

From: [REDACTED]
Sent: Tuesday, 6 October 2020 10:10 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission re North Shore Airport

This application is unreasonable as presented.

We are being asked to give up quiet enjoyment and property value for nothing return. The airport seeks to extend its reach/power from a hobbyist airport (which I am OK with) to an entity with larger commercial interests.

Many of these interests (particularly additional noise, restrictions on the airspace) are not aligned with the needs of the community. Further, the proposal does nothing to "give back" to the community or provide any kind of win-win scenario.

It may be appropriate to revisit this in the future after Auckland Council have finalised the urban plan for Dairy Flat, and it may be appropriate to revisit after the needs of the residents are considered.

I would appreciate it if this submission were provided to the applicants for comment - as it is possible that by working with the wider community there could be a win-win (much like the good-will Waste Managements interaction with the residents of Dairy Flat has provided).

Kind Regards,
David Go / [REDACTED]

From: Russell Westbrooke [REDACTED]
Sent: Thursday, 8 October 2020 12:18 PM
To: Airports <airports@transport.govt.nz>
Subject: Dairy Flat airport

Hi there

We would like to register our firm NO to a Domestic Airport in Postman's Road Dairy Flat.

Sincerely

Russell & Linda Westbrooke

Wilks Road

Dairy Flat

From: Mel Briant [REDACTED]
Sent: Friday, 9 October 2020 10:46 AM
To: Airports <airports@transport.govt.nz>
Subject: Dairy flat Airport

Hi there,

We would like to register our firm NO to a domestic airport in Postmans Road Dairy Flat.

Mel & Mike Briant

[REDACTED]

From: David Ronkowski [REDACTED]
Sent: Friday, 9 October 2020 12:48 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport - Proposal for airport authority status

Hi,

I do not think there should be any further extension or expansion of the airfield on Postman's road. The expectation for the land opposite and surrounding the airfield is still expecting to become a business park. The noise pollution, waste pollution and high risk associated with flying planes nearby would be ludicrous.

There were a lot of submissions made at the time stating this, when the council ADOPTED the Auckland future urban land supply strategy refreshed (FULSSR) on the 4th May 2017, and subsequently when the council brought out the so called Structural plan. I do hope all of those submissions are being considered and not just ignored.

Having been part of that process I am not confident these submissions are considered but I will continue to follow the process available.

I believe the only formally council adopted document still states that this area will be development ready by 2022 ... we all know that is not going to happen.

kind regards

David Ronkowski

From: Alex Mclean [REDACTED]
Sent: Thursday, 22 October 2020 11:59 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

From: Doug Kamp [REDACTED]
Sent: Thursday, 22 October 2020 12:01 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To whom it may concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards,
Doug Kamp

[REDACTED]

From: [REDACTED]
Sent: Thursday, 22 October 2020 12:23 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind regards

Chris Marshall
Operations Manager



PO Box 300 134 Albany 0752 Auckland | Hangar 64 312 Postman Road Dairy Flat 0749 | [REDACTED] |
www.monz.co.nz | [REDACTED]

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From: [REDACTED]

Sent: Thursday, 22 October 2020 12:25 PM

To: Airports <airports@transport.govt.nz>

Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Steve Marshall

From: jason [REDACTED]
Sent: Thursday, 22 October 2020 12:39 PM
To: Airports <airports@transport.govt.nz>
Cc: 'North Shore Aero Club' <office@nsac.co.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I'd like to add my voice in favour of North Shore (NZNE) being granted Airport Authority status as per the Airports Authority Act 1966.

In my view NZNE is particular in its importance to the locality north of Auckland. NZNE is the only large publicly accessible aviation area north of the Harbour bridge within logistic reach and therefore should be granted elevated recognition.

In the larger Auckland area we have Auckland Airport (NZAA) and Ardmore (NZAR) serving the population south of the bridge with Whenuapai (NZWP) and North Shore (NZNE) north of the same location.

I would consider NZNE critical in any major Civil Defence scenario for the Shore, as relying on one location (Whenuapai) may drastically diminish response if that location is unavailable. It's also worth mentioning both NZAA and NZWP are sea level locations while NZAR and NZNE are inland meaning they have positional resilience. An approval for Airport Authority will therefore facilitate improving the function of NZNE to the benefit of the entire region to meet any demands expected of it.

Many regards.

Jason Haakman
CAA# 75969.

From: Matt Dwen [REDACTED]
Sent: Thursday, 22 October 2020 2:27 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

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Cheers,
Matt

From: GOODALL, Bruce [REDACTED]
Sent: Thursday, 22 October 2020 2:53 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To whom it may concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards

Bruce Goodall || General Manager || **Coastline Markers** || [REDACTED]
[REDACTED] || PO Box 302-528, North Harbour, Auckland || Web
www.coastline.net.nz



Coastline Markers is a division of Fulton Hogan Limited

From: Steven Perreau [REDACTED]
Sent: Thursday, 22 October 2020 3:00 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status.

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North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards,

Steven Perreau
Director



21 Waimoko Glen

From: Brian houghton [REDACTED]
Sent: Thursday, 22 October 2020 3:02 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours Sincerely
Brian Houghton

From: Ivan Lecanda [REDACTED]
Sent: Thursday, 22 October 2020 4:13 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Authority Status Support Letter

To Whom May Concern,

Please find attached a letter showing my full support for North Shore Aero Club to gain an Airport Authority Status.

I am proudly studying aviation at NSAC and I believe this title will make this Airport a better and safer space to fly and learn to fly.

Best Regards,

Ivan Emiliano Lecanda Rosales

Attachment

Attachment

Thursday 22nd of November 2020

Hereby, I am submitting this letter to support North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with most airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members including myself and around 200 aircraft are based at North Shore Airport. There are regularly scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, North Shore Airport must be supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status; making it a much safer and better environment for everyone who attempts to fly around the North Shore Airport airspace.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and North Shore Airport must be recognized as an Airport Authority accordingly.

Sincerely Yours,


Ivan Emiliano Lecanda Rosales



From: Daryl & Candice Gillett [REDACTED]
Sent: Thursday, 22 October 2020 4:18 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport, Airport Authority Application Submission

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours Sincerely,

Daryl Gillett

From: Candice Gillett [REDACTED]
Sent: Thursday, 22 October 2020 4:20 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport, Airport Authority Application Submission

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Yours Sincerely,

Candice Gillett

From: Alan Meikle [REDACTED]
Sent: Thursday, 22 October 2020 7:57 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To whom it may concern

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards

Alan Meikle
[REDACTED]
[REDACTED]
[REDACTED]

From: Steve Engle [REDACTED]
Sent: Friday, 23 October 2020 8:11 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Authority Submission

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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From: Peter Hackett [REDACTED]
Sent: Saturday, 24 October 2020 3:55 PM
To: Airports <airports@transport.govt.nz>
Subject: Dairy Flat aerodrome.

The sound of helicopters in the Dairy Flat area at all hours is unacceptably high.
In a family centric area like Dairy Flat the obnoxious, is insupportable.

Peter J Hackett
Dairy Flat.

From: [REDACTED]
Sent: Saturday, 24 October 2020 4:28 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport

Dear sir/madam

Please find attached, my submission regarding North Shore Airport status

Kind Regards

Barry Clark

[REDACTED]

Attachment

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Barry John Clark

[REDACTED]

(Commercial Pilot)

From: Alistair Ross [REDACTED]
Sent: Sunday, 25 October 2020 11:26 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Dear Sir / Madam
Please find attached my submission in support of North Shore Airport receiving Airport Authority Status.

Regards
Alistair

Alistair Ross
[REDACTED]

Attachment

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours faithfully

Alistair Ross
[REDACTED]

From: John O'Hara [REDACTED]
Sent: Tuesday, 27 October 2020 8:51 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

From: Kathryn Gilling [REDACTED]
Sent: Tuesday, 27 October 2020 3:34 PM
To: Airports <airports@transport.govt.nz>
Subject: Objection to North Shore Airport Application to become Airport Authority

We live in Aubrey Road, Stillwater and our property is under the designated as Flight path for the existing aerodrome.

We strongly object to Airport status being granted to the Airport. (NSA).

Over the last 5 years, there has been a marked increase in air traffic and consequent noise , not only during the day but also at night. This has corresponded with significant housing development nearby and a rezoning of much of the land to Future Urban. To allow this first step, that would then enable NSA to expand in accordance with their Strategic Plan, allowing them to acquire land that can be used for housing and increase both the amount and intensity of flight activity would seem to be counter-intuitive, given the following issues;

- Demand for land; this is not just for runways but would be for parking and support facilities such as engineering workshops and hangars for much larger planes. This would encroach on existing communities and those to be developed in the short to medium term
- Noise pollution – from planned flights by large aircraft, seven days per week. This will not only affect residential areas but also livestock, wildlife, particularly birds, leisure facilities such as the Adventure Park and local early childcare centres.
- Danger from increased traffic in the area, which does not have footpaths and is an 80km zone. There have already been major problems developing in this regard as population increases, particularly with pedestrians who have nowhere to walk safely – down Wilks Road, East Coast Bays Road, Postman’s Road, and Dairy Flat Highway. An increase in vehicle traffic would exacerbate this already dangerous situation.
- Air pollution – from increased flights and from said vehicle traffic
- Increasing carbon emissions at a time when we need to be looking for ways to reduce these. Electric planes are a lovely idea but still a very long way off.

As mentioned in NSA’s Strategic Plan, Sydney, Australia has one airport for 4 million people. It is also very efficient. It would be far more responsible and sustainable to look at ways to increase the efficiency of Auckland’s existing airport than to build another one. This would maintain the integrity of the semi-rural lifestyle and allow judicious development to meet the needs of Auckland housing without being restrained by the requirements of an airport. Although that would mean that there would not be additional space for NSA members to park their planes.

Kathryn and Peter Gilling

From: Warwick Searle [REDACTED]
Sent: Tuesday, 27 October 2020 5:23 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Warwick Searle

Forestry Specialist | New Zealand
Agribusiness

[REDACTED] | <https://www.colliers.co.nz/>



From: Mark Ellery [REDACTED]
Sent: Tuesday, 27 October 2020 5:25 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Submission

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

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Kind Regards
Mark Ellery
LBP112778



www.ellerydesign.co.nz
Building E, 42 Tawa Dr
Albany 0632 - Auckland

The logo for Ellery Design, featuring the name 'Ellery' in a stylized, cursive script font, with the word 'DESIGN' in a smaller, red, sans-serif font underneath.

From: Peter Tarr [REDACTED]
Sent: Tuesday, 27 October 2020 5:48 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Dear Sir/ Madam

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly

Kind regards

Peter Tarr

a member of North Shore for approx 32 years.

Sent from my iPad

From: [REDACTED]
Sent: Tuesday, 27 October 2020 6:00 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards
Andrew Jakimiuk
[REDACTED]

From: Frank Li [REDACTED]
Sent: Tuesday, 27 October 2020 6:07 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in support of North Shore Airport Airport Authority Status

To Whom It May Concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Transportation leads to better connectivity and growth for business. As city expands further, transportation and connectivity usually become a difficult task for the new emerging areas. Unfortunately, this is the case for North Shore, urban development has hit its limits caused by lack of transportation links to provide efficient connectivity. I see establishing North Shore Airport Airport Authority a great opportunity for the whole district as it will definitely provide more business opportunities for its surrounding communities and most importantly, reutilising North Shore by enhancing its connectivity.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

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

Kind Regards

Frank Li 李思扬 M.Arch (UoA NZ)
Managing Director 董事总经理



[REDACTED]
A Level G, 102 Rosedale Road, Albany, Auckland 0632
P PO Box 1733 Shortland St, Auckland
[REDACTED]

From: Mike Gardner [REDACTED]
Sent: Tuesday, 27 October 2020 6:42 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Authority Status

Dear Sir / Madam,

Please find a letter of support attached for your reference and consideration.

Feel free to contact me at this email address should you require any further information.

Regards,
Mike

Attachment

Mike Gardner
[REDACTED]

25 October 2020

RE: North Shore Airport Submission

Dear Sir / Madam:

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours sincerely
Mike Gardner

From: Tyler Bond [REDACTED]
Sent: Tuesday, 27 October 2020 8:04 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To whom it may concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind regards,
Tyler Bond

From: ab [REDACTED]
Sent: Tuesday, 27 October 2020 8:06 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore airport

Dear Sir/Madam

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards

Abbas Shahroodi
Newton Technology Centre Ltd

[REDACTED] | OFFICE 135 Newton Rd, Auckland | MAIL PO Box 8878 Symonds St, Auckland

From: Pete Head [REDACTED]
Sent: Tuesday, 27 October 2020 8:37 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Authority application

To whom it may concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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Best
Pete

[REDACTED]

W www.Airshowtravel.co.nz
P.O.Box 84003, Massey, Auckland

From: James Rigden - Superette [REDACTED]

Sent: Tuesday, 27 October 2020 9:17 PM

To: Airports <airports@transport.govt.nz>

Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind regards
James Rigden
[REDACTED]

From: Vincent Leow [REDACTED]
Sent: Tuesday, 27 October 2020 9:29 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport - Submission

Hi there,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind regards,
Vincent

From: Shaun Wards [REDACTED]
Sent: Tuesday, 27 October 2020 9:29 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To Whom It May Concern

I support North Shore Airport receiving Airport Authority Status for the following reasons:

- Allows the Airport to hold the appropriate Authority Status, to reflect its operation, which;
 - Provides multiple jobs
 - Provides a needed airport for the North Shore/Northern Auckland area, to service places like Great Barrier, Coromandel, Far North, etc.
 - Allows the aviation industry to continue to grow in the North Auckland region
 - Potential for Overseas students to utilise either the Flight School or North Shore Helicopter Training, thus boosting the economy
 - Provides diversity for the region and not just more high density housing

Best Regards

--

Shaun Wards
Engineer/IA

AIRLIFT
NEW ZEALAND

[REDACTED]

From: Peter Chou [REDACTED]
Sent: Tuesday, 27 October 2020 11:16 PM
To: Airports <airports@transport.govt.nz>
Subject: AIRFIELD EXPANSION AT DAIRY FLAT

Dear Sir/Madam

Good evening

Regarding the AIRFIELD EXPANSION AT DAIRY FLAT, We are **strongly against** this proposal based on the following opinions.

- (1). It is a privately owned aero club, not a government-operated airfield
- (2) This application for airfield expansion will give them much inappropriate authority, which will undermine local people's right
- (3) The original design of this airfield is just for training purposes and not for commercial use, therefore further expansion will not match the public benefit.
- (4). Currently, the ecological environment of the Dairy Flat region no need a commercial based airport. It will only bring more noise and air pollution and cause more imbalance in the livings.

Kindly regards,

Cherie Chou and Peter Chou
Dairy Flat Residents
1428 Dairy Flat Highway
[REDACTED]

From: Jingyuan Li [REDACTED]
Sent: Wednesday, 28 October 2020 11:05 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status
Importance: High

Hi there,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind regards

Jingyuan Li
[REDACTED]

From: Nigel Bonser [REDACTED]
Sent: Wednesday, 28 October 2020 11:25 AM
To: Airports <airports@transport.govt.nz>
Subject: Proposed North Shore Airport

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

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New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards

Nigel Bonser
[REDACTED]

From: Ian Chapman [REDACTED]
Sent: Wednesday, 28 October 2020 3:29 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Hi

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards
Ian Chapman

From: Sam Cook [REDACTED]
Sent: Wednesday, 28 October 2020 3:29 PM
To: Airports <airports@transport.govt.nz>
Subject: Airport Authority Status Submission - North Shore Airport

To whom it may concern,

Please accept this letter as a submission in support of North Shore Airport being granted Airport Authority status.

As a current member of the North Shore Aero Club and student pilot, I believe that granting this authority status serves to protect what is an extremely valuable (and under-utilised) community resource. Auckland is growing at a high rate. The northern bays areas are expanding and population growth in the North Shore area is constant. With traffic issues continuing to worsen, it can be over 60 minutes of travel time for anyone north of the Harbour bridge to access either Ardmore or Auckland International Airport. The North Shore Airport is the asset which can be utilised to mitigate this issue.

From an EMT perspective, the airport offers a valuable local alternative for any patients requiring medivac or life-flight services and safe alternatives for general-aviation landing due to restrictions at Whenuapai Military Base. Fly My Sky and other regional airlines also use North Shore airport to provide a fast and efficient service to Kaitaia, AIA, and Great Barrier.

North Shore Airport needs Airport Authority Status to be able to make business decisions with a degree of security and certainty to mitigate the risks of being surrounded by urban growth. I have absolutely no doubts about the ability of current management to appropriately carry out their duties and responsibilities to their members, customers, businesses, and neighbours. From what I've seen as a student pilot and read in regular newsletters/bulletins, their attitude towards safety and protecting their neighbours' rights to peaceful enjoyment of their properties has been extremely professional and uncompromising. My understanding is that other airport facilities of comparable size and resources do enjoy the security provided by being recognised as an Airport Authority and I am strongly in favour of North Shore Airport also gaining this status.

We need to provide certainty to all those utilising the airport; the students, the aero club, the private owners, the small businesses, the helicopter training operations, and the mechanical facilities. We must grant North Shore Airport 'Airport Authority Status' to promote and encourage the growth of all the aforementioned parties. Any future development of North Shore Airport to improve safety and facilities will only serve to benefit the local community and I would support it wholeheartedly.

Kind Regards,



Sam Cook
Drawing Office Manager

[REDACTED]
www.thermosash.co.nz

31 View Road, Wairau Valley,
Auckland 0627, New Zealand
PO Box 100-340, North Shore,
Auckland 0745, New Zealand



From: Sam Claxton [REDACTED]
Sent: Wednesday, 28 October 2020 5:02 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport - Airport Authority application

Hi there,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind Regards,

Sam Claxton
Business Support Manager



www.180degrees.co.nz

From: Brian [REDACTED]
Sent: Wednesday, 28 October 2020 8:29 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Here is my submission supporting the North Shore Airport receiving Airport Authority Status

Cheers Brian

BRIAN DALTON

[REDACTED] | Auckland |

Attachment

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

From: Su He [REDACTED]
Sent: Wednesday, 28 October 2020 11:31 PM
To: Airports <airports@transport.govt.nz>
Subject: dairy flat airfield expansion

i strongly against airfield expansion.

regards

su he

From: Pat Kerr - McLaren Motorsport [REDACTED]
Sent: Thursday, 29 October 2020 10:59 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission re: North Shore Airport application for Airport Authority

To whom it may concern

Thank you for the opportunity to make the attached submission.

Regards

Patricia (Pat) Kerr
Managing Director
McLaren Motorsport



W: www.mclarenmotorsport.co.nz



Attachment

Submission in support of North Shore Airport being granted Airport Authority Status

By Patricia Kerr, member North Shore Aero Club (the Club)

I support the Club's application for the following reasons:

- The granting of Airport Authority status will protect its position and current status as an airport.
- At the same time, it will allow the Airport to be integrated with and support the future business and industrial urbanisation of the surrounding area in accordance with the Auckland Unitary Plan.
- The application also helps to accommodate future growth plans, with the aim of expanding upon the services currently flown by the likes of Barrier Air and Fly My Sky, thus providing Auckland with a more adaptable second small regional airport and increasing the value of the airport to the wider community.
- Airport Authority status will assist in keeping pace with the changing legislative operational environment.
- Although Airport authority status is not required to run an airport, my understanding of the powers which come with airport authority status are useful in supporting the airport's operation and development.
- Recognition as an Airport Authority would complement the underlying land zoning of North Shore Airport which is that of Airports and Airfields under the North Shore Airport Precinct of the Auckland Unitary Plan (Operative in Part).

In conclusion, I am aware that most of the NZ regional airports considered to be North Shore's peers already enjoy Airport Authority status. Given that the Airport Authorities Act (1966) exists to support Airport operations, North Shore should be granted the same status.

Thank you for the opportunity to make this submission.

 28 October 2020

Patricia Kerr



From: Kelsi Thorne [REDACTED]
Sent: Thursday, 29 October 2020 3:42 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport's application for airport authority status

Hi there,

I am making a submission in support of North Shore Airport being granted Airport Authority status.

This will ensure NS airport can continue to maintain, operate and manage the airport in a way that is consistent with other NZ Airports.

NS Airport is recognised by Auckland Council as a strategic transport infrastructure and will provide support and add value to the local community by providing better transport links, more jobs and synergy with local businesses.

The North Shore Aeroclub has around 600 members and about 200 aircraft are based at NS airport. The airport is also heavily used by emergency services.

Jobs, businesses and livelihoods are essential and Airport Authority Status will provide security for these.

To conclude, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport be recognized as an Airport Authority accordingly.

Thank you very much

Best Regards,

Kelsi Thorne

Airlift Engineering (North Shore) Limited

[REDACTED]

Auckland
New Zealand

AIRLIFT
ENGINEERING

From: Ian Hart [REDACTED]
Sent: Thursday, 29 October 2020 6:19 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Hi,

Please find my attached submission in support of North Shore Airport.

Regards,

Ian Hart

General Manager



W: www.airlift.nz

Attachment

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Council's highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

From: Linda [REDACTED]
Sent: Friday, 30 October 2020 8:24 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport - Airport Authority submission

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind Regards,

Linda Williams

[REDACTED]

We have moved: Level One, 65 Gaunt Street, Auckland

<http://www.imed.co.nz> or follow us on 

IMED 
Electrical Solutions & Control Stations

A SEA Power Systems

From: David [REDACTED]
Sent: Friday, 30 October 2020 11:49 AM
To: Airports <airports@transport.govt.nz>
Subject: FW: North Shore Airport - Airport Authority submission

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Kind Regards,

[David Chalmers](#)

From: Russell Westbrooke [REDACTED]
Sent: Saturday, 31 October 2020 7:50 AM
To: Airports <airports@transport.govt.nz>
Subject: Authority airport @ Wilks Rd

To whom it may concern

We live at 251 Wilks Road, Dairy Flat.

We strongly OPPOSE !! the airport being granted Airport Authority Status because of the impact on the established community.

The safety factors of an increase volume of planes and car traffic in the area will hugely impact on our quality of life.

The noise of planes taking off and landing all day for flying lessons, extra flights and cargo flights, let alone A domestic airport! they are proposing will only add to this noise & fuel pollution.

The Airport Committee don't seem to have the funds for their expansion but are wanting to be granted AA incase the housing in the area goes ahead, which means they won't be considered for AA.

So will they bring in Foreign investors to be able to complete these massive changes to the existing airport?

This is why they are pushing it through with as LITTLE community input as possible.

Big NO from us and we will fight with what ever is needed to prevent this change to our community.

Regards

Linda & Russell Westbrooke

From: Calvin Wu [REDACTED]
Sent: Saturday, 31 October 2020 11:54 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Consultation

Hi There,

I am a resident and a home owner who lived in the aeropark subdivision. The address of my house is at 21 Aileron Rise, Dairy Flat. I am writing this email opposing the proposal for the North Shore Airport being an Airport Authority.

The potential impacts on the residents and residential houses nearby has not been addressed at all. In the provided airport Master Plan Section 5.15 it says that the current aircraft noise contours are shown in Figure 3. A change to runway length or width would necessitate a review of noise contours and this has been provided. All the nearby residential house were designed with existing noise contours. This means that our house is no longer suitable for living and does not comply with the design code if there are any review of the noise contours.

Our house is under construction at the moment and we are spending almost 2 million dollars for the land and house package. Most of the estates in the area worth between 1.5 mil to 5 mil plus. In a proper consent hearing, it should include addressing the effects to the residents and their properties. I didn't see anything in the provided Master Plan. It is highly likely that these houses will not acoustically comply with the design standards any more. Is the Aeroclub intend to buy all the affected houses and support in acoustic strengthening? This is just an example. None of the impacts to the residents has been addressed.

It is not my intention to stop Auckland grow but this work is poorly handled by both Northshore Airport and the Ministry of Transport.

Kind regards,

Calvin Wu
[REDACTED]

From: Calvin Wu [REDACTED]
Sent: Sunday, 1 November 2020 12:12 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Consultation

Hi There,

I am a resident and a home owner who lived in the aeropark subdivision. The address of my house is at 21 Aileron Rise, Dairy Flat. I am writing this email opposing the proposal for the North Shore Airport being an Airport Authority.

The potential impacts on the residents and residential houses nearby has not been addressed at all. In the provided airport Master Plan Section 5.15 it says that the current aircraft noise contours are shown in Figure 3. A change to runway length or width would necessitate a review of noise contours and this has not been provided. All the nearby residential house were designed with existing noise contours. This means that our house is no longer suitable for living and does not comply with the design code if there are any review of the noise contours.

Our house is under construction at the moment and we are spending almost 2 million dollars for the land and house package. Most of the estates in the area worth between 1.5 mil to 5 mil plus. In a proper consent hearing, it should include addressing the effects to the residents and their properties. I didn't see anything in the provided Master Plan. It is highly likely that these houses will not acoustically comply with the design standards any more. Is the Aeroclub intend to buy all the affected houses and support in acoustic strengthening? This is just an example. None of the impacts to the residents has been addressed.

It is not my intention to stop Auckland grow but this work is poorly handled by both Northshore Airport and the Ministry of Transport.

Kind regards,

Calvin Wu
[REDACTED]

From: Peter [REDACTED]
Sent: Sunday, 1 November 2020 6:05 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To who it may concern

Please find attached my submission in support of North Shore Airport receiving Airport Authority Status.

Kind Regards

Peter May

Attachment

To whom it may concern,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

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In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours Sincerely

Peter May
30/10/2020

From: Mike Briant [REDACTED]
Sent: Monday, 2 November 2020 9:37 AM
To: Airports <airports@transport.govt.nz>
Subject: Authority airport at Wilks Road

To whom it may concern

We live at 251 Wilks Road, Dairy Flat.

We strongly OPPOSE !! the airport being granted Airport Authority Status because of the impact on the established community.

The safety factors of an increase volume of planes and car traffic in the area will hugely impact on our quality of life.
The noise of planes taking off and landing all day for flying lessons, extra flights and cargo flights, let alone A domestic airport! they are proposing will only add to this noise & fuel pollution.

The Airport Committee don't seem to have the funds for their expansion but are wanting to be granted AA incase the housing in the area goes ahead, which means they won't be considered for AA.

So will they bring in Foreign investors to be able to complete these massive changes to the existing airport?

This is why they are pushing it through with as LITTLE community input as possible.
Big NO from us and we will fight with what ever is needed to prevent this change to our community.

Regards,
Mike

~

Mike "Sprinkles" Briant
Managing Director



GoBake Ltd

P [REDACTED]

W www.gobake.co.nz -

W www.goldenbridge.co.nz

M [REDACTED]

E [REDACTED]

Office 683 Whangaparaoa Rd, Stanmore Bay 0932, Auckland, NZ
Warehouse 7 John Glenn Ave, Rosedale Albany 0632 Auckland, NZ

From: Russell Westbrooke [REDACTED]
Sent: Monday, 2 November 2020 3:09 PM
To: Airports <airports@transport.govt.nz>
Subject: Airport Authority

Hi there

My name is Molly Wotton and I live at [REDACTED] in Dairy Flat.
I want to register my resounding No! To the change in the Airport Status.
I moved here to retire! on a rural property with my family next door.
The last thing I want is more traffic, planes and changes to our lovely area.
So leave things as they are please!

Regards

Molly Wotton.

From: Lloyd Morris [REDACTED]
Sent: Tuesday, 3 November 2020 4:07 PM
To: Abi Wyatt [REDACTED]
Subject: RE: Update on North Shore Airport's application for Airport Authority Status

Thanks for the MoT presentation Abi, it was a long way to come for a short meeting.

I guess we all took something different away from the night, there is a little bit more going on here than meets the eye that mostly has nothing to do with NS Airport and even less to do with the Airport Authority application.

Have attached my take on the night, but I will respond with a more formal feedback before the 30th November.

Kind regards

Lloyd Morris
Engineer



PO Box 512, Shortland Street, Auckland 1140, NZ
Level 17, 48 Emily Place, Auckland 1010, NZ

www.ikgl.co.nz



(Attachment)

Attachment

NORTH SHORE AIRPORT – AIRPORT AUTHORITY DISCUSSION MINISTRY OF TRANSPORT COMMUNITY MEETING DAIRY FLAT COMMUNITY HALL Thursday 29th October 2020

An Opinion piece by Lloyd Morris

The Dairy Flat Community Hall was jam packed on Thursday night for a meeting to discuss the North Shore Airport application to become an Airport Authority. The Wilks Road South Property Owners Group Chair Brian Sutton is credited with motivating local landowners who responded to the call with an excellent turnout to the event called by, run and moderated by the Ministry of Transport. The Ministry presented a succinct outline of what an Airport Authority was and the process for achieving that status, followed by a short power point presentation by the NS Airport Manager, then the floor was then opened for discussion. At this point it is worth saying that the Airport Authority application had been advertised publicly and all the information placed on the Ministry of Transport website to ensure visibility, to ensure there could be no allegations of secret squirrel stuff going on behind closed doors with out local residents one being informed.

The public response was immediate, pretty vocal but not raucous, lots of testosterone offering strong opinions about everything in general and it quickly became clear there were two meetings going on, the Airport Authority was clearly a touchstone trigger to talk about the Auckland Council Dairy Flat Restructuring Plan that has recently been postponed which has raised the ire of both residents and the many property investors.

So what were the key points of the Airport Authority application, perhaps we need to go back for a second and recall a few short years ago when the Auckland Council restructure and the new Unitary Plan was all the talk of town. We the public had the opportunity to submit at the time across everything affecting anyone from Mangawhai to Pokeno, lots of expert evidence, lots of lawyers, lots of chit chat and all of this was sifted by the Independent Commissioners during the formal Hearing process. NS Airport was placed in a specific zoning, like other Airports, that recognises its value as a strategic asset. No surprises here, the Airport has been established since the mid 1960's and has an established permanent footprint on the ground whilst other resident landowners nearby came and went. Ever increasing Government and Auckland Council statutory obligations to security concerns and Health & Safety has required Airports generally to pull on their big boy pants and act in a highly professional and responsible manner in all aspects of running the Airport, just think twin towers in the USA and Covid19 and you start to get the idea and the Airports Authority Act is an old purposed bit of legislation that allows that to happen with the Airport being classified similar to a "public utility". While all pretty innocent on the face of things, concerned neighbours are certain the Airport is poised to invoke the PWA to steal their properties without due process, offering no money and that after substantial extension to the runway is about to fly jets into NS Airport. At that point I wondered if the cannabis legislation had already passed, I wonder if anyone has looked out the window recently at the close surrounding East Coast Road hills, or even considered the plethora of Resource Consent applications that would have been necessary and realised what a dopy assertion that was.

You might think at this point what has any of that got to do with the Dairy Flat Structure Plan and you would be right to ask and the answer is "it's all about the money", but you'll have to pay attention to follow the thread. When the Unitary Plan was under discussion the future development of Dairy Flat was signalled somewhere around 2021-2025, which immediately

led to the Dairy Flat rural environment being a keenly sought after location as passive investors and developers started to acquire land at cheap prices, to take advantage of the tax free value uplift that occurs in advance of re-zoning. The Dairy Flat restructure plan has been advertised, submissions made but has now slipped into the timeless abyss of Auckland Council processing and delays and which together with Covid19 means the anticipated development timeframes have slipped over the horizon to 2035 and beyond. How could that happen, well most people are aware that Auckland Council was technically insolvent there for a while earlier in the year, broke, broke as, no money, no big surprises there, but Councils cannot technically go broke as they have the ability to simply raise the rates on properties and presto Council is back in business. Having exceeded the banking covenants and terrified that the rating agencies were going to increase their risk rating which would have pushed up the interest rates and ratios that the Auckland Council paid and so further aggravate the financial problem, Auckland Council got stuck in and successfully negotiated an extension to their Covenants and at the same time reviewed expenditure programs and analysed returns on expenditure so that what is called the "low hanging fruit" is bought on line as fast as possible. As they say its all about "bang for the buck", new rateable properties increase the rating base, which in turn helps improve the Auckland Council banking covenant. Unfortunately the cost to Auckland Council bringing infrastructure to Dairy Flat, read that as being basic services including water, sewerage, roading was going to cost more than the rating income it generated, so Dairy Flat was re-prioritised or the time being much further down the list.

That all makes sense, so what was all the fuss about the NS Airport wanting to become and Airport Authority, well as I said, follow the money. So Auckland Council has indicated a mostly Light Industrial zoning in Dairy Flat with a little bit of Heavy and Mixed Business for balance, a Light Industrial zoning works very well with an Airport, but the Wilks Road South Group Chair Mr Sutton, Managing Director of Equity Pacific, an experienced residential apartment property developer, has been pushing Auckland Council to recognised a higher and better use, that of a Mixed Business zoning, which allows the construction of residential apartment blocks and towers. There is nothing wrong with that, but to quote Al Gore "this is an inconvenient truth", that residential apartment towers located within and near to and underneath Airport approach and landing plates and circuits work well together, so there is a concerted push to change the zoning and at the same time make the Airport appear as the villain and move them on. Now you start to get the picture, the zoning change is delayed by Auckland Council, there is a possibility that "value uplift" may be taxed by Auckland Council with the Government's nod to help pay for the infrastructure to bring Dairy Flat online and the existence of NS Airport is a potential impediment to developers wanting to maximise their profits.

A lively address was given by Mr Sutton who asserted that the NS Airport had no money and that the sewerage system was overload and that the PWA would allow the Airport to take neighbours land for extension, and whilst none of this was relevant or true or added anything to the Airport Authority application it did generate some humour. Residents will of course need to appear before the Dairy Flat Structure Plan Hearings when they do eventually occur and that will cost a pretty penny with legal and expert witness representation and that's before Auckland Council charges levies under the RMA or Development Contributions when project and building construction starts, to be honest I would not be picking out the new car in the Mercedes showroom just yet, by the time Auckland Council have finished with local residents its more likely to be a looking for a Toyota in a west Auckland car yard. Similarly the focus on the PWA is warranted because Auckland Council will be exercising their PWA warrant to take land for wetlands, stormwater detention ponds, cycleways, a rapid rail transit corridor, pumping station land and of course roads which goes some way toward explaining the hostility toward the PWA.

One lady was concerned that if the runway was substantially extended at the 03 end, the new centreline would go right through her living room. Whilst this was an important point for that

resident, unfortunately the projected runway centreline already goes through her living room and has since the Airport was founded nearly 60 years ago, but it did show the level of confusion, distrust and lack of knowledge surrounding the application, not withstanding all the information being clearly presented on the Ministry of Transport website.

Another resident asked what has the NS Airport done for the community, to which the answer is the NS Airport has been part of the fabric of the Dairy Flat community for a long time. A high proportion of the residents are new to the area, property investors and developers, something that was highlighted when there were complaints that the presence of the NS Airport devalued their investments. It is quite likely that many of the recent inhabitants may not be aware that NS Airport has worked with the Police on what was called the "blue light program" for troubled youth, they have a Young Eagles group which is not air scouts but similar in concept, they arrange lunches at the airfield and flights for our retired military veterans, have arranged special "bucket list" flights for terminally ill, Members are part of the Angel Flight that ferry sick patients and family around the country by air for medical appointments, there have been events for disadvantaged youth with flights followed by a barbeque at the NSAC premises, helicopter trail flights have been given away to local schools, rugby clubs and other organisations to be raffled off as fund raisers, actually I think the NS Airport has contributed quite a lot to our community and could almost turn the question around and say to those individuals asking the question, what have you actually done for your community.

The two local Councillors stood up and offered support to the residents and advised they had little idea about the Airport Authority application, this was more a photo shoot and later proved embarrassing as the same Councillors during close quarter conversation also had no idea on the status of the Dairy Flat Structure Plan and what was happening. I was pleased to see or local MP the Hon. Mark Mitchell present having just arrived back from Wellington a short time prior and whilst he was offering general support for both sides it was clear that he was a bit like the windsock on the end of runway 03 in a squirrely breeze, trying to find out exactly where the wind was blowing from.

So that's about it, the meeting was supposed to be about the NS Airport application but when you really dug under the surface it was all about the Dairy Flat Structure Plan, following the money, Residents putting in place a retirement plan, but it was still a good night out as the Ministry of Transport provided an excellent venue, opportunity to Hear what was going on, and an excellent supper.

From: Jerry [REDACTED]
Sent: Thursday, 5 November 2020 4:59 PM
To: Airports <airports@transport.govt.nz>
Subject: North shore airport consultation

North shore airport consultation
Ministry of transport
PO Box 3175
Wellingtn 6140

Dear Sir/Madam,

I, Qilin Zhang, a property owner at [REDACTED] Dairy Flat, North Shore, Auckland 0792. am strongly against the proposal for airport authority status.

The north shore airport has been causing noise pollution to surrounding residents currently. Proposal for north shore airport status will do no good to reduce noise level. It could potentially increase flight frequency, expand its runway and result in more airport noise.

Therefore, as a local resident, I am against the proposal for airport authority status. Hope we could have a quite and nice living environment.

My contact details:

[REDACTED]

[REDACTED]

Kind regards

Qilin Zhang

Reg

From: Christine Y [REDACTED]
Sent: Saturday, 7 November 2020 12:18 AM
To: Airports <airports@transport.govt.nz>
Cc: [REDACTED]
Subject: Submission in oppose of North Shore Airport receiving Airport Authority Status

I firmly against North Shore Airport receiving Airport Authority Status.
Please see the attached Submisson.
Thanks,

Yong Kwan Lee
[REDACTED]

Attachment

Submission opposing Airport Authority status

Yong Kwan Lee
[REDACTED]

I am writing to oppose the North Shore Aero Club being granted Airport Authority status as one of the landowners who live in Dairy Flat.

According to Airport Authorities Act(1966), Section 3(1), “[a]ny local authority, ..., may establish, improve, maintain, operate, or manage airport and, may acquire land for any such purpose either within or without its district or region.” The Act explicitly states that “a local authority may acquire land,” which means that the airport can acquire land regardless of the landowner’s intention with the Authority. Dairy Flat community faces new development, and all landowners want their property right more secured. However, granting Airport Authority, the property right can be threatened to be an infringement.

Also, granting Airport Authority status to North Shore Airport can cause many disputes between the airport and community in Dairy Flat. Lots of opposition from the landowners are arising regarding the Aero Club’s application for Airport Authority status. Even though the Aero Club explicitly requested no public consultation as part of their application, the actual dispute and disagreement with the application exist in the community.

Furthermore, the possible expansion with the granted Airport Authority status can cause serious nuisance due to the noise of airplanes either on the ground or in the air, the dust resulting from aircraft operations, the glare of airport lights, the apprehension occasioned by the low-flying of planes in landing and taking off. Even now, lots of the landowners and community are experiencing nuisance that the Aero Club causes. We are seriously concerned about the problem and environmental threat that the Aero Club will bring to the future Dairy Flat community.

Therefore, I firmly against granting Airport Authority status to the North Shore Aero Club.

From: Dave Wetherell [REDACTED]
Sent: Monday, 9 November 2020 8:09 AM
To: Airports <airports@transport.govt.nz>
Cc: [REDACTED]
Subject: North shore aero club authority application

Good morning.

We live on the beach at Stanmore Bay. We have lived at our present property for over 20 years and in Whangaparaoa generally for over 30 years.

Our property is under (it now seems) a regular flight path from Dairy Flat. We have noticed a very significant increase in traffic over the years, evenly split between helicopters and light planes, to a point where every day now (and it is very bad over the weekends) we and everyone on the beach at the time, are universally disturbed by aircraft, very noisily, flying overhead.

As such, we are very strongly opposed to any extension of the aerodrome's activities or any increase in the regularity of flights.

In fact, we believe that present activities should be scaled back and that flights should be forced to follow a flight path that does not take the craft directly over heavily populated areas, such as Whangaparaoa, which, leaving aside the noise interruption, is incredibly negligent to our mind in terms of public safety.

Thank you.

Dave Wetherell | Partner | Mayne Wetherell

Level 5, Bayleys House, 30 Gaunt Street
PO Box 3797 Auckland 1140, New Zealand
www.maynewetherell.com



This email contains lloydinformation and may be legally privileged.

From: Olivia Foreman [REDACTED]
Sent: Monday, 9 November 2020 11:16 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Application for Airport Authority Status

Good morning

Please find attached our submissions in opposition.

Kind regards

Olivia Foreman
Legal Secretary

Wilson McKay
Barristers and Solicitors
PO Box 28347
Remuera
Auckland

[REDACTED]

www.wilsonmckay.co.nz

Attachment

Attachment

Submission in Opposition to the Application of “North Shore Airport” (“NSA”) Dated 25 June 2020 (“the Application”) on behalf of Albert Corsock Kinnell and Pamela Merrill Kinnell

We act for Albert Corsock Kinnell and Pamela Merrill Kinnell (“the Kinnells”) and this is their submission in opposition to the Application.

The Kinnells are the owners of properties at [REDACTED] together comprising approximately 7.9 hectares of land containing the homes of the Kinnells, their two daughters and one son together with an historic family homestead and outbuildings. The Kinnells’ property was formerly a small dairy farm but portions have been subdivided and sold over the years leaving their current land holding in three records of title, numbers NA24C/1184, NA22B/217 and 405299. As of right, these properties are able to be further subdivided into large residential/lifestyle lots. The Kinnells’ property has many trees including pine trees that were planted by the Kinnells’ grandparents some 60 years or more ago and an historic orchard. The Kinnells use of the property is a long established existing use within an appropriate zone and long pre-dating North Shore Aero Club (“NSAC”) ownership or operation of an airfield.

The Kinnell family has farmed and lived on this property for at least three generations, not counting the Kinnells’ grandchildren and it is the strong desire of the Kinnells and three of their four children to continue living on that property and have the benefit of the existing houses, buildings, trees and other amenities together with those that may be developed in future in line with the zoning of their property. Their trees are of special importance as a windbreak from the prevailing westerly wind.

East Coast Road runs parallel to the State Highway running north from Auckland to Whangarei and is an important road servicing farming and lifestyle communities between Long Bay at Albany and Silverdale. East Coast Road follows a ridge line to the east and north east of the NSAC property and is directly in line with the flight path of arriving and departing aircraft on the NSAC main runway 03/21. In addition to the Kinnells’ property, there are numerous other properties on East Coast Road with houses, farm buildings, trees and numerous other improvements that penetrate into the airspace at the end of runway 03/21 and within its Fan. There are well known and longstanding aviation safety issues arising from this which affect not only aircraft operators and their passengers but also the owners of properties along East Coast Road and traffic travelling along East Coast Road.

The Kinnells **oppose** the Application on the grounds:

- (a) The applicant is not a legal entity and is not capable of being granted Airport Authority status; and
- (b) NSAC and any associated entity is not a suitable entity to own and manage an important piece of transport infrastructure. For many years it has gradually increased its use of the property at Postmans Road in the face of widespread community opposition and declined all reasonable efforts to communicate and address possible concerns.
- (c) The NSAC property at Postmans Road is too small to mitigate adverse environmental effects including noise, or to provide an adequate length of runway.
- (d) The high ground surrounding the NSAC property at Postmans Road makes aircraft operations inherently and unavoidably dangerous.
- (e) The Application is incorrect in its factual submissions, omits material information and gives minimal regard to fundamental matters that are required to be considered by the Ministry of Transport (“MOT”); and

- (f) The Application is contrary to the objects and purposes of the Airport Authorities Act 1966 and the Resource Management Act 1991.

Statutory Regime

In New Zealand the law relating to aviation is primarily contained in the Airport Authorities Act 1966 (“the Act”) and the Civil Aviation Rules (“the Rules”). The guiding principles behind the Act and the Rules are the ownership and management of airports and aviation safety.

It is clear from the Act that an “Airport Authority” should be “a local authority for the time being authorised under Section 3”. Sub-section 3(3) provides for the possibility of an alternative person or association of persons being granted Airport Authority status but in that case, there is a requirement for the “prior consent of, and in accordance with conditions prescribed by the Governor General by order in Council”. The clear intention is that the Act contemplates Airport Authority status being granted only to accountable public bodies or to persons or associations of persons with a high level of accountability. The Act also contains extensive provisions relating to the capital requirements and commercial viability of an airport and places emphasis on an airport being commercially viable. The Application is incompatible with the intention and historic application of the Act.

The Rules are designed to regulate the operation of an airport with special emphasis on aviation safety.

There have been at least five aircraft accidents in New Zealand, or affecting New Zealanders since 1963 involving a serious loss of life. Of those, four have occurred because the aircraft has collided with an obstacle, as opposed to mechanical failure. Three of those four accidents involved aircraft during takeoff and landing. Those accidents are as follows:

- 1963 – NAC collision with Kaimai Ranges
- 1974 – Pago Pago collision with ground on runway approach
- 1979 – Erebus collision with mountain
- 1995 – Dash 8 collision with ground at Tararua

There is a real and serious risk of collision with the high ground surrounding Postmans Road. This has been well-known by Auckland Council, NSAC and the Ministry of Transport (“MOT”) for many years with an apparent disregard for the consequences. Liability for lives lost and material damage in any such event would not be limited by the Accident Compensation Regime as these are known and calculated risks. The potential criminal prosecutions arising from the Pike River Mining accident are comparable to the enquiry and consequences that would arise in the event of any accident at the NSAC property.

The NZ Airports Association has published a Master Planning Good Practice Guide dated February 2017 (“the Good Practice Guide”) which lists some 17 matters in paragraph 5.1 that should be considered and documented in any application for Airport Authority status. These include:

- Current site conditions
- Prevailing weather
- Surrounding land – topography, land use, zoning etc
- Airport’s governing structure
- Environmental and heritage constraints
- Key stake holders
- Regulatory and policy context
- Assessment of competition (if any) i.e. other airports in the region

At paragraph 6, the Good Practice Guide addresses the National Airspace Policy and states:

“There is an important interface between airspace and land use planning at aerodromes regarding noise emissions from aircraft taking off and landing, and in the case of potential obstacles or hazards which extend beyond the immediate vicinity of aerodromes...the Government expects the aviation sector and local authorities to proactively address their respective interests in any future planning...Airport authorities and local authorities should work together in a strategic, co-operative and integrated way to ensure that planning documents (including those under the Resource Management Act) appropriately reflect the required noise contours and/or controls and approach and departure paths that take account of current and projected traffic flows. Resource Management Act planning tools should as far as practicable seek to avoid the establishment of land uses or activities and potential obstacles or hazards that are incompatible with aerodrome operations or create adverse effects.”

Paragraph 7 subparagraphs address the requirements of AR part 139.

Paragraph 7.10 addresses the obstacle limitations surface (“OLS”) defined as “surfaces in the airspace above and adjacent to the aerodrome. These obstacle limitation surfaces are necessary to enable aircraft to maintain a satisfactory level of safety while maneuvering at low altitude in the vicinity of the aerodrome. These surfaces should be free of obstacles.”

Paragraph 7.11 addresses the issue of noise from aircraft outside the airport fence.

Paragraph 7.12 refers to public safety off airport.

OPPOSITION GROUNDS

A. The Applicant is Not a Legal Authority

The Kinnells have searched the Companies Register and the Register of Incorporated Societies and have found no reference to North Shore Airport as an entity of either description. To the best of their knowledge this is nothing more than a trading name used for convenience by NSAC. In its current form, the Applicant is not a legal entity and is not capable of being granted Airport Authority status.

B. NSAC is Not a Suitable Entity

The Application correctly records that this property was formerly known as “Dairy Flat Airfield” and in 1963 it became the “North Shore Aeroclub” under the Incorporated Societies Act 1908. It is governed by a committee of individuals who are interested only in their own recreational and commercial benefits that would arise from in effect owning their own regional airport which they compare in importance with Hamilton Airport and project to have 65,000 aircraft movements per annum by 2040 including commercial services flown by ATR72 type aircraft with three return flights per day, 365 days per year.

There is no precedent for a substantial piece of aviation infrastructure of that type and size to be in private ownership in New Zealand.

Prior to the end of WW2 there was little in the way of land based, non-military aviation activity in New Zealand. In anticipation of this changing the Local Government Commission Act 1946 reduced the number of local authorities and invited the remaining local authorities to take over the management of their airports on the basis of a sharing of construction and maintenance costs with central government. That was an acknowledgement of the importance of the transport system in New Zealand. In 1963 the Auckland Regional Authority was given the power and responsibility to develop and administer Auckland Airport. With very few exceptions, airport ownership in New Zealand is held by the Crown and the relevant local authority on the basis of shared ownership and expenditure with the local authority to manage and maintain its own airports with oversight from the Ministry of Transport. The Crown

continues to have responsibility for aircraft operational matters including issues of safety, communications, meteorological services, navigation aids, lighting systems etc.

The Application provides no information about the financial resources of NSAC to develop an airport, long term ownership structures or commercial viability.

Over at least the last five years the Kinnells have endeavored to communicate with NSAC in an effort to address obstacles penetrating the airspace in the flight path and Fan of NSAC main runway 03/21 but without success. NSAC has gradually increased its use of the airport at Postmans Road in the face of widespread community opposition and has declined reasonable efforts to communicate and address public concerns.

C. NSAC Property is Too Small

The Postmans Road property is a very small site of only 27 hectares of low-lying, formerly swampy and uneven land adjoined by high ground at both ends of the main runway, and especially the high ground of the East Coast Road ridge. The Application contemplates two extensions to the north eastern end of the runway over time to allow the operation of larger aircraft including an ATR72. The Application claims this will increase aircraft safety but clearly the opposite is true. As the end of the runway moves closer to East Coast Road, the gradient from the end of the runway to East Coast Road increases which in turn means steeper takeoffs and landings and an increased risk of colliding with the ground. The Ministry of Transport no doubt has information available to it to compare the Postmans Road property with other airports in New Zealand that service ATR72 aircraft and the projected 65,000 aircraft movements per annum by 2040. The Kinnells do not have the resources to research that information but expect those enquiries will form part of the MOT's consideration of the Application. Research shows that Hamilton Airport has a runway in excess of 2,000 meters and no obstacles at either end.

Current use of Postmans Road for light aircraft already generates substantial aircraft noise, especially as light aircraft apply power to clear the East Coast Road Ridgeline. Any physical inspection of the site will prove the correctness of that statement. NSAC is required to maintain a register of noise complaints but has not referred to this in its application. The Kinnell's property is severely affected by aircraft noise and this will greatly increase to an intolerable level if the Application succeeds. Their homes will be directly below large aircraft taking off and landing with minimal buffers.

D. High Ground

There are long standing safety concerns surrounding the ridgeline of East Coast Road which have been brought to the attention of the Applicant, Auckland Council, MOT, Civil Aviation and others. The Application refers to the Airport sitting at 60 meters above sea level rising to 70 meters at the northern corner. It then states that the East Coast Road ridgeline extends to 115 meters above mean sea level. It correctly states that this ridgeline provides a natural topographic constraint for aircraft takeoffs to and landings from the north east but does not address the consequences of this. Auckland Council has obtained various surveys to establish the correct mean height of East Coast Road above sea level. Attached to this submission is a series of correspondence between Wilson McKay solicitors acting for the Kinnells and Auckland Council which addresses this issue. The key point is that the bare ground level of East Coast Road already exceeds the gradient limit before any regard of the many obstacles on and surrounding East Coast Road that exceed bare land height. This includes many homes, farm outbuildings, trees, power poles, fences, livestock and vehicles travelling along East Coast Road. In the email from David Frith of Auckland Council dated 20th April 2018, he comments that:

“By standing on the East Coast Road, I would actually breach the one in forty approach slope. The restriction is in fact quite onerous on the properties in this area.”

Later he comments:

“Given that the removal of these trees will still leave terrain, power poles and power lines in place, well above the one to forty approach surface the need to carry out such a drastic clearance appears potentially excessive under the circumstances and I have concerns that the viability of formal enforcement action to have the grove of trees cleared, as you indicated is the club’s wish. Terrain and powerlines will still be lawfully in place even after such a clearance and the adverse effects will not be significantly reduced.”

Based on Auckland Council’s topographical map, the bare land height at a point on East Coast Road 36.647766LAT and 174.6690721LONG is between 100 meters and 102 meters and at the same point there is a macrocapa tree which is approximately 15 meters tall. The approach-takeoff path height maximum at that point is 95 meters. Even if that particular tree is removed in its entirety, the bare land already exceeds the maximum height. The bare land height at the large pine plantation on the Kinnell’s property location 36.645926LAT and 174.669195LONG is 98 meters so the same problem exists. On the western side of East Coast Road in the same location the bare land height is 107 meters and the approach height maximum is 96 meters. There are substantial obstacles above that.

These issues have been discussed at great length without a resolution except that the Applicant has long sought to compel the owners of adjoining properties to remove all of their trees at their own expense as a first step. After some years of prosecuting property owners at the behest of NSAC, Auckland Council eventually obtained an independent legal opinion and by letter dated 2nd April 2019 it informed the Kinnells that Council would not be taking further enforcement with regard to the trees. A copy of that letter is attached. The Application almost entirely ignores this fundamental problem.

E. Errors and Omissions of Material Information in the Application

RDC-136821-18-1-1:olf

The Application contains only information that supports its Application but minimizes or omits the balanced presentation that should be expected of an entity seeking Airport Authority status, including all of the following:

- No financial information about the ability of NSAC to fund the development
- No financial projections
- No indication of financial viability
- Minimal comment on the socio-economic effect on the community, notwithstanding that at a recent public meeting there was wide-spread opposition
- There has been no attempt by NSAC to engage with the community
- There was no reference to recently completed and projected major transport infrastructure including the north western motorway links to Auckland International Airport and the projected second harbour crossing
- There is no reference to the recent approval of Parakai Airport as an Airport Authority
- There is no reference to the historical use of Auckland International Airport by Great Barrier Airlines
- There is no consideration given to the services that could be accommodated at Ardmore Airport
- There was no reference to the prevailing weather
- There was minimal comment on the NSAC governing structure
- Key stakeholders were not identified
- There was no consideration to how international flights would connect to domestic flights at Postmans Road

The Airports Authority Act 1966 & Resource Management Act 1991

The Dairy Flat Airfield was developed for the use of recreational light aircraft and it is in that context that adjoining property owners did not originally object to its activities. When the former Rodney District Council adopted its first district plan, it zoned the Airfield for airport use because that was an existing small scale recreational use, but not because there was any consideration of it becoming a substantial regional airport. The Kinnells have repeatedly requested specialist planners at Auckland Council to consider and report on the viability of a regional airport, whether it is considered necessary and whether the NSAC property would be suitable. To date there has been no response. It is contrary to all legal principles for a use such as this to be held in effectively private ownership and to increase its activities without official oversight and without complying with basic safety parameters.

Summary

For many years NSAC has sought to compel the owners of adjoining properties to modify and/or discontinue the use of their properties to enable NSAC to operate safely and without regard to noise. This has been the subject of much discussion and unhappiness which NSAC has not sought to address or resolve. In May 2019 Auckland Council formally adopted the position that it would not support the NSAC pressure to compel the owners of adjoining properties to remove their trees at their own expense. That decision was followed by preparation of the Application. The MOT Advisory Note of Frequently Asked Questions attached to the Notice of Application confirms that Airport Authority status allows:

- The airport to make its own by-laws
- Compulsory acquisition of land
- The ability to apply for requiring Authority status

Those powers are very considerable and include the Power of Compulsory Land Acquisition under the Public Works Act 1981. That is a power that should be reserved only for entities that have very clear goals consistent with the national and/or local interest. Under no circumstances should those powers be held by self interest groups or individuals. The errors and omissions in the Application and the glossing over of well-known historical problems demonstrates that the Applicants cannot be relied upon to exercise the powers of an airport authority in any way other than its own self-interest or the self-interest of a small number of its committee, none of whom have disclosed their self-interest.

If there is a need for a substantial North Shore Airport, it cannot be accommodated safely at the Postman Road property. If there is no such need, there is no requirement for the applicant to be granted Airport Authority status. The correct position is that Auckland Council and central Government should determine whether an airport is needed to service the North Shore of Auckland and if so, Auckland Council should prepare its own master plan in consultation with Central Government, identify a site of suitable size and location and without operational hazards. There should then be a process of public consultation and development on a commercial basis having regard to all interest groups, the statutory framework and commercial viability.

Attachment

WILSON | McKAY
BARRISTERS & SOLICITORS

9 November 2020

Partner Reference
R D Cann

North Shore Airport Consultation
Ministry of Transport
PO Box 3175
WELLINGTON 6140

E-Mail: airports@transport.govt.nz

North Shore Airport Application for Airport Authority Status

We **enclose** our submissions in opposition on behalf of AP & PM Kinnell.

Yours faithfully
WILSON McKAY

R D Cann
Consultant



2 April 2019

Albert Corsock Kinnell
1921 East Coast Road
RD 3, Silverdale
Auckland 0993

Dear Mr Kinnell

Trees at [REDACTED] Dairy Flat

Auckland Council has been investigating instances of non-compliance with rule D23.4.1 of the Auckland Unitary Plan, specifically with regard to trees that exceed the height limit imposed by the rule. The rule protects the approach path to the North Shore Airport.

As you are aware, a group of trees located at your properties [REDACTED] have been identified as exceeding the height restriction, although a level of existing use rights applies to these trees as they exceeded the height limit when the initial corresponding rule from the Rodney District Plan came into effect. Discussions have been held with the North Shore Aero Club and yourself with regard to potential solutions to the matter, however no agreement was able to be reached.

We have carefully considered this matter and taken independent legal advice. As a result I can confirm you that the Council will not be taking further enforcement with regard to the trees at this stage. Please note that a notation will be entered on the record for your property outlining the situation with the trees. I note that while Council does not intend to do so, it is possible that the Aero Club may initiate their own enforcement action.

Should you have any queries regarding the above, please contact me on [REDACTED] or at [REDACTED] to discuss.

Yours Sincerely



David Pawson
Team Leader Compliance Investigations

[REDACTED]

30 November 2018

Partner Reference
R D Cann

Auckland Council
Private Bag 92300
AUCKLAND 1142

For: Anitesh Govind
E-Mail: [REDACTED]

Dear Anitesh

Kinnell & North Shore Aero Club [REDACTED]

Our clients have undertaken additional research and reviewed some of the material previously supplied by Council. It is their understanding that the Aero Club property is at a low elevation relative to surrounding land which makes it impossible for the Aero Club to comply with Civil Aviation height restriction regulations. Our clients believe that the whole stretch of East Coast Road in the vicinity of the airport either does not comply or complies by a very small margin at the bare land level, without taking account of trees and buildings.

Please take note of the following information:

1. The macrocarpa tree at 36.647766LAT and 174.669072LONG is approximately 15m tall. According to the Council's topographical map, the bare land height at that point is between 100m and 102m and the approach/take-off path height maximum at that point is 95m. Council's letter to our clients dated 5 May 2016 stated that this tree was 19.3m too tall. That may possibly be correct but this information is not much use if the tree is only 15m high and the bare land level already exceeds the maximum height, unless it is Council's position that our clients are required to remove their buildings and excavate the farm land down to 95m.
2. The bare land height at the main pine plantation, 36.645926LAT and 174.669195LONG and the approach height at that point is 98m so the same problem exists.
3. On the western side of East Coast Road the ground level is 107m and the approach height is 96m. We understand that East Coast Road itself barely complies with the approach height.

If this information is correct, the airfield has never been compliant and has never been capable of achieving compliance. This is not only a matter affecting the Kinnell property but many of the neighbouring properties and potentially the road itself. Part of the Kinnell property was compulsory acquired for road widening purposes and a retaining wall built by Council which almost certainly also exceeds the height limit.

RDC-136821-15-16-V1

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12 June 2019

Partner Reference
R D Cann

Auckland Council
Private Bag 92300
AUCKLAND 1142

For: Peter Vari/ Anitesh Govind/ David Pawson
E-Mail: [REDACTED]

**North Shore Aero Club ("NSAC") Property at Postmans Road North Auckland and Kinnell,
Property at [REDACTED]**

By March of this year we had reached a point in our enquiries where we had ascertained that the 2.5 degree gradient at NSAC had generated the following outcomes:

1. It was impossible to comply with.
2. It damaged the value, use and amenity of adjoining properties.
3. It was of no benefit to NSAC.
4. Auckland Council had spent a large amount of time and money compelling adjoining property owners to comply.

Our understanding to that point was that the reason for the gradient change from 4 degrees to 2.5 degrees arose as part of a plan change by Rodney District Council to comply with Civil Aviation Safety requirements, even though compliance was impossible. Our subsequent enquiries have disclosed the following:

1. We have repeatedly asked NSAC to explain their understanding of the reasons for the gradient change. By letter dated 6th May 2019 we again put this question squarely to NSAC solicitors but we have received no response or explanation.
2. We have a letter from Civil Aviation saying that the gradient change was not at their request and is not a requirement, safety or otherwise.
3. Auckland Council say that the change arose in 1985 to comply with Ministry of Transport guidelines at that time.

We **attach** inward emails from Civil Aviation dated 6th June 2019 and from Auckland Council dated 5th June 2019.

It is clear that the 1985 Ministry of Transport guidelines were general guidelines and not intended to have specific reference to NSAC. The Rodney District Council plans from that time onwards clearly understood the requirement to balance the activities of NSAC with the rights and interests of adjoining property owners. It is only with the passage of time that the history of this gradient change and the dual objectives of the Rodney District Council Plan have become either forgotten or ignored in subsequent processes.

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We have previously advocated that airports should either come within the regime in the Airport Authorities Act 1966 or that they should be subject to the principles and procedures governing private ownership rights. The original gradient of 4 degrees enabled NSAC to operate as an airport without creating significant adverse effects on adjoining properties. The change in gradient to 2.5 degrees was an entirely different matter because of the substantial adverse effects it had on adjoining properties. The change in gradient did not have a major adverse effect in the case of the other two North Auckland airports which were capable of compliance but it did have a major impact in the case of NSAC and illogically, because compliance was never possible. It is self-evident that the Ministry of Transport guidelines were adopted without consideration of the specific effects at NSAC.

In our view it is significant that Civil Aviation has declared itself not to be interested in the outcome of this matter and that there has been no response from NSAC.

We refer you to Civil Aviation General Operating and Flight Rules Part 92.127(a) which states "no person may use any place as an aerodrome unless that place is suitable for the purpose of taking off or landing of the aircraft concerned".

That is our point. As presently configured, NSAC is not suitable for those purposes if it is a Council requirement that the gradient be a minimum of 2.5 degrees. Civil Aviation, Operation and Use Rules Part 139 govern the certification and operation of aerodromes. In order to achieve certification an aerodrome operator must complete an application form and provide extensive information relating to the aerodromes facilities and safety standards. Because the NSAC property is not certified, NSAC has not been obliged to comply with those procedures. The outcome of all this is that Auckland Council is the sole responsible governing body and it has obligations to ensure NSAC is able to operate safely and in accordance with accepted standards. It appears clear that Rodney District Council relied on Ministry of Transport guidelines and that Auckland Council has allowed this situation to continue and further develop without due consideration of the adverse effects.

As we have previously submitted, there is a very simple solution to this problem. NSAC should be required to provide at its own expense a survey of its property together with all surrounding land and there should be a realistic assessment of the gradient it is able to comply with. That gradient should then be adopted in the Unitary Plan and NSAC should be required to operate within that standard. This may mean a limitation on its activities and we have requested NSAC explain this to us but it has declined to do so.

The Kinnells continue to have a cooperative attitude and a willingness to enhance safety at NSAC but they insist that the adverse effect on their property should be removed..

Would you kindly acknowledge receipt of this letter and let us have an indication of what procedures will now initiate.

Yours faithfully
WILSON McKAY

R D Cann
Consultant



Zeljka Vidovic

From: David Frith
Sent: Friday, 20 April 2018 3:45 PM
To: [REDACTED]
Subject: Trees on [REDACTED]

Dear Darryl

With regard to the trees at [REDACTED] which intrude into the 1:40 approach surface from the end of the runway at North Shore airfield.

As indicated previously, the Council has requested the owner of the property to take action to remove these.

He has advised the Council that he cannot afford to do so, but that he is willing to discuss with the aero club, the possibility of him allowing access to the land, subject to appropriate assurances regarding how the land will be left on completion. He has been to his legal advisers and we have had contact with them.

My staff have over past months, at your request, served notice on a number of properties near the airfield, and have had numerous trees removed which breach the 1:40 approach surface. Not all were willingly removed, abatement notices and fines were used to achieve compliance, we even received abuse from some owners for doing so. Those cases were clear breaches, which we have no problem taking action on. The situation at [REDACTED]s, in my opinion of a slightly different nature.

The position of [REDACTED] with the North Shore airfield is perhaps somewhat unfortunate, as the land rises up to meet the 1:40 approach surface, and in fact the natural ground level breaches the approach surface control significantly, as do buildings, power lines and power poles.

Those buildings, power lines and poles, having been lawfully in place prior to the introduction of the District Plan rules in the previous Rodney District Plan 2000, are accorded an existing use right. As previously advised, the Council is not able to require the removal of those items.

I note that by standing on the [REDACTED] i would actually breach the 1:40 approach slope. The restriction is in fact quite onerous on the properties in this area.

The initial request you made for removal of trees was in relation to three trees on this property. After later discussions, you advised that the request actually included more or less the whole stand of trees on [REDACTED] Road rather than the 3 trees originally advised.

Given that the removal of these trees will still leave terrain power poles and power lines in place, well above the 1:40 approach surface, the need to carry out such a drastic clearance appears potentially excessive under the circumstances and I have concerns at the viability of formal enforcement action to have the grove of trees cleared, as you indicated is the club's wish. Terrain and power lines will still be lawfully in place even after such a clearance and the adverse effects would not be significantly reduced.

You had previously indicated that removal of most of the stand of pine trees was likely to be needed, or was the club's preference. I believe it would be appropriate for the Aero club to clarify the extent to which there is an actual need for trees to be cleared, and to enter discussions with the property owner to carry out removals reasonably needed on the property. Council can assist with dialog with the owner if needed.

The owner of the property, through his legal representative, has indicated that he is willing to allow access to his property for works to be carried out by the aero club, subject of course to the property being left in a suitable condition afterwards.

Yours sincerely

6 May 2019

Partner Reference
R D Cann

Auckland Council
Private Bag 92300
AUCKLAND 1142

For: Mr P Vari
E-Mail: [REDACTED]

**North Shore Aero Club ("NSAC") Property at Postmans Road North Auckland and Kinnell,
Property at [REDACTED]**

We act for Mr Kinnell who is the owner of a fifth-generation lifestyle property and former small dairy farm at [REDACTED]. There are long standing issues between NSAC, Auckland Council, the former Rodney District Council and County Council and the owners of properties surrounding the NSAC property, including those on [REDACTED].

The essence of the problem is that Civil Aviation safety standards require the absence of hazards surrounding this and every other airport. In the case of NSAC the Civil Aviation minimum clearance gradient is 2.5 degrees from the end of the runway. The runway is situated on low-lying land surrounded by higher ground, well in excess of the minimum safety standard even at bare ground level and even more so at the height of any normal use and amenity of those properties above bare ground level. In point of fact, every fencepost, building, tree and every activity of all descriptions on portions of the affected properties fall within the minimum height restriction. [REDACTED] itself is within the height restriction and so is every service along [REDACTED] including power poles, road markers and the movement of traffic while aircraft activities are in progress. This problem has been known and recognized by successive Councils since the 1960s. Attached is material we have now received from Auckland Council under the Official Information Act which describes the history of this matter. You will observe that the approach of Rodney County Council and Rodney District Council was to permit the activities of NSAC while at the same time protecting the amenities and values of the surrounding properties. Council recognized the need for consultation and notification to affected owners and also that this issue was not only a matter of controlling trees, but affected every aspect of those properties. The original height restriction was based on an achievable gradient of 4 degrees but for reasons we do not yet understand this was changed in the 1980's to a lower gradient of 2.5 degrees apparently in response to Civil Aviation standards. At 4 degrees the gradient cleared the surrounding high ground but at 2.5 degrees the gradient intersected the [REDACTED] ridge line.

Under the Official Information Act AC has now disclosed the text of the public notice it relies upon as having informed the owners of the change in gradient but you will observe that this notice mostly relates to the width of the fan and not a change to the gradient and therefore does not constitute Notice to the Kinnells.

These issues have come to our attention because Auckland Council compliance department has taken action against adjoining property owners over the past couple of years to compel them to trim and/or remove their trees at their own expense to comply with the 2.5 degree gradient. In the case of Mr Kinnell, a quote obtained by Auckland Council indicated a cost for several options starting

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at \$40,000 up to \$70,000, but even at the higher cost, considerable debris would have been left on the Kinnell property, tree stumps would not have been removed, fences not reinstated, no provision for the inevitable destruction of the accessway and no acknowledgement that the Kinnell property would then have lost the wind shelter provided by those trees. Mr Kinnell is eighty years of age, in poor health and entirely reliant on National Superannuation. His lifestyle property generates no income. It provides a home for him and his wife and also a home for his daughter and grandchild. Mr Kinnell has no funds available to carry out these works and his health and fitness prevents him from doing so himself. His situation is only an example of the problems facing the owners of many other affected properties who have been threatened with abatement notices and legal proceedings by Auckland Council over this period. We were previously informed that Auckland Council had obtained a legal opinion supporting their actions but Auckland Council says that it has NOW obtained an independent legal opinion that it should not continue enforcement of tree trimming and removal. It also notes that residents may then become subject to civil action by NSAC. AC gives no reason for this change of attitude or apology for its past actions.

Over the past two years we have addressed Auckland Council many times about the history of this matter and the fact that NSAC aspires to be a full-blown airport serving the North Shore of Auckland. You may refer to the NSAC website, its own magazines and recent highway signage and you are no doubt aware of aviation based services accumulating in the vicinity of the NSAC property. We expect you will also be familiar with the December 2017 report published by Auckland Council which records submissions about the future of the NSAC airport. We note that all submissions are from NSAC with one exception and that the exception is not from the owner of an adjoining property. The conclusions of that report demonstrate that Auckland Council is aware of the issues but has done nothing to address them.

In the course of our research we have obtained a copy of the Rodney District Council District Plan, the Auckland Council District Plan and the Auckland Unitary Plan. The Rodney District Council Plan of 2001 continued the previous twin objectives of permitting NSAC activities but also protecting the amenities and value of adjoining properties. This was adopted in the 2010 Auckland Council Plan but the objective of protecting the amenity of the surrounding properties appears to have been omitted from the Auckland Unitary Plan.

To the best of our knowledge and belief, local residents tolerate the activities of NSAC on the basis that historically it has been a recreational club for light aircraft but it is our belief that local residents do not understand that NSAC has developed into a regional airport and aspires to develop further. We consider it is even more probable that local residents have little or no idea that the flight path safety requirements prevent the use or development of portions of their properties. Even more, we suggest that local residents do not understand that they are living within the restricted flight path and are at risk of their own lives and property. It is probable that the residents first knowledge of these adverse aspects will arise when they come to sell or mortgage their property or when they seek resource consent or building consent to replace their houses and other buildings.

We have made several requests to Auckland Council to disclose the historical consultation and notification process that has taken place because we suspect that the owners of adjoining properties may have been informed of the technical standards without the implications of this being explained in a way they could understand. It is inconceivable that the owners of adjoining properties would allow their lives to be placed at risk and the amenity, use and value of portions of their property to be damaged in this way if they had received proper notice. Based on the information we have at this stage, we believe it is probable that the democratic process has failed the owners of the adjoining properties and that failure has continued down to the present time. NSAC has never been required to satisfy the principles of the Resource Management Act. We have recently received a copy of the public notice Council relies upon as having informed owners of the gradient change

but you will note it actually refers to the width which supports our contention that the public notice has not been given.

Civil Aviation

We have been in communication with Civil Aviation a number of times including enquiries under the Official Information Act. Regrettably, Civil Aviation has been less than forthcoming. We have constantly sought to understand how the gradient of 2.5% has been adopted and why this changed from 4 degrees. Both Civil Aviation and successive Auckland Councils appear to have kept their head in the sand over this issue, assuming compliance was not an issue when they knew full well that it was an issue.

Desired Outcome

For the primary reasons of public safety, resource management, fairness and democracy we consider that Auckland Council should initiate a review of all aspects relating to the current and future use of the NSAC property. A process of that sort is far beyond the capacity of individual owners to initiate as a change to the Unitary Plan and that is why the process should be carried out by Auckland Council with full and proper notification and consultation with all interested parties. This should lead to a new policy which requires NSAC to operate within the actual achieved and achievable safety standards that do not adversely impact on adjoining property owners unless they are properly compensated.

We have enquiries currently with Civil Aviation and we have written to the solicitors for NSAC proposing that the gradient of the VSS fan be increased from the current 2.5% to the original 4% which (subject to survey) would be a height sufficient to clear the affected bare land and an appropriate range of amenities such as power poles along [REDACTED] properly controlled shelter belts and conventional dwellings. We are unclear at this time the extent an increase in the gradient would affect the activities of NSAC because it has declined to respond, but under all the circumstances, we consider an outcome of that sort would meet the needs of all interest groups other than interest groups who want to develop a regional airport. Any such development in our view should be located at a site which properly meets safety and resource management standards rather than pressing into service a property that was selected as the lowest cost property suitable for the recreational use of light aircraft.

This is an important issue which affects the lives, safety and livelihood of many people. In our view there has been a systematic failure of Rodney District Council and then Auckland Council to properly inform and have regard to accepted resource management and democratic factors. We would appreciate the opportunity of discussing this with you further and particularly, we would appreciate a response from you acknowledging receipt of this letter and informing us of the steps you propose taking in the short term.

Yours faithfully
WILSON M c KAY

R D Cann
Consultant
[REDACTED]

From: Fiona Mackenzie [REDACTED]
Sent: Monday, 9 November 2020 1:51 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Aero Club Authority Application

To Whom It May Concern,

We have concerns about North Shore Aero Club applying for airport authority status. Will this result in more traffic flying overhead our family home at the [REDACTED]

We have lived on this site for 33 years and have noticed a significant increase in flight noise from both fixed wing and helicopters. We certainly wouldn't want this noise increasing any further as it can already be quite disturbing, sometimes even late at night or in the very early morning.

Consequently, we are strongly opposed to any extension of the aerodrome's activities or to any increase in the regularity of flights. We'd also like the flight path to completely avoid this heavily populated area if that is at all possible.

Kind regards,

F. M. Mackenzie & C.J. Todd
[REDACTED]

From: WARWICK GOOLD [REDACTED]
Sent: Monday, 9 November 2020 11:35 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status
Importance: High

Dear Sir/Madam,

Please find attached my submission for the North Shore Aero Club Airport Authority Application.

Yours Faithfully,

Warwick M. Goold
[REDACTED]

Attachment

Attachment

Monday, 9 November 2020

ATT: Ministry Of Transport – Airport Submissions

Dear Sir/Madam,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

The owner of North Shore Airport, the North Shore Aero Club, went out of its way to find a suitable site in the 1960s as to minimise the any impact to the community at large. Now due to the fact the community can move in to the area and inhibit the activities carried out at North Shore Airport, means that great protection is needed for North Shore Aero Club and North Shore Airport.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours Faithfully

Warwick M. Goold

From: H and D Turley [REDACTED]
Sent: Tuesday, 17 November 2020 9:42 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport Submission attachment

Ministry of Transport
North Shore Airport Authority application Submission attachment.

Please acknowledge receipt of the attached document.

Regards David Turley

[REDACTED]

Attachment

Submission by David Turley in opposition to the application by North Shore Airport for Airport Authority Status.

Aero Club does not meet the legal criteria to become an Airport Authority

The intent of the Airport Authorities Act 1966 is very clear that it is to provide provision for the Crown and for Local Authorities to create and operate Airports for the benefit of the public community, and to provide mechanisms for the Crown and Local Authorities to operate Airports. The intent is clearly not designed to provide a mechanism for private organisations and club groups gain a platform through which they may dictate to and override the Local Authority.

Section 3 of Airport Authority Act 1966 makes provision for Authority status to be conferred to any Local Authority (and only any Local Authority). The Interpretation of Airport Authorities Act 1966 defines a Local Authority meaning a local authority within the meaning of the Local Government Act 2002.

The Interpretation (Section 5) of Local Government Act 2002 defines local authority as a regional council or territorial authority. Territorial authority means a city council or a district council named in Part 2 of Schedule 2. Schedule 2 lists (what appears to be) most of all City and District Councils within New Zealand.

Section 3A allows a Local Authority or Minister for State-Owned Enterprises and the Minister of Finance (on behalf of the Crown) to form a company (to operate as an Airport Company) designed to operate on their behalf.

Section 3D is a provision for Airport Authorities which are not Local Authorities (Airport Companies set up by and operating on behalf of Local Authorities or the Crown) to be able to utilise Public Works powers in order to complete works to the benefit of the greater public.

The Interpretation of the Airport Authorities Act defines airport companies and states Airport Company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority under that section. This clearly states that an Airport Company must be acting for and on behalf of a Local Authority (or the Crown).

North Shore Aero Club incorporated is not a Local Authority.

North Shore Aero Club Incorporated is not an airport company acting on behalf of a Local Authority nor does it represent the Crown.

North Shore Aero Club Incorporated is a private entity and was not established by a Local Authority or the Crown. It is not an Airport Company and cannot act as one.

North Shore Aero Club Incorporated is not even a registered company as does not even meet the criteria to be registered under the Companies Act 1993.

The Ministry of Transport appears to have taken an overly simplistic and therefore incorrect interpretation of one subsection [Section 3(3)] of the Airport Authority Act 1966.

Section 3(3) – ‘The powers conferred on local authorities by this section may, with the prior consent of, and in accordance with conditions prescribed by the Governor-General by Order in Council, be exercised by any person or association of persons referred to in the Order in Council.’

The Section needs to be read in its entirety to fully understand what is being said. Subsection 3(3) cannot be read as a standalone statement – the 4 subsections are a series of progressive statements that sequentially build upon each other.

Section 3(1) allows for the conferring of the power associated with Airport Authority status to a Local Authority.

Section 3(2) allows a Local Authority (if it chooses) to establish an entity to manage the Airport on its behalf.

Section 3(3) allows for the Airport Authority status to be exercised by that entity (established by the Local Authority).

To paraphrase the section 3(3). The power is given to the Local Authority and that power can then be administered by any person or association of persons referred to in the Order in Council. The crux of this section is that the 'power' is required to be vested to the Local Authority not a private organisation.

Section 3(3) clearly does not allow for any person or association of persons to be given Airport Authority status and thereby the associated powers, to enable them to conduct a private business. One of the powers associated with Airport Authority status is the ability to compulsorily acquire land under the Public Works Act 1981. The Public Works Act provides for the compulsory acquisition of land to enable the construction of infrastructure to the benefit of the greater public and New Zealand as a whole. The notion that Parliament enacted legislation in order to enable private individuals or organisations to better their own financial position through the absolutely destructive process of compulsory land acquisition is an absolute nonsense.

The Ministry of Transport appears to believe through a misguided and twisted interpretation of Airport Authority Act Section 3(3) that North Shore Aero club should unlawfully be awarded the destructive power associated with the Public Works Act in order to benefit the Aero club at the expense of both neighbouring property owners and Auckland Council.

North Shore Aero Club Incorporated does not meet the legal criteria to apply for Airport Authority Status, so its application may not legally proceed. It should not have reached this stage of the process and should have been declined when the application was originally received.

Application is intended to circumvent Auckland Unitary Plan (AUP-OP)

Auckland Council has made specific provision for North Shore Airport by assigning it SPECIAL 4 (NORTH SHORE AIRFIELD) ZONE.

AUP-OP D23.3 Policies clearly states that it is the Council's intent that the Airfield be able to continue its operation. D23.3(3) Prevent the height of buildings and trees and other obstructions from adversely affecting the safety and efficiency of airports or the ability of airports to function at present levels.

The special 4 zone applied to North Shore Airport and the zoning of the areas surrounding the special zone 4 reflect the intent to continue to allow current permitted activities. North Shore Airport Precinct designation is currently applied under the AUP-OP.

Precinct documentation, I525.3. Policies(1) States: Enable the efficient operation of the existing airfield. There are specific limits on hours of operation and noise levels (I525.6. Standards). The council has made provision for the continued operation of the Aero Club and its facility with the clear intent that operations and activity remain at their current level. This neither allows for nor accommodates airport expansion. Auckland Council has made no provision for the Aero Club's expansionist aspirations because it does not want or intend any expansion of this airfield.

The North Shore Aero club under the heading of 'Overview of Auckland's Airports' have cherry picked generalised statements from the AUP-OP in order to suit their application and have omitted to discuss the statements about the zoning specific to their site and limitations placed on the site's activities. The club's claim that being recognized as an Airport Authority would complement the underlying land zoning of North Shore Airport is disingenuous as the

desire to attain Airport Authority status is an attempt to remove limitations placed on the club by Auckland Council for the benefit of all of Auckland.

The consultation process with regard to provision for the Aero Club within the AUP-OP has no bearing on their application for Airport Authority status. The statement in the application that further consultation is unwarranted and without merit is merely a manipulative attempt to bypass public scrutiny and due process.

Stated desire for runway expansion

Auckland Council AUP-OP clearly has no desire for the expansion of North Shore Airport. Auckland International Airport caters for Auckland's domestic aircraft. It already has Resource Consent and has commenced work on a second runway to enable greater capacity for the Auckland area. Auckland Airport is the airport that Auckland Council (the Local Authority) has planned to service the greater Auckland area. To claim that North Shore Airport is 'fulfilling its role in Auckland's strategic hierarchy of aviation services with the full support of Auckland Council' appears to be a quantum leap for what has until recently been a club airfield.

In its application, North Shore Airport is at pains to portray itself as a something aligned to a public utility making much of its usefulness to Air Force, Police, Civil Defence and emergency services. The vast majority of these organisations utilise helicopters and are their limited use of North Shore Airport is easily able to be facilitated by the airport in its current physical and organisational state. Helicopters do not require additional runway and in emergency situation do not even require an airport (a field, beach or even an arterial road will suffice) to insinuate that a larger runway would make their operation safer both illogical and insulting to the abilities of the professionals operating these aircraft.

Small commercial services have operated from North Shore Airport with limited commercial success. Great Barrier Airlines has been a regular operator but has in recent years reduced its flights to and from North Shore to virtually nil and uses the Airport almost solely for aircraft maintenance. The reduction of the intrusive aircraft noise of GBI aircraft has been immensely enjoyed by Dairy Flat residents.

If the airport is concerned about security, then physically doing something such as erecting security fencing would be more appropriate than relying on Airport Authority status.

Conclusion

North Shore Airport is privately owned by an Incorporated Aero club. The airfield was established in rural Dairy Flat approximately 60 years ago. Auckland city has grown over this time and has reached the stage where it is about to envelope the airfield. Auckland Council has gone out of its way to facilitate the continued operation of the airfield in its current form. The airfield is not the result of any long term strategic council plan, simply an existing facility that the council has accommodated.

Auckland Council has identified the airfield for protection in its current operating format and has appropriately zoned Airport land and surrounding land to enable its continued operation (but not expansion).

North Shore Airport management seeks Airport Authority status in order to free itself from Council imposed restrictions. It seeks to impose severe limitations on the activities usage of privately owned land for a large distance surrounding the airfield and sees usage of the Public Works act as a means by which it might force its expansion without constraint by Council or normal commercial practice. North Shore Airport management appears to have limited support from it Aero club membership evidenced by only 5% of its members attending a special meeting regarding its Master plan and application for Airport Authority Status (Feb. 2020 Club newsletter – Prop talk).

North Shore Airport has made exaggerated claims regarding its importance to numerous organisations and has attempted to position itself as some sort of de-facto public utility for the benefit of greater Auckland. The club newsletter regularly talks about the need to convince the Council and the public that the club airport is in some manner of public benefit.

North Shore Airport does not fulfil the legal criteria required under Airport Authority Act 1966 to be able to receive Airport Authority Status. In that it is not a Local Authority, it is not an Airport Company established by a Local Authority or the Crown and is not operating for or on behalf of a Local Authority or the Crown. It fails all of the requisite criteria outlined under Section 3 of the Act.

I oppose the application for Airport Authority Status and believe that it is a manipulative attempt to circumvent planning restrictions imposed for the public benefit and that there is no legal basis under the Airport Authority Act 1966 that the Aero club could attain such benefit.

David Turley



From: Susan and nicholas Geare [REDACTED]
Sent: Thursday, 19 November 2020 5:20 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport's application for airport authority

We wish to object to North Shore airport's application for airport status.

The application has failed to provide concrete facts regarding the airport expansion plans. The plan at best is a concept plan. There is no mention of costings eg earthworks, the purchasing of neighbouring land, runway construction, or respecting existing rights of the residents in the Dairy Flat community. The plan is clearly an attempt to control the perceived future adverse affects of population increase in the Dairy Flat area. The plan fails to mention that the eastern end of the runway(where incidentally there is no space for a crash zone) the land is significantly below a ridgeline, and to the west, Dairy Flat School is located on the flightpath (within the PSA?). The airport is often shrowded in mist and fog in winter.

Regards,

Nick and Sue Geare.

From: Heather T [REDACTED]
Sent: Monday, 23 November 2020 10:53 AM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Aero Club Airport Authority opposition submission

My submission in relation to the North Shore Aero Clubs application for Airport Authority attached.

Please acknowledge receipt.

--

Heather Turley

[REDACTED]

Attachment

I am making a submission in **opposition** to North Shore Airport being granted Airport Authority status.

1. It already holds special purpose airport zone and this is appropriate for its continued viability- No further powers are required.
2. Information in the application is not accurate and misleading. No balanced review of the North Shore Aero clubs economic improvement or importance has been done
3. It is not a regional hub and never will be. It has not extended [and it fact shrunk] its public use with regional airlines.
4. It is debatable that it has full support from all its members [and has inflated its membership with 'honorary members', 'life members', 'family members', 'affiliated members' and 'corporate members']
5. Secrecy in this application shows that secrecy is highly likely when applying for requiring status
6. Growth in the area will be halted if airport Authority is granted with ongoing uncertainty of North Shore aero clubs designs on acquiring further land and imposing severe restrictions on any development.
7. 'Obligations' reported by Ministry of Transport have no relevance to the extensive powers that Airport Authority would gain, so should not be Ministry of Transports main focus.

North shore airport already operates under special airport status and no further powers would responsibly be required. The North shore airports authority status submission is full of untruths and will negatively affect the area, not provide 'many' new jobs and has in fact shrunk in its regional activities in recent years. It is a private group that has no grounds to bestow extensive powers with no responsible oversight to.

Airport authority status provides a range of *extensive* mechanisms that would ensure North Shore Airport can control the environment and operate and manage the airport in a way that is consistent *with only 20% of airports* around New Zealand. Only three airfields that are not council owned or regional airports hold this status. Airport authority should not be given to aero clubs that state their main purpose is for members and doesn't have a strategic regional value for the community.

The regulatory framework and legal status that would be gained by acquiring airport status would disproportionately extend the North Shore *Airports ability to control and restrict the useful area* now and into the future. There is no need for extensive powers when the *airfield already holds special purpose airport status*

North shore Airport is recognised by the Auckland Council and has *special purpose airport zone status under the proposed unitary plan*. The Auckland Councils 'highly supportive' North Shore Airport topic report 2017 was compiled with Aero Club member's opinions *with no other inputs or considerations*. It is not a balanced or objective report and cannot be used to support Airport Authority application. With the granting of airport status, the airport can *decrease the value to the local community* .It will not be providing any new transport links or any new synergy with local businesses. It will *severely halt development* around the airport as it will bring uncertainty to any development.

North Shore Aero Club has documented members ranging between *450 and 645*. 'fewer than 30' [Proptalk February 2020] turned up to the Club's internal consultation for the airport authority application. There used to be *regular scheduled passenger flights to and from North Shore airport but this has decreased* in the last 5 or so years. Some emergency services can use the airport and do so, *without requiring further airport authority*.

The North Shore Aero Club sites that key strategic infrastructure directly attributes to supporting *many* jobs, businesses and Livelihoods- but this has *actually decreased in recent years*. There is no actual proof of these claims and no detailed economic analysis to back them up. The halt on development with Airport Authority status will halt any new jobs in the area.

The diligent operation of the airport being endorsed with its *current zone of special purpose airport is covered in the North shore airport precinct*. The airports that exist should be allowed to *continue without requiring extra special powers over community and council with no realistic obligations or responsibilities*.

Of the 20 airports that have requiring authority, they are all major regional hubs except for Ardmore which had requiring authority whilst controlled by Ministry of Transport and Omarama which is council owned. Opening up North Sore airport to Authority status would allow the Airport to apply for Requiring status *without any notification*. This would not benefit the community and have no responsible oversight.

Concerns

North Shore Aero Club – Irresponsible, secretive and not united

- The North Shore Aero Clubs own bimonthly newsletter reports that small amount of members were interested enough to go to a Private unveiling of the airports plans.
- Plans “only openly released after consultation is finished” ‘there is a reason for this’ [John Punshon, Proptalk February 2020] to aero club members. Clear intent to keep plans away from general public.
- Club email to members suggesting *come in force* to local meeting, to counteract expected negative response. Not consultative
- Wish to not notify community of application
- Personal gain to club office holders who hold commercial interests in aircraft facilities
- Unlikely to consult over applying for *requiring airport authority* as it has attempted to avoid public consultation at every step.
- Recent Expansion plans but no business plan [or substantial funds] to give substance to these dreams.
- Decided aerodrome ‘must become relevant’. Doesn’t state it is, but it *must become* so [Proptalk August 2019]
- “*Concept* we have been promoting to Auckland council” rather than reality [Proptalk December 2019]

Application not correct and over inflating value

- The North Shore Aero Club’s own bimonthly newsletter reports ‘need to continue to work with council... keep the airfield a valued regional resource’. Over inflating importance.
- Auckland Councils Airport topic report 2017 only references are from Aero Club members with own agendas with no outside opinions or considerations. It is unbalanced in its assertions.
- “many’ jobs not substantiated. Halt on development with authority status will reduce jobs in the area.
- *Passenger services* from North shore airport to Great Barrier airport *reduced* and now expensive and minimal [only 6 in a 2 week period]. Previous regional air services have

also disappeared long ago. [eg Sunair from Kaitaia with connections to Great Barrier Island]

Special purpose airport status already gives airport power to enforce restrictions on community

- The North shore aero club already has extensive power over their Neighbours. The Noise area already has increased sound insulation requirements and height restrictions.
- The airport should not have autonomy from Council. The council is answerable to the community, the airport authority is not. Bylaws should be made with Community needs paramount. Allowing a private enterprise under the guise of a Club to make bylaws is abhorrent in a democracy.
- Council has clearly allowed for Airports continuation in Auckland Unitary plan
- Page 96 of the April 2020 unitary plan already has *provision for airport growth without needing airport authority status*.
- Council has supported the North Shore airport *for recreational use* by the aero club
- Purpose is to avoid paying its way with no rates["increased land values around the aerodrome, the cost of paying rates and other expenses will increase..... to keep ahead of these expenses" proptalk august 2019 & verbal acknowledgement by Council representative that if Airport authority they would not pay rates.]

Regional growth will be restricted

- Central government has sought to increase land available for *affordable urban growth* and the Silverdale –Dairy Flat area has had a Unitary plan from Auckland council with consultation over many years.
- Airport authority will *reduce the available land for urban development*. Zoning that has been planned for, with community consultation, can be *changed with no consultation or notification*. Industrial use land may increase with restrictions, but *available urban land will decrease*. No development will progress with airport Authority as expecting requiring status without notification. This will negatively affect the countries housing supply.
- *Costs will increase dramatically* for urban development with height restrictions, noise restrictions, land use restrictions and will negatively affect the housing supply.
- Restrictions of certain activities, ie no new schools within airport noise zone, that could be increased with the airport authority with no consultation or prior notification. Restrictions on community provisions disastrous for any development.
- Long term transport links for the area with a rapid transit route planned is realistic but an airports proposed importance has been over estimated and not significant in strategic transport network.

Obligations and responsibilities under airport authority.

- Those detailed by Ministry of Transport are insignificant and have no relevance to the extra- ordinary powers that the airport is then going to apply for without notification.
- Real obligations is to have a business plan with economic analysis and to promote growth in the area

- A real obligation is to work with, and be honest, in its proposition and consult with the community and those most affected.

Poor Ministry of Transport notification and communication

- Letter dated 28 September [but received a week later] *not sent to all in affected area. Many residents were completely unaware.*
- Meeting held only a week before submission deadline. Deadline only specifically extended after input from local MP
- Advised decision weighted on “to look at if they could meet obligations and responsibilities’ rather than real concerns. Obligations and responsibilities identified have no connection with extraordinary powers bestowed.

Personal concerns

- Although I am a long term Dairy Flat resident and have no desire to have increasing development around my home, I do appreciate that Auckland is growing and that change is inevitable.
- Changes outlined in the Unitary plan have had consultation and are for the greater good for Future generations. The airport authority status application has neither of these.
- Uncertainty with the dictatorship powers will stop any development. A private enterprise should not override Council powers.
- My lifestyle home will significantly be negatively impacted by noise, new bylaws and breakdown and distrust in the community for the North Shore Aero Club.
- I have always accepted small planes flying overhead and the noise they brought, but not as a ‘regional hub’ with increased aircraft traffic , size of aircraft and no oversight to their community impact .

Heather Turley



Resident 25 years

From: J Kiers [REDACTED]
Sent: Monday, 23 November 2020 4:15 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Aero Club airport authority status application

Hi,

Please find below my submission on the North Shore Aero Club airport authority status.

We are opposed to the granting of the North Shore Aero Club airport authority status.

To gain airport authority status is part of the North Shore Aero Club plan for long term growth, which we oppose. We don't want the airport to expand. We already seem to be in a flight path for planes coming in to land / taking off. Any increase in frequency and/or size of planes taking off / landing at this airport will have a significant negative impact on the relative peace and quiet we currently enjoy.

I also believe that granting the North Shore Aero Club airport authority status will negatively impact the growth planned for the DairyFlat area by the Auckland Unitary Plan. The Auckland Unitary Plan has been extensively consulted on and have in general terms already been accepted by the community. We believe the North Shore Aero Club needs to work with Auckland Council and integrate into the Auckland Unitary Plan for this area instead of trying to dictate what growth and type of development can take place to suit itself.

For the North Shore Aero Club to apply for airport authority status is self-centred and will negatively impact our, it's neighbours' and the wider community's amenity.

Kind regards,

Johanna Kiers
[REDACTED]

From: J Kiers [REDACTED]
Sent: Tuesday, 24 November 2020 1:39 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Aero Club airport authority status application

To whom it may concern

Please find below my submission on the North Shore Aero Club airport authority status application.

We are opposed to the granting of the North Shore Aero Club airport authority status. For the following reasons:

1. We believe that gaining airport authority status is a step towards the planned growth of the North Shore Aero Club. This planned growth needs to take place in unison with the current Auckland Unitary Plan for the DairyFlat area and gaining airport authority status will allow the North Shore Aero Club to 'impose their will' onto this plan and thereby restricting planned growth.
2. Although we realise this feedback is for if the North Shore Aero Club should be granted airport authority status or not; we feel, seeing that it's a step in the North Shore Aero Club's growth plan, consideration should be given to the impacts any such growth will have on the local community. We strongly believe any growth that increases the size of planes and frequency of planes using the club facilities will have a negative impact on our and the local community's amenity and relative peace and quiet.

Kind regards,
Jan Kiers

[REDACTED]

From: W W JUST [REDACTED]
Sent: Wednesday, 25 November 2020 12:34 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport (NSA) application for airport authority status

To North Shore Airport Consultation, Ministry of Transport of New Zealand, Wellington 6140:

To whom it may concern:

By this email, sent on the 25.11.2020, we follow the conditions as to form of communication and time frame to deliver our submission regarding the above referenced matter and would appreciate receiving a short confirmation of receipt of said submission via email. Thank you.

Wolfram and Joanne Just

Residence: [REDACTED]
[REDACTED]

I. NSA's application for airport authority status should be denied.

II. Reasons:

1. The legal description of our property is Lot7DP59713 . The north-east approach and take off fan of the north-east / south-west runway 'covers' about one third of this property at between 190 and 160 meters above ground. The eastern edge of the fan runs about 160 meters above our house, which is located approximately 4740 meters away from the runway threshold.
2. NSA is described as a small, uncontrolled aerodrome with pilot activated lighting and a curfew from 22.00 (10.00pm) to 07.00 (7.00am).
3. Over the years the flight activity has increased permanently and has reached now a level of noise - and consequently - air-pollution which is **not at all in line with Objective 12.8.4.1.2.2** of the Rodney District Plan, Chapter 12, SPECIAL 4(NORTH SHORE AIRFIELD)ZONE (RDPC 12/S4Z), namely:

'To protect the residents of habitable buildings in surrounding rural and residential areas from the effects of noise and other adverse effects generated by activities from the Airfield.' !

Policy 12.8.4.1.3.1 which should achieve Objective 12.8.4.1.2.2, and requires:

' Aircraft activities and aircraft related activities within the Zone should not generate adverse noise effects on inhabitants in the surrounding area.'

is not respected or honoured!

4. Especially the flight activities of helicopters have increased massively. They fly at low - or very low - altitudes over our house as they do not seem to observe the north-east fan at all. This happens even late at night.

Consequently the **Policy 12.8.4.1.3.2 which should achieve Objective 12.8.4.1.2.2, and requires:**

' Aircraft activities and aircraft related activities should occur at times and levels which do not generate adverse effects on inhabitants in the surrounding area.'

is not respected or honoured!

5. In addition helicopters, fixed wing planes and even long distance jets northbound from Auckland airport seem to use NSA as a reference point and cross at different height and noise levels day and night over our area.

6. The true objective of NSA is 'A mass transport hub for the north of Auckland'(stage 4 of the NSA Master Plan!). This objective has not been openly and honestly discussed (Simply compare this objective with the answer to question Nr 5 at the end of your circular letter dated 28.9 2020!!) It has no benefit for the community, it has only one purpose: Generate substantial income for the owners of the air field! **Consequently those owners can not be trusted to appropriately carrying out their responsibilities of being an Airport Authority or holding the related powers!**

The increase in predicted movements per year by 244% (!) until 2040 and the increase in predicted passenger numbers per year from basically zero to 65'000 per year or 180 per day in 2040, the introduction of two-engine turbo prop planes for 80 passengers with much higher noise levels than what **Rule 12.8.4.3.6 of the RDPC 12/S4Z allows for DayNight Sound Levels (Ldn), namely between**

55dBA and 65 dBA,

clearly indicates that NSA does not respect the relevant Objectives, Policies and Rules of the RDPC 12/S4Z and does not intend to honour them in the future!

7. Statistically most airplane accidents happen during the approach and landing phases. Planes need high amounts of fuel and produce high levels of noise during these phases.

Living under the fan means that we would be exposed to the highest noise levels, to the highest air pollution, to a high accident risk, to substantial financial losses of the amenity value of our land and property, to the complete loss of our rural quality of peaceful living for which we have paid very substantial amounts of money!

All this is not acceptable, especially not in our rural, peaceful, green environment and clean fresh air and it completely ignores the existence of the RDPC12/S4Z !

As we have said in the beginning of our submission: NSA's application for Airport Authority Status should be denied!

RDPC12/S4Z in its entirety and in all its details has to be respected and honoured!

Yours faithfully,

Wolfram and Joanne Just

From: Robert & Linda Brown [REDACTED]
Sent: Wednesday, 25 November 2020 4:31 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission to Dairy Flat Airfield's application for Airport Authority

Dear Ministry of Transport,

Attached please find our submission as requested for the North Shore Airfield (Dairy Flat) application for Airport Authority Status.

As per the previous correspondence received, submissions close 30/11/20.

We would request acknowledgement of receipt and subsequent filing thanks.

Regards

R & L Brown

Dahlia Haven

www.dahliahaven.co.nz

Commercial Dahlia growers since 1990

Attachment

Submission to North Shore Aeroclub's application for Airport Authority status.

On behalf of –

R & L Brown

[REDACTED]

[REDACTED]

Trading as “Dahlia Haven” and “R & L Brown Contractors” Est 1979.

We agree, as a submitter, for our name and generic address to be noted, but would prefer the specific details (email and street number) that could be used for various nefarious reasons by third parties, not to be made publicly available.

BACKGROUND

We are residents at [REDACTED]

[REDACTED] We have lived here since the early 90's. We have in the past been both full and associate members of North Shore Aero Club (NSAC), holding a PPL for a number of years and an ongoing interest in aviation. We have supported the club through a number of past “open days” and thrilling airshows.

Height restrictions were already in place when we bought the properties.

Rodney District Council (RDC) introduced noise contours to protect the use rights of the airfield from the intrusion of development in its many forms. This required any new builds to require sound insulation and some (not all) affected property owners at the time, were compensated by Council for the perceived loss in value by allowing subdivision through the plan change. The noise contours both provided property owners with expectations of aircraft noise and responsibilities to the NSAC for their noise production.

To the north of the Dairy Flat airfield is **a small area off the end of the 03 runway, of Rural – Countryside Living**, an unusual zoning based on Council planning criteria and one that has puzzled many of those 10x property owners until now. However, to date, the parties responsible for the current planning designations, failed to divulge the reasons for doing so. It has now been suggested, the inclusion of these properties into the future urban development area is perhaps due to proposed growth of the various infrastructure networks demanded (yet to be publicly notified). With the 15/05/20 High court ruling of *Franco Belgiono-Nettis Vs Auckland unitary plan independents hearing Panel (First respondent) and Auckland Council (second respondent)* where they did not comply with their duty to give reasons for a planning decision made, it appears there will need to be some ongoing consultation.

A runway extension at the end of 03 was planned in the original plan change (to protect the future use of NSAC), requiring as a consequence of those changes, reduction to the existing height restrictions on affected properties (ours included) and was privately defended at great

personal cost, all the way through to the environment court. **The proposed extension was changed to a safety runoff zone prior to a court ruling being made, to the satisfaction of NSAC, RDC and ourselves.**

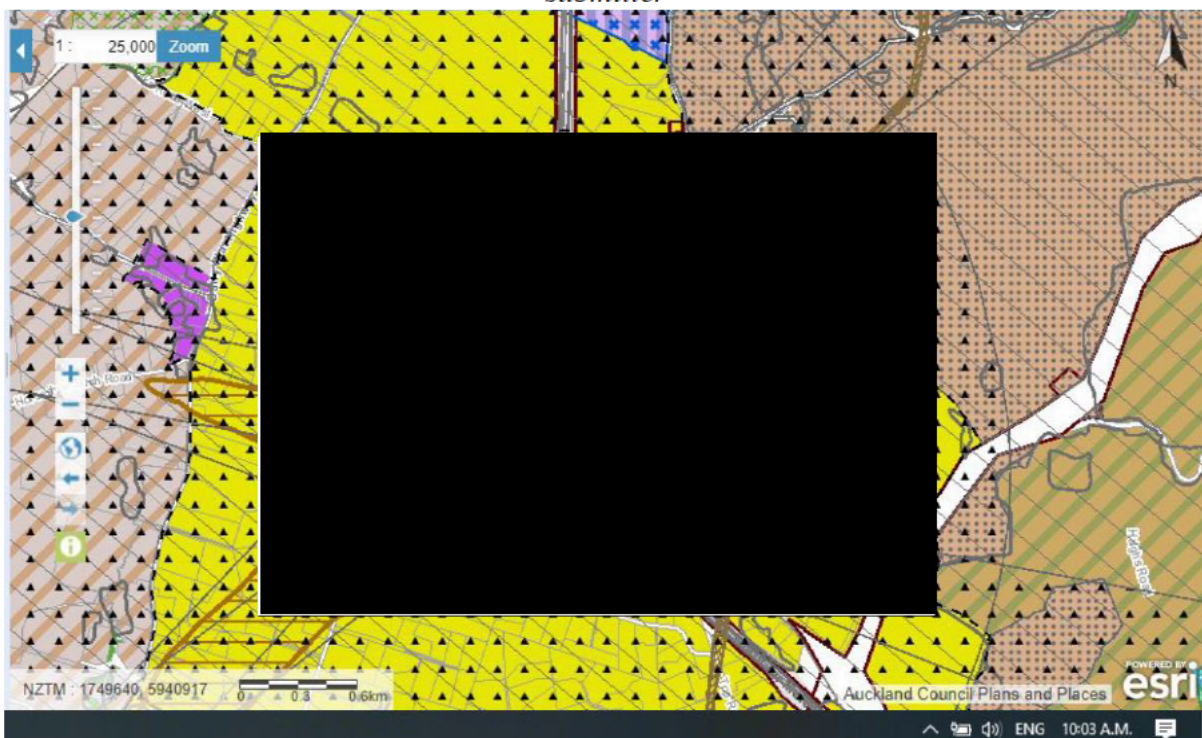
Media reports have largely downplayed the NSAC expansion aspirations with details that vary by over 500% (15-seater aircraft to 80 seaters, plus jets). The public at large, local Council members and the area MP knew nothing of the NSAC plans or application until announced through the media, and the varying details created some confusion as to the community's expectations. NSAC had requested a non-notified application (X Public meeting). While NSAC members have known for some years of the plans (as per NSAC monthly magazine), communication with the wider community has been missing.

We have been subjected in the past to a culture of bureaucracy and duplicity that the current government has indicated they wish to simplify. The unification of Auckland/Rodney/ARC was one of the first attempts by central government.

It appears that NSAC has been involved with Council through various stages of the urban plan design and hasn't got their desired outcome, so have now applied for Authority recognition. The NSAC already has operative rules, though they have not always been kept or enforced. They already have a special zoning, and already have the benefit of planning tools with both height (airport Approach surface overlay) and noise contours (aircraft noise overlay) firmly in place. No further Authority is required for its current use, but now appears to be sought to ease the burden of future expansion compliance, and any community involvement in those processes, a common NZ right and expectation of the wider community.

It appears the application (if successful) is to be used incorrectly as a planning tool to circumvent the immediate surrounding communities' expectations of process.

Plan showing existing airport controls and red border showing 3x properties owned by submitter



APPLICANTS DOCUMENTS SUPPLIED

The inclusion of the NSAC 10yr plan with the application, and the next step of requiring status is included in this consideration as it is NSAC intention to apply for this as their next step, (indicated at the public meeting). This has required a holistic approach to be taken by us, in our

consideration for feedback as it is referenced to and forms an integral part of the background and reasoning behind the application and will have further community wide affects should any authority/status be given.

FEEDBACK/SUBMISSION ON THE APPLICATION

We do not support the application by NSAC for Airport Authority, nor any subsequent Requiring Authority status and do not consider they have suitably demonstrated the ability to appropriately carry out the responsibilities and public/community expectations of being an Airport Authority.

Feedback & Comments

1. Parakai airfield (privately owned by the Lockie Family) obtained status as an airport authority 1st April 2020.

The airport has been privately owned by West Auckland Airport Company Ltd since 2005. West Auckland Airport manager Simon Lockie said while in the long term there could be "aspirations" to develop the space, this application was merely for clarity around zoning.

"We are just looking to have some clarity that long term this land is going to be an airport." Those [commercial ideas] are just aspirations. Any such changes would need their own proposal and consultation, and they are not going to be riding on the back of this one. "What we are doing now is purely for clarity of zoning."

The airport was classed as a consented airport in a rural zone, but Plan Change 20 to the Auckland Unitary Plan, designed to limit residential and industrial activities in rural areas, would mean any work they did on their property would need a resource consent - a lengthy and costly process.

"It would mean if we wanted to build another hangar we would need to get a consent," Lockie said. "It is quite different to if we wanted to extend the runway, in which case the RMA process would still apply."

They could already receive small commercial planes, but were limited by the size of the runway.

Lockie said any changes in the future would be done with proper community consultation. "I have lived here for 15 years, I am part of the community. We want to continue being a positive influence in the community, this is about protecting our future here."

Rodney local board deputy chair Phelan Pirrie said it appeared the application was simply looking to designate the site as an airport.

"It is really quite a logical application. There are lots of similar airfields, including on Great Barrier Island. It is quite a leap to go from there to doing something like extending the runway, including a huge amount of time - decades - and money."

Pirrie said an increase in activity at the airport, be it as a training facility for pilots or for light commercial planes, could provide economic benefits for the area.

NZ HERALD 8/05/19

The operative Auckland unitary plan shows Parakai as being both in and surrounded by, the Rural - Rural production zone. The same plan in contrast, shows Dairy Flat airfield as a special purpose zone, a zone that also includes cemetery's, Quarries, tertiary education, schools, healthcare facilities etc. The varying land uses under that zoning, all seem quite able to function without holding authority status as far as we are aware. Alongside the airfield is an area of Residential large lot being part of the aeropark precinct of which the owners of the airfield, we understand received/receives a pecuniary benefit.

The current application itself, in *referring to Council plan* states – (quote)

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.

Therefore, the zoning for NSAC is already quite clear and specific in the operative Auckland plan, unlike that of Parakai. The Plan already includes various controls to protect the permitted existing use of the established NSAC airfield.

2. According to the evidence supplied in the application, use of the land as an airfield officially began circa 1963. The area was prior to that a farming area. The area to the north is still zoned rural and still farmed as it was prior to the establishment of the airfield.

The reverse sensitivity issues of new or expansive changes (including proposed airfield expansion) to existing land use are well known to Council and the NSAC.

Airport Requiring Authority status appears to ignore this through the designation process. Farming as an existing use right, is undertaken outdoors and as such any increase in noise levels and subsequent cumulative changes to noise contours, has detrimental effects on both the health and wellbeing of humans and livestock. With further degradation of the rural expectations as outlined in the Unitary plan, due to the proposed privately owned commercial changes at the airfield, these issues will need to be satisfactorily addressed.

3. With occasional incursions of flying after 10.00pm or before 6.00am, (due no doubt to rogue members) the landing by a committee member in a specifically banned/prohibited (bylaw) jet aircraft, accidental overhead fuel discharges, oil drops, dropped wheels, lights and other small aircraft parts, the odd forced landing onto private property, the club has in the past, made attempts to mitigate incursions breaching their consented use, but all too often after the event.
4. NSAC, according to public data, currently pays over \$70k in rates.

As an airport authority, local Council do not receive rates on operational areas of the airport, and the difference in Council revenue, that in this case is of pecuniary benefit to a private commercial business, will need to be made up by general ratepayers.

5. With the planned and publicly announced, future urban development, transport engineers have estimated up to 15,000 vehicle movements per day across the Wilks Rd motorway overbridges post development. With the cumulative effect of increased traffic noise, generated by the motorway, arterial roads and the proposed airport expansion, **an airport authority would, no doubt want to use their designation and bylaw ability to change the expectations of noise levels on affected properties for the pecuniary benefit of its private members.** The question could be asked for example, if a private function venue that wished to expand their development, and that expansion would have detrimental effects on both the neighbouring environment and community, they should have the ability to do so unopposed, through their own regulation.

6. No reference seems to have been made in the documents supplied by the applicant, to any changes to their operating hours due to their expansion.

An airport authority could make their own bylaws, to cover extended operational hours, without any direct input from the affected community.

7. The availability of funds held by clubs in NZ is often the largest limiting factor in any future development. To our knowledge, the NSAC has not made any land purchase either for their proposed runway expansion/extension or to expand the current commercial hangarage/service areas of the airfield. With the potential to designate large areas of privately owned land, they should be aware of the financial cost as defined in the relevant legislation, being...

Entitlement to compensation is set out in Part V of the Act. Section 60(1) provides that affected landowners are entitled to "full compensation" so that they are left in a no better or worse position, than they were before the public work commenced. This means that landowners will not be deprived of their land without fair compensation, but will not be compensated so as to make a profit from the public work.

Basic entitlements to compensation

Compensation is not limited to the value of the land acquired or taken. In addition to the value of the land taken, the Public Works Act entitles you to be fairly compensated for losses that may include:

- permanent depreciation in the value of any retained land (which the Act calls "injurious affection");
- damage to any land;
- disturbance resulting from the acquisition.

Special suitability or adaptability

The key factor in the application of "special suitability" is the term "no market". If there is a reasonable possibility of a market, apart from the particular work of an acquiring authority, then that potential will be taken into account in valuing the land. The special suitability or adaptability of your land for any purpose is not to be taken into account if:

- The specialist purpose could only result from the use of statutory powers; or
- There is no market other than for the needs of an acquiring authority.

- **Injurious affection**

- If there is an adverse effect on the land you retain you may be entitled to additional compensation. The compensation for depreciation in value of the retained land is called "injurious affection".
- Compensation for injurious affection is provided by section 64 of the Public Works Act. Where only part of your land is taken or acquired the compensation is assessed by adopting a "before and after" approach.
- This means agreeing to the value of the whole property disregarding any proposed work prior to acquisition, and comparing this with the value of the land you are left with after the taking or acquisition.

- **Business loss**

- If you have a business located on your land, you may claim compensation for business loss resulting from the relocation of the business. The loss may include loss of profits and goodwill. However, the loss of profits must relate to proven loss of "actual profits". Loss of "anticipated profits" is not provided for in the Public Works Act.
- During the period of changeover from business premises that have been acquired for a public work, to alternative business premises, you may be forced to close down your business for the time being, resulting in your business not earning during that period. You may claim the net loss suffered, under the heading of "business loss". The main point to note is that it is the net loss of profit that is compensatable, not the loss of revenue.
- If you intend to claim for "loss of profits" or goodwill you should ask your accountant to assist with preparation of your claim. It is important to support such claims with verifiable proof of loss by reference to the last three years' annual accounts of your business.

• Payment for homeowners

- If the land to be acquired contains your home that you live in, and the Crown takes the initiative to purchase it and requires you to give vacant possession on an agreed date or (if none) within one month of vacant possession being required by written notice, compensation up to \$50,000 is payable under section 72 of the Public Works Act.
- Section 72A provides the amount to be determined as \$35,000 if vacant possession is given on the agreed date, plus \$10,000 if a sale and purchase agreement that includes a date for vacant possession is executed within six months of the negotiation start date, plus \$5,000 at the Minister's discretion if your personal circumstances or the circumstances of the acquisition warrant such a payment.

The NSAC has not publicly demonstrated its ability to be able to cover the financial cost involved with any subsequent designation under their expansion proposal.

However, in saying that, we also understand, that as a requiring airport authority company, they can be sold to a third party, or further raise debt using the airport land itself as equity, with the intention to raise capital for their further development. In this way, the airfield could unfortunately fall into new ownership should a default under these conditions, eventuate.

8. The NSAC 10yr plan that forms part of the MOT document application is further addressed here, understanding that it is perhaps more of long-term vision and aspiration than a defined plan that cannot or is unable change.

8.1 As a NSAC member, a trainee student and PPL holder in the late 70's and 80's, the **crosswind runway** was an integral part of training. It was not used as much as 03/21 with the predominant weather patterns of that period on the ratings personally held for C152, C172, G AA5B. In later years, GBA when operating from Dairy Flat were frequent crosswind runway users when conditions required it. Noise contours were hard fought by the NSAC on the crosswind runway. It appears this is to now be closed to build hangars, perhaps specifically to generate funding for any future development. It appears to contradict itself in the application, *(quote)*

.....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.

One would have thought the range of variable weather conditions, existing noise contours, training facilities and limitations of crosswind capabilities for small aircraft, would necessitate the retention of the existing crosswind runway.

8.2 Stage one of the NSAC plan proposes increasing the length of 03/021 on land currently owned by NSAC but would not extend the 03 runway length, only the TODA for 021, LDA on 03 and ASDA on 021/03. However, to do so would require **changes to the noise contours and height restrictions and have consequential effects on our properties, our pre-established work environment, and stock health.**

8.3 As a key stakeholder as defined in the application, Stage 1 of the NSAC master plan shows runway extension to the north of 03. However, **we have never been approached, consulted or fully informed by NSAC of their current aspirations.**

8.4 NSAC masterplan Page 26 states 26670 movements in 2019 with an est 3% growth. Table 1 page 20 contradicts the figures and states 33,780 for 2019. The documented current 1800 EMS and military movements which equates to more than 5x per day, 7x days per week is obviously a misprint. With contacts involved in both Police and St Johns flying operations we are well aware of the necessity and need of emergency flying activities using NSAC outside normal operating hours, and the bulk of those movements appear to be rotary aircraft, not requiring longer runways. It is worthy to note -

Emergency use was specifically allowed for under the original plan change, and does not appear to require any further controls that we are aware of.

8.5 NSAC state in their application documents, *(quote)*

*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 NZ government in their wisdom, combining ARC and various greater Auckland Councils, to increase the deficiencies found in operating many, often opposing, public authorities. Now, we **seem to be increasing the bureaucratic matters pertinent to the larger surrounding community by wanting to add another autonomous (but privately owned and potentially, Government backed) authority**, so that the NSAC can use the authority as a planning tool and place designations on land they do not own, for their own private commercial benefit.*

8.6 Page 39 state the use of NSAC in stage 3, by High performance GA Aircraft, Small regional airliners, and small business jets. **Jets are currently banned under Council bylaws, however with airport authority status, this would change.**

9. An Airport Authority can be used to gain access by the authority onto privately owned land. This again has potential for repercussions, not only with OSH, Health & Safety & Privacy Act but the rights of a privately owned enterprise to overrule another land owners, expectations and rights of use for commercial gain.

10. Runway End Safety Area (RESA). The NSAC plan shows large areas being Public Safety Area (PSA) and this covers the bulk of our properties. According to the standard used in their documents, this is an area, having a 1 in 100,000 chance of being fatality injured, with NSAC wanting our properties to come under this designation. Having both lived here now for over 30 years, the odds now appear to mean we are now down to 1 in 1666 this year.

11. Authority status allows the airport authority to make designations and those designations are deemed to be government work. This is defined as such -

Government work means a work or an intended work that is to be constructed, undertaken, established, managed, operated, or maintained by or under the control of the Crown or any Minister of the Crown for any public purpose; and includes land held or to be acquired for the purposes of the [Conservation Act 1987](#) or any of the Acts specified in [Schedule 1](#) of that Act (except the common marine and coastal area), even where the purpose of holding or acquiring the land is to ensure that it remains in an undeveloped state.....

It could be said to be somewhat stretching the boundaries in this application to define the airport authority status as being for any public purpose when **the intention is for the club to simply run commercial operations for the benefit of club members.**

12. There appears to be little opportunity for community involvement in much of the proposed work undertaken by an authority, and various opportunities by an authority to circumvent any public input whatsoever. The current spate of fast-tracking private developments should be a concern for both public and governmental bodies. Government legislation online currently states

Once a designation is in the plan, the proposed works can be carried out there at any time: the authority responsible does not have to comply with district plan rules.

If an authority wants land designated for a particular purpose, it must submit a notice of requirement. This is similar to applying for a resource consent. There are three ways in which a designation can be processed:

- it may be heard by the local council, which makes a recommendation on the application
- it may be lodged with the Environmental Protection Authority (EPA) – if the Minister for the Environment considers that the designation is part of a matter of national importance, it will be referred to a board of inquiry or the Environment Court to make a decision
- it may be directly referred to the Environment Court if the requiring authority requests it and the council agrees – in these cases the Environment Court will make a decision on the designation.

- A designation is like a 'spot zoning' over a site or route in a district or city plan. This 'spot zoning' allows the requiring authority's works or project to go ahead on the site or route, without the authority needing to get a land-use consent from the relevant council. Once the designation is put in place, the requiring authority may do anything allowed by the designation, and the usual provisions of the district plan do not apply to the designated site. The requiring authority will still need to get any resource consents required from the regional council.

- A designation also places restrictions on what anyone other than the requiring authority can do on the designated land, without first getting the requiring authority's permission or necessary approvals from the district (or city) council.

Thank you for this opportunity to submit feedback,

Regards

R & L Brown

25/11/20

From: [REDACTED]
Sent: Thursday, 26 November 2020 2:55 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Good Afternoon,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards,

Michael Law
[REDACTED]

From: [REDACTED]
Sent: Thursday, 26 November 2020 3:07 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To Whom it may concern

I wish to record a submission in support of the North Shore Airfield being granted Airport Authority status.

The North Shore airfield adds to the wider Auckland community fabric by providing a safe area for recreational flying, lessons, and associated light industries. It is one of two such airports in the area, both of which will be threatened by the urbanisation of Auckland. Cities elsewhere around the world have realised too late, that the loss of such airfields has come at a price and that reversing that loss is nigh on impossible. Every step we can take now to ensure the future of the airfield and the input that has into the New Zealand aviation industries is critical. The establishment of Airport Authority status is one step towards fully informed and transparent decisions by and about the airport in the future.

Granting North Shore Airport Authority status is consistent with the status carried by other similarly busy and strategically important airports around the country. It provides a common and understood code of regulatory practice and protection for an asset of such a significant nature.

The impact and value of the North Shore airfield goes far beyond the many members of the Aero Club and reaches into numerous commercial and recreational users of the services hosted there, from the far north and the islands of the Hauraki Gulf, to well into the mid North Island.

The North Shore airfield is currently managed by a very competent team, made up of a number of paid and volunteer professionals who are well qualified and capable of diligently exercising the duties of an Airport Authority.

I am happy to be contacted for additional comment.

Yours faithfully

Stuart A. Wards

[REDACTED]
[REDACTED]
[REDACTED]

From: Patrick Sheehan [REDACTED]
Sent: Thursday, 26 November 2020 3:23 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Submission attached

Patrick Sheehan
LSA Aviation Limited
PO Box 31-831, Milford, 0741
Hangar 15A North Shore Airfield
Auckland, New Zealand

[REDACTED]
<https://www.lsa.co.nz>



Attachment

Submission

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a responsible way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect Council, the public and North Shore Airport and provide for reasonable and transparent management for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner. In conclusion, the Airport Authorities Act 1966 exists for this reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly

Patrick Sheehan
LSA Aviation Limited
PO Box 31-831, Milford, 0741
Hangar 15A North Shore Airfield
Auckland, New Zealand
[REDACTED]

From: PJ [REDACTED]
Sent: Thursday, 26 November 2020 7:58 PM
To: Airports <airports@transport.govt.nz>
Cc: John [REDACTED]
Subject: Support for NSAC Airport Authority

Greetings!

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

With best regards,

Primož Juvan
B.Sc.Eng. Aeronautics |
Technical Support | Photography | Landscape Design | Arborist

[REDACTED]

From: Peter Jackson [REDACTED]

Sent: Thursday, 26 November 2020 8:41 PM

To: Airports <airports@transport.govt.nz>

Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Peter Jackson ZKLFP

From: Tom Schnackenberg [REDACTED]
Sent: Thursday, 26 November 2020 9:48 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Dear Sirs,

I am strongly in favour of this improvement in status.

Please find attached my submission in support.

Yours sincerely,

Tom Schnackenberg

CAA 58644

Attachment

Attachment

26 November 2020

Ministry of Transport

Dear Sirs,

I am making a submission in support of North Shore Airport being granted Airport Authority Status.

As a private pilot myself, operating out of Ardmore Airport, I have used North Shore Airport in the past and contemplate using it more frequently in the next few years.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Council's highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport, has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

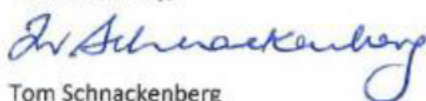
As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

I believe that flying as a sport and as part of our infrastructure will play an increasing part in our community in the future and that the North Shore Airport will have an important role to play looking forward.

Yours sincerely,


Tom Schnackenberg

CAA 58644

From: Guy Clapshaw [REDACTED]
Sent: Friday, 27 November 2020 8:38 AM
To: Airports <airports@transport.govt.nz>
Cc: John Punshon [REDACTED]
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Sirs,

I wish to add my name to those applying for airport authority status for the North Shore Aero Club

The benefits to the community are too many to list in this letter..

Airport Authority status is a critical tool in protecting the future of the North Shore Airport , which is a valuable asset to the surrounding community.

Yours faithfully,

E.W.Clapshaw.
Airline Transport Pilot Licence No. 13181
Flight Navigator 4303
Aircraft owner of Percival Gull ZK-DPP

From: Stephen Taylor [REDACTED]
Sent: Friday, 27 November 2020 9:45 AM
To: Airports <airports@transport.govt.nz>
Cc: John Punshon [REDACTED]
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

To whom it may concern

We are heavily involved with Development though out New Zealand and have dealings with Local Airports, Railways and Prots of Auckland, regarding developments and controls . We feel that for this asset to have Airport authority status would provide the necessary protection for the future .

As with out this status the Local councils though normal Resource consent procedures do allow the controls to erode the protection of the Airports. Noise being gone sensitive area. As we move in to a new era with Electric Aircraft I know noise will be les of an issue. This is on the horizon

Therefore we strongly support the Application by North Shore Airfares to have Airport Authority status .

Should you wish to discuss the above short and supportive email ,please feel free to do so . We consider our experience within development to be at a professional level to be able to make the above statement .

Club Member. Aircraft Engineer, Developer Builder.

Regards,



Stephen Taylor
Director

[REDACTED]
[REDACTED]
[REDACTED] 3a Graham Street, Auckland Central, Auckland 1010
[REDACTED] PO Box 99245 Newmarket, Auckland 1149
[REDACTED]

PLEASE NOTE WE HAVE RELOCATED TO OUR NEW OFFICES AT SAFARI HOUSE

From: Brian Sutton [REDACTED]
Sent: Friday, 27 November 2020 10:09 AM
To: Airports <airports@transport.govt.nz>
Subject: FW: North Shore Airport Submission

27 November 2020

Ministry of Transport

PO Box 3175

Wellington, 6140

By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out as attached . Could you please send a confirmation of receipt of our submission.

Yours faithfully

Dairy Flat Land Owners Group

Brian Sutton
Chairman

Attachment

27 November 2020

Ministry of Transport

PO Box 3175

Wellington, 6140

By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

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In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out below .

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ...Brian Sutton as Chairman of the Dairy Flat Land Owners Group
[REDACTED]

Email : [REDACTED]

1. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An airport company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....* ”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

Cl 20.2 Notwithstanding the provisions of rule 20.1 the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club's use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.

And furthermore:

26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote except: 26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club's use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include **transfer** of all assets into the new company.

The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

2. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act , that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

3. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that : *Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.*

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.



Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon. We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

*“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. **The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.**”*

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support

of the Airport Authorities Act in any shape or form and accordingly we request that **this application be forthwith rejected.**

4. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words “The resulting North Shore Airport Precinct offers certainty....” which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

“Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway.”

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

5. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states “*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*”. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states *“the approval and support of North Shore Airport within the community is clear”*.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition . This was a meeting which the Club didn’t want to have, and clearly for good reason.

As quoted in its submission regarding the AUP *“ in relation to the airport Principle 10 is ...Ensure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment”* The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

6. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

1. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway *“providing a natural topographic constraint for aircraft takeoffs and landings”* Refer cl 2.2 Airport Surroundings – Masterplan.
2. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
3. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
4. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
5. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

7. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage, up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

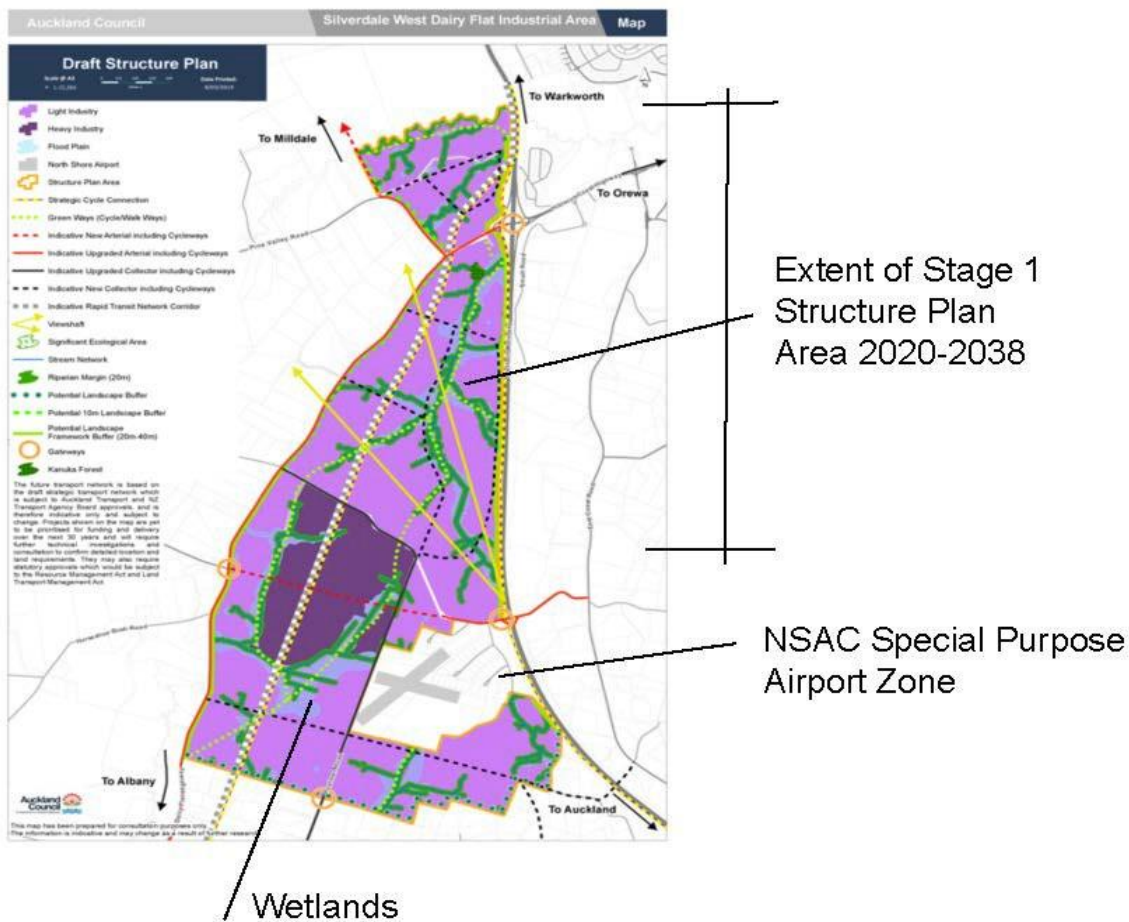


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



Fig 5 Example of significant safety hazard due to lack of parking On Postman Road outside airfield office

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the

Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: [REDACTED]
Sent: Friday, 27 November 2020 11:18 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission: North Shore Airport to be recognized as an Airport Authority

Steve Matheson
[REDACTED]

Attachment

Application by North Shore Airport to be recognized as an Airport Authority

To whom it may concern

I am writing in support of the application by North Shore Airport to be recognized as an Airport Authority

I believe that Northshore Airport is a very important component of the region's transport, business, emergency, and recreational infrastructure moving forward and for that reason its operations need to be encouraged and protected.

Recognising the facility as an Airport Authority will solidify the strategic position confirmed by the Auckland Unitary Plan and reduce costs by providing development flexibility thereby enhancing the overall benefit the facility provides to all stakeholders.

Northshore Airport in its submission has provided a possible future runway expansion plan that would enable larger than current but still small turbo-prop passenger aircraft services to operate. The commercial viability of such an expansion and the services it would support is a very complex question that needs to be considered in the context of a regional transport strategy and can't be answered now.

That said, with significant planned populations in the immediate area and north the accessibility of airport facilities south of Auckland for those new populations is going to be problematic. What must be done now is to preserve the option of the proposed runway expansion. The Unitary plan wisely designated the immediate area around the airport and further to the north for industrial use.

Arguably looking to the future this zone should be expanded in both area to the south and scope to include major transport hub facilities (park in ride, bus terminus, freight handling etc) with a view to optimising both private and public regional transport costs.

Recognising the airport as an Authority will ensure that due consideration of the potential expansion of the facility and the benefits that may bring is made by all relevant authorities and at the same time enable the airport to operate as efficiently as possible.

Steve Matheson
[REDACTED]

From: Joanna Lapish [REDACTED]
Sent: Friday, 27 November 2020 11:22 AM
To: Airports <airports@transport.govt.nz>
Subject: 201127 North Shore Air port

Dear Sir / Madame

I have become aware that comments are being sought in relation to North Shore Airport being classified as an Airport. I think this is a very good idea.

Infrastructure is very costly to establish in Auckland. North shore airport is a fantastic asset for Auckland. Even better is the fact that rate payers have not had to pay to create or maintain it.

1. North shore air port is a real asset for Auckland.
2. It provides transport for people who live on the shore to all sorts of places.
3. It supports local business.
4. It provides a separate base for small airline operations, to places not provided by our big carriers.
5. It reduces road traffic to Auckland airport and on the Harbor bridge.
6. It trains the pilots who take us away on our holidays in the airlines. Auckland needs commercial pilots.
7. Most commercial pilots are not well paid so they need a place close to their homes to train and work.
8. It provides a base for search and rescue as well as a support node for the police helicopter to refuel etc.
9. Almost every boy wants to be a pilot and lots of girls.

There are many people in our society who love watching planes and would love to live near the airport. The area that the north shore airport is in provides a wonderful opportunity for these people.

People who build or buy into the area should be made aware that there is an airport in the area that has been there operating for a long time and providing a service to Auckland.

Those people who buy or build new houses near it, need to take it's needs into account and the benefit it gives Auckland. Wikipedia says it has been there from 1967.

My Background is construction and the building of Auckland infrastructure. Being involved on Auckland international Airport runways I know how expensive this infrastructure is.

I also know that it is easy for homes to be insulated for aircraft noise due to the type of noise generated by them. Best done when the homes are new. This would help alleviate the problem that pilots need to be able to train in the dark as well as the day. Daylight saving has a large detrimental impact on this because it gets dark so late.

In conclusion the North Shore airport benefits far more people than just the people who live in the area. It would be a great idea for it to be recognized as the critical Auckland infrastructure that it is.

Trust this helps

Best Regards

Chris Lapish
Aviation Medical administrator



Email on behalf of Joanna Lapish

CAA Medical examiner 83767

CASA DAME I351

Ardmore Airport at the Flying Medicine Hangar (125 Kitty Hawk Lane)

Gisborne Airport Control Tower

Bridge Pa Airport Hastings

Pilot medical email address



From: Chris wade [REDACTED]
Sent: Friday, 27 November 2020 1:06 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Chris Wade
[REDACTED]

From: Dairy Flat BOT [REDACTED]
Sent: Friday, 27 November 2020 2:22 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission on Dairy Flat Airport Airport Authority application

Please find attached the submission with regard to the Dairy Flat Airport Airport Authority application on behalf of the Dairy Flat Primary School.

This submission is made on behalf of the current school board and principal at this school.

If its receipt (and any issues) could be confirmed by email that would be appreciated. the submission is attached as a 3 page pdf file.

Our school is highly affected by the flight operations at this site, and hence we have a strong interest in this matter, although we have at no time been approached by the Airport for any form of consultation or consideration (including during their applications for special council zoning).

Regards,

Stuart Woolford.

Email [REDACTED]
[REDACTED]

Board Chairperson, Dairy Flat School.

Attachment

Submission : North Shore Airport's Airport Authority status application

On behalf of Dairy Flat School, from the currently sitting School Board.

Dairy Flat School has been in its current location since 1878, and that location is less than 1.5km from the end of the existing primary runway 21/03 and directly in line following the prevailing wind takeoff direction. As such we would expect to be quite well known to the airfield, especially as we predate them by nearly a century. It is with some disappointment that we have noted that the presence of a primary school in such a location is not listed in the AIP Cautions for this Airfield, it also does not seem to be mentioned on their own web site <http://www.northshoreairport.co.nz> in either their arrivals section or their hazards listing.

To open, the board of Dairy Flat School, after quite some consultation and consideration, have strong concerns about the suitability of the current operators of the North Shore Airfield to hold the responsibility of being an Airport Authority. We believe we have good reason for these concerns as we will detail below – we are more than open to further discussions or clarifications should these be of use.

We were surprised to hear of this application through the community (no direct approach to the school was made at any time). The Dairy Flat Aero Club's airfield already enjoys the protection of a special zoning under the Auckland unitary plan, although we have found they have raised 'protection of the airfield' as a primary reason for applying for this authority. Their current operations would not appear to warrant or require them to be an Airport Authority - and their desire to become a larger transport hub should not entitle them to such powers at this time without a great deal more investigation and consultation. We would like it noted that, while the Aeroclub makes a big thing of the amount of community consultation undertaken as part of their special zoning in the unitary plan – the school has at no time that we have records been consulted – we can certainly attest within the last 20 years.

This leads directly to our first concern about the suitability of the Aeroclub to become an Airport Authority – they have long displayed an almost complete disconnect, bordering on active disregard for the community that they operate in. We notice with interest that Dairy Flat School is not even considered a stakeholder locally by the airfield even though the safety and environmental impact of their operations on the school would, we have thought, have been a serious consideration for their operations. Such a disregard for the direct environment that they operate a highly hazardous operation in is concerning to say the least.

We would like to compare this with Waste Management, who operate a large landfill not far from the school. They maintain excellent contact with the school, dealing immediately with any concerns related to their operations (large trucks passing close by are the primary concern in that area), and also are very well engaged with the local community, including large and ongoing financial investments to mitigate the value and lifestyle impacts their operations unfortunately cause. To our knowledge the airfield has never engaged significantly in such activities, although their operations have a larger impact on the area.

Our second concern is the simple reality of the Airfields location combined with the club's growth plans – we believe this shows a basic lack of understanding of their operational realities. The Dairy Flat Airfield operates its primary runway at a distance of less than

1.5 km and almost exactly aligned on Dairy Flat Primary School and aircraft regularly fly low over this site, significantly impacting school operations through both serious noise and air pollution. Transport hub airports are generally positioned so that their runway alignments for approach and departure vectors are clear, not immediately over primary schools! The school has been here since 1878, so this should not be a surprise, and indeed the low level of traffic currently operating (interestingly, a very small fraction of the traffic that the Aeroclub documents seem to imply, which is in itself a concern) only has a medium impact on the school. Auckland Airport has a harbour and a clear 3.5km either side, followed by a cemetery and industrial area outside that distance. Almost all operational commercial traffic airfields within New Zealand are positioned in much more suitable environments for operations beyond club level, and in fact most smaller club airfields are also better positioned.

Larger Aircraft, more regular operations, and more emissions from aircraft would have an immediate and highly detrimental impact on the operation of this school with more than 300 young students, and would if significantly increased, constitute a direct OSH hazard. Also, the risk of an engine failure on takeoff incident with the school directly in line, would be truly horrific. We believe that there is a very real question as to the suitability of the current location – and in fact with the rapidly growing value of the land they are located on, it seems surprising that they are not considering finding a more suitable location should they have plans for larger traffic volumes.

The aim of the Airfield to become a larger transport hub also seems at odds to their own intentional development of a residential housing group (the Aeropark) immediately adjacent to their runway, in fact we believe their own extension plans put them directly into conflict with the very people they have sold land to – hardly a responsible plan. In short we believe these issues raise serious concerns about the ability of the Aeroclub to execute viable long term operations and planning – they appear to have a very inward looking approach, which we believe creates significant risks to the viability of this situation. We believe these issues must be addressed and rectified before this site can be considered viable going forward.

Of course, simply raising issues is never a way forward. We are surprised that, if the intention of the Airfield is to grow into a larger, more successful, and more integrated operation – as it must to become what it seems to believe it should in its published long term plans – that a new form of operational governance has not been suggested. We find it highly questionable that such an important resource would be entrusted to the hands of what is in effect a small and self-selected group of individuals. We believe that if this operation was to gain the powers and responsibilities of an Airport authority, then the whole question of its governance and ownership structure should in fact be addressed. As the Aeroclub itself has public plans for significant growth, then perhaps the first thing that should be happening is the transfer of operational and governance rights to a more suitable organisation – one who has community representation, an oversight board of suitably elected persons, etc. We feel that such an organisation should then, and only then, be given the authority being applied for, as they would have the capabilities of carrying such authority.

Their plans also of course have direct and manifest financial implications for the greater surrounding area, and while a small area immediately adjacent to their property may enjoy an increase in value (at the cost of lifestyle), properties not much further away have been and will continue to be highly negatively impacted. If their position becomes legally cemented, as granting of Airport Authority would do, then this should also be addressed as a prerequisite to such. At a minimum they should be forming a community trust with enough resources to help balance the impacts of their operation, and possibly even moving the

whole operation to a community trust or other legal entity that has more community ownership.

In conclusion, granting an Aeroclub, operating in a marginally viable environment, to an Airport Authority seems to be highly presumptive based on their hoped for growth (and authority to do that), a belief that they would suddenly (and against their own history) develop a positive community relationship, and that their current lack of consultation, engagement with other involved entities, management of safety in their operating environment, and suitable management structures that would be capable of responsibly undertaking this.

This authority would appear to not be required for current operations or the current use of the site (which we do believe has, perhaps begrudgingly, got community support), and therefore can only be seen as an inappropriate attempt to shortcut around a general lack of local support, or even suitability, for their long term plans. We believe they would gain much more by actually engaging with the local community, and with the support of that community operating as the Aeroclub that they historically have.

Note:

We believe the application is to grant North Shore Aeroclub Airport Authority, rather than the physical location – this seems somewhat unclear.

Dairy Flat School Board of Trustees

1220 Dairy Flat Highway, Albany, Auckland 0794

██████████ Email: ██████████

From: Donald Webster [REDACTED]
Sent: Friday, 27 November 2020 2:34 PM
To: Airports <airports@transport.govt.nz>
Cc: Fred [REDACTED]
Subject: North Shore Airport - Proposal for Airport Authority Status - Submission

We wish to make a submission in respect to the application by North Shore Airport for Airport Authority Status.

We understand submission are due by 30 November.

Please find attached:

1. Covering Letter.
2. Submission from Merestone
3. Valuation by Urban Economics

We wish to be advised of the results of submissions made regarding this application.

Regards,



WEBSTERLAW LIMITED

Donald B. Webster, BA LLB, Director.

1st Floor Westpac Building,
Corner 505 Lake Rd & Huron St, Takapuna,
Auckland 0622
New Zealand

Attachments

Attachment: Covering letter



Barristers & Solicitors

Our Ref: 1947

27 November 2020

North Shore Airport Consultation
Ministry of Transport
PO Box 3175
Wellington 6140

By email to: airports@transport.govt.nz

1st Floor Westpac Building
Corner 505 Lake Road & Huron St
Takapuna, Auckland, New Zealand
PO Box 33505 Takapuna, Auckland 0740
DX BP 66516 Takapuna

Email: info@websterlaw.co.nz
Web: www.websterlaw.co.nz

North Shore Airport – Proposal for Airport Authority Status

Submitters.

I act for the Fred and Maureen Collie Family Trusts that own the property at [REDACTED] and am one of the trustees of each trust.

Concerns.

My clients have huge concerns about the proposal for North Shore Airport to seek Airport Authority status and the way that the consultation process has been handled.

Standing of North Shore Airport to Apply for Airport Authority Status.

Our clients believe that the application by North Shore Airport Inc should not even be considered by the Ministry until the North Shore Airport gets given the powers of a local authority. The applicant is an incorporated society. It is not a local authority as defined by the Local Government Act 2002 as it is neither a Regional Council nor a Territorial Authority, as is defined in the Act. Section 3 of the Airport Authorities Act 1966 provides that the establishment and carrying on airports has to be done by an "Airport Authority". Section 3(1) allows a local authority to do that. Section 3(3) allows any person or association which the Governor General by Order in Council consents to, to have the powers of a local authority. Nothing in the information provided discloses that the North Shore Airport has been given the Governor General's consent. Accordingly, the Ministry should not even consider this application until they have been given the Governor General's consent. Our clients expect that if this application does go that far that the consent will be a rubber stamp, but the way the legislation is written, the natural interpretation of the section of the Act is that being given the powers of a local authority is a prerequisite for an application for Airport Authority status to be made, not something that will be done as part of the process.

Submission.

Notwithstanding that, our clients have complied the enclosed/attached submission which sets out their substantive concerns in detail. They have been assisted in this process by professional consultants as they consider the issues are so important, it was best to present the submissions in a professional manner. They have also sought valuation advice on one of the critical issues, being the way the North Shore Airport, should it be given Airport Authority status, could unilaterally effect change in the values of land in the surrounding area and how values could be manipulated by the North Shore Airport being an Airport Authority.

This submission needs to be carefully analysed by the Ministry. It has been put together in a succinct and detailed manner covering all the critical issues that in our view the Ministry needs to consider in order to do its job properly and critically review the application and the process.

Incorporating the practices of Langdon & Co. and Pratt & Co.

Objection.

Our clients object to the way that this proposal has been presented to the public. Primarily, the generic letter that was circulated in the community was addressed to the "Owner/Occupier" which indicates that no attempt was made to identify the affected properties, contact the owners, discuss the proposal, explain what the changes would mean to them, all to fully and fairly inform the local residents of how the granting of Airport Authority status would affect their properties, the value of their properties and their lifestyle. The information in the letter was deficient in its content making it difficult to make a reasoned, objective assessment of the proposal as it has been presented. It is very hard for a layman to get to grips with the extent of the changes that could be made by the Airport, virtually without any controls being in place, if the Airport Authority status were to be granted, from what was presented. It was not until professional assistance was sought that the enormity of the issue became apparent when they managed to put the proposal into perspective. The information as presented in the letter, while factual, did not fairly present the pros and cons of the proposal nor did it provide any objective assessment of the proposal. It glossed over the powers that Airport Authority status would give the North Shore Airport, which, once understood by the residents, would horrify them. These submissions set out these concerns in detail.

Lack of Overview.

Our clients also wonder why there was no overview, or big picture, presented in the proposal. Should the North Shore Airport be granted Airport Authority Status, that would mean there would then be at least 3 Airport Authorities operating in the area North of Auckland, being Whenuapai, Parakai and Dairy Flat, all within a 20 kilometre radius. Airport Authority status would give North Shore Airport the ability to create for itself unfettered planning abilities similar to a local authority and land acquisition rights similar to the Public Works Act. The North Shore Airport have already stated publicly that they would need to acquire private land in order to extend the runway.

The Auckland Council's Unitary Plan made huge changes in former rural areas like Dairy Flat. It seems anomalous that there was no consideration of reassessment of the current and anticipated future use of the North Shore Airport at that stage. The rezoning that took place under the Unitary Plan has meant that the surrounding properties have expectations of future use that do not include any expansion of the land used by the Airport, or any intensification of the use of the Airport. There was no report from Auckland Council in the materials supplied to the residents on the effect the granting of Airport Authority status would have on the Council's current, operative District Plan for this area. That is a crucial element that has been missed in the application. The residents are entitled to know what Council's perspective is on this proposal.

In effect, granting the Airport Authority status to the North Shore Airport would be the thin edge of the wedge, allowing a seemingly benign change to give it draconian powers that the local residents would never have dreamed of.

Our clients doubt that the enormity of this proposal is understood in the wider community because the residents are not able to clearly understand the ramifications of the proposal from the information presented to them. The consultation documentation was so inadequate that it would not be surprising if the local residents saw no harm in the proposal. For those reasons, the Ministry must read these submissions carefully.

Our clients have, in the short time available to them, been able to gather some support for their position. The very short time frame for the Ministry to receive submissions was thankfully extended as a result of the intervention of the local MP, Mark Mitchell, but even then, the time allowed is woefully short and against the Rules of Natural Justice.

Our clients are more than happy to expand on their reasons for objecting to this proposal and look forward to the opportunity to do so if possible.

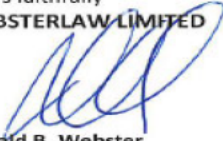
Incorporating the practices of Langdon & Co. and Pratt & Co.

Please refer to the attached/enclosed reports from David Sergeant of Merestone Consultants and Adam Thompson from Urban Economics.

Please contact the writer if you have any queries.

Yours faithfully

WEBSTERLAW LIMITED



Donald B. Webster
Director



Attachment: Submission from Merestone

APPLICATION FOR AIRPORT AUTHORITY STATUS PURSUANT TO THE AIRPORT AUTHORITIES ACT 1966

BY NORTH SHORE AIRPORT

SUBMISSION BY ALFRED WILLIAM COLLIE

Introduction

1. My name is Alfred William (Fred) Collie. I reside with my wife Maureen at [REDACTED] approximately 2km south of North Shore Airport. I was notified by letter from the Ministry of Transport dated 28 September 2020 of the application by North Shore Airport for Airport Authority status. The letter was addressed to The Owner/Occupier indicating that Ministry had made no attempt at identifying actual affected parties.
2. In 2012 we purchased [REDACTED] as a rural retirement location. We were obviously aware of the airport operations however we have become used to the noise at the current operational levels.
3. Since 2015 I have been an observer and participant in Auckland Unitary Plan processes and so feel able to comment on the current provisions for growth and development in Dairy Flat. During the time that we have resided in Dairy Flat growth pressures have caused Auckland Council and Auckland Transport to focus on long term provisions for this growth and have generated considerable interest from local residents. I will come back to consider this in more detail below.
4. My submission addresses the following matters:
 - (i) The Ministry of Transport process;
 - (ii) Legal interpretation of the Airport Authority Act 1966;
 - (iii) Sound financial and governance structures;
 - (iv) Integrated planning for Auckland Airports;
 - (v) Auckland Unitary Plan and Silverdale West Dairy Flat Structure Plan; and
 - (vi) Conclusion.
5. This submission has been prepared with the input and assistance of Dave Serjeant (Merestone Limited), a qualified and experienced town planner, and Adam Thompson (Urban Economics), a consulting economist.

Ministry of Transport Process

6. To begin, I would like to comment on the current Ministry of Transport process. This process is undertaken pursuant to the Airport Authority Act 1966 (the Act). The Act provides no guidance for the Ministry, or the Minister, as to the basis for the decision. When asked at the public meeting as to what he would consider in his advice to the Minister, Mr Tom Forster, Manager Economic Regulation provided very little detail, other than the ability of North Shore Airport to 'appropriately carry out its functions as an airport authority'. Mr Forster added that he acknowledged that Airport Authority status was a precursor to requiring authority status under the Resource Management Act 1991 (RMA), but that all planning and environmental matters would be considered at that time,

inferring that such matters were not likely to be key aspects of his recommendation on the application.

7. In an answer to other questions about the Airport Authority application process, Mr Forster advised the following:
 - (i) In relation to Airport Authority applications, he advised that following the Parakai Airport application in 2019, the current application was only the second such application under the Act in 45 years. Mr Forster added that the Parakai (West Auckland Airport) application was granted.
 - (ii) That there is no application fee for the process.
 - (iii) That the Ministry were not presented with any form of cost-benefit analysis by NSA, and neither did it plan to commission or conduct such an analysis itself.
8. I have read Mr Forster's report to the Minister on the West Auckland Airport application. Mr Forster recommended that the application be granted. Paragraphs 24 and 25 summarised his viewpoint in supporting the application. Mr Forster confirms my view above that the Act:

"...contains no specific process or criteria for approving or denying applications for airport authority status." (paragraph 24)
9. Then in the remainder of that paragraph he adopts an 'absence of the negative' type of approach and states that:

"we could see no reason why it should not be granted airport authority status", and notes that *"The Airport would likely benefit from the limited powers available to it under the Act, particularly if it was to grow in the future."*
10. I have quite a different view of the way in which the Minister should exercise his powers under this Act. Currently, from what has been provided to the Ministry, and shared with the consultation parties, the application amounts to a low-level, 'try-on' by private individuals as step one in elevating NSA to the status of a major commercial operator with powers to compulsorily acquire land.
11. Irrespective of the potential for any expansion to be subject to RMA procedures and assessment, I consider that any application for Airport Authority Status should be tested as to various aspects of public interest. This would necessarily include some environmental considerations, as under the RMA, but it would also address the wider public interest and costs and benefits of additional air transport infrastructure at North Shore Airport. Before making a decision, the Minister should have information before him that addresses the following matters:
 - (i) Confirmation as to the correct legal interpretation of the Airport Authorities Act 1966;
 - (ii) Confirmation that North Shore Airport has a sound financial and management basis upon which to become an airport authority, including evidence that the application has the support of club members in accordance with the club constitution; and
 - (iii) A business case for the Airport, based on a professionally produced integrated plan for the development of airport infrastructure in the Auckland region considering the costs and benefits of various options.

Legal interpretation

12. I note, that unlike modern legislation, the Act, drafted in 1966, contains no purpose statement. I suggest that, whilst a headline purpose would relate to a safe and secure civil aviation system, an additional purpose must be to protect the interests of people and the environment that are affected by civil aviation. The Minister's decision must have regard for the interests of the Dairy Flat community and the local receiving environment.
13. Section 3 of the Act requires some interpretation in my view, given the very dated nature of the legislation. It states:

3 Airport authorities may establish and carry on airports

(1) Any local authority, with the prior consent of, and in accordance with any conditions prescribed by, the Governor-General by Order in Council, may establish, improve, maintain, operate, or manage airports (including the approaches, buildings, and other accommodation, and equipment and appurtenances for any such airports) and may acquire land for any such purpose either within or without its district or region.

(2) Any local authority empowered to carry out any undertaking under this section may carry on or cause to be carried on in connection therewith any subsidiary business or undertaking.

(3) The powers conferred on local authorities by this section may, with the prior consent of, and in accordance with conditions prescribed by the Governor-General by Order in Council, be exercised by any person or association of persons referred to in the Order in Council.
14. Subsections (1) and (2) are relatively straightforward in terms of the powers of local authorities under the Act. It is clear that the main focus is on the ability of local authority, as a body with the public interest being an essential part of its purpose, to become an airport authority. However, it is subsection (3) that will need to be exercised by the Minister in the current case as NSA is not a local authority.
15. The clauses of Section 3 need to be read together to give sense to section 3(3). In section 3(1) it is a local authority that, pursuant to an Order in Council, *may establish, improve, maintain, operate, or manage airports (including the approaches, buildings, and other accommodation, and equipment and appurtenances for any such airports) and may acquire land for any such purpose either within or without its district or region.* In section 3(2), the local authority is also empowered to *carry on or cause to be carried on in connection therewith any subsidiary business or undertaking.* In other words, a local authority with airport authority status may become involved in activities that are beyond those activities provided for under the Local Government Act. Then in section 3(3) the powers conferred on the local authority, *may be exercised by any person or association of persons referred to in the Order in Council.* The section does not state that the Order in Council is able to confer those powers on such a person or association of persons, but only that the powers conferred on the local authority may be *exercised* by other persons. Section 3(3) makes it clear that the local authority, once having the powers conferred is able to 'delegate' those powers.
16. Furthermore, section 3A makes it clear that it is the Crown and local authorities that are able to form airport companies.
17. This interpretation is consistent with the way in which airports have been developed in Auckland and elsewhere. For example, Ardmore Airport is now privately operated, but that was not the case originally, with that airport being established by the Crown during the Second World War. Ministry of Transport documents, such as the briefing paper on West Auckland Airport, refer to Omarama in

South Canterbury as an example of a small airfield which has airport authority status. However, this airfield is a 50/50 joint venture between the local club and Waitaki District Council.

18. The Act does not contain any criteria to guide the Minister in his decision (or the reporting officers in their advice). In my view the reason for this is that the Minister has the reassurance that it is a local authority that is to become the airport authority, so that matters of finance, governance and consideration of public interest are provided for under other legislation for the local authority. Such reassurance is not provided for by an interpretation that considers a person or association of persons can be conferred with the status of airport authority directly.

Sound Financial and Governance Structures

19. As noted in the Ministry of Transport's covering letter, "Airport authority status is not required to run an airport". I agree. Equitable relationships with customers, sound financial management and transparency are requirements and expectations of all commercial operations in our society today. NSA does not need to be an Airport Authority.
20. In relation to financial management and funding of expansion, in answers to questions on the consultation evening, NSA's general manager Mr John Punshon, essentially acknowledged that the key reason for seeking airport authority status was so that NSA could become a requiring authority and compulsorily acquire the land it wanted to extend the runway. When further questioned on the extent of funds NSA had available to purchase the land needed (the questioner suggested approximately \$100 million was needed), Mr Punshon advised that NSA had very little funds available for such land acquisition, let alone the funds needed for airport infrastructure. Based on its 2018 accounts, NSA had an asset base of approximately \$7 million (Appendix 4 places the current NSA land value at approximately \$13 million).
21. Land in the Dairy Flat area is extremely expensive. In recent years there has been a significant turnover in landowners from farmers to landholders anticipating the northern expansion of the urban area. If NSA had been soundly managing its finances and its future, I would have thought that it would have been purchasing land in the local area to provide for its expansion. As far as I am aware, that has not been the case.
22. I commissioned Mr Adam Thompson (Urban Economics) to consider the increase in land value that results from the expansion of airport and related commercial activity (Appendix 4).
23. Mr Thompson's data serves to demonstrate the significant lift in land values that result from the conversion of land from its current Future Urban zoning to active urban zoning, most probably light industry zoning. Increase in land values is a fact of life on an urban periphery, however it is the processes surrounding that capture in land value which is the most important consideration. If NSA, as a group of private individuals, has the ability to control the ownership of land, and therefore control the timing for land value increases, then it has a significant advantage over any other persons. I return to consider this matter further below.
24. In relation governance and transparency, I have reviewed the Constitution of North Shore Aero Club Incorporated. It reserves wide powers for the Club Committee. It is understood within the Dairy Flat community that there are significant numbers of club members who simply want the airfield to continue operating as a small recreational facility. They are not interested in the change in status of the operating entity from an aero club to a private company as is necessary to manage the expanded operations of the airport, together with the obligations and liabilities that come with that change in status. In this regard, I note that the NSA application provides no evidence for the

Minister as to the nature of support, or otherwise, within the club for obtaining airport authority status, or expansion of NSA operations.

Integrated Planning for Auckland Airports

25. I note that if NSA was to become a requiring authority, it would be considered a “network utility operator” under section 167 of the RMA. I normally think of network utilities as persons supplying water, wastewater, energy or telecommunications services, so applying the term to an airport is something of an ill-fit. Yet it is true that airports do operate within a network.
26. The Auckland air network includes Auckland International Airport, Ardmore Airport, Whenuapai Airport (military), North Shore Airport and West Auckland Airport. As far as I am aware Whenuapai operates primarily for military and government purposes. Leaving that airport aside, and not including various helicopter bases around the region, the remaining four airports operate as a network in connection with destinations beyond the region (and each other) for general aviation, training and commercial services.
27. In my view the development of this network is a matter of public interest. Its development and expansion should be undertaken in an integrated manner and subject to overall analysis. If such analysis is not to be undertaken by a public authority, then at least the study should address all development options and consider the network as a whole. This is the type of information that the Minister should be considering and should have been supplied by North Shore Airport. To make a decision on airport authority status without such information is premature.

Auckland Unitary Plan and Silverdale West Dairy Flat Structure Plan

28. As noted above, Mr Forster inferred at the public meeting that environmental considerations are largely matters to be considered under the RMA. That may be the case. Nevertheless, the Minister needs to be aware of the current planning situation and the lead up to over the Auckland Unitary Plan (AUP) processes.
29. The current zoning and plans have been the result of intensive planning consideration since 2013 when the draft AUP was publicly notified (and before this in terms of the consideration of options by Auckland Council). A key consideration for Auckland at the time, and remains today, was the provision for residential growth, alongside of which land for business needed to be provided. Auckland Council considered that a balance for residential growth needed to be struck between intensification within existing urban areas and expansion around the periphery. Plans for intensification became the subject of widespread public and political scrutiny such that the extent of intensification was reduced and provisions for greenfield expansion was increased. This had specific implications for Dairy Flat.
30. The resulting extent of Future Urban zoned land between that originally notified proposed AUP and the final operative AUP position is depicted in **Appendix 1**. The Future Urban zone in Dairy Flat was significantly expanded. Instead of there being Countryside Living zone land off the south western end of the main airport runway, this land was zoned Future Urban. This decision was taken after considering submissions from all interested parties, including NSA.
31. Additional structure planning work since the finalisation of the AUP has seen the land to the west and south of the airport identified as being zoned in the future for Light Industry purposes (**Appendix 2**). This zoning helps to mitigate the ‘reverse sensitivity’ effects [being the effects of a sensitive activity on an adjacent nuisance or offensive activity] of adjacent land use on airport

operations and enables the continued operation of the existing airport, including aircraft operations, maintenance and repair of aircraft and related commercial and industrial activities.

32. Further, the AUP incorporates both an Airport Approach Surface Overlay and an Aircraft Noise Overlay. The Airport Approach Surface Overlay provisions manage the height of activities in the overlay. As can be seen from Appendix 3 the Airport Approach Surface Overlay covers most of the structure plan area. The Aircraft Noise Overlay controls activities sensitive to aircraft noise within air noise contours, with the outer 55dB Ldn noise contour covering most of the southern part of the Postman Road area.
33. In summary, the existing North Shore Airport operations are well-protected under the AUP. Further, the industrial zoning around the airport provides significant opportunity for airport related commercial activity to occur. This land does not need to be controlled or owned by NSA for these synergies to develop.
34. This submission has referred above to the primary reason for NSA seeking airport authority status, and that is the ability to then become a requiring authority under the RMA. It is my view that if NSA wish to expand its operations then the expansion should go through a process that is fair and even-handed for all stakeholders. The RMA provides for private plan changes, in which a person or persons can seek the rezoning of land. The Council may adopt such a plan change if they see it being in the public interest and wish to support it, or simply accept the plan change for processing. Either way, the proposal must be considered by Council and is subject to appeal rights to the Environment Court. A plan change for the expansion of the airport, including runway extension to the southwest and related diversion of Postmans Road, would need to be supported by an RMA section 32 analysis which establishes the environmental and cost-benefit case for the plan change.
35. I consider that it is a private plan change that needs to be prepared by NSA and processed by the Council before any consideration is given to the ability of NSA to acquire land. A key reason for this is to overcome the significant inequity that arises with the compulsory land acquisition process. If land is rezoned, then the current landowner is able to rely on the 'up-zoning' of the land as fair value in the sale and purchase. If NSA achieves requiring authority status then the designation of land for airport purposes is over Future Urban zone land of much lower value (see Urban Economics report).
36. If NSA is able to successfully have the land rezoned by way of a private plan change, following the process outlined above, and demonstrate that the expansion of the airport is in the public interest and a necessary piece of regional infrastructure, then it would be appropriate for NSA to be a requiring authority, so as not to frustrate the acquisition of land for a proven infrastructure project.

CONCLUSION

37. In conclusion, this submission has addressed the many matters that I consider the Minister must turn his mind to in making a decision on the application by NSA for airport authority status. The Act, a very dated piece of legislation is devoid of any guidance to the Minister as to what he must consider. The most recent example of a decision under the Act, just last year, for Auckland West Airport, demonstrates just how unstructured this guidance is likely to be, with little in the way of substantive matters being referred to.
38. Under the RMA, a section 32 analysis requires the decision maker to "*assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter...*" (RMA section 32(2)(c)). Although the Act contains no such guidance, I consider that this matter has strong parallels. I suggest the risk of 'acting', by the Minister granting airport authority status to NSA, is far

greater in this case than 'not acting'. It is without any doubt that the Minister does not have certain or sufficient information to make a decision.

39. It is my view that the decision to be taken in the widest public interest is to decline the application and force NSA into having to prove itself on an even playing field in a public arena. The Minister should not assist NSA in its current endeavours by granting airport authority status as the key to the door to compulsory land acquisition.
40. The key matters in this submission that support a declining of the application are:
- (i) The Act contains no purpose statement or decision criteria to guide the Minister, however the Minister must have overall regard for the Dairy Flat community and the local receiving environment;
 - (ii) The Act intends that airport authority status is conferred on local authorities, which may then provide for powers to be exercised by a person or association of persons;
 - (iii) NSA has not demonstrated the requisite financial strength and governance structures to support becoming an airport authority;
 - (iv) NSA has not demonstrated that it has the support of its members in this endeavour;
 - (v) The creation of 'Auckland's second airport' is a serious infrastructure project which must be supported by a cost-benefit report that considers all options and analyses the costs and benefits for all stakeholders;
 - (vi) The Auckland Unitary Plan has resulted in settled zoning for the Dairy Flat area following years of submissions and decisions by Independent Hearing Panels and Environment Courts. The zoning and other provisions provide for the current operation of NSA; and
 - (vii) If NSA wishes to advance its plans for an expanded airport, then this should be by way of a private plan change process, which enables a fair and equitable consideration of all stakeholder interests, and land acquisition should the plan change be successful.

Fred Collie

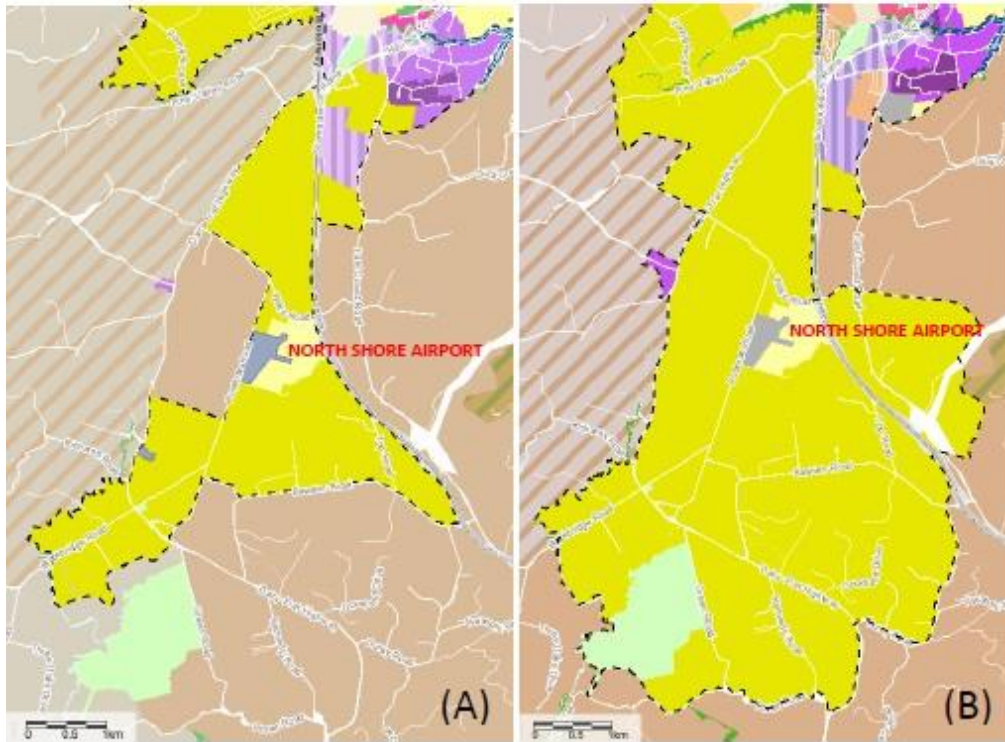
Prepared with input and assistance of

Dave Serjeant



Adam Thompson

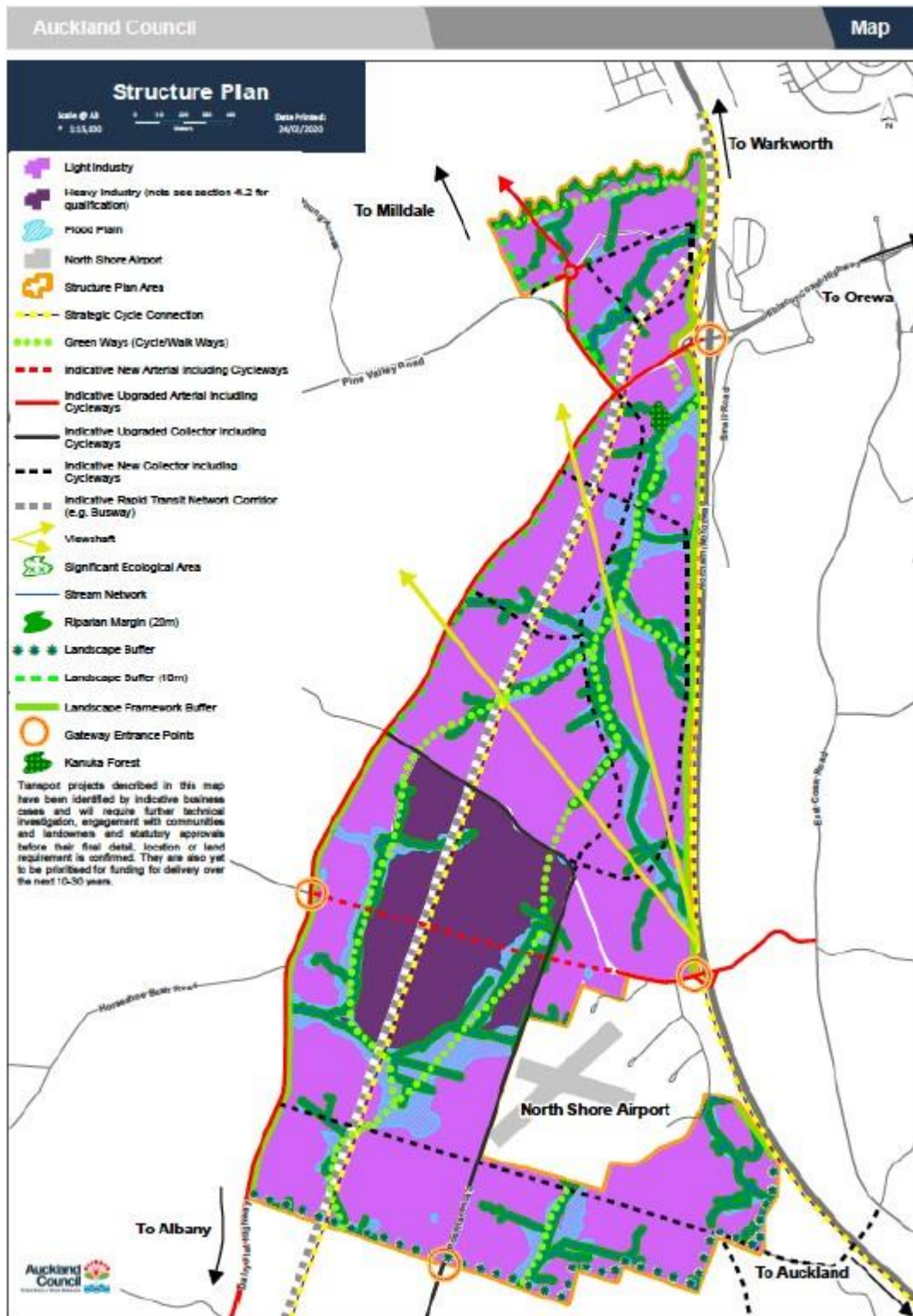




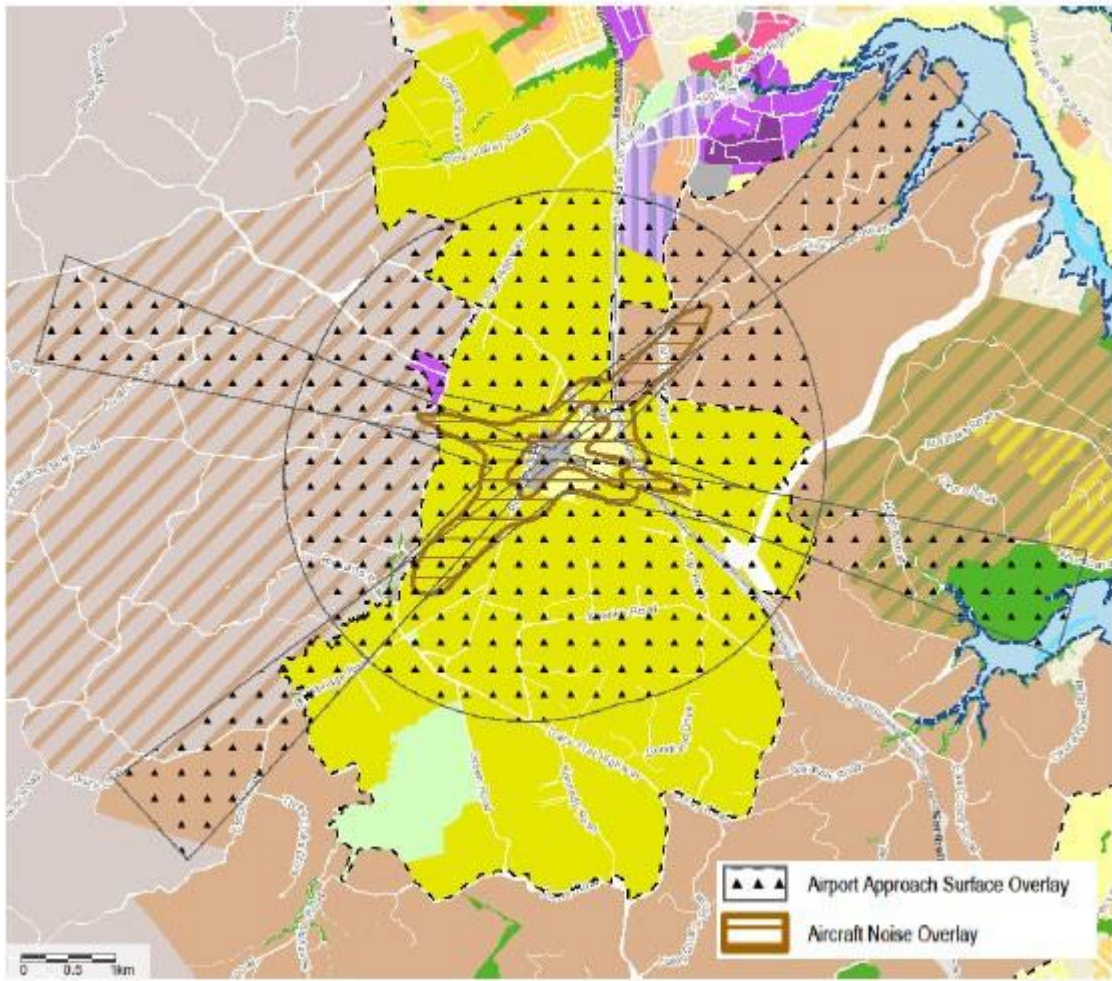
EXTENT OF FUTURE URBAN ZONE IN DAIRY FLAT
 AUCKLAND UNITARY PLAN: NOTIFIED (A) AND OPERATIVE (B)

KEY

- Business - Light Industry Zone
- Future Urban Zone
- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Rural - Countryside Living Zone



SILVERDALE WEST DAIRY FLAT INDUSTRIAL AREA STRUCTURE PLAN APRIL 2020



NORTH SHORE AIRPORT ZONING AND OVERLAYS

23.11.2020

To Fred Collie,

RE: North Shore Airport Authority Status Economic Assessment

This report provides a preliminary assessment of the economic impact of the proposed Airport Authority status under the Airport Authorities Act 1966 for the North Shore Airport (the "Airport").

I understand from Mr Dave Serjeant that an Airport Authority has the right to operate an airport, develop commercial and industrial property for airport and non-airport activities, and to acquire land for these purposes.

The Airport makes a positive economic contribution to the Auckland region and requires a suitable regulatory and legal basis for its operation.

The proposal for an Airport to become an Airport Authority raises two potentially significant economic impacts that should be considered.

The first is it would create a commercial incentive for the Airport to develop its land for commercial and industrial property for non-airport activities. This would occur if the land is surplus to the Airport's current and future requirements, or more generally if the land has a greater value for commercial and industrial property use rather than Airport use.

The second is that it would create a commercial incentive for the Airport to acquire additional land to develop for commercial and industrial property for non-airport activities. This would occur if the value of the land for commercial and industrial property use is greater than the cost to acquire that land.

To evaluate the extent of these commercial incentives, the value of Airport land, the value of surrounding lifestyle/rural land, and the value of raw commercial and industrial development land, have been assessed.

The value of lifestyle/rural land surrounding the Airport is approximately \$1.0 million per hectare. This reflects both the lifestyle/rural value and the anticipated future value that will be created under the Silverdale West Industrial area which encompasses the wider area surrounding the Airport.

By contrast, the value of developed commercial and industrial land in the North Shore is currently \$10-20 million per hectare, and in Rodney is \$5-10 million per hectare. This indicates that the value of commercial and industrial land within or adjacent to the Airport would be approximately \$7.5-10 million per hectare.

Based on a value of \$7.5-10 million per hectare for commercial and industrial land in close proximity to or adjacent to the Airport, the raw (i.e. undeveloped) value would have a value of \$2.5-5 million per hectare.

At present, the Airport land has a local authority rating valuation of \$0.2 million per hectare (see

Figure 1).

These figures indicate that the Airport would have a significant incentive to develop its own land and to acquire adjacent land for non-airport activities. In particular, the Airport land currently has a value of \$0.2 million per hectare and this would increase to \$2.5-5 million per hectare if used for commercial and industrial activities as an Airport Authority (resulting in a total increase of \$60 - 120 million).

Similarly, as examples, there are two adjacent properties to the Airport, that are shown in Figures 2 and 3, that have a value of \$0.2 million per hectare and this would increase to \$2.5-5 million per hectare if used for commercial and industrial activities. If the Airport acquired these properties for a combined valuation price of \$10.1 million (for 43 hectares) the value would increase to \$110 million to \$220 million, resulting in a windfall to the Airport of \$100 - \$200 million.

I understand that the Airport has an operating surplus of less than \$1.0 million per annum. This income stream is a small fraction of the value the Airport could achieve from non-airport property activities, and suggests that the application of the Airport Authority status would present a commercial incentive that is far in excess of the Airport's operational value.

The Airport would therefore potentially use its surplus land and/or acquire additional land for the development of a large quantity of non-airport commercial and industrial property, and this would have a commercial value that exceeds its value as an airport. It is worth noting that the Auckland Airport has a large amount of non-airport related property, including a large retail centre and office park, indicating that it has responded to this incentive, despite being a large airport.

There are two broader issues that arise. The first is the Auckland Council may not have anticipated the economic implications of a large quantity of commercial and industrial building activity at this location, and this may result in significant additional public infrastructure costs, for example. The second is that given the shortage of raw development land in Auckland, and the high value of this land, the use of the Airport Authority status to profit from the non-airport commercial and industrial activities would likely result in ongoing applications from other existing and recently established Airports within Auckland and other major cities.

Figure 1: North Shore Airport

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$5.1	\$8.7	\$13.8	23.7	\$0.22

Source: CoreLogic



Figure 2: 244 Postman Road

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$3.8	\$0.2	\$4.0	22.5	\$0.17

Source: CoreLogic



Figure 3: 1350 Dairy Flat Highway

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$5.7	\$0.4	\$6.1	20.8	\$0.27

Source: CoreLogic



From: Kiong Soin Tan [REDACTED]
Sent: Friday, 27 November 2020 3:54 PM
To: Airports <airports@transport.govt.nz>
Subject: Ref:Diary Flat New Airport

Dear Sirs,

See attached objection emails and we agreed to Brian(as Chairman for the adjacent landlords at Dairy Flat)submission for your further review and consideration.Thank you.

Best Regards
Tan

Attachment

27 November 2020

Ministry of Transport

PO Box 3175

Wellington, 6140

By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out below .

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ...Brian Sutton as Chairman of the Dairy Flat Land Owners Group

Email : [REDACTED]

8. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An airport company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....*”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

Cl 20.2 Notwithstanding the provisions of rule 20.1 the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club's use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.

And furthermore:

26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote except:

26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club's use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include **transfer** of all assets into the new company.

The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

9. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act , that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

10. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that :

Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.

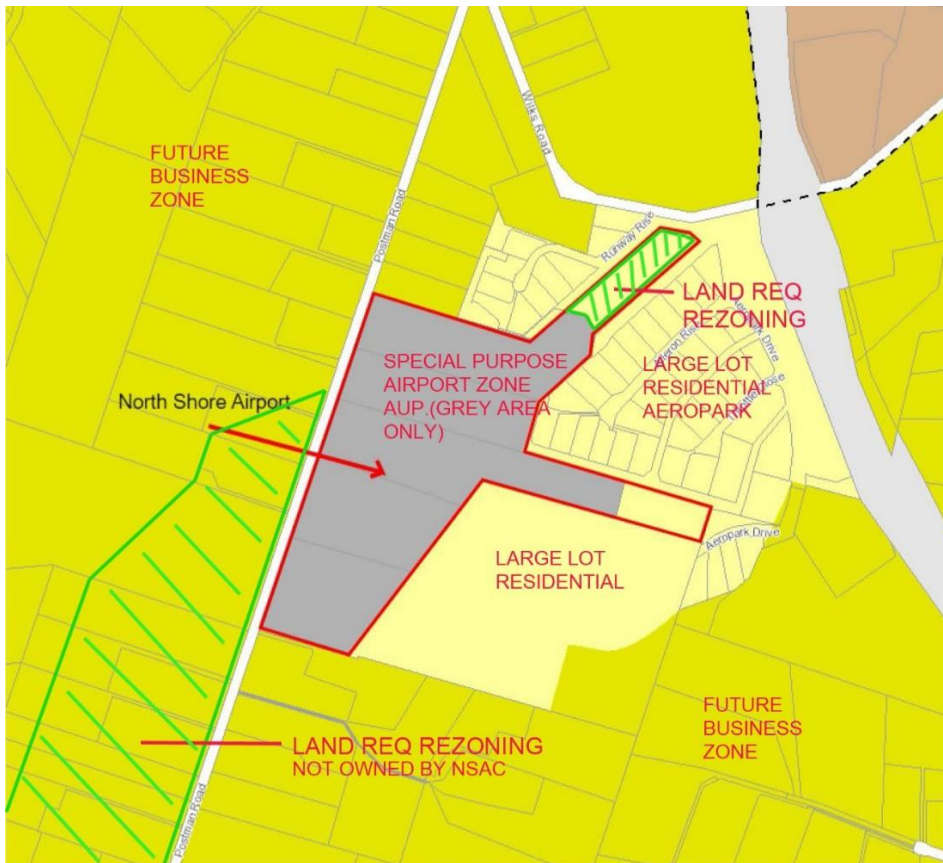


Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon.

We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.”

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support of the Airport Authorities Act in any shape or form and accordingly we request that **this application be forthwith rejected.**

11. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative

Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words "The resulting North Shore Airport Precinct offers certainty...." which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

"Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway."

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

12. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states "*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*". This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states "*the approval and support of North Shore Airport within the community is clear*".

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC's application to voice its opposition . This was a meeting which the Club didn't want to have, and clearly for good reason.

As quoted in its submission regarding the AUP "*in relation to the airport Principle 10 isEnsure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment*" The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

13. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

6. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway “*providing a natural topographic constraint for aircraft takeoffs and landings*” Refer cl 2.2 Airport Surroundings – Masterplan.
7. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
8. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
9. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
10. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

14. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage , up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However ,within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

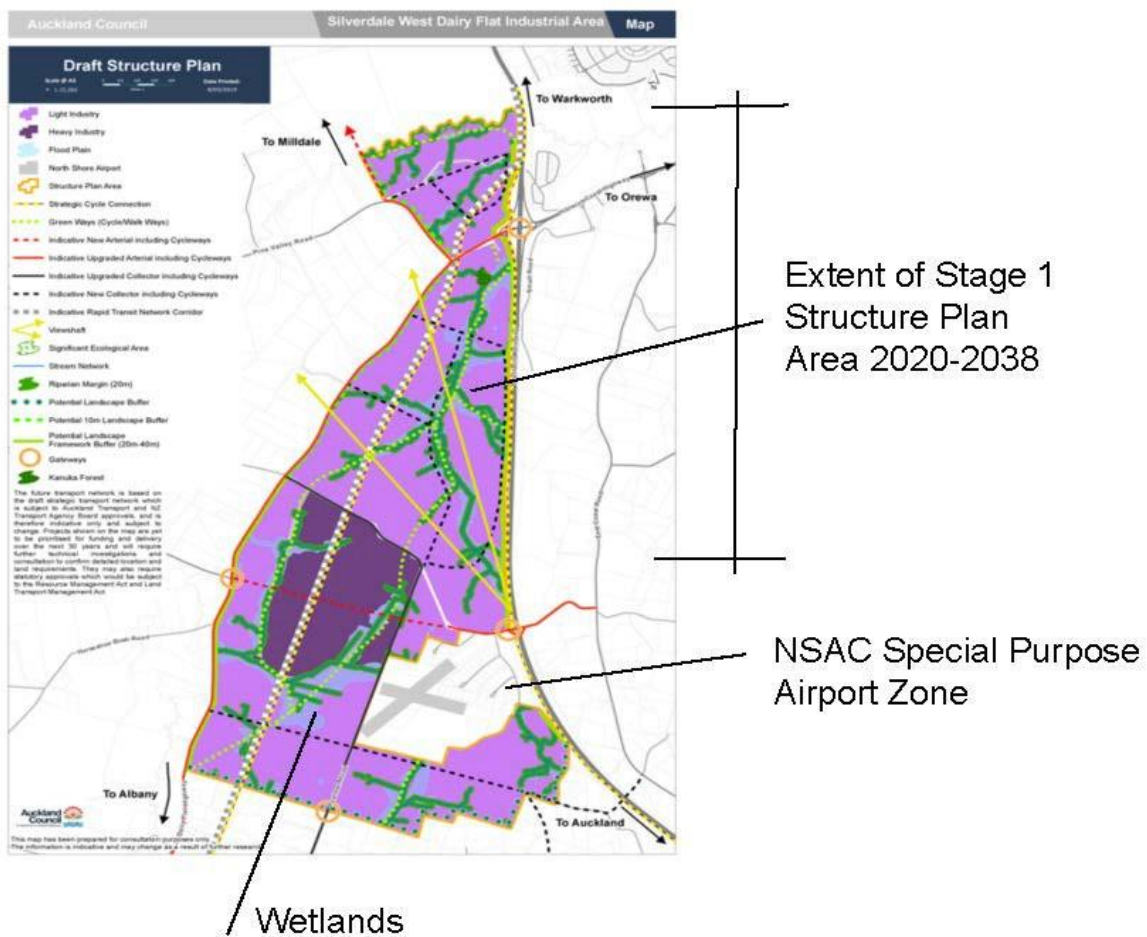


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development , will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



*Fig 5 Example of significant safety hazard due to lack of parking
On Postman Road outside airfield office*

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Karen Joubert [REDACTED]
Sent: Friday, 27 November 2020 4:35 PM
To: Airports <airports@transport.govt.nz>
Cc: Sean Bei Group [REDACTED]; Brian Sutton [REDACTED];
[REDACTED]; Amelia Alden [REDACTED]; Burnette
O'Connor [REDACTED]
Subject: Submission: North Shore Airport Proposal for Airport Authority Status

To Whom it May Concern

Please find **attached** a submission on behalf of Yue Ten Limited on the application by North Shore Airport to the Ministry of Transport to become an airport authority.

The Appendices can be accessed here: [Appendices](#).

Kind regards



From: Admin (Planning Collective) <admin@thepc.co.nz>
Sent: Monday, 30 November 2020 10:24 AM
To: Airports <airports@transport.govt.nz>
Cc: Sean Bei Group [REDACTED]; Brian Sutton [REDACTED];
[REDACTED]; Amelia Alden [REDACTED]; Burnette
O'Connor [REDACTED]; Karen Joubert [REDACTED]
Subject: RE: Submission: North Shore Airport Proposal for Airport Authority Status

Good morning

Further to the email sent below last Friday, we noticed a couple of formatting and structure issues so please use [this link](#) to download the updated copy as the final version. It also now includes all appendices as part of the full document.

Apologies for any inconvenience caused.

Regards

Please note the Appendices can be found online and include:

- 1) Silverdale West Dairy Flat Industrial Area Structure Plan – April 2020
- 2) An image of the Silverdale West Dairy Flat Industrial Area Staging plan (provided by Auckland Council)
- 3) North Shore Airport Masterplan

Attachment



THE PLANNING
COLLECTIVE

27 November 2020

Ministry of Transport
PO Box 3175
Wellington, 6140
Email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Yue Teng Limited ("Yue Teng"), we have reviewed the application by North Shore Airport ("Airport"), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

Yue Teng is the landowner of the following properties (refer Figure 1 below), located to the west of the Airport and Postman Road:

-
-
-

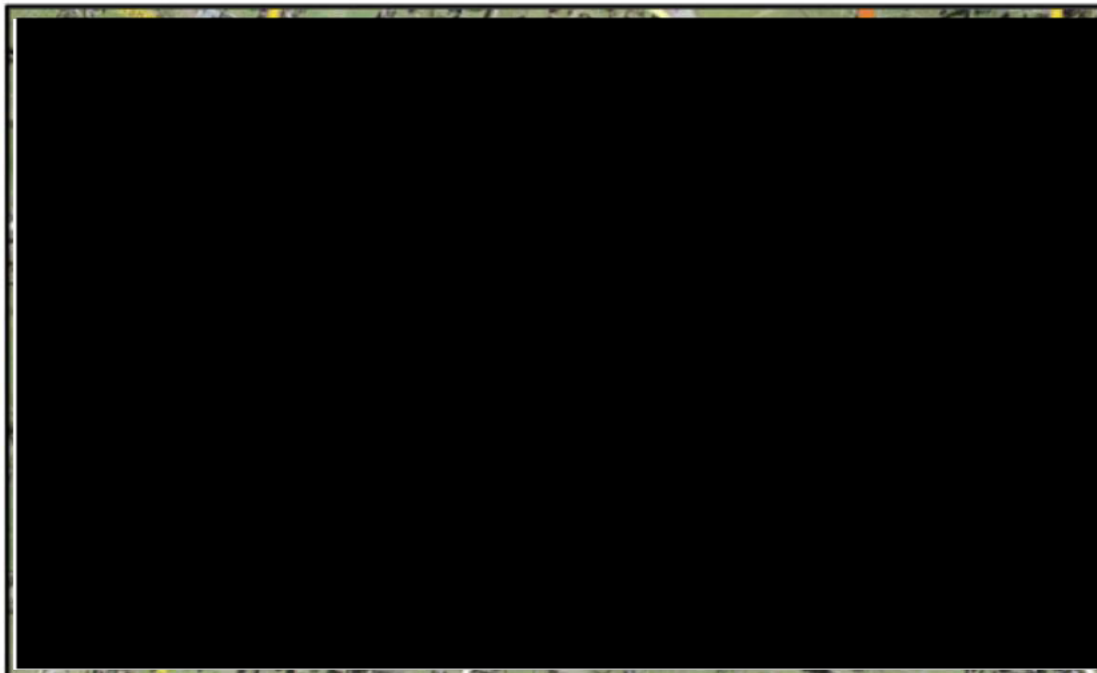


Figure 1: Yue Teng Ltd (red), Airport (blue) and proposed Airport expansion as per Masterplan (yellow)

Yue Teng seeks the following primary relief:

- that the Minister of Transport declines to take forward the Airport's application to become an airport authority for the reasons detailed in the submission below.

In the event that the Minister of Transport does take forward the application, Yue Teng seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred.

The reasons for Yue Teng's submission are set out below.

Context

For the sake of context, it is necessary to set out the Resource Management Act, 1991 ("RMA") planning framework for the Airport and its surrounding urban environment.

Auckland Unitary Plan (Operative in Part)

The functions of the Auckland Council ("Council") for the purpose of giving effect to the RMA as a regional council and as a territorial authority are set out in sections 30 and 31 of the RMA. The statutory purposes of the Auckland Unitary Plan (Operative in Part) ("AUP(OP)") is to achieve the purpose of the RMA, inter alia by:

- producing a Regional Policy Statement on the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region; and
- producing the regional plan and the district plan to assist the Council to carry out any of its functions as a regional council and as a territorial authority in order to achieve the purpose of the RMA.

The AUP(OP) Regional Policy Statement recognises the need to protect significant regional infrastructure which includes airports. Therefore, the Airport is recognised in the highest policy level in the AUP(OP), which directs the regional and district plan provisions in the lower policy and provision orders of the AUP(OP).

The AUP(OP) also makes specific provision for the Airport and its operations via its underlying Special Purpose – Airport and Airfields Zone. This Special Purpose Zone applies to select airports and airfields across the Auckland region including the North Shore Airport.

In addition to the Special Purpose Zone, the Airport also has a North Shore Airport Precinct ("Airport Precinct") applying to its land (refer Figure 2 below). The Precinct provides for the continued operation of the Airport, including aircraft operations, maintenance and repair of aircraft, and limited provision for commercial and industrial activities associated with aviation.

The AUP(OP) also includes a specific Airport Approach Surface Overlay and Aircraft Noise Overlay for the Airport to secure its unhindered operation now and into the future. These Overlays affect the properties surrounding the Airport.

The purpose of the Airport Approach Surface Overlay is to manage obstructions such as buildings and trees, so that they do not protrude into the airport approach surfaces. The Airport Approach Surface Overlay covers a wide range of properties around the Airport in all directions. The Aircraft Noise Overlay controls activities sensitive to aircraft noise (e.g. dwellings) within specified noise contours. Such activities must provide sound attenuation and related ventilation and/or air conditioning measures to ensure the internal noise environment of habitable rooms does not exceed a maximum noise level of 40dBA(Ldn).

Therefore, it is clear that the AUP(OP) not only recognises the Airport but also makes specific provision for and provides protection to its operations now and into the future.

Located directly east between the Airport and the Northern Motorway is the Aero Park development. Under the AUP(OP), this area has a Residential – Large Lot zoning and also is located within the Dairy Flat Precinct. The purpose of this precinct is to create an environment for aircraft enthusiasts to live in close proximity to the North Shore Airport, and to provide permanent access for aircraft from all individual properties to the Airport. In addition, this precinct provides a buffer of aviation friendly activities around the Airport, which will assist its long-term survival.

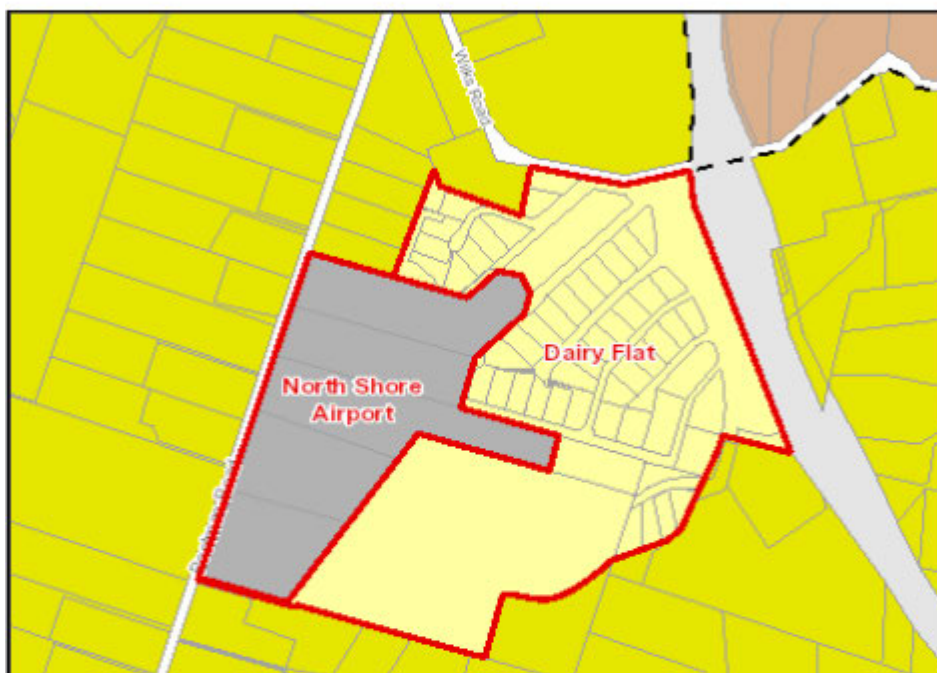


Figure 2: Airport and Aero Park AUP(OP) zoning

National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 ("NPS-UD") directs local authorities to provide sufficient development capacity in their resource management plans for housing and business growth to meet demand. Auckland Council ("Council") has a Future Urban Land Supply Strategy, 2017 ("FULSS") that identifies areas of growth in accordance with the Auckland Plan 2050 (Spatial Plan). The FULSS sets out timeframes and sequencing for structure planning to inform land zoning and the timely delivery of infrastructure. This ensures identified land areas are "Development Ready" in specified timeframes.

The Structure Plan area is identified in the Auckland Plan 2050 as an indicative Future Urban Business Area. In accordance with the FULSS, Council has developed the Silverdale West Dairy Flat Industrial Area Structure Plan ("Structure Plan") (included as Appendix 1) to assist in giving effect to the NPS-UD by providing the analytical foundation to support future plan changes² to provide urban zones and related infrastructure in the Silverdale West Dairy Flat Area.

² Council or a member of the public can initiate a change to the operative component of the AUP(OP). A plan change often involves the change of a land area's zoning and includes specific objectives, policies, rules and assessment criteria

Silverdale West Dairy Flat Industrial Area Structure Plan

A structure plan is a non-statutory high-level plan that shows how an area of land can be urbanised taking into account constraints and opportunities. It shows the arrangement of various land uses and identifies infrastructure to service the land area. A structure plan is prepared to inform plan changes to achieve operative urban zones.

The Structure Plan applies to Future Urban zoned land surrounding the Airport. The Structure Plan applies to the land area enclosed by the red line in Figure 3 below. The land area is approximately 603ha. The Structure Plan, which is the first step in the process to achieving a live urban zoning to the Silverdale West Dairy Flat Area, has earmarked the area surrounding the Airport for a potential future zoning of Business – Light Industry and a small part to the west for a potential future zoning of Business - Heavy Industry.

The Structure Plan identifies a net developable area of 350ha of which 294ha (net, excludes floodplains and roads) for light industry and 56ha (net) for heavy industry. The Airport has not been included in the Structure Plan area because it is already 'live' zoned Special Purpose – Airports and Airfields and is contained in the North Shore Airport Precinct.

The planning horizon for delivery of "Development Ready" land in the Structure Plan is from 2022 to 2048 and beyond. The land is divided into three stages to align with the projected demand for land and the ability to provide infrastructure. The Airport and the properties to its immediate north and west (including Yue Teng's properties) and south fall within Stage 3. The planning horizon for Stage 3 is stated in the Structure Plan to be 2048 and beyond (refer Appendix 2 and Figure 3 below).

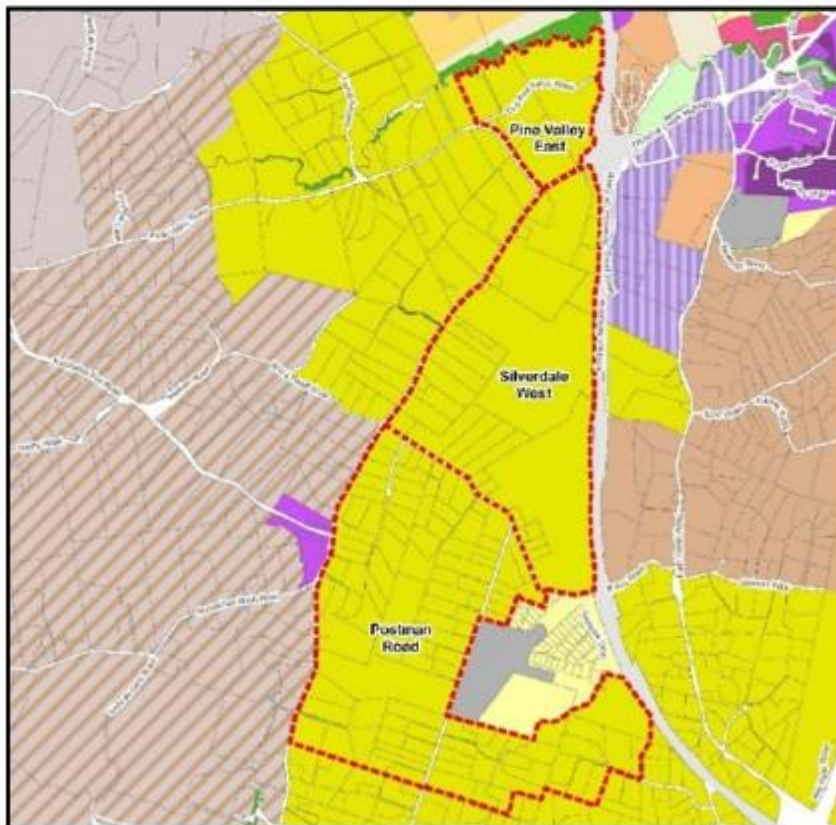


Figure 3: Structure Plan Area

Necessity of the airport authority status

The consultation letter states that *“North Shore Airport has indicated that their interest in airport authority status is to help protect its longstanding position and status as an airport, while supporting the future business and industrial urbanisation of the surrounding areas in accordance with the Auckland Unitary Plan.”*

Yue Teng questions the necessity for airport authority status for the following reasons:

Current statutory provision for the Airport

Following the inauguration of the Auckland Unitary City, the preparation of the AUP(OP) was undertaken, subject to a special prescribed process announced under the RMA and Local Government (Auckland Transitional Provisions) Act, 2010. This process determined the zoning, objectives, policies, rules and assessment criteria for the ‘greater’ Auckland area, administered by the Auckland Council, including the provisions that currently apply to the Airport.

The RMA requires that: *“No person may use land in a manner that contravenes a regional rule (or district rule) unless the use is expressly allowed by a resource consent (or a permitted activity)”*. Any rezoning (also known as a plan change) of land is subject to the relevant process prescribed in the RMA. Any development proposal requiring resource consent is subject to an evaluation of the AUP(OP) objectives, policies, relevant regional and district rules and its assessment criteria. The RMA also provides for enforcement actions where land is used in an unlawful manner.

As detailed above, the AUP(OP) affords the Airport its current Special Purpose Airport and Airfields zoning and is also protected by means of the North Shore Airport Precinct in the AUP(OP). The purpose of the zone and Precinct are clearly stated to apply to select airports and airfields across the Auckland region, including the North Shore Airport and to provide for the continued operation of the Airport, including aircraft operations, maintenance and repair of aircraft, and limited provision for commercial and industrial activities associated with aviation. The Airport Approach Surface Overlay and Aircraft Noise Overlay further enables the unhindered operation of the Airport.

The Special Purpose zone, the Precinct and the Overlays, therefore, clearly protect the Airport operations now and into the future.

Applying best planning practice, it is inappropriate to grant airport authority status to the Airport. Given the existing protection for the Airport activities in the AUP(OP), the only real reason for the airport to seek airport authority status would be to achieve greater powers to acquire land outside its current boundaries. Such an outcome would directly conflict with the NPS-UD and other related planning documents detailed above.

There are clear and defined resource management processes that enable robust assessment and determination for the best and most appropriate use of the land resource for example designation, plan change, plan review and resource consent processes.

Current non-statutory acknowledgement of the Airport

The location and operation of the Airport was acknowledged in the non-statutory Structure Plan for the Silverdale West Dairy Flat area (refer Appendix 1). The position, status and continued operation of the Airport is recognised in these documents.

The identification of the land in the Structure Plan for potential industrial activity in the areas surrounding the Airport in itself recognises the location of the Airport and supports its ongoing operation and development. As the Structure Plan states, existing provisions in the AUP(OP) manage airport noise through the Aircraft Noise Overlay and the height of buildings and structures in the industrial area through the Airport Approach Surface Overlay. Any extension of the Airport would require these statutory

provisions to be revisited.

As the properties surrounding the Airport are earmarked in the Structure Plan for rezoning by 2048 and beyond, making a decision on airport authority status now would not reflect sound planning practice. Determining the best use of land using the RMA framework and up to date structure planning that reflects the environment at the time, is the best and most appropriate process.

There are many more appropriate tools in our legislation to enable the Airport to protect the operations and even to expand. The RMA tools are the most appropriate for the Airport to utilise to achieve its objectives. This is because these tools (processes) provide a robust framework for the detailed consideration of any proposal in relation to the immediate and wider environment now and into the future.

North Shore Airport Master Plan

Key objectives of the North Shore Airport Master Plan ("Master Plan") (refer Appendix 3) are:

- *"To acknowledge the future aviation investments required for the airport and provide the steps to achieve them. This will ensure the long-term future of the Airport is sustainable, and meets the needs of its members, airport users, and the surrounding community."*
- *"Flexibility and provision for expansion is an essential part of airport master planning. While the expansion of some infrastructure means a step change in capacity and investment, there can be many operational initiatives and minor investments that progressively enhance capacity of existing infrastructure before the next step change is necessary."*

The Master Plan also states that the Airport *"is poised to offer a significant regional contribution to the regional transport infrastructure and economy by providing further and more frequent air connections and expanding its footprint to do so."*

Strategic principles

Decisions on Auckland's urban environment

In the first instance, the NPS-UD aims to ensure that New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. The NPS-UD applies to local authorities that have an urban environment within their district and applies to planning decisions by any local authority that affect an urban environment. Accordingly, the Auckland Council has been assigned the authority to make decisions on the Auckland urban environment. Granting airport authority status to the Airport has the potential to adversely impact those decisions.

The NPS-UD came into effect on 20 August 2020, after the AUP(OP) was released. Therefore, its provisions will be incorporated and further implemented in future plan changes, some that are specifically directed under the NPS-UD, but also in the review of the AUP(OP) scheduled to start in 2023.

Role and function of North Shore Airport in the Auckland region

According to its Master Plan, the Airport envisages becoming a regional facility. The second strategic principal issue is the role and function of the Airport in the context of the Auckland region has not been assessed or determined. To date the Airport has operated and developed organically from its original recreational North Shore Aero Club facility to providing for a range of small-scale commercial operations. Its current location and status have been 'accepted' during the Structure Plan process without any strategic analysis of the appropriateness of expansion at this location within the wider Auckland region.

Resource Management Act, 1991 process

The Airport in its application and in its Master Plan confirms that it can continue its existing operations without having airport authority status. Further, the application suggests that the airport authority status will be a "helpful tool in the management toolbox" assisting the Airport to be acknowledged and assisting with its expansion plan on to land that the Airport does not currently own to accommodate its future growth. As the Airport is already acknowledged and protected in the AUP(OP), this clearly indicates that the motivation for seeking airport status is to enable acquisition of land not currently owned by the Airport.

As stated, there are better, more robust, processes provided through the RMA to determine the best use of the land that the Airport has identified for expansion. Using the airport authority status to acquire land and pre-determine future land uses of surrounding properties is not sound RMA planning practice or decision-making and would conflict with national level planning documents including the NPD-UD and the recent National Policy Statement: Freshwater Management, 2020.

Yue Teng Limited considers that the Airport's expansion plans should be subject to appropriate scrutiny under the relevant RMA processes, so that any decisions on those plans are well founded. It is not appropriate to bypass sound process by granting the Airport, airport authority status. This is because the decision must be made in the context of the existing and future environment taking into account all national and local level policy documents, the state of the existing and the future environment and the community.

Efficient use of land

Fourthly, the 2048-and-beyond planning horizon for the properties in Stage 3 of the Structure Plan cannot guarantee that the current earmarked Light Industrial zoning is the most efficient or appropriate use of Future Urban zoned land. Urban land and land identification for urban purposes is a scarce resource in New Zealand's largest and fastest growing city.

The extensive planning horizon cannot future proof an optimum land use that will cater for any changes in the economic, social or cultural landscape of Auckland and its consequent change in demand for land in the business or residential sectors. Accordingly, there is also no guarantee that there will be an actual demand for or infrastructure available for the land to the north, west and south of the Airport nor that it will actually develop for industrial purposes.

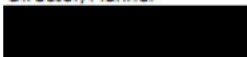
The NPS-UD seeks that New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations. Relying on the earmarked Light Industrial zoning of the properties surrounding the Airport, over a 28-year planning horizon, will be inconsistent with this objective in the NPS-UD.

If the airport authority status is granted and this enables the expansion of the Airport into the existing surrounding Future Urban zoned land, this will have a negative impact on the holistic and strategic planning for the surrounding area and will potentially compromise the efficient use of the scarce urban land resource.

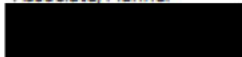
Yue Teng Limited would appreciate being kept up to date about the progress of this application.

Yours sincerely

Burnette O'Connor
Burnette O'Connor
Director/Planner



Karen Joubert
Karen Joubert
Associate/Planner



From: [REDACTED]
Sent: Friday, 27 November 2020 4:54 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport - Application for Airport Authority Status

My contact details are
[REDACTED]

The following is my submission regarding the North Shore Airport's application for Authority status.

Re: APPLICATION FOR AIRPORT AUTHORITY STATUS BY NORTH SHORE AIRPORT

I am a landowner and resident of Postman Road adjacent to the North Shore Airport. **I oppose the application for Airport Authority status by the North Shore Airport.**

Airport Authority status is not required to operate an airport. The North Shore Aero Club has successfully owned and operated the airfield at Dairy Flat for some 60 years without this authority. The club was created for its members to be able to store and fly their own aircraft.

The primary reason for Airport Authority status is to safeguard an airport's operations. In the case of North Shore these safeguards are already in place. The Auckland Unitary Plan recognises the airport and its special zoning which is identified as North Shore Airport Precinct in the Unitary Plan and the Silverdale West Dairy Flat Structure Plan. This zoning protects the airport's activities and constrains certain activities on the surrounding land. It follows therefore that Airport Authority status is not necessary to safeguard the North Shore Airport's continuing operations.

The Airport has submitted a master plan for expansion of its operations to support its application for Airport Authority status. It is this expansion that is the real reason the North Shore Airport has made this application. The master plan requires the acquisition of further land – land which the club does not own. Achieving Authority status gives the Airport extensive powers including to compulsorily acquire land. Once this status is obtained the airport is deemed to be a network utility operator and can apply for Requiring Authority status. It will allow the airport to compulsorily acquire land, give notice to Council to designate land under the district plan and give it the power to enter private land to undertake investigations under the Public Works Act 1981.

Thus the airport would be able to ride roughshod over the local community so that its activities over-ride all others in the area. This is not beneficial to anyone in the area, whether they are commercial/industrial enterprises or, as at present, private residents.

Authority status would give legislative control to the Aero Club – to the detriment of surrounding landowners.

The Aero Club is an incorporated society and will probably need to totally change its structure to be able to carry out the expansion outlined in the master plan. It is not known whether the expansion has the support of all of its members. More commercial flights will

lead to members waiting in line to take off and land and pilot training would also be adversely affected.

The club has admitted it does not have funds to obtain the land it needs to extend its runway. At least two properties on Postman Road opposite the Aero Club which would be needed for the planned expansion have recently been for sale. The club had the opportunity to acquire this land but did not do so. It does not have the necessary funds and so wants the power to be able to raise funds but also to compulsorily acquire land at considerably less than market rates.

Both the Auckland Unitary Plan and the Silverdale West Dairy Flat Structure Plan comment on the North Shore Airport and flag the expansion aspirations. However, as the airport's plans "*were not sufficiently advanced or had a level of certainty*" and "*at the time of preparing this Structure Plan (2020) the airport did not have the necessary approvals and had not purchased any land to expand the airport*", Auckland Council considered the Airport's plans would need to be reviewed when the plan change for Stage 3 of the Structure Plan was prepared.

The plan change for Stage 3 of this Structure Plan is now not due to be made until 2048.

This is some 30 years in the future and circumstances change, sometimes in unexpected ways. As Council is aware of the airport's aspirations and the airport's operations continue to be safeguarded by its own special zoning, it would be more appropriate for the aero club to undertake a more considered approach to its future. The master plan does not include a business case to support the forecasted passenger and flight numbers, but relies on the residential numbers forecast by the Council planners. There is no guarantee that the increase in resident numbers will translate into increased regional air travel.

The proposed extended runway requires the realignment of Postman Road. Such realignment will require the acquisition of even more land. A number of properties will be affected and some will be left with no direct access to Postman Road. Does the Aero Club expect Auckland ratepayers to fund this acquisition and pay for the rebuilding of the road? As an airport the North Shore Airport does not pay rates so already the Auckland ratepayer is supporting the Aero Club.

Consultation with residents by the Aero Club is non-existent. In the 25 years we have lived here there has been no public consultation on any of the club's activities, let alone on its proposed expansion. The club's general manager has publicly stated that the airport exists primarily for its members and the community is a "*very close second in priority*". If this was actually the case, the local community should have been advised of the club's intention to expand. Reliance on a report to the Auckland Council as part of the submissions on the Unitary Plan does not translate into consultation with the community. The club has made no effort to consult local residents and in its submission for authority status declared that further consultation "*is unwarranted*" as the airport's future has been extensively addressed. It has not been addressed at all within the local community and it would appear that the club is attempting to achieve its ends by somewhat devious means.

The legislative powers, including the compulsory acquisition of land, are the reason the North Shore Aero Club is seeking Airport Authority status. It does not need this authority to continue to operate its airport.

I strongly oppose the granting of Airport Authority Status to North Shore Airport and ask that the Ministry of Transport declines the application.

Christine Gray



27 November 2020

From: Steve Thomas [REDACTED]
Sent: Friday, 27 November 2020 5:31 PM
To: Airports <airports@transport.govt.nz>
Cc: 'May Kung' [REDACTED]
Subject: FW: North Shore Airport's Authority Status Application : Submission by The Poplar Family Trust

Dear Sir/Madam

Please find attached the following submission and Appendices for the North Shore Airport's Authority Status Application :

- a) Submission by the Poplar Family Trust (7 pages)
- b) Poplar Family Trust Appendices 1 to 3 (3 pages); and
- c) Poplar Family Trust Appendix 4 Urban Economics (4 pages)

The contents of the submission are commercially sensitive and is not available for publishing.

Thank you

Best regards

Steve

Stephen Charles Thomas
(ATF the Poplar Family Trust)

Poplar Family Trust

[REDACTED]

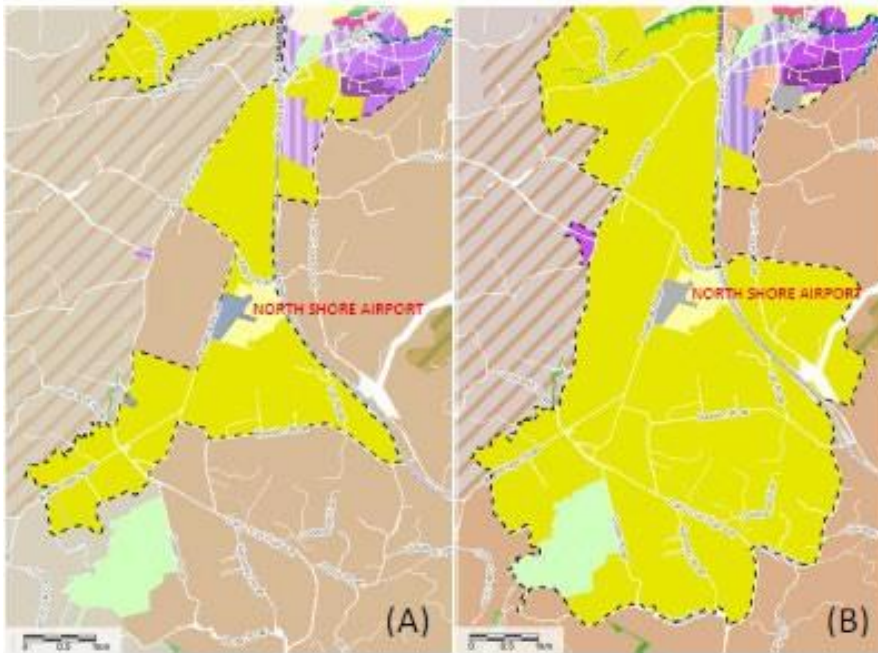
[REDACTED]

Attachment: Submission by the Poplar Family Trust

(Commercially Sensitive – do not publish)

Attachment: Poplar Family Trust Appendices 1 to 3

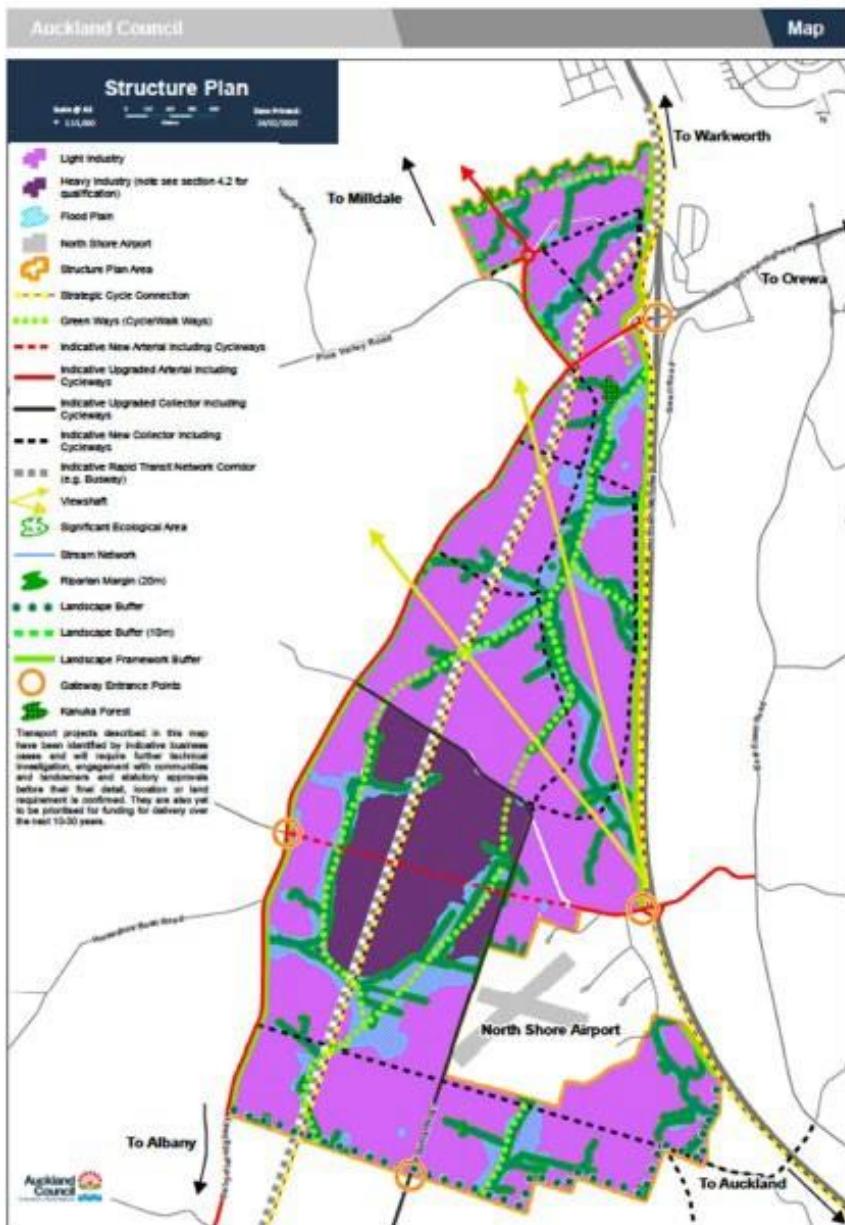
APPENDIX 1



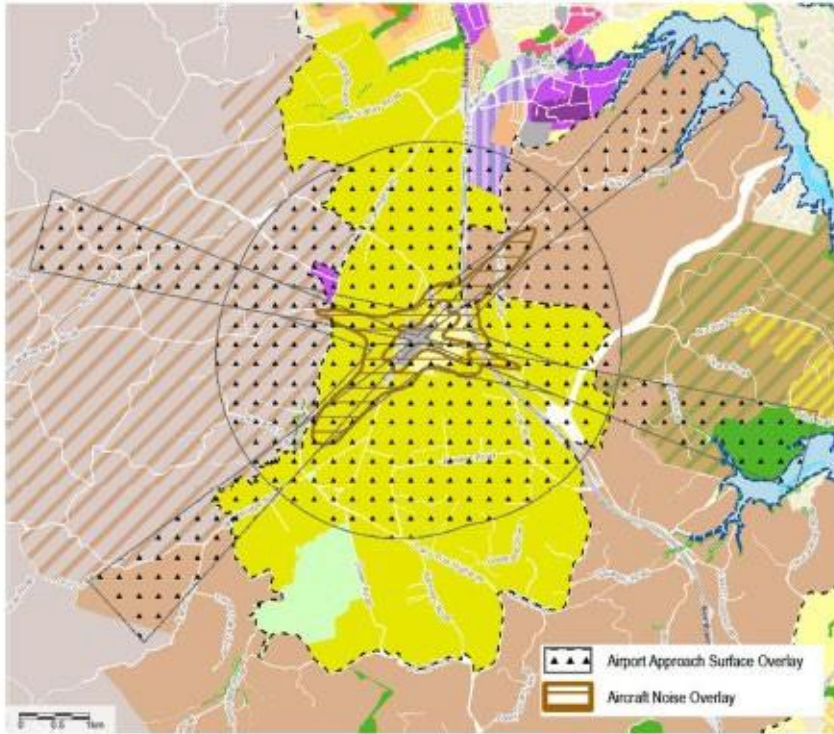
EXTENT OF FUTURE URBAN ZONE IN DAIRY FLAT
AUCKLAND UNITARY PLAN: NOTIFIED (A) AND OPERATIVE (B)

KEY

- Business - Light Industry Zone
- Future Urban Zone
- Rural - Rural Production Zone
- Rural - Mixed Rural Zone
- Rural - Countryside Living Zone



SILVERDALE WEST DAIRY FLAT INDUSTRIAL AREA STRUCTURE PLAN APRIL 2020



NORTH SHORE AIRPORT ZONING AND OVERLAYS

26.11.2020

To Stephen Thomas,

RE: North Shore Airport Authority Status Economic Assessment

This report provides a preliminary assessment of the economic impact of the proposed Airport Authority status under the Airport Authorities Act 1966 for the North Shore Airport (the "Airport").

I understand from Mr Dave Serjeant that an Airport Authority has the right to operate an airport, develop commercial and industrial property for airport and non-airport activities, and to acquire land for these purposes.

The Airport makes a positive economic contribution to the Auckland region and requires a suitable regulatory and legal basis for its operation.

The proposal for an Airport to become an Airport Authority raises two potentially significant economic impacts that should be considered.

The first is it would create a commercial incentive for the Airport to develop its land for commercial and industrial property for non-airport activities. This would occur if the land is surplus to the Airport's current and future requirements, or more generally if the land has a greater value for commercial and industrial property use rather than Airport use.

The second is that it would create a commercial incentive for the Airport to acquire additional land to develop for commercial and industrial property for non-airport activities. This would occur if the value of the land for commercial and industrial property use is greater than the cost to acquire that land.

To evaluate the extent of these commercial incentives, the value of Airport land, the value of surrounding lifestyle/rural land, and the value of raw commercial and industrial development land, have been assessed.

The value of lifestyle/rural land surrounding the Airport is approximately \$1.0 million per hectare. This reflects both the lifestyle/rural value and the anticipated future value that will be created under the Silverdale West Industrial area which encompasses the wider area surrounding the Airport.

By contrast, the value of developed commercial and industrial land in the North Shore is currently \$10-20 million per hectare, and in Rodney is \$5-10 million per hectare. This indicates that the value of commercial and industrial land within or adjacent to the Airport would be approximately \$7.5-10 million per hectare.

Based on a value of \$7.5-10 million per hectare for commercial and industrial land in close proximity to or adjacent to the Airport, the raw (i.e. undeveloped) value would have a value of \$2.5-5 million per hectare.

At present, the Airport land has a local authority rating valuation of \$0.2 million per hectare (see

Figure 1).

These figures indicate that the Airport would have a significant incentive to develop its own land and to acquire adjacent land for non-airport activities. In particular, the Airport land currently has a value of \$0.2 million per hectare and this would increase to \$2.5-5 million per hectare if used for commercial and industrial activities as an Airport Authority (resulting in a total increase of \$60 - 120 million).

Similarly, as examples, there are two adjacent properties to the Airport, that are shown in Figures 2 and 3, that have a value of \$0.2 million per hectare and this would increase to \$2.5-5 million per hectare if used for commercial and industrial activities. If the Airport acquired these properties for a combined valuation price of \$10.1 million (for 43 hectares) the value would increase to \$110 million to \$220 million, resulting in a windfall to the Airport of \$100 - \$200 million.

I understand that the Airport has an operating surplus of less than \$1.0 million per annum. This income stream is a small fraction of the value the Airport could achieve from non-airport property activities, and suggests that the application of the Airport Authority status would present a commercial incentive that is far in excess of the Airport's operational value.

The Airport would therefore potentially use its surplus land and/or acquire additional land for the development of a large quantity of non-airport commercial and industrial property, and this would have a commercial value that exceeds its value as an airport. It is worth noting that the Auckland Airport has a large amount of non-airport related property, including a large retail centre and office park, indicating that it has responded to this incentive, despite being a large airport.

There are two broader issues that arise. The first is the Auckland Council may not have anticipated the economic implications of a large quantity of commercial and industrial building activity at this location, and this may result in significant additional public infrastructure costs, for example. The second is that given the shortage of raw development land in Auckland, and the high value of this land, the use of the Airport Authority status to profit from the non-airport commercial and industrial activities would likely result in ongoing applications from other existing and recently established Airports within Auckland and other major cities.

Figure 1: North Shore Airport

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$5.1	\$8.7	\$13.8	23.7	\$0.22

Source: CoreLogic



Figure 2: 244 Postman Road

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$3.8	\$0.2	\$4.0	22.5	\$0.17

Source: CoreLogic



Figure 3: 1350 Dairy Flat Highway

Land Value (m)	Improvement Value (m)	Total Value (m)	Hectares	Land Value Per Hectare (m/ha)
\$5.7	\$0.4	\$6.1	20.8	\$0.27

Source: CoreLogic



From: Sean Spargo [REDACTED]
Sent: Saturday, 28 November 2020 11:22 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission: NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

As a member of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport ("Airport"), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out as attached . Could you please send a confirmation of receipt of our submission.

Yours faithfully

Attachment

Attachment

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ...Sean Spargo (a member of the Dairy Flat Land Owners Group)

Email : [REDACTED]

15. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An **airport company** means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....*”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

It's inappropriate to give NSAC the powers of an airport authority because they're not the right sort of body to hold them and this means that having airport authority status is inappropriate because, not being an airport company, they won't be subject to the protections afforded by the Act

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

*Cl 20.2 Notwithstanding the provisions of rule 20.1 **the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club's use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.***

And furthermore:

*26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote **except: 26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club's use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.***

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include **transfer** of all assets into the new company.

The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

16. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act , that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

17. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that : *Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.*

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.



Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon. We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

*“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. **The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.**”*

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support

of the Airport Authorities Act in any shape or form and accordingly we request that **this application be forthwith rejected.**

18. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words “The resulting North Shore Airport Precinct offers certainty....” which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

“Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway.”

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

19. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states “*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*”. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states “*the approval and support of North Shore Airport within the community is clear*”.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition . This was a meeting which the Club didn’t want to have, and clearly for good reason.

As quoted in its submission regarding the AUP “ *in relation to the airport Principle 10 is ...Ensure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment*” The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

20. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

11. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway “*providing a natural topographic constraint for aircraft takeoffs and landings*” Refer cl 2.2 Airport Surroundings – Masterplan.
12. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
13. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
14. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
15. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

21. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage, up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

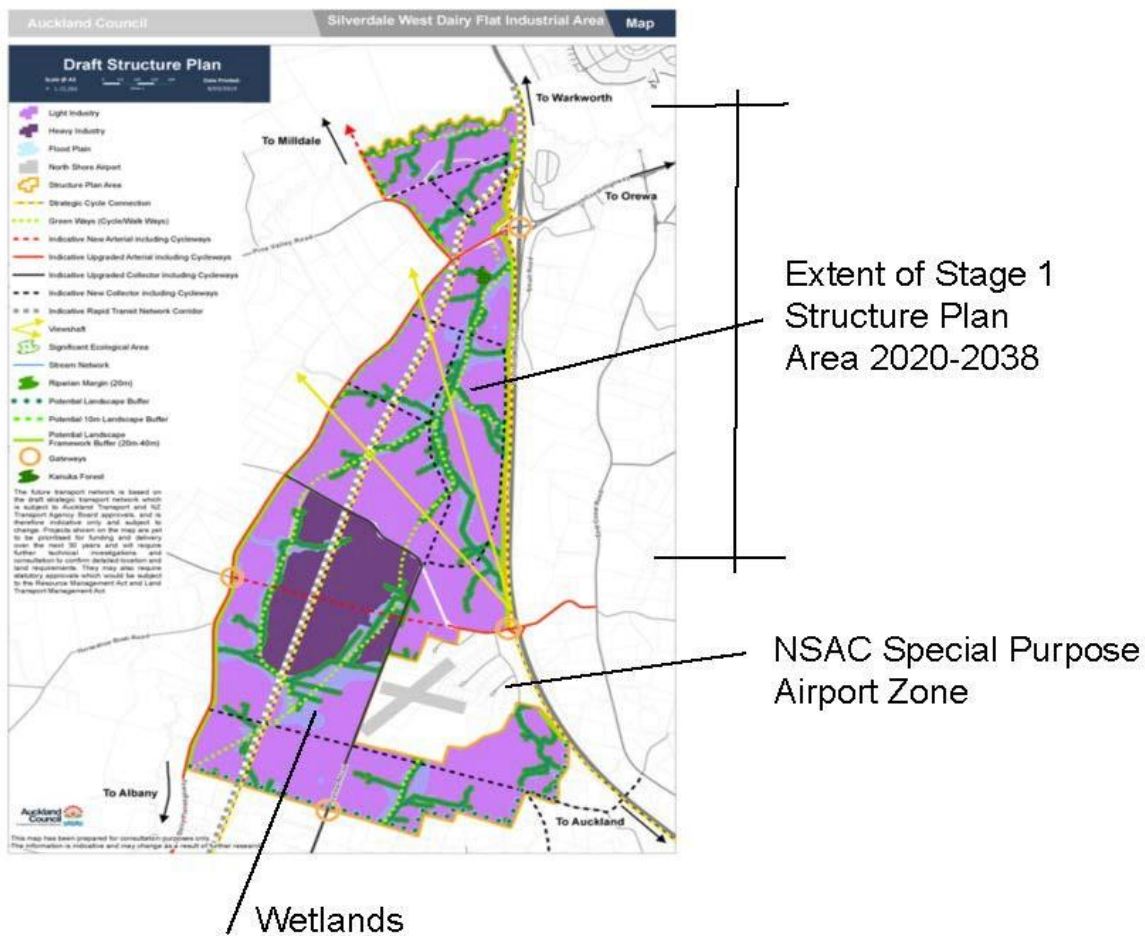


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



Fig 5 Example of significant safety hazard due to lack of parking On Postman Road outside airfield office

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the

Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Ross Hyndman [REDACTED]
Sent: Saturday, 28 November 2020 11:54 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

Dear Sir/Madam,

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Yours faithfully,

Ross Hyndman

[REDACTED]

From: kay Spargo [REDACTED]
Sent: Saturday, 28 November 2020 1:27 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission: NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

As a member of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out as attached . Could you please send a confirmation of receipt of our submission.

Yours faithfully

Kay Spargo

From: Jiang Peng [REDACTED]
Sent: Saturday, 28 November 2020 11:06 PM
To: Airports <airports@transport.govt.nz>
Subject: Dairy Flat New Airport

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

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Yours faithfully
Dairy Flat Land Owners Group

Jiang Peng

Attachment

Attachment

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ...Brian Sutton as Chairman of the Dairy Flat Land Owners Group
[REDACTED]

Email : [REDACTED]

22. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An airport company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....* ”

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And furthermore:

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Relief Sought:

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The application clearly identifies the various stages of redevelopment and acknowledges that : *Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.*

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.



Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

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17. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
18. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
19. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
20. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

28. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage, up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

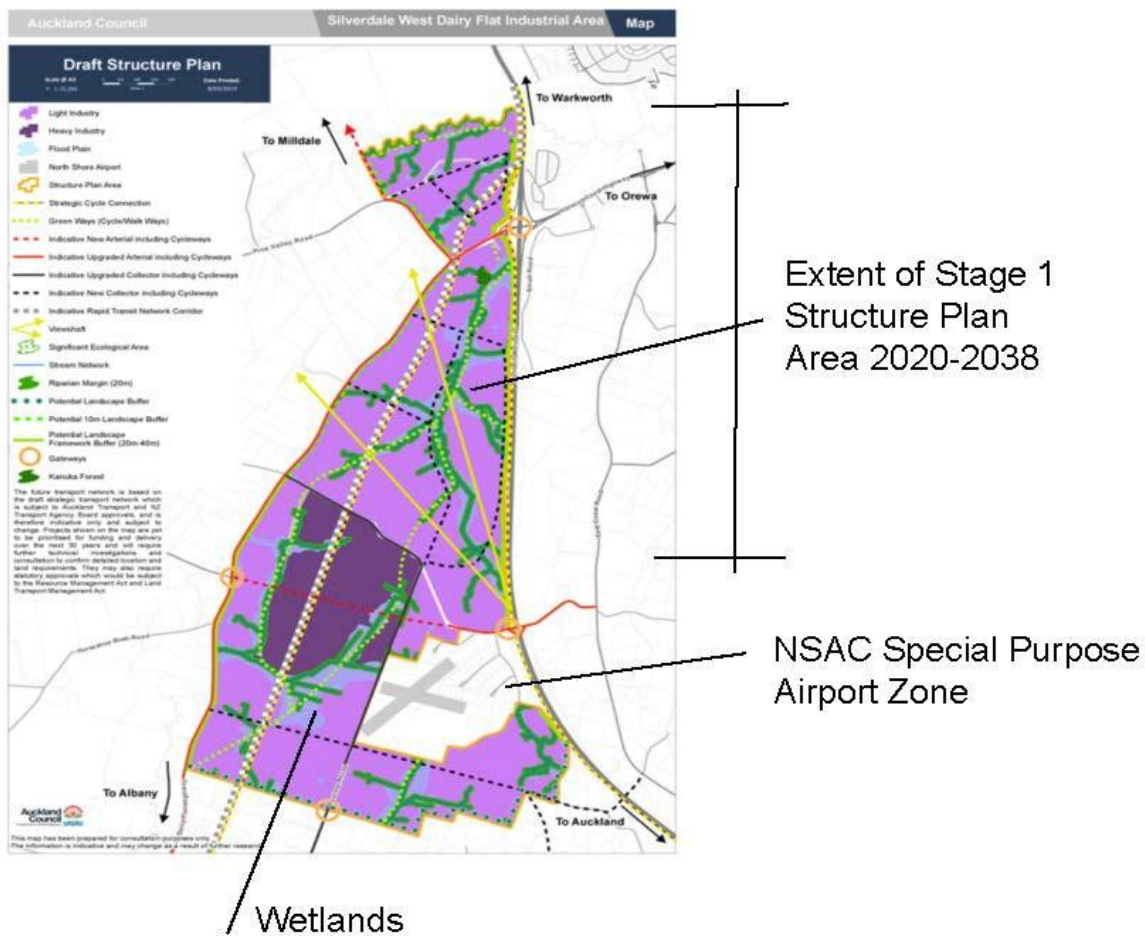


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



Fig 5 Example of significant safety hazard due to lack of parking On Postman Road outside airfield office

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the

Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Harriet Gregory [REDACTED]
Sent: Sunday, 29 November 2020 9:47 AM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

From: Richard Cox [REDACTED]
Sent: Sunday, 29 November 2020 10:14 AM
To: Airports <airports@transport.govt.nz>
Subject: North shore shore aero club

To the airport transport authority

I would like to register as a vote against the possible extension of the North Shore Aero Clubs application to expand there airport.

As a resident in Dairy Flat area we believe any expansion greatly effects residents in the Surrounding areas which are,

1. Increased air traffic hours , noise and the air pollution that's goes with as many residents have water supply from there roofs and tank water supply
2. Increase road traffic both public and industrial from any expansion as the proposed Air port grows
3. Devalue of residents life style blocks as the area becomes less attractive For many prospective clients that wish to move to country areas

Regards Richard Cox

[REDACTED]

From: Sam H [REDACTED]
Sent: Sunday, 29 November 2020 12:00 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission against North Shore Airport gaining Airport Authority

John and Samantha Handley
[REDACTED]
[REDACTED]

We would like to object to North Shore Airport gaining Airport Authority for the following reasons

We are aware that we are in the current designated flight path for a recreational airfield and accept the current conditions that apply to that.

- If the airport authority was granted, the increase in air traffic directly over our property would greatly impact our lifestyle and mental health. We wouldn't have moved here if we knew the airport wouldn't have been operating under the current conditions.
- The hours of air traffic operation would not be restricted and there would be constant noise etc, with no notification sent out to residents or any participation of the community to be notified of any future developments.
- Future urban property holders have not anticipated the airport extensions, hours etc. This will affect many people in the surrounding area, and people that are currently building in new subdivisions.
- We are also concerned (due to an incident of trees being over height on East Coast Road) that under airport authority they would be able to dictate how trees on our property that are deemed to be infringing need to comply with their requirements at our costs, and other private landowners costs. .

Yours sincerely,
John and Samantha Handley

From: Bill Fountain (via Google Docs) [REDACTED]
Sent: Sunday, 29 November 2020 2:25 PM
To: Airports <airports@transport.govt.nz>
Subject: Aeroclub Submission Nov 20

Attachment

27 November 2020
Ministry of Transport
PO Box 3175
Wellington, 6140
By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“Airport”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out below.

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ...Brian Sutton as Chairman of the Dairy Flat Land Owners Group

[REDACTED]

Email : [REDACTED]

29. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An **airport company** means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....* ”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

*Cl 20.2 Notwithstanding the provisions of rule 20.1 **the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club’s use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.***

And furthermore:

*26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote **except: 26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club’s use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.***

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include **transfer** of all assets into the new company.

The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

30. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act, that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

31. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that : *Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.*

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.

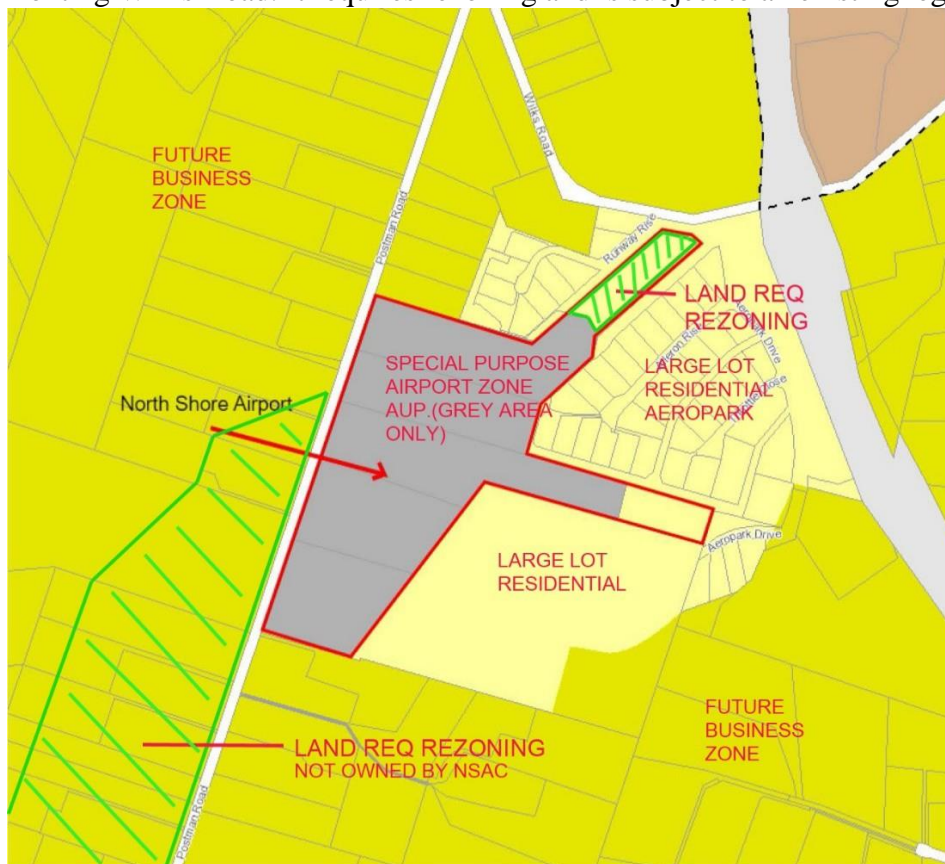


Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon. We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

*“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. **The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.**”*

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support of the Airport Authorities Act in any shape or form and accordingly we request that **this application be forthwith rejected.**

32. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words “The resulting North Shore Airport Precinct offers certainty....” which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

“Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway.”

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club’s existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

33. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states “*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*”. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states “*the approval and support of North Shore Airport within the community is clear*”.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition . This was a meeting which the Club didn’t want to have, and clearly for good reason.

As quoted in its submission regarding the AUP “*in relation to the airport Principle 10 is ...Ensure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment*” The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

34. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

21. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway “*providing a natural topographic constraint for aircraft takeoffs and landings*” Refer cl 2.2 Airport Surroundings – Masterplan.

22. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
23. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
24. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
25. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

35. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage , up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

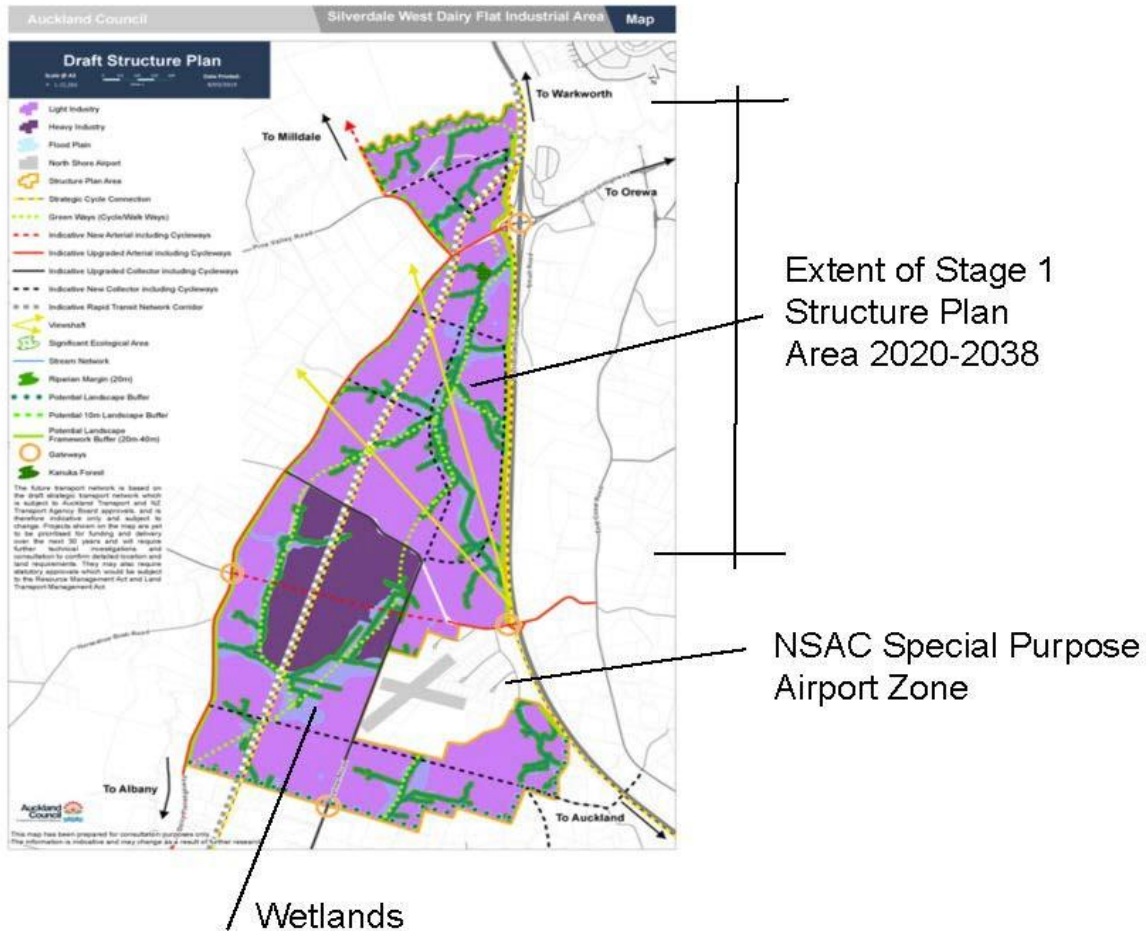


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



*Fig 5 Example of significant safety hazard due to lack of parking
On Postman Road outside airfield office*

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Eric Bolt [REDACTED]
Sent: Sunday, 29 November 2020 3:17 PM
To: Airports <airports@transport.govt.nz>
Subject: North Shore Airport submission in support of Airport Authority Status

I am making a submission in support of Airport Authority Status being granted to North Shore Airport.

North Shore Airport, formerly known as Dairy Flat Aerodrome, has been established in the area since the 1950's. It serves as a general aviation hub for Auckland's North Shore and surrounding Hibiscus Coast area. In addition to the wide range of services offered by the North Shore Aero Club (NSAC), the airport provides air services to Great Barrier Island and an important base for use by emergency services.

The Auckland Unitary Plan has recognised the airports traditional and future use by designating surrounding land as being largely non-residential. The Draft Silverdale West Dairy Flat Industrial Area Structure Plan states:

"4.11 Airport - The structure plan area adjoins the North Shore Airport which is an important piece of regional infrastructure and enabling it's on going operation is important.

The identification of the land for industrial activity recognises the location of the airport and enables its ongoing operation and development. The industrial use means that the reverse sensitivity effects of noise from the airport are minimised as noise sensitive activities are managed in the industrial zones.

The structure plan also relies on the existing provisions in the AUPOP to manage airport noise through the Aircraft Noise Overlay and the height of buildings and structures in the 35-industrial area through the Airport Approach Surface Overlay "

Population growth expected over the coming decades will see a significant increase in population in the Hibiscus Coast area. Population growth will create demand for access to improved transport connections. Given the proximity of commercial airports in the wider Auckland area, North Shore Airport is an obvious candidate for commercial air services expansion. Allowance for this is made in the North Shore Airport Master Plan, prepared by NSAC, which provides scope for regional aircraft services whilst protecting traditional club activities. It is noted that the plan does not cater for jet services

Consideration needs to be given to the changing role of smaller airports given the advent of regional electrical aircraft. These will provide point to point services previously not considered viable. Such services will also be vital to reducing emissions in the transport sector with the benefit of quieter operations.

To achieve wider commercial viability North Shore Airport will need the ability to control safety margins required for such operations. In addition, it also needs to provide and plan for growth in its traditional activities of training and general aviation. Granting North Shore Airport, Airport Authority Status is vital to achieving this.

The wider interests of the growing population must be considered. There will be demand for local air services, there will be demand for activities and employment that accompanies aviation hubs. The industrial ring fence around the existing airport, as planned for, will mitigate urban areas from airport activity and provide for airport expansion.

I strongly recommend that North Shore Airport be given Airport Authority Status, such that it can actively participate in its regional growth.

[REDACTED]

From: Brian Halkyard [REDACTED]
Sent: Sunday, 29 November 2020 4:27 PM
To: Airports <airports@transport.govt.nz>
Subject: Dairy Flat Airport Authority Status

To Whom it May Concern.

As residents of [REDACTED] we are in opposition to granting North Shore Airport Authority Status. We are in support of the Dairy Flat Land Owners Group submission and the legal concerns it contains. We have expressed other concerns in the airport survey repeated below.

We are not in support of airport expansion so are opposed to the airport having Airport Authority Status.

Those deciding on requests made by the airport (if Airport Authority status was granted) may have little knowledge or feeling for the community affected.

Ambitions to expand the airport would require land acquisition. While we would not be directly affected by that we would be sympathetic towards those that would.

We are concerned about the possible impact on property values. These have already been affected by changes and lack of finality (changing time horizons, changing zonings and not being finalised), see below.

As long-term residents of Dairy Flat (27 years) we have been subjected to a very lengthy process around the future use of our land under the Unitary Plan. This has still not been confirmed and locked in. Until such time as this happens, I feel this is another reason to withhold Airport Authority Status. Does future planning revolve around the Aero clubs ambitions or should the Aero club have to fit in with the Unitary Plan? It seems remarkable that we have waited years for clarity and a timeframe regarding our zoning and yet the Aero club could be granted Airport Authority status in eighteen months or so.

Brian and Karen Halkyard

From: Sue Bancroft [REDACTED]
Sent: Sunday, 29 November 2020 4:38 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission AGAINST North shore aero clubs application to become an airport authority

29 November 2020

Ministry of Transport
PO Box 3175
Wellington, 6140

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

The reasons for our submission are set out below .

SUBMISSION 27 November 2020

**RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN
AIRPORT AUTHORITY.**

To :Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

Our names are Dave and Sue Bancroft
of [REDACTED]

1. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An **airport company** means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....*”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

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*Cl 20.2 Notwithstanding the provisions of rule 20.1 **the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club's use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.***

And furthermore:

*26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote except: **26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club's use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.***

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The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

2. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act , that was first established in 1966, as its platform to directly financially benefit

through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

3. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that :

Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.

The application neglects to identify that all of the subsequentproposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon.

We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised(signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act’s powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition programand states:

*“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. **The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.**”*

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant’s first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support of the Airport Authorities Act in any shape or formand accordingly we request that **this application be forthwith rejected.**

4. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own. Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words “The resulting North Shore Airport Precinct offers certainty....” which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

“Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway.”

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

5. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states “*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*”. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states “*the approval and support of North Shore Airport within the community is clear*”.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition . This was a meeting which the Club didn’t want to have, and clearly for good reason. As quoted in its submission regarding the AUP “*in relation to the airport Principle 10 isEnsure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment*” The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

6. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

1. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway “*providing a natural topographic constraint for aircraft takeoffs and landings*” Refer cl 2.2 Airport Surroundings – Masterplan.
2. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
3. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
4. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
5. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .

Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been

made(some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

7. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage , up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However ,within the Draft Structure Plan process, the areadirectly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development , will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.

*Fig 5 Example of significant safety hazard due to lack of parking
On Postman Road outside airfield office*

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, thisstep **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club’s actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Warren Billett [REDACTED]
Sent: Sunday, 29 November 2020 4:51 PM
To: Airports <airports@transport.govt.nz>
Cc: Brian Sutton [REDACTED]
Subject: North Shore Aero Club - Application for Airport Authority Status - Submission

To Mr T Forster
Ministry of Transport – North Shore Airport Consultation
Manager – Economic Regulation

Dear Sir,

At public meeting held at Dairy Flat Community Hall (dated 29/10/20) I spoke extensively in respect to our valid concerns regarding the North Shore Aero Clubs stated request ; for there Airport Authority application to be considered without public consultation.

The Chairman of the Dairy Flat land Owners Group (DFLOG) requested a meeting with NSAC executives / General manager which was held on 19/11/20 – to which I had the privilege of attending with the intent of the meeting being a starting point for genuine and proper community consultation with NSAC.

At this meeting we (on behalf of the DFLOG) tabled a request for NSAC to consider (both as a gesture of goodwill to the Dairy Flat community and to demonstrate good stewardmanship) to further request the Ministry of Transport to place a temporary “hold” on their Airport Authority application for a period of 6 months ; as this would better enable both NSAC and the Dairy Flat community to rationally discuss the intent + reasoning for the Airport Authority application without the short deadline period for submissions. Our request would have provided a genuine platform for the NSAC to demonstrate its desire to be transparent and active with the local community (to which the lack of these attributes were clearly evident at the Public meeting).

With disappointment NSAC have decided and communicated that they want to continue with the current process ; in lieu of having open + transparent discussions (along with providing more detailed clarifications in respect to our questions and concerns) that could have occurred with the local community, if NSAC had wanted to demonstrate genuine community engagement by agreeing to a temporary “hold” on the application.

The question that we have asked that still needs to be answered is “ why NSAC is in a rush to have the application period minimised and Airport Authority status granted “. After all they have existed with the goodwill of the Community for approx 60 years ; and have publicly stated that they can do many if not all of the day to day management and use of the existing facilities without having Airport Authority status (which is a total contradiction).

If a sniff test is taken on the information + detail currently presented by NSAC there appears to be many contradictions.

For reasons as noted above and further outlined in our attached submission - I hereby notify my objection of the NSAC Airport Authority application.

Best regards

Warren Billett

Attachment

Attachment

27 November 2020

Ministry of Transport

PO Box 3175

Wellington, 6140

By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of Dairy Flat Land Owners Group (DFLOG), we have reviewed the application by North Shore Airport (“**Airport**”), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

DFLOG is a representative of the wider Dairy Flat Community and represents around 300 members of the Community. As such we as a Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

In the event that the Minister of Transport does take forward the application, DFLOG seeks the following alternative relief:

- that any Order in Council establishing the Airport as an airport authority be specific that acquisition powers have not been conferred and that any development program is contained within its existing Special Purpose Airport zoning..

The reasons for our submission are set out below .

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

Dear Sir,

My name is ... Warren Billett
Address c/o [REDACTED]

Email : [REDACTED]

36. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; “ *An airport company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority....* ”

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

Cl 20.2 Notwithstanding the provisions of rule 20.1 the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club’s use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.

And furthermore:

26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote except: 26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club’s use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include **transfer** of all assets into the new company.

The Club Executive have confirmed to the representatives of DFLOG at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution .

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and **have no mandate from its own membership** to support this application. The application for Airport Authority status does not meet these requirements as the **Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.**

37. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been **no business case** established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to as yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act , that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

38. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that : *Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone... ”pg 38 Masterplan.*

Lot 9 is a small parcel of land that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners ,as we understand it. It is owned by the Club at present.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road. It requires rezoning and is subject to an existing legal challenge.



Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon. We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

“Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development.”

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support

of the Airport Authorities Act in any shape or form and accordingly we request that **this application be forthwith rejected.**

39. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words “The resulting North Shore Airport Precinct offers certainty....” which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

“Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway.”

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status **does not include powers of compulsory acquisition.**

40. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states “*North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted*”. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states “*the approval and support of North Shore Airport within the community is clear*”.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition . This was a meeting which the Club didn’t want to have, and clearly for good reason.

As quoted in its submission regarding the AUP “ *in relation to the airport Principle 10 is ...Ensure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment*” The application shows scant regard for its neighbours and the wider community.

The Club has now isolated itself from the Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be **unworthy** of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

41. Operational Constraints and Safety

In respect to **showing good governance**, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create **safety issues** including:

26. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway “*providing a natural topographic constraint for aircraft takeoffs and landings*” Refer cl 2.2 Airport Surroundings – Masterplan.
27. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
28. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
29. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
30. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure .



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

42. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is **un-serviced** by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage, up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.

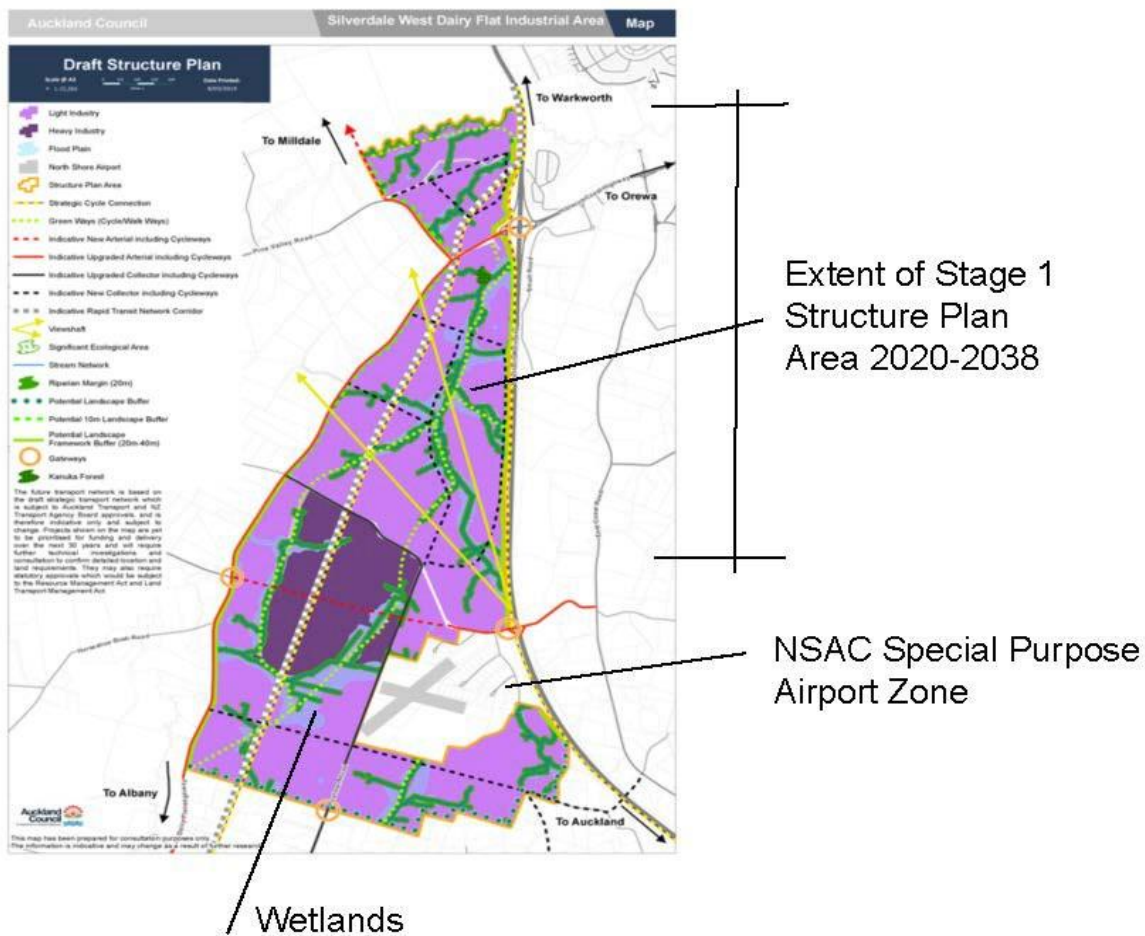


fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



Fig 5 Example of significant safety hazard due to lack of parking On Postman Road outside airfield office

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the

Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step **has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20**, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and over-riding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: David Bouma [REDACTED]
Sent: Sunday, 29 November 2020 5:35 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am a recreational pilot who likes to use North Shore airfield.

I am making a submission in support of North Shore Airport being granted Airport Authority status. Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand. The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future. North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses. North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force. As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status. New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too. North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner. In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

Regards

David Bouma
[REDACTED]

From: Jeff Brill [REDACTED]
Sent: Sunday, 29 November 2020 5:57 PM
To: Airports <airports@transport.govt.nz>
Subject: Airport status application submission - North Shore Aero club

Hi

I am the Manager of North Shore Aeropark Ltd. See attached for a submission on behalf of the Aeropark members against the application by NSAP to gain Airport Authority Status.

Regards

Jeff Brill.BBs.,BProp(Hons)
www.brillmanagement.co.nz



Attachment

27 November 2020

Jeff Brill - The Manager,
North Shore Aeropark Ltd,
P O Box 15136,
Customs St,
Auckland CBD 1010

Ministry of Transport
PO Box 3175
Wellington, 6140

By email: airports@transport.govt.nz

NORTH SHORE AIRPORT PROPOSAL FOR AIRPORT AUTHORITY STATUS

On behalf of North Shore Aeropark Limited (**NSAP**), we have reviewed the application by North Shore Airport ("Airport"), (owned by North Shore Aero Club Incorporated) to the Ministry of Transport to become an airport authority.

NSAP is owned by the residents and represents the owners of property in the subdivision attached to the North Shore Airport. This Community hold strong views that are opposed to the proposed redevelopment of a recreational airfield into a full commercial regional airport for the reasons outlined herein.

This opposition is significant as the NSAP residents are all members of the North Shore Aero Club, and live on property with direct access to the air field.

The relief we request is for the Ministry of Transport to decline the application by North Shore Aero Club for Airport Authority status.

The reasons for our submission are set out below .

SUBMISSION

27 November 2020

RE: APPLICATION BY NORTH SHORE AEROCLUB INC TO BECOME AN AIRPORT AUTHORITY.

To : Ministry of Transport
North Shore Airport Consultation
Attn Mr T Forster
Manager- Economic Regulation

1. Compliance with the AIRPORT AUTHORITIES ACT 1966

Does the application meet the requirements of the Act?

Is the applicant a suitable body to receive Airport Authority and/or Requiring Authority status?

No. The North Shore Aeroclub is a not for profit Incorporated Society.

The Act states; *"An airport company means a company registered under the Companies Act 1993 that is for the time being authorised under section 3(3) to exercise the functions of a local authority...."*

The NSAC is not a Registered Company and requires a complete restructure from an Incorporated Society to become a Registered Company. It's inappropriate to give NSAC the powers of an airport authority because they're not the right sort of body to hold them and this means that having airport authority status is inappropriate because, not being an airport company, they won't be subject to the protections afforded by the Act.

This is a very significant undertaking for the Aeroclub and their Constitution cl 20.2 states:

POWERS OF COMMITTEE

Cl 20.1 The Committee shall exercise the entire governance, administration and management of the Club and the control of its property and funds and is hereby empowered on behalf of the Club to do execute and carry out all the matters and things which the Club is authorised to do, execute and carry out except such as are expressly by these rules or by any statute for the time being in force required to be exercised or done by the Club in General Meeting.

Cl 20.2 Notwithstanding the provisions of rule 20.1 the power to sell, transfer or otherwise dispose of the whole or any part of the Aerodrome in any manner which would substantially reduce the Club's use and occupation of the Aerodrome shall be exercised by Special Resolution of Members at a General Meeting of the Club.

And furthermore:

*26.2 The Quorum at an Annual or Special General Meeting shall be 25 Members eligible to vote except:
26.2.1 at an Annual or Special General Meeting where a motion is to be considered for the sale, transfer or other disposition of the Aerodrome in any manner which would have the effect of substantially reducing the Club's use and occupation of the Aerodrome, in which case the quorum shall be 20% or 100 of the Members eligible to vote, whichever is the lesser.*

2

The disestablishment of the Incorporated Society and the required change to a registered Company is a major undertaking which will include transfer of all assets into the new company.

We understand that the Club Executive have confirmed to the representatives of Dairy Flat Land Owners Group (DFLOG) at a meeting on Thursday 19 November that there has been no AGM or SGM held to pass such a Special Resolution.

Relief Sought:

The Club Executive are therefore operating outside of their own Constitution and have no mandate from its own membership to support this application. The application for Airport Authority status does not meet these requirements as the Applicant does not meet the definition of the Act of an Airport Company and should be rejected accordingly.

2. Is the Club showing good governance and acting responsibly?

The Club Executive have confirmed that there has been no business case established for the expansion program including financial feasibility modelling to confirm the projects financial viability and performance.

Clause 9A.1.(b) of the Act requires an Airport Company to fully disclose its financial statements and forecasts and make the same publicly available. They have declined to release such information to the public, albeit not required to yet.

While not needing to be publicly transparent as yet, it would seem prudent before embarking on such a major multi-million dollar enterprise, which will have significant detrimental impact on the entire surrounding area, that any aspiring developer (which is what the NSAC is), would in the first instance question the viability financially through extensive Business Modelling. Anything less, particularly when directly affecting other parts of the Community can hardly be seen as good governance and showing some sort of moral compass.

Relief Sought: The Club has proven very clearly it's driven by a perceived profit motive to utilise an Act, that was first established in 1966, as its platform to directly financially benefit through the demise of its surrounding Community. Due to the lack of transparency and good governance, we request that the application be rejected.

3. Avoiding RMA Process

The application clearly identifies the various stages of redevelopment and acknowledges that :

Stage One will require an AUP plan change to change the zoning of Lot 9 to Special Purposes -Airports and Airfields Zone..."pg 38 Masterplan.

Lot 9 is a small parcel of land, that was used to connect both stages of the Aeropark Residential estate and is subject to a legal challenge by Aeropark Owners. It is owned by the Club at present but was only recently acquired.

It is contained within the land area hatched in green below at the northern end of the runway fronting Wilks Road and sits directly behind residential properties.

It should be noted that the Aeroclub has signed off changes to the Aeropark development in the past that could be perceived as detrimental to the Aeropark. While this was within the NSAC rights this was for its own benefit at the expense of the NSAP owners.



Figure 2: AUP(OP) Zoning Map of North Shore Airport (2019)

The application neglects to identify that all of the subsequent proposed development stages will also require a further Plan Change for land at the Southern end of the runway also. This area will be subject to Compulsory Acquisition most probably, if the Masterplan is to be relied upon.

We note that over the last 3 years two significant parcels of land contained within this Southern extension zone and required for the development program have been advertised (signs on site) for sale. The Club have had the opportunity to purchase these titles and have chosen NOT to do so.

This makes their intent very clear as to how they wish to use the Act's powers for personal gain.

The Club does not own any land required outside of its current boundaries and requires a major acquisition program and states:

"Establishment of land use precincts surrounding the airport.....would also enhance the ability for NSA to grow its footprint and attain ownership of immediately adjoining land. By being a more significant title owner in the immediate area, many reverse sensitivity issues facing the airport are mitigated. The establishment of a sound investment portfolio in developing adjoining land will help underwrite the costs of airport development and should be seen as a primary means of financing the airport development."

The requirement for the direct purchase of a number of properties required for the expansion program should be the applicant's first step prior to making application for the required Plan Changes to secure the areas as described. This will also require a Special Resolution under its Constitution.

Relief Sought:

This approach is an extreme abuse of the Public Works Act to directly acquire land for commercial gain by a private property development company and should not have the support of the Airport Authorities Act in any shape or form and accordingly we request that this application be forthwith rejected.

4. Unitary Plan Process – Not Key Transportation Infrastructure

During the AUP process, Auckland Transport confirmed that NSAC does NOT form part of its strategic transport infrastructure. Refer pg 16 Masterplan which includes Auckland Transport (AT) Indicative Strategic Transport Network which makes no reference to the airfield or demonstrates its integration into a network.

The original zoning under the Rodney District Plan required the Aeroclub to not create adverse affects with its neighbours, and is now trying to reverse the issue to attempt to make sure that reverse sensitivity is now the Community's problem, not its own.

Since its formation in the early 1960's, the Club has managed to function adequately within its own area until recently. It appears to have a section of Club membership aggressively striving to expand commercial activities. But the position is not consistent across the membership.

In its own words *"The resulting North Shore Airport Precinct offers certainty...."* which it confirms that Airport Authority status is not required to maintain its existing operations within its own boundaries, however is fully required along with Requiring Authority status, for implementation of its Masterplan.

During the Proposed AUP and subsequent hearings, the NSAC expert witness, Mr D Park concluded :

"Pt 48 I have briefly reviewed the proposal and confirm that in concept it appears to be feasible. However it would be precluded if the proposed Dairy Flat and Postman Rd RUB, as depicted in Figure 1 of Mr Paul's evidence, extended up to Postman Road at the south west end of the runway."

Auckland Council in fact confirmed extension of the Rural Urban Boundary up to Postman Road and adjacent to the airfield, effectively surrounding the airfield by way of Future Business Zoning Precinct. This would then suggest his view would now be that the development of the airfield would no longer be feasible.

This is further compounded within the AUP by Council applying a Special Purposes Zone – Airport explicitly within the existing airfield boundaries, and not extending over its own existing boundaries and into the surrounding neighbouring land holdings, thereby creating a permanent constraint on any future development beyond its current operations. The majority of the land required for expansion beyond the Club's existing boundaries is owned and controlled by private individual Owners and not the Club.

Primary Relief Sought: In accordance with the Unitary Plan Process, and as defined by the new Special Purposes zoning, all future development to be constrained to NSAC existing property boundaries.

Secondary Relief Sought: Should the Ministry not support the rejection of this application, then we seek that should Airport Authority status be granted, that such status does not include powers of compulsory acquisition.

5. Engagement with the Community – Transparently

In respect to community engagement, the NSAC has turned its back on the Community. In its submission it states *“North Shore Airport management are of the view further consultation on Airport Authority status is unwarranted”*. This very clearly establishes NSAC view on its position in the community and approach to transparency, or desired lack thereof.

The submission states *“the approval and support of North Shore Airport within the community is clear”*.

This is an astonishing statement and was clearly shown to be an absolute misrepresentation of fact at the Local Community Hall. The Community has historically supported the Club as a recreational airfield operating within its existing boundaries. However the Community has been extremely vocal during the AUP process and most recently at the local community meeting, in response to the NSAC’s application to voice its opposition. This was a meeting which the Club didn’t want to have, and clearly for good reason.

As quoted in its submission regarding the AUP *“in relation to the airport Principle 10 isEnsure that transport is sustainable in the long term, minimises negative impacts on peoples health and the built and natural environment”* The application shows scant regard for its neighbours and the wider community.

The actions of the club have also disenfranchised it from the residents of the NSAP. This is significant as the Aeropark community are effectively attached to the Airport, and residents are legally required to be members of the NSAC.

The Club has now isolated itself from the greater Community for the foreseeable future and has created this conflict itself.

Relief Sought: The NSAC have shown themselves to be unworthy of the status which would be bestowed upon them by granting of Airport Authority status. They are a long way removed from any comparable public body in terms of governance and corporate responsibility and do not reflect the intentions of the Act. On this basis the application should be rejected.

6. Operational Constraints and Safety

In respect to showing good governance, the NSAC further note in the Masterplan some of the physical constraints that currently exist which create safety issues including:

1. The northern take off and landing fan is intersected some 1200m to the North by surrounding hillside rising some 55m above the runway *“providing a natural topographic constraint for aircraft takeoffs and landings”* Refer cl 2.2 Airport Surroundings – Masterplan.
2. The planned northern extension of the runway would extend directly behind residential dwellings, owned by NSAP residents.
3. The southern approach is directly above Dairy Flat Primary school approx. 1250m to the South of the existing runway.
4. The adjacent property to the West includes a large wetland area which attracts very large numbers of seasonal bird movements. This is now covered by the Freshwater National Policy Statement 2020 and will require special consideration.
5. Birdstrike risk is further compounded by the close proximity to the Redvale Landfill.
6. Close proximity of numerous privately owned structures including residential dwellings, privately owned hangars and numerous other improvements and infrastructure.



Fig.3 Safety Hazards Map and land use

There appears to be little regard in the NSAC application to the increased risk that any expansion will have on the wider community or users of the airfield and NSAC have confirmed in the application that they have yet to undertake any aeronautical study.

Relief Sought: Due to a lack of research regarding critical safety issues and the apparent disregard for the Communities property rights and significant investments that have been made (some very recently), with no proposal as to how these owners would be adequately compensated, we request the application to be rejected.

7. Lack of Supporting Infrastructure

From the broader environmental aspects, the application also confirms that the property is unserved by water supply, wastewater and stormwater with no Council Infrastructure currently planned within the timeframes indicated by the applicants Development Program. This includes projected significant increases in patronage, up to 40,000 passenger movements annually as soon as 2028.

The Council Reports referred to are incorrectly quoted (Future Urban Land Supply Strategy – FULSS) as the area being “Development Ready” in part by 2022.

However, within the Draft Structure Plan process, the area directly surrounding the NSAC is subject to the Draft Plan and has been deferred in respect to time frames now being 2038-2048 with *specific Land Use to be determined by a full Business Demand Study, at the time of infrastructure implementation* and may or may not include the Industrial Uses identified on the Draft Structure Plan in stages 2 & 3.



fig 4 Stage 1 Structure Plan Stg2 & Stg 3 yet to be determined

We would anticipate that Council, as consistent with any other commercial development, will require full and proper environmental planning, including the costs to be borne by the developer, of all servicing requirements including connection to its core network. These costs need to be appropriately identified and supported in the Business Plan and financial feasibility.



Fig 5 Example of significant safety hazard due to lack of parking On Postman Road outside airfield office

Postman Road is currently a rural road with an 80km speed limit. Carparking is extremely dangerous already and with growth projections set to get a lot worse according to the Masterplan. Commercial developments are generally required to accommodate their own needs on their own land. Another example of very poor governance and lack of commitment to provide adequate on site facilities.

The levels of passenger growth indicated suggest that significant demand may be generated as soon as 2024, so the pressure to quickly move from an Airport Authority to a Requiring Authority would be immediate. Once again, this step has NO mandate from the Aeroclub members and as confirmed in the meeting with Club executives and Vice Captain, 19/11/20, in part probably due to the significant financial burden it will place upon them.

Based upon the Club's actions to date and its current built environment, strong performance requirements are required to ensure that the Club meets adequate statutory standards from both an environmental , built environment and health and safety.

Relief Sought: It would be inappropriate to look to use the deemed powers of the Act, particularly Requiring Authority status, to avoid the Club's environmental responsibilities in this area, and overriding the public good. We request that the Ministry of Transport hereby reject the application for both Airport Authority status and subsequent Requiring Authority status.

From: Robert Gray [REDACTED]
Sent: Sunday, 29 November 2020 6:04 PM
To: Airports <airports@transport.govt.nz>
Subject: Submission in Support of North Shore Airport receiving Airport Authority Status

I am making a submission in support of North Shore Airport being granted Airport Authority status. Whilst based on a template the arguments raised make good sense to me.

Airport Authority Status provides a range of suitable mechanisms that will help ensure North Shore Airport can continue to maintain, operate and manage the airport in a way that is consistent with the majority of airports around New Zealand.

The regulatory framework and legal status that would be gained by acquiring Airport Authority Status will help protect North Shore Airport and provide certainty for the airport now and into the future.

North Shore Airport is recognized by Auckland Council as strategic transport infrastructure, is the subject of Auckland Councils highly supportive North Shore Airport Topic Report of 2019, and with the granting of Airport Authority Status, the airport can continue to be of increasing value to the local community by providing better transport links, more jobs and synergy with local businesses.

North Shore Aero Club, the owner of North Shore Airport has approximately 600 members and around 200 aircraft are based at North Shore Airport. There are regular scheduled passenger flights to and from North Shore Airport and in addition, the airport is heavily utilized by various EMS providers such as NZ Police, Auckland Rescue Helicopter Trust (Westpac Rescue), Northland Emergency Services Trust and the Royal New Zealand Air Force.

As key strategic infrastructure directly attributable to supporting many jobs, businesses and livelihoods, it is essential North Shore Airport is supported in the diligent operation of the airport by endorsing it with the most appropriate tools available, namely, Airport Authority Status.

New airports are difficult to establish, especially those within useful proximity to growing metropolitan areas and the airports that exist must be given all the necessary, purposeful tools available to complement their continued operation. The vast majority of regionally significant airports in New Zealand already enjoy Airport Authority Status and it is fitting that North Shore Airport should too.

North Shore Aero Club as owner of North Shore Airport is a well-established organization with the appropriate levels of resource, experience and responsibility to meet their obligations under, and exercise the powers of the Airport Authorities Act in a diligent and sensible manner.

In conclusion, the Airport Authorities Act 1966 exists for a reason and it is essential that North Shore Airport should be recognized as an Airport Authority accordingly.

—
Robert Gray
Ph: [REDACTED]

From: Greg McQuaid [REDACTED]
Sent: Sunday, 29 November 2020 6:07 PM
To: Airports <airports@transport.govt.nz>
Subject: Dairy Flat Aero Club application- Submission

Please find submission attached

regards

Greg McQuaid

Attachment