation Authority of New Zealand:

1. Construct or otherwise establish an aerodrome or heliport to which Part 157 applies or activate such an aerodrome or heliport;
2. Construct, re-align, alter, or activate any runway or other aircraft landing or take-off area of an aerodrome or heliport to which Part 157 applies;

The notice required above shall be made by submitting this form to:

Manager Aeronautical Services
Civil Aviation Authority
PO Box 3555
Wellington 6140

GENERAL INSTRUCTIONS

1. For any projects falling into category 1 above, complete all appropriate sections.
2. For category 2 above, complete sections 1, 2a, 2b, 3, 4 as appropriate and 7.
3. Express all bearings as magnetic and distances as kilometres.
4. Attach with this application a map or equivalent plot locations of facility alignments, associated taxiways or seaplane alignments. Where appropriate, use city maps heliports.
5. PLEASE PRINT OR TYPE ALL ITEMS AND BE SURE ALL COPIES ARE LEGIBLE.

Note: Notification to the Civil Aviation Authority does not waive the requirements of any other local body or Government agency.



Leigh Collecutt

From: Alison Francis
Sent: Friday, 25 January 2019 2:32 PM
To: s7(2)(a)
Subject: RE: Noise levels

Hi s7(2)(a)

We do not have a Rural Residential Zone, only Residential OR Rural. The properties that border the Otane airstrip on Elsthorpe Road are subject to the following noise levels:

Rule 4.9.11

Noise

On any site, activities, , shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

55dBA L10 - 6:00am - 11.00pm Monday to Saturday
45dBA L10 - at all other times
75dBA Lmax - at all other times

Exemptions

Residential, Farming and Forestry Activities shall be exempt from the above provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act.

The 75dBA Lmax noise limit shall not apply to on-site sirens required by Service Emergency Service Activities, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act.

Regards

-----Original Message-----

From: s7(2)(a)
Sent: Friday, 25 January 2019 12:48 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Noise levels

Hello,

Can you advise what noise levels are for a Rural residential zone (bordering proposed Otane airstrip).

s7(2)(a) .

Leigh Collecutt

From: Alison Francis
Sent: Friday, 25 January 2019 2:57 PM
To: Rural Air Work
Subject: Certificate of Compliance for Airstrip at Otane

Hi there

It has been brought to our attention that the Certificate of Compliance we issued you for your airstrip in Otane was only for one of the two lots that you own. You have applied for the COC for Lot 2 DP 397944 and this should also have included Lot 1 DP 28446.

Can you please confirm that the airstrip does extend over these two lots and provide us with the Certificate of Title for Lot 1 DP 28446. If there is nothing on the CT that we need to look into further we will amend the COC Certificate and send this out to you.

Please give me a call if you have any questions.

Regards

Leigh Collecutt

From: Alison Francis
Sent: Friday, 25 January 2019 3:36 PM
To: s7(2)(a)
Subject: RE: Calder Airstrip
Attachments: 180139 Application.pdf

Hi

The Calders have applied for a Certificate of Compliance, which means that what they are doing is a permitted activity. They have applied for the COC to provide themselves and their neighbours with certainty that they are undertaking a permitted activity. There is no need to apply for a separate Certificate, we can just change the description. They do not need this COC to undertake their airstrip activity.

I have attached a copy of their application for the COC which shows the runway. We do not require information about the length of the runway.

The Central Hawke's Bay District Plan does not have earthworks rules, therefore there was never any requirement for a consent for earthworks. The Hawke's Bay Regional Council have also been involved in discussions around this airstrip and confirmed there was no need for a resource consent under the regional rules either.

Regards

From: s7(2)(a)
Sent: Friday, 25 January 2019 3:12 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Re: Calder Airstrip

Thank you for your reply.

Would not a separate consent be required?

According to a copy of the Calder application provided by the CAA the proposed runway length was 450m. Please let us know what was the proposed length in the application to the Council. We understand it may be longer than 450m.

We note consent was granted on 13/12/18. Did this include the substantial earthworks for the runway as they started before the end of October.

Regards, s7(2)(a)

On 25/01/2019, at 2:58 PM, Alison Francis <alison.francis@chbdc.govt.nz> wrote:

Hi s7(2)(a)

Thank you for your email and you are correct. The Calders did not apply for both lots that they own when they made the application and this was not picked up when we processed the application.

I have been in touch with the Calders and we will be looking to rectify this next week.

Regards

Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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-----Original Message-----

From: s7(2)(a)
Sent: Friday, 25 January 2019 1:09 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: Calder Airstrip

Hello Alison,

We note the application for which consent was granted was for land in one title only, Lot 2 DP397944(CFR 391113) However, the strip extends into another lot owned by Calder entities, Lot 1DP 20446.No consent given for that land.

We would appreciate your advice.
Thanks. s7(2)(a)



CENTRAL HAWKES BAY DISTRICT COUNCIL
RUATANIWHA STREET, PO BOX 127, WAIPAWA, 4170, NEW ZEALAND
TELEPHONE: (06) 857 8060, FAX: (06) 8577179
EMAIL: info@chbdc.govt.nz



Application form (Form 9) for Resource Consent Pursuant to Section 139 of the Resource Management Act 1991

This form provides us with your contact details, and details about your proposed activity. Note: All information in this form is available to the public.

If you fail to complete this form and/or fail to provide all the necessary information, including the deposit fee, your application may not be accepted for processing.

CERTIFICATE OF COMPLIANCE APPLICATION

(under the Resource Management Act 1991)

1. CONTACT DETAILS

APPLICANT'S DETAILS

I am the: ☒ Property Owner ☐ Lessee ☐ Authorised Agent ☐ Trustee

Name: Joshua & Susan Calder

Postal Address: 359 ELSTHORPE ROAD, RD2 OTANE, 4277

Contact phone number: s7(2)(a)

Email address: info@ruralairwork.co.nz

OWNER'S DETAILS (If owner is not the applicant)

Preferred means of correspondence: ☐ Mail ☒ Email ☒ Phone ☐ Fax

Name: _____

Postal Address: _____

Contact phone number: _____

Fax number: _____

Email address: _____

BILLING DETAILS (All invoices will be sent to the owner unless otherwise specified)

Name: RURAL AIR WORK LTD

Postal Address: 359 ELSTHORPE ROAD, RD2 OTANE 4277

2. SUBJECT SITE INFORMATION

Location of the activity and/or property address:

241 ELSTHORPE ROAD, RD2, OTANGI

Valuation Number: 1092004800

Legal Description: Lot 2 DP 397944

Site visit information (Is there anything we need to know before making a site visit, dogs, access issues etc):

Working farm so will require accompany.

3. DETAILED DESCRIPTION OF THE ACTIVITY OR WORKS PROPOSED

Aircraft Airstrip 450m long x 12m wide

4. INFORMATION TO BE SUBMITTED WITH THE APPLICATION

Attach the following information in support of your application:

- ☐ This completed application form signed and dated by persons responsible for the payment of fees and charges.
- ☐ Site Plan
- ☐ Certificates of Title less than 3 months old for the subject site.
 - Attach any relevant consent notices, covenants, easements etc attached to the title if relevant or impacted by the use of the property.
- ☐ An Assessment of Effects for the activity, including any relevant information about a National Environmental Standard.
- ☐ Plans of the proposal including elevations of any proposed buildings.

5. SIGNATURE OF APPLICANT(S) OR AGENT

Please read these notes before signing the application form.

Payment of fees and charges:

The Council may charge the applicant for all costs actually and reasonably incurred in the processing of this application. Subject to the applicant's rights under sections 357B and 358 of the RMA to object to any costs, the applicant undertakes to pay all and future processing costs incurred by the Council. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, in signing this application the applicant binds the trust, society or company to pay all the above costs and guarantee to pay all the above costs in their personal capacity. Refer to Council's fees and charges schedule found at: www.chbdc.govt.nz

Development Contributions:

When granting consent to certain activities, the council may levy a monetary contribution. Development Contributions are levied under the Local Government Act 2002, in accordance with Council's Development Contributions Policy. When these contributions are due, the consent holder is responsible for their payment. Unless otherwise advised, the name and contact address of the person responsible for payment of any contributions will be taken as the applicant.

Alternative contact and address for development contributions:

Name: _____

Address: _____
_____**Site visit:**

By signing this form, if you are the owner of the application site, you confirm that the Council may undertake a site visit.

Privacy information:

The information on this form is required to be provided under the Resource Management Act 1991 and is required to process your application. This information (including your personal details) has to be made available to members of the public and the media, including business organisations. In appropriate circumstances it may also be made available to: other units in the Council, Council's approved contractors and approved agencies. Under the Privacy Act 1993 you have the right to access the personal information held about you by the Council, and you can also request that the Council correct any personal information it holds about you.

Declaration for the applicant or authorised agent or other

I/we confirm that I/we have read and understood the notes above.

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I undertake to pay all actual and reasonable application costs levied by the Central Hawkes Bay District Council.

Signature of the Applicant or person authorised to sign on their behalf:

Date: 6/11/2018



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952




R.W. Muir
Registrar-General
of Land

Search Copy

Identifier 391113
Land Registration District Hawkes Bay
Date Issued 08 April 2008

Prior References

HBV1/176

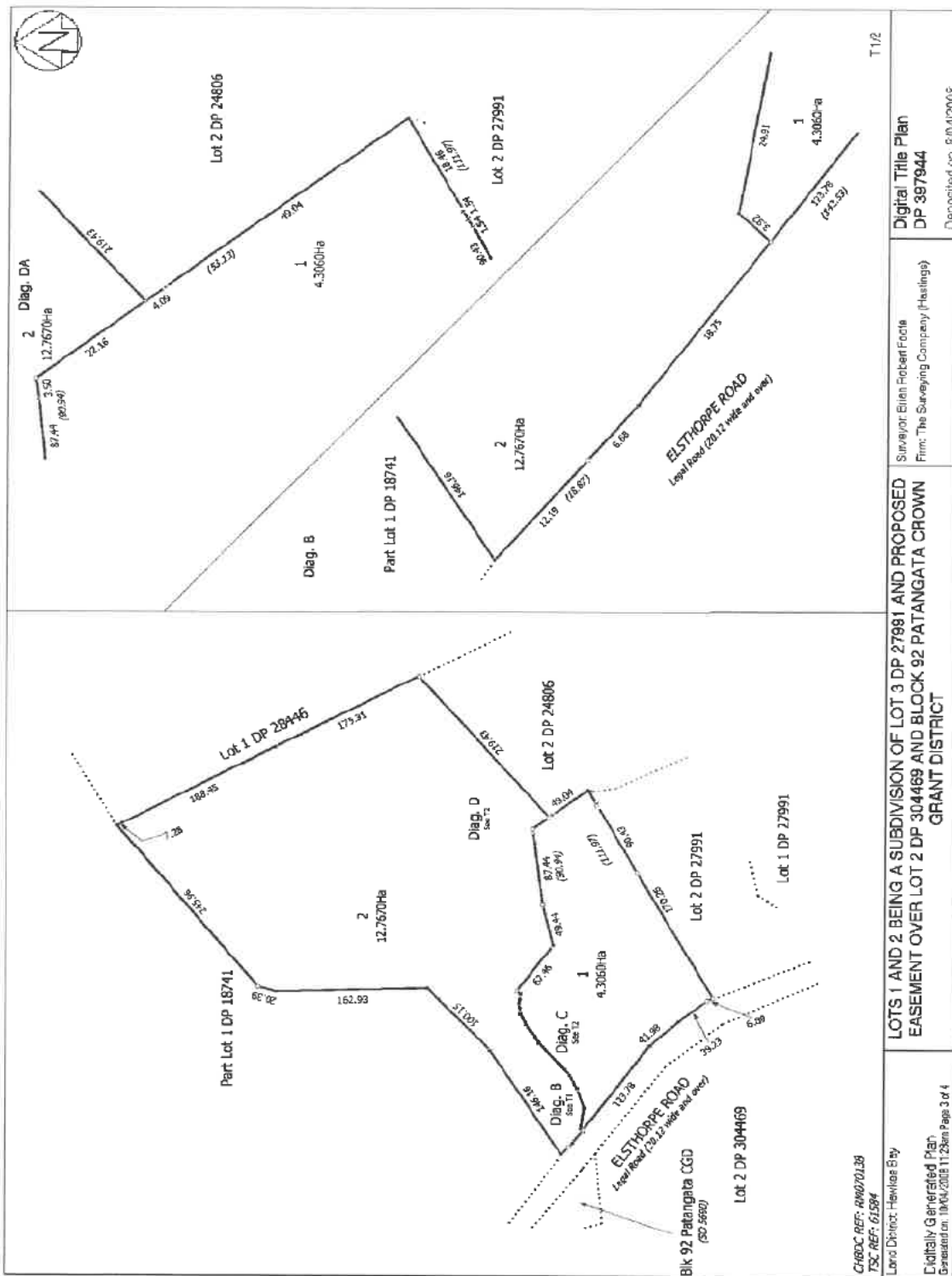
Estate Fee Simple
Area 12.7670 hectares more or less
Legal Description Lot 2 Deposited Plan 397944

Proprietors

Joshua Parker Calder and Susan Joanna Calder

Interests

Appurtenant hereto is a right to convey water created by Transfer 627935.2 - 3.8.1995 at 3:35 pm
Appurtenant hereto are rights to convey water specified in Easement Certificate 627935.3 - 3.8.1995 at 3.35 pm
Appurtenant hereto are rights to convey water specified in Easement Certificate 697141.2 - 23.12.1999 at 11.35 am
Appurtenant hereto are rights to convey electric power specified in Easement Certificate 699549.2 - 3.3.2000 at 2.38 pm
Subject to a right of way over part marked A on DP 397944 created by Easement Instrument 7776026.2 - 8.4.2008 at 9:00 am
Appurtenant hereto is a right to convey water created by Easement Instrument 7776026.2 - 8.4.2008 at 9:00 am
The easements created by Easement Instrument 7776026.2 are subject to Section 243 (a) Resource Management Act 1991
10720052.2 Mortgage to ANZ Bank New Zealand Limited - 10.3.2017 at 1:47 pm





Surveyor: Brian Robert Foote
Firm: The Surveying Company (Heslings)

Deposited on: 8/04/2008

LOTS 1 AND 2 BEING A SUBDIVISION OF LOT 3 DP 27991 AND PROPOSED EASEMENT OVER LOT 2 DP 304489 AND BLOCK 92 PATANGATA CROWN GRANT DISTRICT

CH8DC REF: RM070138

TSC REF: 61584

Land District Hawaiian Ery

Digitally Generated Plan

Generated on: 10/04/2008 11:23am Page 4 of 4

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Leigh Collecutt

From: Rural Air Work <info@ruralairwork.co.nz>
Sent: Thursday, 31 January 2019 1:14 PM
To: Alison Francis
Subject: RE: Certificate of Compliance for Airstrip at Otane

Thanks Alison

Suzie

From: Alison Francis [<mailto:alison.francis@chbdc.govt.nz>]
Sent: Thursday, 31 January 2019 11:02 a.m.
To: Rural Air Work <info@ruralairwork.co.nz>
Subject: RE: Certificate of Compliance for Airstrip at Otane

Thanks Suzie

Please find attached the updated CCC.

Regards



Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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www.chbdc.govt.nz

From: Rural Air Work <info@ruralairwork.co.nz>
Sent: Monday, 28 January 2019 2:56 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: RE: Certificate of Compliance for Airstrip at Otane

Hi Alison,

Sorry we missed this yes it does extend over two lots, CT for other lot attached.

Thanks Suzie

From: Alison Francis [<mailto:alison.francis@chbdc.govt.nz>]
Sent: Friday, 25 January 2019 2:57 p.m.
To: Rural Air Work <info@ruralairwork.co.nz>
Subject: Certificate of Compliance for Airstrip at Otane

Hi there

It has been brought to our attention that the Certificate of Compliance we issued you for your airstrip in Otane was only for one of the two lots that you own. You have applied for the COC for Lot 2 DP 397944 and this should also have included Lot 1 DP 28446.

Can you please confirm that the airstrip does extend over these two lots and provide us with the Certificate of Title for Lot 1 DP 28446. If there is nothing on the CT that we need to look into further we will amend the COC Certificate and send this out to you.

Please give me a call if you have any questions.

Regards



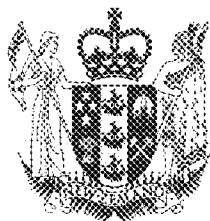
Alison Francis
Customer & Consents Manager
Central Hawkes Bay District Council

PO Box 127
28 - 32 Ruataniwha Street
Waipawa 4210

06 857 8060
027 616 2686

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




R.W. Muir
Registrar-General
of Land

Identifier **HBV2/335**
Land Registration District **Hawkes Bay**
Date Issued 01 December 2000

Prior References

HBV3/446

Estate	Fee Simple
Area	18.5450 hectares more or less
Legal Description	Lot 1 Deposited Plan 28446

Registered Owners

Joshua Parker Calder and Susan Joanna Calder

Interests

Appurtenant hereto is a right to convey water created by Transfer 627935.2 - 3.8.1995 at 3.35 pm

Appurtenant hereto are rights to convey water specified in Easement Certificate 627935.3 - 3.8.1995 at 3.35 pm

Subject to a right to convey water over part marked B on DP 28446 specified in Easement Certificate 627935.3 - 3.8.1995 at 3.35 pm

710121.1 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 1.12.2000 at 11.44 am

Subject to a right to convey water over part marked B on DP 28446 specified in Easement Certificate 710121.3 - 1.12.2000 at 11.44 am

Appurtenant hereto is a right of way and rights to convey water specified in Easement Certificate 710121.3 - 1.12.2000 at 11.44 am

The easements specified in Easement Certificate 710121.3 are subject to Section 243 (a) Resource Management Act 1991

10359871.2 Mortgage to ANZ Bank New Zealand Limited - 26.4.2016 at 4:11 pm

Leigh Collecutt

From: Alison Francis
Sent: Thursday, 31 January 2019 11:02 AM
To: Rural Air Work
Subject: RE: Certificate of Compliance for Airstrip at Otane
Attachments: 180139 COC UPATED.pdf

Thanks Suzie

Please find attached the updated CCC.

Regards

From: Rural Air Work <info@ruralairwork.co.nz>
Sent: Monday, 28 January 2019 2:56 PM
To: Alison Francis <alison.francis@chbdc.govt.nz>
Subject: RE: Certificate of Compliance for Airstrip at Otane

Hi Alison,

Sorry we missed this yes it does extend over two lots, CT for other lot attached.

Thanks Suzie

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**Report for a certificate of
compliance application under
section 139 of the Resource
Management Act 1991 (RMA)**



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

Ruataniwha Street,
PO Box 127, Waipawa 4240
New Zealand

Phone: 06 857 8060

Fax: 06 857 7179

info@chbdc.govt.nz

www.chbdc.govt.nz

RC Number	RM180139
Applicant's name:	Josh & Susan Calder
Site address:	241 Elsthorpe Road, Otane
Legal description:	Lot 2 DP 397944 (CFR: 391113) AND Lot 1 DP 28446
Valuation Number:	1092004800
Site area:	12.7670 ha
Operative plan(s):	Central Hawke's Bay District Plan
Zoning:	Rural
Date further information requested:	N/A
Date further information received:	N/A

Locality Plan



Application documents (plans and reference documents)

The following information has been provided:

- Application Form, and analysis prepared by Josh Calder, dated November 2018.

1. THE PROPOSED PERMITTED ACTIVITY

Proposal

Aircraft Airstrip 450m long and 12m wide.

Background

The applicant has applied for a Certificate of Compliance for the airstrip which is a permitted activity under the Central Hawke's Bay District Plan.

Note: This is an updated Certificate of Compliance issued to correct the omission of the second lot over which this activity relates.

2. REASONS FOR THE APPLICATION

The applicant has requested a certificate of compliance under the following rule(s) for the activity described above:

Central Hawke's Bay District Plan (Section 2.2 Definitions)

- **Aircraft** means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.
- **Aerodrome** means any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.
- **Recreational Activity** means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. It includes the sale of food and beverage for consumption on the site provided it is ancillary to the recreational activity. Recreational activities includes sport clubs, art, craft and hobby clubs (i.e. painting, pottery, bridge, chess, photography clubs), aerodromes, and outdoor recreation pursuits, but excludes any recreational activity within the meaning of residential activity.
- **Commercial Activity** Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas; but excludes recreation, community and service activities, home occupations or visitor accommodation.

Central Hawke's Bay District Plan (Section 4 Rural Zone)

- **4.8.1 Permitted Activities:**

- g. Recreational Activities (other than on the surface of rivers and lakes)

- f. Commercial Activities

- **4.9.11 Noise:** On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:
 - 55dBA L10 – 6.00am – 11.00pm Monday to Saturday
 - 45dBA L10 – at all other times

- 75dBA L10 – at all other times

Central Hawke's Bay District Plan (Section 8 Transport)

- **8.5.1 Parking and Loading:** There is sufficient space for parking available.
- **8.5.2 Vehicle Access:** The activity utilises the existing vehicle access to the site.

Central Hawke's Bay District Plan (Section 11 Signs)

- **11.4.6 Signs in the Rural Zone:** a. The total area of signs on any site shall not exceed 3.0m² in the Rural Zone.
b. Signs shall not exceed the highest point of the roof and the height of a free standing sign shall not exceed 10m in the Rural Zone.
c. Maximum number of signs on any site shall not exceed 2; except that:
this does not apply to:
 - Traffic directional signs, provided that each individual sign does not exceed 1m²; and does not advertise any activity;
 - Signs that are not visible from a public road or place.

Central Hawke's Bay District Plan (Section 13 Hazardous Substances)

- **13.5.1 Permitted Activities:** The following activities shall be Permitted Activities, provided that they comply with all of the Performance Standards specified below.
b. The use and/or storage of hazardous substances identified in quantities not exceeding those specified in Column A of Table 1 for the relevant zone.

CONSIDERATION OF THE APPLICATION

3. STATUTORY CONSIDERATIONS

Section 139 of the Resource Management Act 1991 (RMA) sets out the circumstances under which a consent authority may issue a certificate of compliance.

A certificate must be issued if the activity referred to in the application can be done lawfully in a particular location without a resource consent, and the applicant pays the appropriate administrative charge.

Any certificate which is issued must describe the activity and the location, and state that the activity can be done lawfully in the particular location without a resource consent, as at the date on which the consent authority received the request (section 139(7)).

Under section 139(8), a consent authority must not issue a certificate if the request has been made after a proposed plan has been notified, and the activity referred to in the application could not be done lawfully in a particular location without a resource consent, under the proposed plan.

4. ANALYSIS OF PLAN PROVISIONS

The proposal has been described in the application material. The information submitted by the applicant is considered against the permitted activity rules of the relevant plan below.

Provision / rule	Analysis / Conclusion
4.8.1 Permitted Activity: g. Recreational Activities (other than on the surface of rivers or lakes) f. Commercial activity	The definition of Recreational Activity includes aerodromes.
4.9.11 Noise:	The activity will not exceed the noise requirements of the District Plan.
11.4.6 Signs in the Rural Zone:	The activity does not have a sign that the total area is of greater than 3.0m ² . Nor does the activity have a sign that exceeds the highest point of the roof and any height of a free standing sign does not exceed 10m. The number of signs on the site does not exceed 2.
11.4.2 Signs in the Zones:	The activity will not exceed any of the performance standards outlined in this rule.
13.5.1 Permitted Activities: b. The use and/or storage of hazardous substances identified in quantities not exceeding those specified in Column A of Table 1 for the relevant zone.	The activity will store no more than the permitted amount of hazardous substances (as identified in Column A of Table 1) on site.

5. CONCLUSION

Overall the proposal is compliant with all relevant Rules in the Rural Zone.

6. RECOMMENDATION

Under s139 of the RMA, I recommend that the Council issue a certificate of compliance as:

- a) The activity complies with all relevant Rules in the Rural Zone.

This report and recommendation prepared by:

Name: s7(2)(a)

Title: Resource Consents Planner

Signed:

Date:

**Certificate of compliance issued
under section 139 of the
Resource Management Act 1991**

RC Number RM180139
Applicant's name: Josh & Susan Calder
Site address: 241 Elsthorpe Road, Otane
Legal description: Lot 2 DP 397944 (CFR: 391113) and Lot 1 DP 28446
Valuation Number: 1092004800
Site area: 12.7670 ha
Operative plan(s): Central Hawke's Bay District Plan
Zoning: Rural

To operate an airstrip, considered to be a recreational/commercial activity in the Rural Zone.

I have read the application, supporting documents, and the report and recommendations on the application for certificate of compliance. I am satisfied that I have sufficient information to consider the matters required by the Resource Management Act 1991 (RMA) and make a decision under delegated authority on the application.

The activity is permitted under the relevant rules of the Central Hawke's Bay District Plan Rule 4.8.1 permitting the use of the land for a Recreational Activity and/or Commercial Activity and Rule 4.9.11 permitting an activity that does not exceed the noise levels of the Rural Zone.

Acting under delegated authority, I certify that the proposal described above and at the above location can be done lawfully without a resource consent as of 31 January 2019.

Delegated decision maker:

Name: Alison Francis
Title: Customer and Consent Manager
Signed:

A handwritten signature in black ink, appearing to read 'A Francis', is written over a light gray rectangular grid background.

Date: 31/01/2019

Advice notes

1. *This certificate is deemed a resource consent under section 139(10) of the Resource Management Act 1991 (RMA) and is issued subject to on-going compliance with any conditions or performance standards specified in the relevant plans referred to above. It is issued without erasure or alteration.*

2. *Section 125 of the RMA applies to this deemed resource consent (refer section 139(12)). Accordingly, this consent will expire five years after the date of the commencement of this deemed consent unless, before the deemed consent lapses:*
 - a) *It is given effect to; or*
 - b) *An application is made to the council to extend the period of the deemed consent, and the council decides to grant an extension after taking into account the statutory considerations set out in section 125(1A)(b) of the RMA.*
3. *The activity must comply with all relevant council bylaws, the Building Act 2004 and any other relevant laws and regulations. This certificate does not constitute building consent approval. All necessary consents under other legislation must be obtained.*

Leigh Collecutt

From: Rural Air Work <info@ruralairwork.co.nz>
Sent: Monday, 28 January 2019 2:56 PM
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Subject: RE: Certificate of Compliance for Airstrip at Otane
Attachments: HBY2335.tif

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