

# Application to Civil Aviation Authority for designation of Waiheke Island as Special Use Airspace and Mandatory Transponder Airspace (Civil Aviation Rules Part 71.9)

4 August 2021

## 1. Applicant

Quiet Sky Waiheke, a society of concerned residents of Waiheke Island

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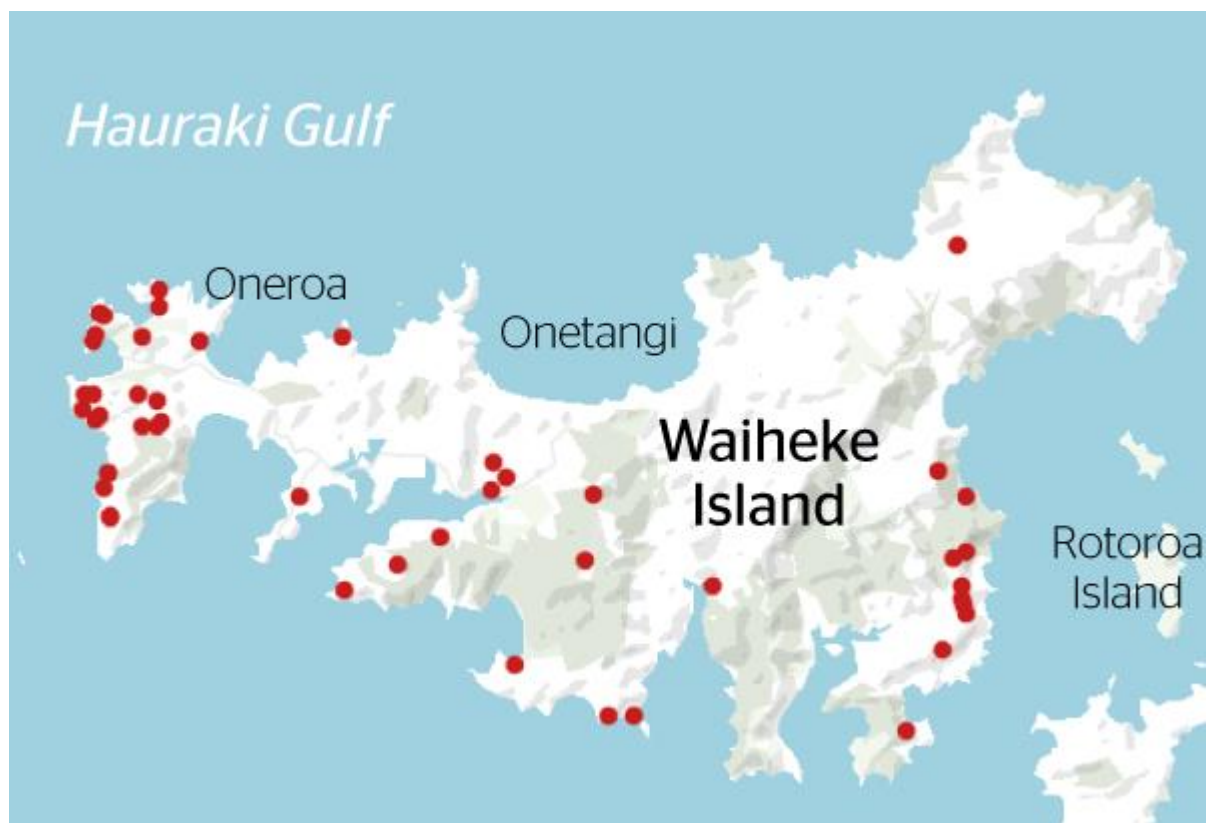
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## 2. Designation required

Special Use Airspace and Mandatory Transponder Airspace

## 3. Reason for designation

Since 2012, Auckland Council has consented 48 helipads on Waiheke Island. The cumulative impact of this unprecedented concentration of helipads, many located close to one another, was apparently never considered. Of the 48, only three made a Part 157 notification to CAA, although at least 8 are busy commercial operations dedicated to flying visitors from Auckland for wine-tasting, lunch, dinner or aerial sight-seeing.



Helipads on Waiheke Island – New Zealand Herald 4 July 2021

Helicopter companies advertise tourist flights to Waiheke and seek to increase this activity. Under the Council's consent conditions, it would be possible for hundreds of flights to occur in a single day. Traffic is subject to peak periods such as weekend, holidays and the summer vacation period.

Waiheke is outside Auckland's controlled airspace and functions under visual flight rules. ADS-B transponders are mandatory over Auckland but not Waiheke and we have observed some helicopters turning off their transponders prior to approaching Waiheke. CAA monitoring and enforcement is impossible without ADS-B tracking, and the public is also denied the opportunity to document violations.

In the absence of monitoring by either CAA or Auckland Council, "anything goes" conduct by pilots has become common such as:

- Low flying below 1000 feet over congested areas and below 500 feet in other areas.
- Excessively low-level approach and departure to and from landing.
- Deviations from consented approach and departure paths, sometimes to provide "tiki tours" of the Island at request of passengers.
- Landings on unsafe, unconsented locations such as beaches and front yards.
- Unnecessary overflights of the Island on route to other destinations.

There has been a constant drumbeat of protests from Waiheke residents about helicopters, with complaints directed to helicopter operators, helipad owners, Auckland Council, and CAA. This culminated recently with a resolution by the Waiheke Local Board and a petition to the Minister of Transport with 1368 signatures.

CAA has itself noted the congestion. The publication "In, Around and About Auckland" says on p. 11 that "north/south traffic may conflict with traffic transiting between Great Barrier and Waiheke Islands. Because of this cross flow, the risk of a mid-air collision is increased. This can be a very busy area, with aircraft heading in all directions."

Because of the close proximity of some of the helipads, flights paths overlap. Sometimes multiple helicopters approach the same area simultaneously. A resident has reported seeing three helicopters flying side by side.

An additional risk comes from the exploding use of drones on Waiheke for recreation, real estate photography, or other purposes. As the aviation industry knows well, drones routinely exceed their legal altitude. On 15 November 2020, a helicopter pilot complained to CAA that a drone came within 100 feet of him when he was flying at 1400 feet AMSL. (CAA Occurrence Number 20/6563).

Waiheke residents believe that a helicopter crash could occur at any time. Beside the pilot and passengers, this endangers people on the ground. Contrary to outdated perceptions of Waiheke Island as a rural backwater, it is home to close to 10,000

people with a much larger population during holiday periods. Helicopters overfly settlements with suburban-level or even city-level density.

Through several common-sense rules, a Special Use Area would greatly reduce the safety hazards. An additional benefit would be reduction in the noise and wildlife disruption. The appropriate rules would follow the guidelines set forth in the helicopter industry's own "Fly Neighbourly Guide" published by the Helicopter Association International.

The most basic rule would be to restrict Waiheke airspace to allow only those aircraft flying directly to consented aerodromes or helipads. This would remove unnecessary overflights and sight-seeing tiki tours. (Emergency, medical, and permitted construction helicopters and commercial airplanes at high altitude excepted, of course).

Flights to consented destinations should remain over water as long as possible and enter Island airspace only on consented flight paths. This will reduce the possibility of collision over populated areas. It would cause little inconvenience to pilots since Waiheke is a narrow island with no location very far from the waters of Hauraki Gulf.

Minimum altitude over Waiheke should be 2,000 feet with landings and departures as steep as possible. This would reduce the possibility of collision with drones and additionally mitigate noise.

Naturally the Special Use Airspace should also be a Transponder Mandatory Airspace, with stipulation that nothing is done to restrict public tracking. Otherwise all rules would be a dead letter.

There may be more specific and technical rules that would enhance safety and amenity without imposing undue burdens on the helicopter industry.

#### **4. Boundary information**

Waiheke Island land mass

#### **5. Period of designation**

Permanent

Respectfully submitted,

QUIET SKY WAIHEKE

By: Vicki Jayne