

13 May 2022

Tēnā koe

Thank you for your email of 2 May 2022, requesting the following under the Official Information Act 1982 (the Act):

*“all documentation, all communications, including letters, memoranda, emails and texts whatsoever, whether relating to the preparation of, and Ministry staff’s response to the above matter or otherwise, that has been received by the Ministry from or on behalf of North Shore Airfield or from Auckland City Council, or sent by the Ministry to those entities since the close of submissions on 30 November 2020 until today.”*

There are 23 documents within the scope of your request, and these are detailed in the document schedule attached as Annex 1. The schedule outlines how the documents you requested have been treated under the Act.

Certain information is withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons
- 9(2)(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- 9(2)(ba)(i) to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Tom Forster', with a long horizontal stroke extending to the right.

Tom Forster  
**Economic Regulation Manager**

### Annex 1 - Document Schedule

Doc #	Date	Document	Decision on release
1	23 June 2020	Email: North Shore Airport - Airport Authority Application	Some information withheld under Section 9(2)(a).
2	25 June 2020	North Shore Airport - Application for Airport Authority Status	Some information withheld under Section 9(2)(a).
		North Shore Airport Master Plan	Publicly available
3	07 July 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
4	May 2020	Consultation Paper	Released in full.
5	13 July 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
6	12 July 2020	Email: North Shore Airport	Withheld in full under Section 9(2)(b)(ii) & 9(2)(ba)(i).
7	7 July 2020	Letter: Airport Authority Application- North Shore Airport	Withheld in full under Section 9(2)(b)(ii) & 9(2)(ba)(i).
8	12 July 2020	Email: North Shore Airport	Withheld in full under Section 9(2)(b)(ii) & 9(2)(ba)(i).
9	27 June 2019	Notes of meeting	Withheld in full under Section 9(2)(b)(ii) & 9(2)(ba)(i).
10	31 July 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
11	7 August 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
12	24 August 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
		Airport Plan Summary	Publicly available
13	31 August 2020	Email: North Shore Airport – application for Airport Authority Status	Some information withheld under Section 9(2)(a).
14	26 March 2021	Email: Questions on application for Airport Authority Status	Some information withheld under Section 9(2)(a).

Doc #	Date	Document	Decision on release
15	24 May 2021	Email: Update	Some information withheld under Section 9(2)(a).
16	4 June 2021	Email: Update	Some information withheld under Section 9(2)(a).
17	16 July 2021	Email: North Shore AA Application	Some information withheld under Section 9(2)(a).
18	16 July 2021	Letter to North Shore re AA Obligations	Released in full.
19	2 August 2021	Email: North Shore AA Application	Some information withheld under Section 9(2)(a).
20	29 July 2021	Letter from North Shore Aero Club	Released in full.
21	1 December 2021	Email: North Shore AA Application	Some information withheld under Section 9(2)(a).
22	1 December 2021	Email: North Shore AA Application	Some information withheld under Section 9(2)(a).
23	18 January 2022	Email: North Shore AA Application	Some information withheld under Section 9(2)(a).

**Shrutika Shrivastava**

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**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Tuesday, 23 June 2020 11:23 am  
**To:** Tom Forster  
**Subject:** North Shore Airport - Airport Authority Application  
**Attachments:** Airport Authority Application.pdf; North Shore Airport - Master Plan.pdf

Hi Tom,

Thank you for your time on the phone today.

Please find attached 2 documents being our application for Airport Authority status and the supporting North Shore Airport Master Plan.

I appreciate that these applications come along somewhat infrequently and to that end, we would be delighted to have some initial dialogue with you once you have had a chance to digest the application and discuss some of your initial thoughts.

I look forward to hearing from you.

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**

T: 0800 4 WINGS T: 09 426 4273 M: 9(2)(a)  
E: john@nsac.co.nz W: www.nsac.co.nz

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## NORTH SHORE AIRPORT

25 June 2020

Ministry of Transport  
P.O Box 3175  
Wellington 6140

Attention: Mr T. Forster  
Manager Economic Regulation  
t.forster@transport.govt.nz Ph: 04 439 9000

RE: **NORTH SHORE AIRPORT**  
**APPLICATION FOR AIRPORT AUTHORITY STATUS**

Dear Sir,

This is an application under the provisions of the Airport Authorities Act 1966, requesting North Shore Airport be granted Airport Authority status by the Ministry of Transport.

### INTRODUCTION

This application is being lodged with the Ministry of Transport during a most unusual global event, the likes of which we cannot recall having occurred before. The recent widespread upheaval of the aviation sector due to COVID-19 has impacted New Zealand's way of life deeply. There is clear recognition that the commercial landscape within which the aviation industry operates has changed significantly, and it is likely there will be yet further changes. This has accelerated a management review of North Shore Airport operating procedures and systems, in parallel with the continued development and evolution of the North Shore Airport Master Plan.

North Shore Airport management needs to be equipped with the most appropriate and suitable tools with which to nimbly operate under and within the regulatory umbrella moving forward.

Throughout the COVID-19 event North Shore Airport has continued to support Emergency and Medical Service (EMS), and Military and Civil Defence operations, plus others which use the airport regularly.



Although the airport has been closed to all other aviation operational activities in accordance with the Civil Aviation Authority and Ministry of Transport direction, the facility has been maintained and monitored to operational standard to ensure the safety of any essential operations occurring at the airport.

Prior to COVID-19, North Shore Airport management had been well advanced in the process of drafting an application for Airport Authority status for submission to the Ministry of Transport. The rapid unfolding chain of events has reinforced the importance of now lodging this application.

### **NORTH SHORE AIRPORT**

The North Shore Airport Master Plan, which is operative in part as a living document, is attached to this application and offers, among other things, a more detailed account of North Shore Airport's history, surrounding physical environment, socio-economic context, regulatory compliance and ultimately, the aspirations and objectives that North Shore Airport has over the next circa 30 years.

Notwithstanding the Master Plan which was written prior to the current circumstances unfolding, and not wishing to repeat information unnecessarily, there is perceived benefit in revisiting several key components for targeted comment and completeness as follows.

### **HISTORY**

Aviation activities commenced, at what was then known as Dairy Flat Airfield, in the 1950s, with North Shore Aero Club being formed and incorporated in 1963 under the Incorporated Societies Act 1908. Today the site is known as North Shore Airport and has been in existence in one way, shape or form for over 60 years. North Shore Aero Club Incorporated is still the owner of North Shore Airport.

During this time, it has grown into the Airport it is today, well embedded into the community, with around 90 leasehold tenants, bustling flying schools, air transport operators, many businesses and jobs being entirely dependent on the existence of the airport.

The immediately surrounding environment comprises a large lot residential aero park on one boundary and, as a result of the Auckland Unitary Plan Operative in Part (AUP-OP) and the associated Dairy Flat Structure Plan, future business and light industrial zoned land on the balance of the surrounds.

Traditionally North Shore Airport has been an integral part of the local community, with an excellent standing and rapport amongst the neighbours, many of whom were interested in aviation and often members of North Shore Aero Club. The current developments under the AUP-OP have tended to weaken those long standing bonds as the status of the land changes and properties are sold to investors for future development.

### **OVERVIEW OF AUCKLAND'S AIRPORTS**

The immediate Auckland environment has five Airports that have been recognised and assessed as critical infrastructure within the AUP-OP. Each has a unique role and place within the aviation sector and transport network in particular. Despite this, there is of course some capability overlap and cross pollination of services to the aviation industry and the largely silo community areas they serve.



Auckland International Airport (AIA) is New Zealand's leading gateway to the world, facilitating international traveller entry and exit and corresponding distribution of passengers to domestic destinations through the various airlines serving AIA.

Predominantly a heavy and medium jet facility it also caters for turboprop aircraft servicing smaller domestic destinations. The second runway at AIA has Resource Consent approval and commencement of pre-construction engineering work has started, but the impact of the current events will have a financial consequence upon AIA, and we expect the execution of that programme may be delayed somewhat.

Whenuapai, a NZ Defence Force base located within close proximity to Auckland is a strategic military asset. We do not see that changing, neither does there appear to be any current political appetite to co-share military and domestic facilities at Whenuapai.

Ardmore Airport, West Auckland Airport and North Shore Airport are the satellite airports servicing Auckland to the south, west and north respectively. These airports are predominantly light commercial, general aviation and flight training facilities and are recognised under the AUP-OP as strategic assets.

North Shore Airport is appropriately established, fulfilling its role in Auckland's strategic hierarchy of aviation services to both the immediate North Shore communities and the wider northern regions of Auckland City, with the full support of Auckland Council embedded within the Auckland Unitary Plan.

#### **CURRENT STATUS OF NORTH SHORE AIRPORT UNDER THE AUP-OP**

North Shore Airport was formerly zoned Special Zone 4 under the Rodney District Plan, which was entitled 'Special Purpose - Airports and Airfields Zone'. This has now been superseded under the AUP-OP with the North Shore Airport Precinct.

North Shore Airport was cemented into the AUP-OP through what was an open, transparent and time consuming public consultation, submission and hearing process. Detailed submissions were tabled by North Shore Airport, supported by professional evidence which was tested during the formal hearing process, and where the legal framework, public interest and necessary practical requirements were balanced to form the current zoning.

The resulting North Shore Airport Precinct offers certainty, ensuring the airport, referenced and recognised in the AUP-OP as a strategic asset, has the necessary town planning regulatory support to protect and facilitate forward operation.

The North Shore Airport Precinct clearly identifies its objectives which are:

1. *"The efficient operation of the airport, while recognising existing amenity values in the surrounding area."*
2. *"Aircraft operations and appropriate commercial and industrial activities associated with aviation are enabled."*

The North Shore Airport Topic Report published by Auckland Council in December 2017 is a document solely dedicated to the regional significance of North Shore Airport and states, amongst other things in reference to North Shore Airport:



1. *“The Auckland Unitary Plan Operative in Part (AUP-OP) Regional Policy statement recognises the need to protect significant regional infrastructure which includes airports.”*
2. *“The Auckland Plan therefore recognises the role of the North Shore Airport and even at this high level provides direction to protect such transport infrastructure.”*

The AUP-OP makes many references to the valuable and critical nature of North Shore Airport such as:

1. *“The airport is also identified in Map 6.1 Auckland’s Economy which shows, among other things, key economic infrastructure.”*
2. *“Chapter 10 refers Urban Auckland, the discussion of business areas recognises airports as business and employment areas.”*
3. *“In relation to the airport, Principles 5 and 10 are relevant and are to ;*
  - i. *(5) Optimise existing and proposed transport investment*
  - ii. *(10) Ensure that transport is sustainable in the long term, minimises negative impacts on people’s health and the built and natural environment”*

Suffice to say the creation of the AUP-OP produced a robust strategic and legal framework that clearly underpins the importance of North Shore Airport within the future of the Auckland region.

## **CONSULTATION**

North Shore Airport has been subject to significant public scrutiny over the last seven years or so during the progression of the AUP-OP and its various associated supporting processes, such as the Future Urban Land Supply Strategy, Silverdale West Dairy Flat Structure Plan and North Shore Airport Topic Report published by Auckland Council in 2017.

Consultation during these processes has included and encompassed the general public of Auckland, local landowners, residents (recognising that not all residents are landowners), key infrastructure providers (New Zealand Transport Agency, Auckland Transport, Watercare, etc), the Supporting Growth Alliance and North Shore Airport stakeholders (businesses, lease holders, employees, pilots, learners, etc).

The AUP-OP process has been and continues to be very heavily consultative at its core. Furthermore, throughout this process, the AUP-OP and its associated processes have solidly underpinned the presence of the North Shore Airport with the utmost clarity.

North Shore Airport management are of a view further consultation on Airport Authority status is unwarranted and without clear merit as the future of North Shore Airport has already been extensively addressed and settled by the AUP-OP process.

## **NORTH SHORE AIRPORT EXPECTATIONS**

North Shore Airport management is planning for long term maturing growth at the Airport, for technological changes within the aviation industry that impact the way aviation services are offered and the way aviation operations are conducted, and for the changing aviation environment that continuously evolves under the various national and international regulatory umbrellas.

Airport Authority status to us, is an overlay mechanism that will allow a nimbler level of adaption to the regulatory and bureaucratic matters pertinent to airport operations. The resultant improvement in our ability to adapt will be seen in a wide array of areas including airport safety, security, obligations under the Ministry of Transport, Safety Management Systems (SMS) regulations under the Civil Aviation Act 1990 and the Health and Safety at Work Act 2015.

In short, the conferment of Airport Authority status is another helpful tool in the management toolbox, and like all tools it needs to be used for the right tasks and exercised sensibly with wisdom and due consideration.

The request for, and the granting of Airport Authority status by the Ministry of Transport, is clearly appropriate given that Airport Authority status is a focused facilitation tool fit for purpose and intended to be applied to airports. It will undoubtedly assist North Shore Airport management in remaining focused and disciplined, and able to make sound, robust and credible decisions.

North Shore Airport, in collaboration with its aviation partners and stakeholders is, and continues to be, committed to the timely provision of sufficient aerodrome capacity to meet the demands of the New Zealand community. This must be sustainable in a range of weather conditions, with respect to compatible surrounding land-use, for resilience in the provision of aerodrome services and for the greater good of the nation. North Shore Airport has done this traditionally through a conservative organic growth based model that keeps pace with the changing operational environment. This historical operational platform has served North Shore Airport well, but to forward plan effectively in the increasingly fast paced communication environment the world has become, requires a more focused and timely information stream and implementation certainty once decisions have been made.

The more immediate short term recent events surrounding COVID-19, have refocused attention to operational issues such as security of the aerodrome at large, buildings, aircraft, fuel supplies and runways within the confines of the aerodrome. Recent civil defence emergencies such as the eruption of Whakaari White Island and the very next day, the Rangitata River breaching its banks, have also highlighted the importance of comparable airports like Whakatane and Timaru respectively in civil defence situations. COVID-19 is no different and if nothing else, airports like North Shore Airport are invaluable civil defence infrastructure which must be diligently managed unconditionally.

#### **TESTIMONIALS AND SUPPORTING DOCUMENTATION**

The management team at North Shore Airport have chosen not to supply any testimonials or letters from supporting stakeholders at this time as it is felt that they would add little weight and value to the application in reality. It is clear from the patronage of North Shore Airport that the stakeholders are heavily invested in, and supportive of the facility and in conjunction with the AUP-OP, the approval and support of North Shore Airport within the community is clear.

The North Shore Airport Master Plan is being supplied as supporting documentation with this application and included at the end of this document are links to relevant components and sections of the AUP-OP and associated documents that are relevant.



## CONCLUSION

North Shore Airport has a role to play within the local community, the wider New Zealand economic context and the aviation industry, promoting safe and efficient operations within an environmentally responsible and accessible framework. Granting Airport Authority status to North Shore Airport will assist to underpin those imperatives. The legislation is fit for purpose and entirely suitable for its intended use in this respect.

Please do not hesitate to contact the authors should you have any queries.

Yours sincerely,

<b>John Punshon</b>	john@nsac.co.nz	<b>David Saunders</b>	president@nsac.co.nz
<b>General Manager</b>	s 9(2)(a)	<b>President</b>	s 9(2)(a)

## ATTACHMENTS

Document Name	Source Location
North Shore Airport Master Plan	Attached
Auckland Unitary Plan	<a href="http://unitaryplan.aucklandcouncil.govt.nz">http://unitaryplan.aucklandcouncil.govt.nz</a>
North Shore Airport Topic Report	<a href="https://www.aucklandcouncil.govt.nz/have-your-say/topics-you-can-have-your-say-on/silverdale-west-dairy-flat-industrial-area-structure-plan/docsconsultation/north-shore-airport-topic-report.pdf">https://www.aucklandcouncil.govt.nz/have-your-say/topics-you-can-have-your-say-on/silverdale-west-dairy-flat-industrial-area-structure-plan/docsconsultation/north-shore-airport-topic-report.pdf</a>
Silverdale West Dairy Flat Industrial Area Structure Plan	<a href="https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/place-based-plans/Pages/silverdale-west-dairy-flat-industrial-area-structure-plan.aspx">https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/place-based-plans/Pages/silverdale-west-dairy-flat-industrial-area-structure-plan.aspx</a>

**Shrutika Shrivastava**

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**From:** Abi Wyatt  
**Sent:** Tuesday, 7 July 2020 2:08 pm  
**To:** john@nsac.co.nz; president@nsac.co.nz  
**Cc:** Tom Forster; Andrew Palmer  
**Subject:** North Shore Airport - application for Airport Authority Status  
**Attachments:** Consultation paper - Achieving better public policy outcomes at airports - 28 May.docx

Kia ora John and David

Thank you for sending through North Shore Airport's application for Airport Authority Status to the Ministry of Transport.

We have read through the application and have a couple initial questions which have to come to mind. We don't expect a formal response to these questions and would be happy to discuss further if required.

Who is applying?

It is unclear from your application who is applying for Airport Authority Status. I assume the entity you are applying under is the North Shore Aero Club (Inc.), being the owner and operator of the Airport? Your application references North Shore Airport, is that a legal entity in its own right, a trading name, or a separate business division of the Aero Club?

What consultation have you done?

Could you please clarify whether you have discussed your application for Airport Authority Status with immediate neighbours and Auckland Council? If so, it would be appreciated if you could send us a brief outline of their feedback to you on the matter.

It has also been noted that you believe public consultation on the matter is not required as it was sufficiently covered during the progression of the AUP-OP. If at all possible, could you please attach a summary of submissions from that consultation process?

Are you aware of the impending legislation change?

The Ministry of Transport is currently working on a Bill to repeal and replace the Civil Aviation Act and Airport Authorities Act with an updated piece of legislation. As part of this project, we are currently consulting on some changes to the airport authority regime. The proposed change is a shift from the current authorisation framework to a licensing regime, which will clarify the rights, responsibilities and obligations of authorised airports. More information is contained in the attached consultation document. Although this is aimed at larger airports, we are happy to discuss the implications for smaller airports with you.

We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**

Policy Advisor, Economic Regulation

**Ministry of Transport - Te Manatū Waka**

s 9(2)(a) | [www.transport.govt.nz](http://www.transport.govt.nz)

*Enabling New Zealanders to flourish*

## Achieving better public policy outcomes at airports

1. The purpose of this consultation paper is to support discussions with key stakeholders on achieving better transport, aviation safety and security, environmental and border outcomes at airports. A framework for government and the sector to work together to achieve public policy outcomes at airports is particularly important in the COVID-19 recovery phase, including because additional border requirements and investment are likely to be an essential element of the recovery and the rebuilding of international passenger confidence.
2. This paper proposes policy options to achieve these outcomes and poses a number of questions to stakeholders. The Ministry of Transport (the Ministry) intends to meet with key stakeholders to discuss these policy options, and feedback from these discussions will inform final policy decisions.

### **Airports are critical infrastructure and provide significant economic and social benefits to New Zealand, which places certain obligations on airport companies**

3. Airports are among the largest infrastructure investments a city or region can make. They are a vital part of New Zealand's transport system and have a key role in supporting the government's transport and border related outcomes regarding economic prosperity, inclusive access, environment (including climate change) resilience, and security. Our international airports, as the primary gateway to New Zealand, will play a key role in rebuilding confidence in New Zealand as a safe destination for trade and travel post COVID-19. They provide significant economic and social benefits to New Zealand.
4. Airports can be profitable businesses, but at the same time the movement of people and goods through airports creates significant risks for New Zealand that need to be managed. Therefore, airport operators play an important role in supporting the Government's need to manage these risks, and meet its broader policy objectives. Airports do this by ensuring aviation and border agencies and other essential services have sufficient space, infrastructure and facilities to carry out roles that enable the safe, secure and efficient movement of people and goods through our airports.
5. Up to March 2020, airports, airlines, aviation safety and security, and border agencies had been dealing with greater passenger volumes. Passenger arrivals into New Zealand by air increased by approximately 51% - from 4.6 million to 6.9 million - between 2010 and 2018.
6. While this increase in passenger volumes has provided significant economic benefits, it has put pressure on airports to facilitate a greater number of passengers, and on aviation and border security agencies to meet safety, security and efficiency objectives at airports.
7. With COVID-19 border restrictions from late March 2020, most international airlines have suspended commercial passenger services to New Zealand. International passenger numbers have effectively reduced to zero. Even as alert levels progressively reduce, border restrictions are likely to remain in place in some form, for some time. Any recovery of international passenger aviation is likely to be slow for a number of reasons including fear of opening borders too early, and low demand due to economic recession.

## Not Government Policy

8. Air freight services continued during the level four and three lockdown periods, albeit at a reduced rate, and are likely to increase over the next few months. However, given the anticipated slow recovery, significant financial impacts will be felt on airports and the aviation sector, both internationally and domestically, for some time.
9. In this recovery period, with the rebuilding and reformation of the aviation sector, and consideration of what it may mean for how borders operate, including the role of health screening, it is more crucial than ever that the government, airlines and airports work closely to ensure the recovery is optimised and focussed on wider public policy objectives.

### The Issue at a High Level

10. Government has identified two interrelated issues in respect of the interface between airports and government, at a high level these are:
  - Airports are strategic assets which receive a number of legal rights as part of their operation (for example, the ability to access land, change leases etc.). They also have some legal obligations around the management of risk. But these obligations are not always clear, and are not supported by appropriate graduated intervention mechanisms. While often commercial incentives are well aligned with the transport and border sector outcomes the government and the public expect from airports, this is not always the case.
  - On the other side, government agencies may not always provide sufficient advance warning of infrastructure needs at airports, and may not always provide a sufficiently coordinated approach across agencies. This makes the challenge for airports to plan infrastructure that meets the needs of its customers and agencies more difficult than it needs to be.
11. As agencies and the sector move forward in recovery, collaborative and well aligned approaches will be needed even more than usual. We have an opportunity now as part of the changes to the airport regulation, to address the issues above by encouraging and supporting greater coordination between government agencies and airports.

### Our objectives

12. Airports are critical pieces of transport infrastructure. The government has a number of public policy objectives that it seeks at New Zealand airports. These include:
  - contributing to the COVID-19 economic recovery and rebuild through, when appropriate, the support and promotion of New Zealand as a safe and attractive place to travel to and trade with
  - contributing to government's transport outcomes as described in the proposed new Civil Aviation Act, including:
    - the operation of a safe and secure civil aviation system
    - an accessible, safe, sustainable, resilient, and productive transport system
    - an efficient, effective and innovative civil aviation system
  - protecting New Zealand from pests and diseases at the border
  - preventing the import and export of prohibited goods, and
  - the management of non-citizens seeking to enter New Zealand.
13. The overall objective of the proposals in this paper is to enable airports and government agencies, including aviation regulators and border agencies, to work together more strategically to achieve public policy objectives and meet airports' needs. This will give airports more certainty about agencies' requirements for their commercial decision making and infrastructure planning in the COVID-19 recovery and post-recovery phases. It is also intended that this will facilitate a better on-going relationship between airports and government agencies, which should create on-going efficiencies and further benefits for both parties.

## Not Government Policy

### **The current regulatory regime does not create the most effective operating model for airports**

14. A number of issues have been identified with the current regulatory model.

*Incentives are often not sufficiently well aligned*

15. All parties - government agencies, airports and airlines – have incentives to ensure safe, secure and efficient aviation, smooth passenger facilitation and good passenger experiences at airports and have an interest in preserving the reputation of New Zealand airports as competitive and safe destinations as discussed above.

16. However, airports' short and medium term commercial incentives can compete with these objectives, leading them to prioritise commercial outcomes where there are choices. For example, an airport may choose to invest first and more heavily in profit making parts of its business, while applying a just-in-time, or minimum required, investment approach to other parts of its business. Increasing revenue will be important for airports trying to rebuild commercial revenue streams as quickly as possible once passengers start returning.

17. At the same time, government agencies may not always provide sufficient advance warning of their medium to long-term infrastructure needs at airports, and do not always provide a coordinated approach across agencies, making it difficult for airports to incorporate border agencies needs into their long term planning.

18. These factors can lead to inadequate space, infrastructure and investment being prioritised for facilities that would contribute to government objectives and needs.

*The current Airport Authorities Act 1966 provides powers but is not clear enough on responsibilities*

19. Airports are currently subject to the Airport Authorities Act 1966, which provides for the establishment and operation of airports by airport authorities. It sets out the powers and responsibilities of airport authorities, local authorities and the Crown in relation to airports, including the requirement to operate commercially. It establishes consultation requirements for airport pricing and certain capital expenditure.

20. Airports receive a number of legal rights under this Airport Authorities Act as part of their operation (for example, the ability to access land, change leases etc.). Through submissions on the Civil Aviation Bill submitters have raised concerns about these powers and the ability they give airports to override a number of rights around things like leases, with little consultation.

21. In part airports have these rights, because alongside them they have legal obligations to manage risks at airports. However, these obligations are not always clear, and are not supported by appropriate graduated compliance mechanisms.

22. The Airport Authorities Act does not clearly set out airport responsibilities in relation to security and border requirements, or asset management, to meet transport outcomes. This is left to other legislation, which has limited powers.

23. Much of the legislation requiring airports to provide space and facilities<sup>1</sup> does not specify what this looks like, leading to areas being provided which may not be sufficient to deliver outcomes needed and achieve efficient passenger facilitation.

24. Interventions are not sufficiently flexible, scalable or coordinated. The regulatory tools for ensuring effective compliance and cooperation by airports are limited and, in many cases, ineffective.

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<sup>1</sup> Including the Customs and Excise Act 2018, the Biosecurity Act 1993, the Immigration Act 2009, and Civil Aviation Rules.

## Not Government Policy

25. In some limited cases, agencies can prosecute an airport that is non-compliant with their duties or obligations under transport or border legislation. However, maximum penalties under these provisions tend to be relatively small, for example \$25,000 in Customs legislation and \$30,000 under Civil Aviation Rules. These amounts do not provide sufficient incentive when dealing with an airport with annual revenue in the hundreds of millions of dollars.
26. In the event of non-compliance, agencies can also take stronger measures, such as suspending, revoking or varying an airport's aviation document or other approval to operate as a port of entry. However, this would be a drastic measure at larger international airports, where such action would effectively shut down air transport operations and have widespread adverse outcomes for New Zealand.
27. Under Civil Aviation Rules<sup>2</sup> a holder of an aerodrome operator certificate must establish a maintenance programme, including preventive maintenance if appropriate, for maintaining the aerodrome facilities in a condition that does not impair the safety, security, regularity, or efficiency of aircraft operations.
28. While this goes some way toward achieving our objectives, these operational rules focus on maintenance requirements and narrower and shorter term issues around risk to aviation safety, security, and in a medium term context, the regularity and efficiency of flights. They are not primarily designed to encourage longer term thinking or incentivise investment in asset maintenance to deliver on broader transport outcomes like reputation, resilience, productivity and accessibility.
29. These issues could become more challenging in the recovery phase along with the continued evolving border and security requirements coupled with eventual volume growth and major airport infrastructure planning in the post recovery phase. It is critical that the government and airports work together for mutually beneficial outcomes for the immediate period and long-term.

### **There is an opportunity to address these issues through the Civil Aviation Bill**

30. As you are aware, a Civil Aviation Bill (the Bill) to repeal and replace the Civil Aviation Act 1990, and the Airport Authorities Act is being developed. Industry made substantive submissions on the exposure draft of the Bill which are being worked through. The Bill is a once in a generation opportunity to reshape the civil aviation regulatory system, including the regulation of airports.
31. The exposure draft released in 2019 proposes to carry over some provisions in the Airport Authorities Act that provide for airport authority status while removing some obsolete provisions. The review of the Airport Authorities Act presents an opportunity to assess the overall regulatory framework which applies to airports, and consider whether additional measures could incentivise airports, airlines and government (transport, aviation safety and security, and border agencies) to work together more effectively to achieve policy objectives and meet airports needs.
32. Given the impact of COVID-19 on the economy and the critical role that airports will play in the recovery, and to future-proof against new potential threats, the Government considers addressing these issues to be more important than ever.

- |   |
|---|
| <ol style="list-style-type: none"><li>1. Do you agree with this characterisation of the issues? If not, please describe why.</li><li>2. Can you provide examples or evidence of the issues?</li></ol> |
|---|

<sup>2</sup> Civil Aviation Rule Part 139.103.



## Not Government Policy

### *Option One – Use existing levers better*

33. Agencies could use existing powers under each agency's legislation, and engagement through the Border Sector Governance Group<sup>3</sup>, and airport forums, to work with airports to better deliver government outcomes. Ministers could also provide support in ensuring the Government's objectives are well understood and implemented.
34. It could be argued that, as current engagement processes with airports are improving, agencies could achieve better outcomes without a further regulatory response being needed.
35. Despite the positive relationship government generally has with airports, we think the issues with the current regulatory arrangements should be addressed in a sustainable way while we have the opportunity in the Bill.
36. Continuing to rely solely on existing, disparate, legislation would not address issues.

### *Option Two – Strengthen existing levers*

37. Option Two is the creation of stronger and better aligned powers, remedies, and graduated penalties in the aviation and border sector legislative frameworks.
38. This approach would better meet border and aviation security sector outcomes by setting out clear expectations and processes, through regulation.
39. The issues with this option are:
  - it does not address the airports' concern about agencies not signalling their needs in advance, or aligning their needs at airports across government
  - it involves multiple regulatory approaches that may address individual agency issues, but not in a way that encourages a collective approach by the relevant parties to build relationships, understanding and joint planning
  - it relies on punitive action by regulators
  - it does not provide clear incentives for airports to contribute to Government's transport or border outcomes.

### *Option Three – Licensing*

40. Option Three is to develop an airport licensing regime within civil aviation legislation. Under this option, a person operating an airport would need a licence for that airport from the Secretary for Transport. The licence would set eligibility criteria for holding such a licence, including criteria that the applicant is capable of effectively performing its airport licensee obligations.
41. Airport licensee obligations would be graduated depending on the class of airport: operators of small domestic airports would be subject to minimal requirements, while airports critical for aviation security and border outcomes would be subject to a higher degree of scrutiny.
42. As part of the licence obligations under this option, the various parties would need to meet the following requirements:

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<sup>3</sup> The Border Sector Governance Group comprises of Chief Executives of the Ministry of Transport, the Aviation Security Service, the Ministry for Primary Industries, Customs, and Immigration New Zealand (Ministry of Business, Innovation and Employment).

## Not Government Policy

Proposed requirements on Airports	Purpose
<p>a Engage with aviation regulators and border and security agencies in their strategic and spatial planning, including increases/changes in air services as applicable. Agencies would be expected to outline their future needs and requirements to support the airport's infrastructure planning.</p>	<p>This would ensure that both airports and agencies discuss their future needs, and provides agencies with more advanced warning of increases in airline capacity needed at those airports.</p>
<p>b Meet any requirements specified by the chief executives and/or directors of aviation regulators and security or border agencies for provision of aviation and border services for that airport.</p>	<p>This is not a new requirement, but rather links to the current requirements in the aviation security and border sector agencies' legislative frameworks, which allow government to impose these requirements on airports.</p>
<p>c Engage with government agencies on its role in supporting the purposes of the Civil Aviation Act, and ensure that infrastructure planning contributes to transport outcomes, including achieving an accessible, safe, sustainable, resilient, and productive transport system.</p>	<p>This ensures airports consider broader transport outcomes and "come to the table" and be held to any commitments they make. I.e. their powers they are provided under legislation are more clearly balanced with their obligations.</p>
<p>d If required to do so, provide, and implement, action plans for how the airport is going to meet these government agency requirements. Airports required to provide an action plan would be required to engage with the agencies, and other relevant parties (e.g. airlines), in developing the plan. Action plans would need to be accepted by the Secretary for Transport, after approval by the relevant agencies. Action plans would be reviewed annually.</p>	<p>This puts more rigour around the licence obligations by setting out a process for an action plan to be developed by an airport that transparently lays out how it will meet its obligations, including the aviation safety and security, and border security requirements. The Secretary for Transport has been chosen as the government role best positioned to consider both agency needs and the economic sustainability of airports.</p> <p>It is also intended to ensure government agencies outline their future needs and requirements, and align these where possible, to support the airport with effective infrastructure planning. It is not intended to limit agencies' powers under other legislative regimes related to airports (including approvals and planning). Where possible these action plans should align with the timing of airport master planning.</p>
<p>e Report on compliance with airport licensee obligations, and with action plans and milestones. Changes to milestones would need to be negotiated.</p>	<p>This is intended to provide some flexibility for airports to be able to manage unforeseen consequences, or changes to agencies requirements, but also to in form action to prevent unnecessary delays.</p>
<p>f If the airport materially contravenes an airport licensee obligation (e.g. an action plan or milestone), the regulator can censure the airport, require the licensee to submit a remedial plan, give a direction, or in extreme cases, suspend or cancel the licence. Contraventions would also be enforceable in a court, and give rise to monetary penalties and other orders.</p>	<p>This would provide a range of incentives to encourage compliance, rather just the blunt powers currently available.</p>

3. Are there any other options or variations on the options that should be considered to address the issues?

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### Impact assessment criteria

43. We have assessed these options against the following criteria:

Number	Criteria	Description
1	Effectiveness	How well does the option support the public policy objectives (transport, border, aviation safety and security, and civil aviation bill purposes) and enable airports to plan and operate successfully?
2	Administrative efficiency	How costly would the regime be to implement over the short and long term? Where will those costs fall?
3	Transparency/alignment	How well does the option signal intention and obligations to agencies and participants, and align with master planning requirements?

### Impact Analysis Table

	No action – Update and transfer AA Act provisions to CA Act	Option One – Use Existing Levers Better	Option Two – Strengthen Existing Levers	Option Three – Licensing (preferred option)
<b>Effectiveness</b>	0 No change or impact	0 No change. Agencies continue to have insufficient levers to ensure airports invest in adequate space and infrastructure, including core airport safety infrastructure, to support government policy objectives at airports and the border.	+ It may address agency issues, but does not encourage parties to the table to build relationships and understanding, nor address the airports' concern about agencies not signalling their needs in advance, or aligning their airports' needs across government.	++ Provides more negotiation power for the agencies, but also enables airports and agencies to agree pragmatic solutions. Provides better incentives for compliance, and provides for better transport, aviation and border outcomes. Aligns with an airport master planning.
<b>Administrative Efficiency</b>	0 No change or impact	0 No change or impact.	- It would involve multiple regulatory approaches across agencies, resulting in the same or increased administrative costs across agencies and for airports.	- While there are still multiple regulatory approaches, greater coordination will encourage efficiencies. There may be some transitional costs for airports in the short term. We expect limited medium to long-term impacts on costs for airports, given this option is primarily designed to strengthen requirements airports already have to meet.

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<p><b>Transparency/alignment</b></p>	<p>0 No change or impact.</p>	<p>- Existing problem remains or potentially worsens.</p>	<p>+ Does not address the airports' concern about agencies not signalling their needs in advance, or aligning their airports' needs across government.</p>	<p>++ Encourages greater transparency. Clearly signals intentions and obligations to participants. Ensures that airports and agencies discuss and plan future needs. Provides agencies with more advanced warning of increases in capacity needed at airports.</p>
<p><b>Overall assessment</b></p>	<p>0 No change or impact.</p>	<p>0 Would not substantively change the status quo or address the objectives.</p>	<p>- May address agency issues, but does not address the airports' concern about agencies not signalling their needs in advance, or aligning their airports' needs across government. Does not encourage parties to the table.</p>	<p>+ Provides more negotiation power for agencies, but also enables airports and agencies to agree pragmatic solutions. Addresses the airports' concerns about agencies not signalling their needs in a cross government manner. Leaves it to airports to develop a plan, if required, that works for them and the agencies. Provides for better transport, aviation and border outcomes.</p>

**Key:**

- ++ much better than doing nothing/the status quo
- + better than doing nothing/the status quo
- 0 about the same as doing nothing/the status quo
- worse than doing nothing/the status quo
- much worse than doing nothing/the status quo

**The preferred approach is an airport licensing regime**

44. The preferred approach is to introduce an airport licensing regime, building on those provisions transferred from the Airports Authorities Act into the Bill.
45. The airport licensing regime aims to provide greater balance between government objectives and airport's commercial objectives, and the rights and obligation of airports. It recognises that along with significant commercial benefits are derived from operating airports, airports have obligations to support transport and border security outcomes, and manage the risks of these ports operating.

## Not Government Policy

46. This becomes increasingly important during the COVID-19 recovery phase to the new normal, and in preparedness for any future significant events. Health screening may become a feature of border controls like security, or biosecurity, screening. Airports will need to address these new requirements, as well as re-establishing then ramping up traditional border requirements as passenger numbers begin to increase over time, while also rebuilding their own commercial business.
47. An airport licencing regime is not intended to limit border or security agencies' powers under other legislative regimes related to airports (including approvals and planning). It is designed to support those systems and the Civil Aviation Act and fill a regulatory gap by acknowledging the role of multiple regulatory systems. It will provide for a more coordinated approach between agencies by encouraging long term engagement and planning to ensure all parties' needs are accounted for.
48. The expected benefits of licensing for airports are that it:
- provides for coordination, cross-agency engagement and communication around any new border requirements and the relationship with existing requirements
  - provides for early, cross-agency engagement around aviation safety and border security medium to long-term term requirements
  - aligns with an airport's own master planning
  - leaves it to the airport to develop a plan, if required, that works for it and the agencies
  - enables airports and agencies to agree pragmatic solutions, as there is greater surety that plans and timeframes will be met
  - facilitates the take-up of new border technologies and processes that could result in more effective or simplified passenger processing at airports, and
  - gives airports assurance they are meeting the regulatory obligations required of them by legislation.
49. The benefits of this option for delivery of government outcomes are that it:
- provides greater assurance that airports can enable any new requirements that are critical to ensuring the border can remain open and that confidence can grow in New Zealand's ability to facilitate the safe movement of passengers and goods through our airports
  - enables for greater resilience in dealing with any future significant events
  - provides for better transport, aviation safety and security, and border outcomes
  - leverages off the purposes of the proposed new Act and other legislative frameworks and requirements
  - encourages greater transparency
  - requires engagement between affected parties and others like airlines
  - provides more negotiation power for the agencies, but also enables airports and agencies to agree pragmatic solutions, as there is greater surety that plans and timeframes will be met
  - ensures border agencies can plan their medium to long-term service delivery needs with confidence because space, infrastructure and facility requirements are agreed, and
  - provides better incentives for compliance.
50. There may be some transitional costs for airports associated with this option as people transition to the new regime and learn to work within the framework. However, we expect limited medium to long-term impacts on costs for airports, given that much of this option is concerned with strengthening processes around aviation safety and security and border requirements that already apply to airports, and which they should be meeting now.

## Not Government Policy

51. We would also need to design an orderly and efficient transition from current airport authorisations under the Airport Authorities Act to licences granted under the new Act. This would not be all done at once, and would provide for airports to keep operating under the old law or to operate under transitional licences during a transition period.
52. It is intended that this option will facilitate a better on-going relationship between airports and government, which could create efficiencies and further benefits for both parties.
53. A licensing regime would have administrative costs for agencies. We do note, however, that airports and agencies already put in considerable effort to consult with each other.
54. An airport licensing regime has a strong role in the government's recovery programme for COVID-19, as well as being important for the ongoing interaction between government and airports. It will help to ensure that both parties achieve mutually beneficial outcomes for the immediate period and long-term.

- |  |
|--|
| <ol style="list-style-type: none"><li>4. What do you think the benefits of this approach would be?</li><li>5. What would be the impacts and costs of this approach for your business?</li><li>6. Is there any other information we should use to assess the estimated costs and benefits of this approach?</li></ol> |
|--|

### International comparisons

55. It is difficult to compare international regimes due to the different ways that airports are owned, operated and regulated. For instance, in the United States most commercial airports are owned by state or federal government meaning airport and government objectives are closely aligned.
56. The closest comparable regimes are likely to be Australia and the United Kingdom (UK), both of which regulate airports in a more comprehensive way than New Zealand.
57. At the UK's largest airports, the UK Civil Aviation Authority is charged with ensuring that the airport is meeting its safety and security requirements, as well as ensuring it meets the needs of airport users including in relation to cost and quality of service. The airports hold a license, which allows for graduated compliance mechanisms, and the ability to address concerns outside of the areas of safety, security and border requirements.
58. Australia's main airports are required to submit master plans which set out the long term development plans at airports. These master plans are developed and agreed in consultation with government departments, and provide a framework to support coordinated development at airports to meet public policy objectives.

### Next steps

59. We intend to set up meetings with key stakeholders to discuss the proposals set out in this consultation paper in more detail. This will help us gain a deeper understanding of the costs and impacts on airports. Information from this feedback will help inform final decisions.

**Shrutika Shrivastava**

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Monday, 13 July 2020 11:46 am  
**To:** Abi Wyatt  
**Cc:** Tom Forster; Andrew Palmer  
**Subject:** RE: North Shore Airport - application for Airport Authority Status  
**Attachments:** Attachment 3.pdf; Airport Authority Opinion.pdf; Attachment 1.pdf; Attachment 2.pdf

Dear Abi,

Thank you for your email of 7th July 2020.

Our apologies for the confusion in regard to the applicant. The applicant is North Shore Aero Club Inc. North Shore Airport is a brand of North Shore Aero Club Inc but not an independent legal entity.

The application to become an Airport Authority has been discussed with Auckland Council [REDACTED] s 9(2)(a) [REDACTED] s 9(2)(a) [REDACTED] during several of our meetings with them in regard to the AUP-OP, Structure Plan, etc. The matter has also been discussed with s 9(2)(a) [REDACTED] in some detail and several other senior persons at Auckland Council are well aware including s 9(2)(a) [REDACTED] s 9(2)(a) [REDACTED]. Please find attached some documents (attachments 1 to 3) evidencing this.

In regard to our immediate neighbours, consultation with them has been by proxy of the AUP-OP process and therefore we have not consulted with them directly on the matter of the Airport Authority application. The AUP-OP process first saw public engagement in 2013. Since that initial public consultation engagement, there have been many public meetings, formal opportunities for consultation, submission periods and independent hearings. NSAC has made scores of submissions over the years and those submissions detail NSAs position and future plans, all of which have been publically available and critiqued throughout this process. This is further evidenced in the North Shore Airport Topic Report produced by Auckland Council in December 2017 which says:

*"It [the Topic Report] has been informed by the Future Urban Land Supply Strategy 2017(FULSS), Supporting Growth Programme 2016 (Transport for Future Urban Growth) submissions and hearing submitted by the North Shore Aero Club and other interested parties"*

Unfortunately, it is not practical to provide a summary schedule of the submissions, as the consultation process has spanned many years through multiple layered formal and informal processes, mostly interlinked with the AUP-OP process. I have taken the opportunity to attached a letter from Haines Planning for your reference which may prove helpful.

We are aware of the impending change in legislation including the proposed shift to a licensing framework. Having read the documentation, we support the proposed intent of the changes which aligns with North Shore management thinking and further underscores the reason and timeliness of this application. We are of a view to continue with the application under the current framework regardless of any changes, particularly as the timeframes for such changes are uncertain, and we are committed to continuing to implement best practise at North Shore Airport which is particularly relevant in the current environment. We will need to comply with future legislated changes and note that there will likely be a mechanism contained within the legislation for changing over the current approvals to the proposed when that occurs. We look forward to consulting with you on the matter in due course, although the majority of our opinion will likely be conveyed on our behalf by the New Zealand Airports Association.

We would welcome the opportunity to discuss these matters further should you desire and would like to suggest we could arrange a Zoom meeting, or alternatively we could come meet with you in person in Wellington in the near future.

Kind Regards

John Punshon  
General Manager

### North Shore Aero Club



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: john@nsac.co.nz W: www.nsac.co.nz

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Please consider the environment and only print this email if necessary.

**From:** Abi Wyatt [mailto:A.Wyatt@transport.govt.nz]  
**Sent:** Tuesday, 7 July 2020 2:08 pm  
**To:** John Punshon <john@nsac.co.nz>; NSAC President <president@nsac.co.nz>  
**Cc:** Tom Forster <t.forster@transport.govt.nz>; Andrew Palmer <A.Palmer@transport.govt.nz>  
**Subject:** North Shore Airport - application for Airport Authority Status

Kia ora John and David

Thank you for sending through North Shore Airport's application for Airport Authority Status to the Ministry of Transport.

We have read through the application and have a couple initial questions which have to come to mind. We don't expect a formal response to these questions and would be happy to discuss further if required.

#### Who is applying?

It is unclear from your application who is applying for Airport Authority Status. I assume the entity you are applying under is the North Shore Aero Club (Inc.), being the owner and operator of the Airport? Your application references North Shore Airport, is that a legal entity in its own right, a trading name, or a separate business division of the Aero Club?

#### What consultation have you done?

Could you please clarify whether you have discussed your application for Airport Authority Status with immediate neighbours and Auckland Council? If so, it would be appreciated if you could you send us a brief outline of their feedback to you on the matter.

It has also been noted that you believe public consultation on the matter is not required as it was sufficiently covered during the progression of the AUP-OP. If at all possible, could you please attach a summary of submissions from that consultation process?

#### Are you aware of the impending legislation change?

The Ministry of Transport is currently working on a Bill to repeal and replace the Civil Aviation Act and Airport Authorities Act with an updated piece of legislation. As part of this project, we are currently consulting on some changes to the airport authority regime. The proposed change is a shift from the current authorisation framework to



a licensing regime, which will clarify the rights, responsibilities and obligations of authorised airports. More information is contained in the attached consultation document. Although this is aimed at larger airports, we are happy to discuss the implications for smaller airports with you.

We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
**Ministry of Transport - Te Manatū Waka**

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s 9(2)(b)(ii), s 9(2)(ba)(i)

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**Shrutika Shrivastava**

---

**From:** Abi Wyatt  
**Sent:** Friday, 31 July 2020 1:37 pm  
**To:** John Punshon  
**Cc:** Andrew Palmer; Tom Forster; James Macleod  
**Subject:** RE: North Shore Airport - application for Airport Authority Status

Tēna koe John

I apologise for the delay in getting back to you.

We have considered your request to bypass community consultation in light of it being sufficiently covered in the Auckland Unitary Operative Plan in Part. After some discussion at the Ministry, we have decided that separate community consultation, as it specifically relates to requiring Airport Authority Status, is necessary to provide those affected with an open, transparent process, and to engage with the most up-to-date residents living in the area about the proposed change.

While it is still early days, consultation is likely to take the form of letters to residents of the North Shore community, which will provide basic information about the proposed change, where they can go for more information, and how to make a submission if that is something they wish to do. Any other relevant stakeholders will also be contacted to make a submission. We will continue to keep you informed as we progress through consultation, if there are any changes and update you when we plan on going out to the community.

Lastly, in order to better inform the community on why North Shore Airport wants Airport Authority Status, which includes any intentions for future airport growth, we were wondering whether your Master Plan and/or other planning documents are public, or if they will likely soon be?

I would also like to mention here that any public opposition or negative feedback we receive does not necessarily mean you won't be approved for Airport Authority Status. We assess all cases on their individual merit.

Please do not hesitate to contact me further if you have any questions.

Ngā mihi  
 Abi

**Abigail Wyatt**  
 Policy Advisor, Economic Regulation  
 Ministry of Transport - Te Manatū Waka

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**From:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>  
**Sent:** Monday, 13 July 2020 11:46 AM  
**To:** Abi Wyatt <[A.Wyatt@transport.govt.nz](mailto:A.Wyatt@transport.govt.nz)>  
**Cc:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>  
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We would welcome the opportunity to discuss these matters further should you desire and would like to suggest we could arrange a Zoom meeting, or alternatively we could come meet with you in person in Wellington in the near future.

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



T: 0800 4 WINGS T: 09 426 4273 s 9(2) 1  
E: john@nsac.co.nz W: www.nsac.co.nz

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**From:** Abi Wyatt [<mailto:A.Wyatt@transport.govt.nz>]

**Sent:** Tuesday, 7 July 2020 2:08 pm

**To:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>; NSAC President <[president@nsac.co.nz](mailto:president@nsac.co.nz)>

**Cc:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>

**Subject:** North Shore Airport - application for Airport Authority Status

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What consultation have you done?

Could you please clarify whether you have discussed your application for Airport Authority Status with immediate neighbours and Auckland Council? If so, it would be appreciated if you could you send us a brief outline of their feedback to you on the matter.

It has also been noted that you believe public consultation on the matter is not required as it was sufficiently covered during the progression of the AUP-OP. If at all possible, could you please attach a summary of submissions from that consultation process?

Are you aware of the impending legislation change?

The Ministry of Transport is currently working on a Bill to repeal and replace the Civil Aviation Act and Airport Authorities Act with an updated piece of legislation. As part of this project, we are currently consulting on some changes to the airport authority regime. The proposed change is a shift from the current authorisation framework to a licensing regime, which will clarify the rights, responsibilities and obligations of authorised airports. More information is contained in the attached consultation document. Although this is aimed at larger airports, we are happy to discuss the implications for smaller airports with you.

We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
**Ministry of Transport - Te Manatū Waka**

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**Shrutika Shrivastava**

---

**From:** Abi Wyatt  
**Sent:** Friday, 7 August 2020 3:18 pm  
**To:** John Punshon  
**Cc:** Andrew Palmer; Tom Forster; James Macleod  
**Subject:** RE: North Shore Airport - application for Airport Authority Status

Hi John

No worries at all. Thank you for that information, and that would be fantastic if you could prepare a summary document as you describe. Do you have a rough idea on when we could expect that from you?

Cheers,  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

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**From:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>  
**Sent:** Friday, 7 August 2020 3:09 PM  
**To:** Abi Wyatt <[A.Wyatt@transport.govt.nz](mailto:A.Wyatt@transport.govt.nz)>  
**Cc:** Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>; Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; James Macleod <[J.Macleod@transport.govt.nz](mailto:J.Macleod@transport.govt.nz)>  
**Subject:** RE: North Shore Airport - application for Airport Authority Status

Hi Abi,

Sorry, my turn to be slow to respond this time...

The Airport Master Plan is not a secret document and is essentially public. However, we appreciate it is a significant publication in magnitude and not necessarily that easy to digest. If you wish to circulate or publish information as to why North Shore Airport is applying to be granted Airport Authority status, may I suggest we provide some consolidated summary information that is a little more digestible while still showcasing the relevant points? If you think that is a satisfactory way forward, we will prepare that and share it with you.

I look forward to hearing your thoughts.

Kind Regards

John Punshon  
General Manager

[s 9\(2\)\(a\)](#)



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**From:** Abi Wyatt [<mailto:A.Wyatt@transport.govt.nz>]

**Sent:** Friday, 31 July 2020 1:37 pm

**To:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>

**Cc:** Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>; Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; James Macleod <[J.Macleod@transport.govt.nz](mailto:J.Macleod@transport.govt.nz)>

**Subject:** RE: North Shore Airport - application for Airport Authority Status

Tēna koe John

I apologise for the delay in getting back to you.

We have considered your request to bypass community consultation in light of it being sufficiently covered in the Auckland Unitary Operative Plan in Part. After some discussion at the Ministry, we have decided that separate community consultation, as it specifically relates to requiring Airport Authority Status, is necessary to provide those affected with an open, transparent process, and to engage with the most up-to-date residents living in the area about the proposed change.

While it is still early days, consultation is likely to take the form of letters to residents of the North Shore community, which will provide basic information about the proposed change, where they can go for more information, and how to make a submission if that is something they wish to do. Any other relevant stakeholders will also be contacted to make a submission. We will continue to keep you informed as we progress through consultation, if there are any changes and update you when we plan on going out to the community.

Lastly, in order to better inform the community on why North Shore Airport wants Airport Authority Status, which includes any intentions for future airport growth, we were wondering whether your Master Plan and/or other planning documents are public, or if they will likely soon be?

I would also like to mention here that any public opposition or negative feedback we receive does not necessarily mean you won't be approved for Airport Authority Status. We assess all cases on their individual merit.

Please do not hesitate to contact me further if you have any questions.

Ngā mihi  
Abi

**Abigail Wyatt**

Policy Advisor, Economic Regulation

Ministry of Transport - Te Manatū Waka

M: [9\(2\)\(a\)](tel:0922323232) | [www.transport.govt.nz](http://www.transport.govt.nz)

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**From:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>

**Sent:** Monday, 13 July 2020 11:46 AM

**To:** Abi Wyatt <[A.Wyatt@transport.govt.nz](mailto:A.Wyatt@transport.govt.nz)>

**Cc:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>

**Subject:** RE: North Shore Airport - application for Airport Authority Status

Dear Abi,

Thank you for your email of 7th July 2020.

Our apologies for the confusion in regard to the applicant. The applicant is North Shore Aero Club Inc. North Shore Airport is a brand of North Shore Aero Club Inc but not an independent legal entity.

The application to become an Airport Authority has been discussed with Auckland Council s 9(2)(a) s 9(2)(a) during several of our meetings with them in regard to the AUP-OP, Structure Plan, etc. The matter has also been discussed with s 9(2)(a) in some detail and several other senior persons at Auckland Council are well aware including s 9(2)(a) s 9(2)(a). Please find attached some documents (attachments 1 to 3) evidencing this.

In regard to our immediate neighbours, consultation with them has been by proxy of the AUP-OP process and therefore we have not consulted with them directly on the matter of the Airport Authority application. The AUP-OP process first saw public engagement in 2013. Since that initial public consultation engagement, there have been many public meetings, formal opportunities for consultation, submission periods and independent hearings. NSAC has made scores of submissions over the years and those submissions detail NSAs position and future plans, all of which have been publically available and critiqued throughout this process. This is further evidenced in the North Shore Airport Topic Report produced by Auckland Council in December 2017 which says:

*"It [the Topic Report] has been informed by the Future Urban Land Supply Strategy 2017(FULSS), Supporting Growth Programme 2016 (Transport for Future Urban Growth) submissions and hearing submitted by the North Shore Aero Club and other interested parties"*

Unfortunately, it is not practical to provide a summary schedule of the submissions, as the consultation process has spanned many years through multiple layered formal and informal processes, mostly interlinked with the AUP-OP process. I have taken the opportunity to attached a letter from Haines Planning for your reference which may prove helpful.

We are aware of the impending change in legislation including the proposed shift to a licensing framework. Having read the documentation, we support the proposed intent of the changes which aligns with North Shore management thinking and further underscores the reason and timeliness of this application. We are of a view to continue with the application under the current framework regardless of any changes, particularly as the timeframes for such changes are uncertain, and we are committed to continuing to implement best practise at North Shore Airport which is particularly relevant in the current environment. We will need to comply with future legislated changes and note that there will likely be a mechanism contained within the legislation for changing over the current approvals to the proposed when that occurs. We look forward to consulting with you on the matter in due course, although the majority of our opinion will likely be conveyed on our behalf by the New Zealand Airports Association.

We would welcome the opportunity to discuss these matters further should you desire and would like to suggest we could arrange a Zoom meeting, or alternatively we could come meet with you in person in Wellington in the near future.

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: john@nsac.co.nz W: www.nsac.co.nz

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**Sent:** Tuesday, 7 July 2020 2:08 pm  
**To:** John Punshon <john@nsac.co.nz>; NSAC President <president@nsac.co.nz>  
**Cc:** Tom Forster <t.forster@transport.govt.nz>; Andrew Palmer <A.Palmer@transport.govt.nz>  
**Subject:** North Shore Airport - application for Airport Authority Status

Kia ora John and David

Thank you for sending through North Shore Airport's application for Airport Authority Status to the Ministry of Transport.

We have read through the application and have a couple initial questions which have to come to mind. We don't expect a formal response to these questions and would be happy to discuss further if required.

Who is applying?

It is unclear from your application who is applying for Airport Authority Status. I assume the entity you are applying under is the North Shore Aero Club (Inc.), being the owner and operator of the Airport? Your application references North Shore Airport, is that a legal entity in its own right, a trading name, or a separate business division of the Aero Club?

What consultation have you done?

Could you please clarify whether you have discussed your application for Airport Authority Status with immediate neighbours and Auckland Council? If so, it would be appreciated if you could send us a brief outline of their feedback to you on the matter.

It has also been noted that you believe public consultation on the matter is not required as it was sufficiently covered during the progression of the AUP-OP. If at all possible, could you please attach a summary of submissions from that consultation process?

Are you aware of the impending legislation change?

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We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

s 9(2)(a) [www.transport.govt.nz](http://www.transport.govt.nz)

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**Shrutika Shrivastava**

---

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Monday, 24 August 2020 11:32 am  
**To:** Abi Wyatt  
**Cc:** Andrew Palmer; Tom Forster; James Macleod  
**Subject:** RE: North Shore Airport - application for Airport Authority Status  
**Attachments:** 20200821 - Airport Plan Summary.pdf

Hi Abi,

Sorry for the delay, COVID has upset the apple cart somewhat with the order of priority of projects the last 2 weeks. Please see the attached summary documents. Would these suffice for the purpose you have in mind?

Kind Regards

John Punshon  
 General Manager

**North Shore Aero Club**



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Awesome, thank you for that. Have a lovely weekend.

Abi

**Abigail Wyatt**  
 Policy Advisor, Economic Regulation  
 Ministry of Transport - Te Manatū Waka

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**Subject:** RE: North Shore Airport - application for Airport Authority Status

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I will try get something to you within the next few working days.

Kind Regards

John Punshon  
General Manager

### North Shore Aero Club



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**Subject:** RE: North Shore Airport - application for Airport Authority Status

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**Subject:** RE: North Shore Airport - application for Airport Authority Status



Hi Abi,

Sorry, my turn to be slow to respond this time...

The Airport Master Plan is not a secret document and is essentially public. However, we appreciate it is a significant publication in magnitude and not necessarily that easy to digest. If you wish to circulate or publish information as to why North Shore Airport is applying to be granted Airport Authority status, may I suggest we provide some consolidated summary information that is a little more digestible while still showcasing the relevant points? If you think that is a satisfactory way forward, we will prepare that and share it with you.

I look forward to hearing your thoughts.

Kind Regards

John Punshon  
General Manager

### North Shore Aero Club



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Abi

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Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

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We would welcome the opportunity to discuss these matters further should you desire and would like to suggest we could arrange a Zoom meeting, or alternatively we could come meet with you in person in Wellington in the near future.

Kind Regards

John Punshon  
General Manager

### North Shore Aero Club



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: [john@nsac.co.nz](mailto:john@nsac.co.nz) W: [www.nsac.co.nz](http://www.nsac.co.nz)

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**Subject:** North Shore Airport - application for Airport Authority Status

Kia ora John and David

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We have read through the application and have a couple initial questions which have to come to mind. We don't expect a formal response to these questions and would be happy to discuss further if required.

#### Who is applying?

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We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
**Ministry of Transport - Te Manatū Waka**

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**Shrutika Shrivastava**

---

**From:** Abi Wyatt  
**Sent:** Monday, 31 August 2020 2:09 pm  
**To:** John Punshon  
**Cc:** Andrew Palmer; Tom Forster; James Macleod  
**Subject:** RE: North Shore Airport - application for Airport Authority Status

Tēna koe John

Thank you for sending that through, and I apologise for my delayed reply.

I don't require any changes to the summary document you have attached, and would like to reiterate my appreciation for the time you have taken to put the document together for us - I believe it will better help the community understand why the airport wants authority status. I plan on publishing the document on the Ministry's webpage for consultation, it will feature alongside the submission process and other useful documents outlining what airport authority status is (I will inform you of when this webpage is set up).

As a quick update on other matters – after further discussion at the Ministry, we have decided some type of town hall engagement with the North Shore community is appropriate. This will aid in addressing any community concerns, and better inform those interested in the airport's future development plans. We also believe this will help the airport build good rapport with the community and, by natural extension, hopefully facilitate an ongoing understanding between all those involved. Before we finalise any details for town hall engagement, we will first seek your confirmation on a time and date that suit you.

It would be great if we can arrange a meeting with you to discuss any outstanding details or questions you may have, including on the proposed town hall community meeting. We are open to this being either in person here in Wellington, or online using Zoom or Teams.

We look forward to hearing from you and your meeting preference. In the meantime, if you have any questions, please don't hesitate to contact me.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

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General Manager

### North Shore Aero Club



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Hi Abi,

Sorry, my turn to be slow to respond this time...

The Airport Master Plan is not a secret document and is essentially public. However, we appreciate it is a significant publication in magnitude and not necessarily that easy to digest. If you wish to circulate or publish information as to why North Shore Airport is applying to be granted Airport Authority status, may I suggest we provide some consolidated summary information that is a little more digestible while still showcasing the relevant points? If you think that is a satisfactory way forward, we will prepare that and share it with you.

I look forward to hearing your thoughts.

Kind Regards

John Punshon  
General Manager

## North Shore Aero Club



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: john@nsac.co.nz W: www.nsac.co.nz

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**From:** Abi Wyatt [mailto:A.Wyatt@transport.govt.nz]

**Sent:** Friday, 31 July 2020 1:37 pm

**To:** John Punshon <john@nsac.co.nz>

**Cc:** Andrew Palmer <A.Palmer@transport.govt.nz>; Tom Forster <t.forster@transport.govt.nz>; James Macleod <J.Macleod@transport.govt.nz>

**Subject:** RE: North Shore Airport - application for Airport Authority Status

Tēna koe John

I apologise for the delay in getting back to you.

We have considered your request to bypass community consultation in light of it being sufficiently covered in the Auckland Unitary Operative Plan in Part. After some discussion at the Ministry, we have decided that separate community consultation, as it specifically relates to requiring Airport Authority Status, is necessary to provide those affected with an open, transparent process, and to engage with the most up-to-date residents living in the area about the proposed change.

While it is still early days, consultation is likely to take the form of letters to residents of the North Shore community, which will provide basic information about the proposed change, where they can go for more information, and how to make a submission if that is something they wish to do. Any other relevant stakeholders will also be contacted to make a submission. We will continue to keep you informed as we progress through consultation, if there are any changes and update you when we plan on going out to the community.

Lastly, in order to better inform the community on why North Shore Airport wants Airport Authority Status, which includes any intentions for future airport growth, we were wondering whether your Master Plan and/or other planning documents are public, or if they will likely soon be?

I would also like to mention here that any public opposition or negative feedback we receive does not necessarily mean you won't be approved for Airport Authority Status. We assess all cases on their individual merit.

Please do not hesitate to contact me further if you have any questions.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

s 9(2)(a) | [www.transport.govt.nz](http://www.transport.govt.nz)



**From:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>  
**Sent:** Monday, 13 July 2020 11:46 AM  
**To:** Abi Wyatt <[A.Wyatt@transport.govt.nz](mailto:A.Wyatt@transport.govt.nz)>  
**Cc:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>  
**Subject:** RE: North Shore Airport - application for Airport Authority Status

Dear Abi,

Thank you for your email of 7th July 2020.

Our apologies for the confusion in regard to the applicant. The applicant is North Shore Aero Club Inc. North Shore Airport is a brand of North Shore Aero Club Inc but not an independent legal entity.

The application to become an Airport Authority has been discussed with Auckland Council s 9(2)(a) during several of our meetings with them in regard to the AUP-OP, Structure Plan, etc. The matter has also been discussed with s 9(2)(a) in some detail and several other senior persons at Auckland Council are well aware including s 9(2)(a). Please find attached some documents (attachments 1 to 3) evidencing this.

In regard to our immediate neighbours, consultation with them has been by proxy of the AUP-OP process and therefore we have not consulted with them directly on the matter of the Airport Authority application. The AUP-OP process first saw public engagement in 2013. Since that initial public consultation engagement, there have been many public meetings, formal opportunities for consultation, submission periods and independent hearings. NSAC has made scores of submissions over the years and those submissions detail NSAs position and future plans, all of which have been publically available and critiqued throughout this process. This is further evidenced in the North Shore Airport Topic Report produced by Auckland Council in December 2017 which says:

*"It [the Topic Report] has been informed by the Future Urban Land Supply Strategy 2017(FULSS), Supporting Growth Programme 2016 (Transport for Future Urban Growth) submissions and hearing submitted by the North Shore Aero Club and other interested parties"*

Unfortunately, it is not practical to provide a summary schedule of the submissions, as the consultation process has spanned many years through multiple layered formal and informal processes, mostly interlinked with the AUP-OP process. I have taken the opportunity to attached a letter from Haines Planning for your reference which may prove helpful.

We are aware of the impending change in legislation including the proposed shift to a licensing framework. Having read the documentation, we support the proposed intent of the changes which aligns with North Shore management thinking and further underscores the reason and timeliness of this application. We are of a view to continue with the application under the current framework regardless of any changes, particularly as the timeframes for such changes are uncertain, and we are committed to continuing to implement best practise at North Shore Airport which is particularly relevant in the current environment. We will need to comply with future legislated changes and note that there will likely be a mechanism contained within the legislation for changing over the current approvals to the proposed when that occurs. We look forward to consulting with you on the matter in due course, although the majority of our opinion will likely be conveyed on our behalf by the New Zealand Airports Association.

We would welcome the opportunity to discuss these matters further should you desire and would like to suggest we could arrange a Zoom meeting, or alternatively we could come meet with you in person in Wellington in the near future.

Kind Regards

John Punshon  
General Manager

## North Shore Aero Club



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: [info@nsac.co.nz](mailto:info@nsac.co.nz) W: [www.nsac.co.nz](http://www.nsac.co.nz)

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**From:** Abi Wyatt [<mailto:A.Wyatt@transport.govt.nz>]

**Sent:** Tuesday, 7 July 2020 2:08 pm

**To:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>; NSAC President <[president@nsac.co.nz](mailto:president@nsac.co.nz)>

**Cc:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>; Andrew Palmer <[A.Palmer@transport.govt.nz](mailto:A.Palmer@transport.govt.nz)>

**Subject:** North Shore Airport - application for Airport Authority Status

Kia ora John and David

Thank you for sending through North Shore Airport's application for Airport Authority Status to the Ministry of Transport.

We have read through the application and have a couple initial questions which have to come to mind. We don't expect a formal response to these questions and would be happy to discuss further if required.

### Who is applying?

It is unclear from your application who is applying for Airport Authority Status. I assume the entity you are applying under is the North Shore Aero Club (Inc.), being the owner and operator of the Airport? Your application references North Shore Airport, is that a legal entity in its own right, a trading name, or a separate business division of the Aero Club?

### What consultation have you done?

Could you please clarify whether you have discussed your application for Airport Authority Status with immediate neighbours and Auckland Council? If so, it would be appreciated if you could send us a brief outline of their feedback to you on the matter.

It has also been noted that you believe public consultation on the matter is not required as it was sufficiently covered during the progression of the AUP-OP. If at all possible, could you please attach a summary of submissions from that consultation process?

### Are you aware of the impending legislation change?

The Ministry of Transport is currently working on a Bill to repeal and replace the Civil Aviation Act and Airport Authorities Act with an updated piece of legislation. As part of this project, we are currently consulting on some changes to the airport authority regime. The proposed change is a shift from the current authorisation framework to a licensing regime, which will clarify the rights, responsibilities and obligations of authorised airports. More information is contained in the attached consultation document. Although this is aimed at larger airports, we are happy to discuss the implications for smaller airports with you.

We look forward to your reply.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

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**Shrutika Shrivastava**

---

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Friday, 26 March 2021 3:36 pm  
**To:** Abi Wyatt  
**Cc:** Tom Forster  
**Subject:** RE: Questions on application for Airport Authority Status

Dear Abi,

Thank you for your email of 23rd March 2021. The questions raised require a more comprehensive answer than bullet points will facilitate. North Shore Airports Master Plan and potential runway extension is a complex and dynamic concept in which flexibility and adaption are key requirements to achieve the objectives of the airport while minimising impact to the community.

To better understand North Shore Airports approach, we must consider the impact of the Auckland Unitary Plan ('AUP') and specifically the 'Silverdale West Dairy Flat Industrial Area Structure Plan' on the surrounding area. The AUP, masterminded by Auckland Council and in conjunction with infrastructure providers such as Auckland Transport and Waka Kotahi New Zealand Transport Agency, has determined the future housing availability and land use surrounding North Shore Airport. All surrounding land (with the exception of North Shore Aero Park) is earmarked for business and industrial use. Therefore, under the AUP, existing lifestyle residential properties will disappear to make way for said business and industrial redevelopment. The AUP specifies that there will be no houses surrounding North Shore Airport.

Furthermore, any airport expansion discussed in the Master Plan is indicative only. The layout, location and even the feasibility of all aspects of the plan are yet to be finalised. In fact, it will likely be several years before any firm intentions outside of our existing land boundaries are finalised. There could be design changes ranging from subtle to significant. With the advent of emerging technology over the next 30 years and the economic uncertainty in the current market place, it is also plausible that the plans could be scaled back overall.

Notwithstanding the above, it would be North Shore Airport's intent to leverage the AUP for development purposes. The areas into which any runway expansion would occur, as already mentioned, are designated for business and light industrial future urban use, NOT residential. The implications of the AUP are such that housing will be eliminated in the Dairy Flat area by the AUP. It is North Shore Airport's objective to ensure any airport expansion is confined to areas already rezoned under the AUP and thus eliminate any additional impact to housing altogether. In short, it is North Shore Airport's intent that there is a net zero impact on housing.

Effectively, the AUP has created the opportunity for the proposed expansion and by proxy of the AUP, the impact to the community caused by expansion of North Shore Airport is negated.

In relation to your question about accommodating Q300s on existing land, in theory this is feasible within the confines of the land we have. However, practicality would dictate an expansion to the South West.

All this said, it is important to note that the questions posed are not relevant to the granting of Airport Authority status in our opinion. Airport Authority status is not required to expand the airport, nor does the granting of Airport Authority status materially ease the difficulties in such an expansion. In other words, the two matters are not mutually exclusive and therefore should not be evaluated concurrently. North Shore Airport is providing comprehensive detail regarding its future expansion deliberations, by way of its Master Plan, in an exercise of transparency which is in keeping with the spirit of the Airport Authorities Act 1996.

We hope this adequately answers your questions and provides additional insight into the spirit of any development.

Kind Regards

John Punshon  
General Manager

## North Shore Aero Club



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**From:** Abi Wyatt [mailto:A.Wyatt@transport.govt.nz]  
**Sent:** Tuesday, 23 March 2021 11:08 am  
**To:** John Punshon <john@nsac.co.nz>  
**Cc:** Tom Forster <t.forster@transport.govt.nz>  
**Subject:** Questions on application for Airport Authority Status  
**Importance:** High

Tēna koe John

I hope this email finds you well.

As part of our assessment of the North Shore Airport's application we have a number of questions.

1. What is the likely impact of the airport's expansion plans on current and future housing around the airport (i.e. how many houses in the vicinity of the airport will be required to be acquired).
2. We note that your current sealed runway is around 791 metres and that you have aspirations to serve turbo props in the future. Does the current airport land allow you to expand the runway to cater for say the Q300 including an appropriately sized RESA? If not, how much land would you require to enable you do so? How many houses would this equate to?
3. Related to the question above - the Airport's Masterplan document, which outlines the Airport's future development plans, explains that land surrounding the airport (currently planned for comprehensive urbanisation) can be more appropriately designated for airport-related purposes once it obtains airport authority status and requiring authority status, which will protect the runway extension area. What does that equate to in the estimated the housing capacity loss?

We are in the process of developing advice and these are the sorts of questions that we will be asked by Ministers, so we want to ensure that we cover every possible angle.

It would be great if you can get back to us on the above by COP tomorrow. If you need more time, please let me know.

Ngā mihi  
Abi

**Abigail Wyatt**  
Policy Advisor, Economic Regulation  
Ministry of Transport - Te Manatū Waka

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**Shrutika Shrivastava**

---

**From:** Tom Forster  
**Sent:** Monday, 24 May 2021 6:32 pm  
**To:** John Punshon  
**Subject:** RE: Update

Hi John

s 9(2)(a)

Unfortunately there I no update. We are hoping to engage with the Minister on the application within the next three weeks or so.

Cheers  
 Tom

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Monday, 24 May 2021 9:59 AM  
**To:** Tom Forster <t.forster@transport.govt.nz>  
**Subject:** FW: Update

Hi Tom,

Hope all is well. I see from the auto reply that Abi is no longer with you. I sent her a quick message to ask if there was any update on progress. Just wondering if you could give me an update instead please?

Kind Regards

John Punshon  
 General Manager

**North Shore Aero Club**



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**From:** John Punshon  
**Sent:** Monday, 24 May 2021 9:40 am  
**To:** 'Abi Wyatt' <A.Wyatt@transport.govt.nz>  
**Subject:** Update

Hi Abi,

Just thought I'd touch base and see if you have any update on how the AA application is progressing?

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



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**Shrutika Shrivastava**

---

**Subject:** FW: Update

**From:** Tom Forster <t.forster@transport.govt.nz>  
**Sent:** Friday, 4 June 2021 10:00 am  
**To:** John Punshon <john@nsac.co.nz>  
**Cc:** CFI NSAC <cfi@nsac.co.nz>  
**Subject:** RE: Update

Hi John

The two are unrelated. Given the stage where the Bill is that is where we are concentrating our efforts for now as the Minister wants to introduce it by the end of July. We just don't have the resources to do the two at the same time.

Cheers  
 Tom

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Friday, 4 June 2021 9:50 AM  
**To:** Tom Forster <t.forster@transport.govt.nz>  
**Cc:** CFI NSAC <cfi@nsac.co.nz>  
**Subject:** RE: Update

Thanks for the update Tom,

Could you elaborate a little more on the relevance and implications of all of that please? It is not especially helpful when third parties know more about our application than we do.

Kind Regards

John Punshon  
 General Manager

**North Shore Aero Club**

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**From:** Tom Forster [mailto:t.forster@transport.govt.nz]  
**Sent:** Friday, 4 June 2021 9:46 am  
**To:** John Punshon <john@nsac.co.nz>

Cc: CFI NSAC <[cfi@nsac.co.nz](mailto:cfi@nsac.co.nz)>

Subject: RE: Update

Hi John

They are correct – I actually provided that information to them yesterday or the day before.

Cheers

Tom

From: John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>

Sent: Friday, 4 June 2021 9:42 AM

To: Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>

Cc: CFI NSAC <[cfi@nsac.co.nz](mailto:cfi@nsac.co.nz)>

Subject: RE: Update

Hi Tom,

Hope all is well, sorry to keep nagging you.

Just thought I'd share this with you. This has been posted by a local councillor. What is the Ministries position on this? The time component is not my concern. What I'm really interested in is the validity of the claim around the new bill. Look forward to hearing from you. Feel free to give me a call if it's easier.



## Dairy Flat and surrounding areas



Group post by Louise Johnston · 17 h ·

Hi Everybody, just a quick update from the Ministry of Transport on the North Shore Aero Club application to become an airport authority 'a decision has not yet been made. It may be a couple of months away at the earliest. The reason for the delay is that are working on 'the Civil Aviation Bill which we are working hard on getting introduced in the next 4-6 weeks. Once that is in the House, we they complete the work on the application.'



2 comments

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



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**From:** Tom Forster [mailto:t.forster@transport.govt.nz]  
**Sent:** Monday, 24 May 2021 6:32 pm  
**To:** John Punshon <john@nsac.co.nz>  
**Subject:** RE: Update

Hi John

s 9(2)(a)

Unfortunately there I no update. We are hoping to engage with the Minister on the application within the next three weeks or so.

Cheers  
Tom

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Monday, 24 May 2021 9:59 AM  
**To:** Tom Forster <t.forster@transport.govt.nz>  
**Subject:** FW: Update

Hi Tom,

Hope all is well. I see from the auto reply that Abi is no longer with you. I sent her a quick message to ask if there was any update on progress. Just wondering if you could give me an update instead please?

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



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**From:** John Punshon  
**Sent:** Monday, 24 May 2021 9:40 am  
**To:** 'Abi Wyatt' <A.Wyatt@transport.govt.nz>  
**Subject:** Update

Hi Abi,

Just thought I'd touch base and see if you have any update on how the AA application is progressing?

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



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**Shrutika Shrivastava**

---

**From:** Tom Forster  
**Sent:** Friday, 16 July 2021 2:10 pm  
**To:** John Punshon  
**Cc:** Sonya Van De Geer  
**Subject:** North Shore AA Application  
**Attachments:** Letter to North Shore re AA obligations - 16 July 2021.pdf

Hi John

I hope you are well?

Please find attached a letter on your application for Airport Authority status.

Kind regards

Tom

**Tom Forster** (he / his / Mr)

Kaiwhakahaere - Whakaritenga Ohaoha | Manager - Economic Regulation

**Te Manatū Waka Ministry of Transport**

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16 July 2021

John Punshon  
General Manager  
North Shore Aero Club

by email: [john@nsac.co.nz](mailto:john@nsac.co.nz)

Tēna koe John

Thank you for your patience as the Ministry considers the application for Airport Authority status submitted by the North Shore Aero Club Inc. We had hoped to be able to provide you with the Ministers decision before now.

However, as we consider the application in full, including submissions received, an additional issue has arisen that was not directly addressed by your application.

Specifically the issue is whether an incorporated society is able to assume all the powers and responsibilities of an airport authority and operate in accordance with the Airport Authorities Act.

We note that under section 4 of the Airport Authorities Act 1966, an airport must be operated by an authority as a "commercial undertaking". Given the legislative history of this section, we would like some further information from the North Shore Aero Club Inc as to how they plan to meet this requirement while also meeting their statutory requirements as an incorporated society under the Incorporated Societies Act 1906.

As you will be aware, an incorporated society can be made up of persons associated for any lawful purpose 'but not for pecuniary gain'.

By way of comparison, we note that in recent instances where an airport has been granted airport authority status, the applicants have been limited companies, not incorporated societies. As such the Minister was able to be satisfied that they were able to comply with the obligation to operate as a "commercial undertaking".

We look forward to receiving further information from North Shore Aero Club before we finalise advice to the Minister on whether to grant airport authority status.

Regards



Tom Forster  
Manager, Economic Regulation

**Shrutika Shrivastava**

---

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Monday, 2 August 2021 11:34 am  
**To:** Tom Forster  
**Cc:** Sonya Van De Geer  
**Subject:** RE: North Shore AA Application  
**Attachments:** 20210730 - Letter.pdf

Hi Tom,

My apologies for the delay in responding. Please find attached a letter relating to the questions raised in your email of 16<sup>th</sup> July.

Look forward to talking further soon.

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**

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**From:** Tom Forster [mailto:t.forster@transport.govt.nz]  
**Sent:** Friday, 16 July 2021 2:10 pm  
**To:** John Punshon  
**Cc:** Sonya Van De Geer  
**Subject:** North Shore AA Application

Hi John

I hope you are well?

Please find attached a letter on your application for Airport Authority status.

Kind regards

Tom

**Tom Forster** (he / his / Mr)

Kaiwhakahaere - Whakaritenga Ohaoha | Manager - Economic Regulation

**Te Manatū Waka Ministry of Transport**

s 9(2)(a) E: [t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz) | [transport.govt.nz](http://transport.govt.nz)



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29 July 2021

Dear Tom,

Thank you for your letter dated 16 July 2021 and the points raised within. As I understand it, you are requesting clarification on two matters:

1. Whether an Incorporated Society is able to assume the powers and responsibilities of an Airport Authority and operate in accordance with clause 4(3) the Airport Authorities Act 1966 ("AAA") which requires an airport to be operated as a "commercial undertaking";
2. Within the context of the first question, whether the requirements around pecuniary gain in the Incorporated Societies Act 1906 ("ISA") impede the ability of North Shore Aero Club Incorporated ("NSAC") to operate in accordance with the AAA.

The short answer to your questions is that the AAA and the ISA, do not in any way, prevent an Incorporated Society from being granted Airport Authority status.

In providing more detail, it is sensible to address the second question first. As you point out, clause 4(1) of the ISA states:

*"Any society consisting of not less than 15 persons associated for any lawful purpose but not for pecuniary gain, may ..."*

The reference to pecuniary gain in clause 4(1) of the ISA is in regard to the persons associated with the society, namely the members, not the society itself.

In the ISA this is confirmed in clause 5 and specifically clause 5(a) which states:

*"Persons shall not be deemed to be associated for pecuniary gain merely by reason of any of the following circumstances, namely:*

- (a) *that the society itself makes a pecuniary gain, unless that gain or some part thereof is divided among or received by the members or some of them"*

This clearly demonstrates the ability of the society, as an independent legal personality, to make a pecuniary gain so long as it is not passed on to the members. NSAC conducts itself entirely in accordance with these requirements.

Addressing the second question, NSAC already operates North Shore Airport as a commercial undertaking. As can be seen from our audited annual financial statements filed each year with Companies Office, which are freely available through the Companies Office website, NSAC produces



a respectable surplus each year. This surplus is derived primarily from our flight training and airport operations. The airport revenue itself comes from over 90 long term tenants, air transport operators via passenger levies and operating fees, flight training operations, car parking, and other airport usage fees.

The benefit of not being able to distribute funds to club members is of course that 100% of surplus earnings are retained within the organisation for ongoing reinvestment.

I trust this satisfies your enquiry and we continue to look forward to a positive recommendation to the Minister.

Kind Regards

John Punshon  
General Manager

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**Shrutika Shrivastava**

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**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Wednesday, 1 December 2021 3:27 pm  
**To:** Tom Forster  
**Cc:** Sonya Van De Geer; Seb (Parliament) Brown; Daryl Gillett  
**Subject:** RE: North Shore AA Application

Hi Tom and Seb,

Thank you for the update Tom.

Seb, it is a pleasure to be introduced and I look forward to working with you on this matter. If you, the Minister, or the Minister's office in general have any matters you wish to discuss, please do not hesitate to get in touch with me. In the meantime, I look forward to receiving a further update as soon as you have one.

Kind Regards

John Punshon  
 General Manager

**North Shore Aero Club**

**T:** 0800 4 WINGS **T:** 09 426 4273 **s 6(a)**  
**E:** john@nsac.co.nz **W:** www.nsac.co.nz

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**From:** Tom Forster [mailto:t.forster@transport.govt.nz]  
**Sent:** Wednesday, 1 December 2021 12:58 pm  
**To:** John Punshon <john@nsac.co.nz>  
**Cc:** Sonya Van De Geer <s.vandegeer@transport.govt.nz>; Seb (Parliament) Brown <Seb.Brown@parliament.govt.nz>  
**Subject:** RE: North Shore AA Application

Hi John

I hope you are well? I'm sure you will be interested in an update on your application for Airport Authority status and where things are at the moment.

The Minister is still in the process of considering whether airport authority status should be conferred on North Shore Airport. While I understand you are eager to know the outcome of this decision, it is unlikely that the Minister will be able to finalise a decision before the end of this year given other significant issues on the go.

Please be assured that the Minister is aware of the widespread interest in this matter. Seb Brown, the Transport Private Secretary in the Minister's office is the main contact, should you want to find out updates on where things are at. I have copied Seb into the email.

Kind regards

Tom

**Tom Forster**

s 9(2)(a) | E: [t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz) | [transport.govt.nz](http://transport.govt.nz)



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Kind Regards

John Punshon  
 General Manager

**North Shore Aero Club**



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Kind regards

Tom

**Tom Forster**

s 9(2)(a) | E: [t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz) | [transport.govt.nz](http://transport.govt.nz)



**TE MANATŪ WAKA**  
MINISTRY OF TRANSPORT

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---

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I hope you are well?

Please find attached a letter on your application for Airport Authority status.

Kind regards

Tom

**Tom Forster** (he / his / Mr)

Kaiwhakahaere - Whakaritenga Ohaoha | Manager - Economic Regulation

**Te Manatū Waka Ministry of Transport**

s 9(2)(a) | E: [t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz) | [transport.govt.nz](http://transport.govt.nz)



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**MINISTRY OF TRANSPORT**

**Wellington (Head Office)** | Ground Floor, 3 Queens Wharf | PO Box 3175 | Wellington 6011 | NEW ZEALAND | Tel: +64 4 439 9000 |

**Auckland** | NZ Government Auckland Policy Office | 45 Queen Street | PO Box 106238 | Auckland City | Auckland 1143 | NEW ZEALAND | Tel: +64 4 439 9000 |

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Kind regards

Tom

**Tom Forster**

s 9(2)(a) | E: [t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz) | [transport.govt.nz](http://transport.govt.nz)



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**From:** John Punshon <[john@nsac.co.nz](mailto:john@nsac.co.nz)>  
**Sent:** Monday, 2 August 2021 11:34 am  
**To:** Tom Forster <[t.forster@transport.govt.nz](mailto:t.forster@transport.govt.nz)>  
**Cc:** Sonya Van De Geer <[s.vandeger@transport.govt.nz](mailto:s.vandeger@transport.govt.nz)>  
**Subject:** RE: North Shore AA Application

Hi Tom,

My apologies for the delay in responding. Please find attached a letter relating to the questions raised in your email of 16<sup>th</sup> July.

Look forward to talking further soon.

Kind Regards

John Punshon  
General Manager

**North Shore Aero Club**



T: 0800 4 WINGS T: 09 426 4273 s 9(2)(a)  
E: [john@nsac.co.nz](mailto:john@nsac.co.nz) W: [www.nsac.co.nz](http://www.nsac.co.nz)

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**From:** Tom Forster [<mailto:t.forster@transport.govt.nz>]  
**Sent:** Friday, 16 July 2021 2:10 pm  
**To:** John Punshon  
**Cc:** Sonya Van De Geer  
**Subject:** North Shore AA Application

Hi John



**Minister of Transport | Minister for Workplace Relations and Safety | Deputy Leader of the House**  
Private Bag 18041 | Parliament Buildings | Wellington 6160 | New Zealand  
Email: [michael.wood@parliament.govt.nz](mailto:michael.wood@parliament.govt.nz)

**From:** John Punshon [<mailto:john@nsac.co.nz>]  
**Sent:** Tuesday, 18 January 2022 1:33 PM  
**To:** Seb Brown <[Seb.Brown@parliament.govt.nz](mailto:Seb.Brown@parliament.govt.nz)>  
**Subject:** RE: North Shore AA Application

Hi Seb,

Happy new year and I hope you had a good break.

Now we're back into things, I thought I'd touch base with you and see if there is any update on our Airport Authority application from your end? Look forward to hearing back from you.

Kind Regards

**John Punshon**  
CEO / General Manager

Email: [john@nsac.co.nz](mailto:john@nsac.co.nz)  
s 9(2)(a) Office: 09 426 4273

[nsac.co.nz](http://nsac.co.nz) | 0800 4 WINGS | @northshoreaeroclub @youflytrialflight



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**Cc:** Sonya Van De Geer <[s.vandegeer@transport.govt.nz](mailto:s.vandegeer@transport.govt.nz)>; Seb (Parliament) Brown <[Seb.Brown@parliament.govt.nz](mailto:Seb.Brown@parliament.govt.nz)>  
**Subject:** RE: North Shore AA Application

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Please be assured that the Minister is aware of the widespread interest in this matter. Seb Brown, the Transport Private Secretary in the Minister's office is the main contact, should you want to find out updates on where things are at. I have copied Seb into the email.

**Shrutika Shrivastava**

**From:** John Punshon <john@nsac.co.nz>  
**Sent:** Tuesday, 18 January 2022 2:55 pm  
**To:** Seb (Parliament) Brown  
**Subject:** RE: North Shore AA Application

Hi Seb,

Thank you for the update. If the Minister requires further information, please don't hesitate to contact me.

Kind Regards

**John Punshon**  
**CEO / General Manager**

Email: john@nsac.co.nz  
 s 9(2)(a) Office: 09 426 4273

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North Shore Aero Club



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**From:** Seb Brown [mailto:Seb.Brown@parliament.govt.nz]  
**Sent:** Tuesday, 18 January 2022 2:35 pm  
**To:** John Punshon <john@nsac.co.nz>  
**Subject:** RE: North Shore AA Application

Hi John

Thank you, Happy New Year too.

The Minister has not yet made a decision on whether airport authority status should be conferred on North Shore Airport. I expect he will do this in the coming weeks. The final decision would then need to be made by Cabinet.

As Tom mentioned below, please be assured that the Minister is aware of the community's interest in this matter. I will let you know once the Minister and Cabinet have made a final decision.

Thanks for your patience.

Kind regards

Seb Brown (he/his/Mr) | Hekeretari Motuhake | Private Secretary (Transport)

Office of Hon Michael Wood