

4. **NEW BRIGHTON PIER  
PROPOSED TOURIST HELICOPTER OPERATION**

RR 10957

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Corporate Plan Output: Policy and Advice	

The purpose of this report is to present a request from Skyview Helicopters to operate a tourist helicopter from the seaward end of the New Brighton Pier. The proposal was considered by the Burwood/Pegasus Community Board at its meeting on 1 November 1999 and by the Parks and Recreation Committee at its meeting on 10 November 1999.

The Committee reported to the November Council meeting recommending that the application be declined. However the Council referred the report back to the Committee to enable the applicant to make representations in support of his application.

**BACKGROUND**

The concept of operating a tourist helicopter from the end of the New Brighton Pier was considered by the Council through the Community Board/Parks and Recreation Committee in August 1998. The Council declined that application.

The following information has been received from Robin McCarthy of Skyview Helicopters, outlining a similar tourist helicopter proposal:

***“Background Detail***

*A similar proposal in principle was put to the Burwood/Pegasus Community Board on 3 August 1998.*

*The Board resolved to recommend “...to the Parks and Recreation Committee that the Pier Liaison Team’s views be taken into account, and that the helicopter operator be advised that this activity does not fit in with **current** pier or residential activities.”*

*On 12 August 1998 the Parks and Recreation Committee considered the proposal and concurred with the views of the Pier Liaison Team. The committee’s recommendation was adopted by the Council on 31 August 1998.*

***Proposal, incorporating changes***

*Whereas the original proposal sought to operate a 4 x passenger seat turbine helicopter, this new proposal is to operate a 2 x passenger seat Hughes 300 helicopter.*

*Scenic flights of approximately eight minutes duration will be conducted over the City centre. Descent approaches and climbing departures (to 1,000 feet) will be made offshore thus avoiding residential areas. Daily variation in flightpaths will also be adopted.*

*The New Brighton Aerial Training Area is a long established designated airspace whose Western boundary runs along the Coastline. The area commences at 1,000 feet above the shoreline and extends out to sea. It is used on a daily basis by all the local flight training operators. The effect of the proposal would be no different to that of an aircraft (aeroplane or helicopter) transiting to and from the training area.*

*Proposed hours of operation will be from 1300 hours to 1700 hours Tuesday to Sunday inclusive (weather permitting). No operations will take place on Mondays.*

### ***Additional infrastructure***

*Again it is proposed that a circular raised platform consisting of four equal and easily removed pieces (fitted with small wheels) will be put in place. It will be erected just prior to the commencement of each day's operations then dismantled and removed on the completion of the day's activities. A surrounding net of trampoline grade material will be placed around the platform extending to the pier terminus rail. It will also be removed at the conclusion of each day's operations.*

*Access to the raised platform will be controlled by the proposer, by way of a rope barrier strung across the entrance to the circular pier terminus. No restriction to any other part of the pier will be required in order to comply with Civil Aviation Authority (CAA) safety requirements.*

### ***Changes to the Pier over the past 12 months***

*The pier and its surrounding infrastructure has now been completed. The library is up and running with double glazing "noise" protection. The distance from the proposed operating position to the library is 330 metres.*

### ***Noise***

*The area surrounding the library is subjected to the noise of the sea with waves breaking continuously between the High and Low tide marks. Attenuation (lessening) of any helicopter noise naturally occurs due to the permanent wave generated noise.*

*Furthermore a busy road runs along the entire length of the South Western side of the library. Car parks exist at both the South Eastern and North Western ends of the library where vehicles continually come and go.*

*The whole surround of the library is designed for maximum people movement. The applicant has rested in the library and has not discerned any external noise.*

*The noise generated by the Hughes 300 helicopter some 330 metres distant is insignificant when considered in the context of both the library's location and other background noise.*

### ***Pier Users***

*The two predominant activities currently taking place at the pier's circular terminus are fishing and sightseeing.*

*Fishing takes place at any time of the day along its entire length with a concentration near to and at the end of its terminus. The proposal will not greatly impede on fishing activities as only the circular terminus will be inaccessible for a limited period of time on any one day and then not every day due to weather conditions precluding flying activities.*

*Likewise sightseeing will continue to take place and will be enhanced by the operation. Not only will people still be able to walk 320 metres of the 330 metre pier, they will also have a choice to enhance their sightseeing by taking a unique helicopter scenic flight.*

### ***Financial***

*The proposer recognises that it will be using a man made facility thus affording it an opportunity it would not otherwise have had. Balanced against that argument is a will, to incur a substantial financial risk in bringing the proposal to fruition, thus further enhancing the pier's (and New Brighton's) visitor attractions.*

*However, the proposer would make an annual financial contribution in the sum of \$3,000 towards the pier's upkeep and enhancement.*

### ***Conclusions***

*The proposal presents as an opportunity to further enhance the pier's attractiveness and boost the New Brighton economy.*

*Effects are acknowledged but have been considered and mitigated. The operation will take place well offshore and not from the immediate foreshore, as has been the case in the past with a larger turbine powered helicopter.*

*Flight paths have been designed to match those of either an aeroplane or helicopter passing to and from the New Brighton Training Area or operating within the Training Area itself.*

*The proposal warrants a 12 month trial period. The positive effects outweigh any real adverse concerns.”*

Following the initial consideration of the proposal, Mr McCarthy submitted the following amendment to his application:

*“This amendment has been made in response to comments expressed in other forums tasked with consideration of the application.*

*Those comments expressed concern that access would not be available to the bulb of the Pier, during the hours of operation of the helicopter.*

*The level of the helicopter landing pad had been proposed to match the level of the existing surround rail. It is now proposed by way of an amendment that the landing pad be raised to a height of 3.30 metres from the deck thus allowing people to move under the platform and around the Pier bulb. The platform surround will be modified to become a load bearing lattice rather than just a simple elastic cover.”*

#### **WHY IS THE COUNCIL CONSIDERING THIS MATTER AGAIN?**

Given that the Council considered a similar proposal from Mr McCarthy in 1998, the question will be asked as to why this matter is back on the Council’s agenda.

The reasons given by the applicant are:

1. The helicopter is a smaller (less noisy?) machine.
2. The “new” Council has the prerogative to reconsider the issues.

#### **LEGAL ISSUES**

The pier is owned by the Christchurch City Council with the seaside end being outside the Christchurch metropolitan limits, above the seabed which is controlled by the Crown. The Council clearly maintains the responsibility to allow/limit activities along the length of the pier outside the city boundary. This could include licensing of the proposed helicopter operation if the Council found such an activity to be appropriate.

#### **OPERATIONAL RESPONSIBILITIES**

Since the opening of the pier, a number of Units of the Council have assumed responsibilities for various aspects of its operation. To co-ordinate these activities a Pier Liaison Group has been set up which includes officers of the Council and members of the local community.

The Pier Liaison Team meets monthly and at its 16 July 1999 meeting members were advised that an application was likely to be received by the Council for the operation of a helicopter from the end of the pier. The team briefly discussed the matter and were unanimous in their view that this would be totally inappropriate to operate this venture from the pier and that it would be detrimental to pier visitors (including fishermen and tourists), users of the public library and surfers/windsurfers who recreate in the vicinity of the pier and seawards.

The Chairperson of the Pier Liaison Team, Mr Peter Francis, the Council's Community Advocate for this area, further advised that the beach helicopter trials of some years ago created significant concern and complaints from the local community.

#### **GENERAL COMMENT ON THE PROPOSAL**

1. The proposed hours of operation are 1.00pm to 5.00pm Tuesday to Sunday. This would compromise the busy weekend period when up to 2,000 people use the pier.
2. The proposal puts the seaward "bulb" end of the pier out of bounds for tourists and fishermen during the proposed hours of operation.
3. The bulb end of the pier is the favoured fishing spot and accordingly the proposal would severely compromise the use of the pier for fishing purposes and the comfort of the fishermen. Furthermore, tourists will feel "cheated" in that they would not be able to walk the total length of the pier.
4. The proposal advises that while there would be restrictions for public access to the bulb end of the pier, Civil Aviation Authority requirements would place no restriction on the rest of the pier. While that may be the case, the risk of accident, including unauthorised access onto or under the platform and the unlikely risk of a take off or landing accident must significantly impact on the Council's responsibilities in terms of health and safety for the general public.
5. As noted in the proposal the library has double glazing. However, the ground and first floor areas in the remainder of the building, shortly to be leased for hospitality type activities, do not. Accordingly, given the prevailing easterly wind, there is likely to be a significant noise impact on those elements of the building plus the surrounding environment, including the pier.
6. The down-draft from the helicopter blades on take off and landing is likely to affect pier users.
7. Recreational kite flyers are likely to cause a hazard.

8. The coastal permit (CRC 930674) that was granted during 1993 for the building of the pier was for the purposes of fishing and recreation only. Canterbury Regional Council planners believe that the commercial venture as proposed by the applicant is not covered by the original application, and therefore the application would need to be amended before the proposed venture could proceed. It is very likely given the interest of the public in the pier, that the application would require to be publicly notified, as per Resource Management Act requirements.
9. If the Council did decide to proceed with the proposal, it would be usual for such a commercial opportunity to be offered by public tender.
10. If the Council was of a mind to proceed, the Council should first obtain comment from the Pier and Foreshore Society which made a significant financial contribution in the building of the pier. Comment should also be obtained from pier users and the local community.

#### **CONCLUSIONS**

Given that this proposal has been presented previously, albeit in a slightly different form, officers can only reiterate that the significant disadvantages of the operation to the community, in general, and to the pier users, in particular, outweigh the modest financial benefit of \$3,000 per annum which has been offered.

#### **COMMUNITY BOARD COMMENT**

As stated above, the above report was before the Burwood/Pegasus Community Board at its November meeting. The Board, in recording its strong opposition to the operation of helicopters from either the New Brighton Pier or the beach, decided to recommend to this Committee that the application be declined.

The Committee endorsed the Board's views on the application, with the majority of the Committee concluding for the reasons outlined in the staff report, that the operation would be incompatible with the other uses of the pier.

**Recommendation:** That the application from Skyview Helicopters to operate a helicopter from the end of the New Brighton Pier be declined.

(Note: Councillor Buist requested that his vote against the foregoing recommendation be recorded.)