IN THE MATTER	of the COVID-19 Recovery (Fast-track Consenting) Act 2020
AND	
IN THE MATTER	an application by **AW HOLDINGS 2021 LIMITED** to the **MINISTER FOR THE ENVIRONMENT** to refer the **AUCKLAND SURF PARK COMMUNITY PROJECT** to an expert consenting panel for fast-track consenting

MEMORANDUM OF COUNSEL FOR THE NORTH SHORE AERO CLUB INC OPPOSING THE REFERRAL APPLICATION BY AW HOLDINGS 2021 LIMITED

1. INTRODUCTION

1.1 North Shore Aero Club Inc ("NSAC") has been invited by the Minister for the Environment to provide written comment under section 21(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 ("FTCA") in relation to the application by AW Holdings 2021 Limited ("AWH") to refer the Auckland Surf Park Community Project ("Project") to an expert consenting panel for consideration, as *"there may be adverse effects, including reverse sensitivity effects"* on North Shore Airport ("NSA" or "Airport").

1.2 As owner and operator of NSA, NSAC is grateful for the opportunity to comment, given that the Project has the potential to have significant adverse effects on the current and future operations of NSA.

Summary of NSAC's position

1.3 NSAC's position in relation to the Project is straightforward:

(a) NSAC does not oppose the Project as a matter of principle. However, there has been limited contact between AWH and NSAC in relation to the manner in which potential adverse effects on NSA might be addressed.

(b) As the only commercial and general aviation airport situated in the Auckland Region to the north of Auckland City, NSA represents regionally significant

infrastructure that provides links to provincial New Zealand from a strategically important and resilient location and, as such, is an essential service provider with very significant strategic and economic value. This value includes NSA's potential to be recognised as Auckland's second regional airport, with its Dairy Flat location identified as the only site for such a facility between Mangere and Whangarei.

(c) To that extent, NSA represents a physical resource that is required to be sustainably managed in terms of section 5 of the Resource Management Act 1991 ("RMA"), as recognised by the NSA's Special Purpose Zone (Airports and Airfields) under the Auckland Unitary Plan.

(d) Due to its proximity to the Project Site, NSA has the potential to be adversely affected by the significant infrastructure changes associated with the Project and the associated effects on traffic networks. NSAC is concerned with ensuring that the Project does not result in adverse effects on the operations or workers of the various groups and companies operating and providing services from NSA, particularly as a result of:

(i) Adverse effects of the construction and operation of the Project that will adversely affect the efficient and safe operation of NSA; and

(ii) Adverse effects of the development, compromising the future potential of NSA as a regionally significant transport facility by foreclosing options and reverse sensitivity.

(e) A range of issues need to be considered in assessing the potential impacts of the Project on NSA, including complex spatial planning and transportation issues, the Auckland Regional Policy Statement, Supporting Growth, proposed Future Urban zones, NSAC's Master Plan, etc., and the manner adverse effects can be addressed.

(f) NSAC's position is that these matters are too complex to be considered via the FTCA fast-track procedure by which written comments are made and hearings are not generally held. NSAC therefore opposes the referral of the Project to FTCA fast-track procedures and requests that the AWH application be considered via the standard consenting process under the RMA.

Purpose and scope of the comments

1.4 Against that background, the purpose of this memorandum is to assist the Minister by framing and addressing the key issues in order to substantiate NSAC's concerns and to explain the nature of and rationale for its request.

1.5 Specifically, this memorandum addresses the following:

(a) Current operation and future potential of NSA (Section 2);

(b) Potential adverse effects of the Project on NSA (Section 3); and

(c) Overview summary and outcome requested (Section 4).

2. NSAC AND THE CURRENT / FUTURE OPERATION OF NSA

2.1 In the 1950s, Dairy Flat Airfield ("DFA") was established as a facility for operating aircraft on a recreational basis. NSAC was formed and incorporated in 1963 under the Incorporated Societies Act 1908 to own, manage, and operate DFA. During these early years, DFA was an integral part of the local community, whose neighbours were often interested in aviation and members of NSAC.

2.2 At its inception, DFA was merely a grass paddock with the runway strip mown into it, with operations having to be relocated to Ardmore during the winter months until NSAC made its first significant improvement to the DFA when it upgraded to a limestone strip. It wasn't until 1992 that DFA's runway was upgraded to concrete, providing for all-weather and season capabilities.

2.3 In 2013, NSAC changed the name of DFA to NSA to reflect its regional significance, having grown significantly since its establishment. Today NSA is being developed in accordance with the comprehensive North Shore Airport Master Plan dated 22 June 2020 (copy **attached** at Appendix A) ("Master Plan") and is home to many New Zealand-owned and operated businesses, with individuals employed both directly and indirectly as a result of NSA's existence. Today, NSA has over 200 aircraft based at NSA, more than 100 tenants in commercial and private airport occupancies, and approximately 600 NSAC members.

2.4 NSA is a vibrant regional facility located in Dairy Flat, 25 minutes north of the Auckland CBD, and caters to a wide range of flight and non-flight activities. Located six minutes by road from the Northern Motorway's Silverdale interchange, NSA allows direct transport links to the Hibiscus Coast, the North Shore, and western suburbs north of Auckland Harbour Bridge, while also providing a key component of transport infrastructure for Great Barrier Island.

2.5 Besides being the only commercial and general aviation airport north of Auckland, NSA also provides a strategic and resilient transport infrastructure link for emergency services. NSA is used daily by Westpac Rescue (ARHT), the New Zealand Police, Northland Emergency Services Trust (NEST), NZDF and other emergency medical services ("EMS") for patient transfers.

2.6 NSA is also utilised as an essential home for general aviation and charter aircraft and is a provider of flight training for students in the greater Auckland area and internationally, accommodating a significant educational facility with approximately 200 students engaged in training at any given time.

2.7 NSAC's mission statement for the operation of NSA is:[1]

> *"To operate a safe and reliable airport facility, based on sound business principles, that services and promotes a range of aviation operations, including scheduled air transport services, for the economic and social wellbeing of the north of Auckland."*

Future of North Shore Airport

2.8 While NSA has always been available to the community with a range of air transport services to smaller destinations, as well as being home to vital EMS, the functions and strategic importance of the Airport will inevitably grow in the future, given the anticipated forecast of increased population in the vicinity.

2.9 Further, NSA provides Auckland with the opportunity to have a second regional airport, consistent with international trends found across numerous cities which, like Auckland, comprise extensive metropolitan urban areas.

2.10 Dairy Flat has been identified as the most suitable location for such a facility, as one-third of the Auckland population currently lives closer to NSA than Auckland International Airport. It is estimated that with:[2]

> *"26,670 movements in 2019 and providing for 3% growth per annum and the addition of further scheduled passenger services, North Shore Airport's aircraft movements are predicted to grow to around 65,000 per annum by 2040."*

2.11 NSA proposes to service this demand, under its Master Plan, through the development of a longer and wider runway, providing an improved safety margin for existing aircraft types. Stages 1 and 2 of the Master Plan call for an increase in width to the western side of the runway by approximately 9 metres and an increase in length to the north east of 180 metres. Stages 3 and 4 of the Master Plan call for further lengthening and widening to the south west, diverting Postman Road to accommodate this expansion.

2.12 The Stages 3 and 4 expansion will also ease the landing and take-off pressure of jet aircraft at Auckland Airport by providing an alternative option for Turboprop and smaller aircraft movements displaced from Auckland Airport. All stages of the expansion provide

1 North Shore Airport Master Plan 2019, at 18.
2 North Shore Airport Master Plan 2019, at 26.

for smaller commercial aircraft services that operate transportation to provincial centres, which is expected to positively affect Auckland's wider land transport network.

3. PLANNING ISSUES, POTENTIAL ADVERSE EFFECTS, AND MITIGATION MEASURES

3.1 NSAC is concerned about the potential effects of the Project on the current operation of NSA and also the potential to compromise the future operation of NSA in accordance with NSAC's Master Plan.

Potential adverse effects on NSA's current operation

3.2 The area of the Site located in the closest proximity to NSA is along the eastern portion where the Project has proposed the 40,000m^2 data centre. Due to the data centre's proximity to Postman Rd (with the change to Collector Road status and increased development), NSAC's primary concern is the increase in risk to the safe operation of aviation activities and access to and from the premises, which may be impacted by the increased traffic volumes on Postman Road caused by the Project.

3.3 The NSA's landholding has a 690m road frontage to Postman Road with approximately 50 parking spaces adjacent to the terminal, with the road reserve accommodating an additional 30 parking spaces. Any increase in activity in the vicinity of NSA may therefore have the potential to adversely affect NSA's operation, impacting vehicle safety for the increased road users and aircraft using the Airport.

3.4 The adverse effects of population increases in the vicinity of airports are widely recognised throughout the world, as detailed by the Australian National Airports Safeguarding Framework. Under the status quo, provision needs to be made for a Public Safety Area ("PSA") and Runway End Safety Area ("RESA") to mitigate risk in the event of an overrun, undershoot, emergency, or pilot error situation, which puts traffic in conflict with an aircraft. The Civil Aviation Authority recommends a 240M RESA, thus giving rise to the need for Postman Road to be realigned under the Airport's current operating arrangements. Additionally, there are specific obstacle limitation surface ("OLS") requirements for properties in close proximity to NSA, which allow aircraft to maintain a satisfactory level of safety while manoeuvring at low altitudes.

3.5 The Project poses a significant risk to the current safe operation of NSA if the PSA, RESA and OLS fail to be considered by AWH. It is NSAC's concern that these important safety issues have been bundled under the heading of "reserve sensitivity" issues, overlooking the increased spec runway mitigation measures which would be required for the Project to proceed.

3.6 Specifically, it is the belief of NSAC that the increase in population density from the Project could not be accommodated without the location of Postman Road being moved or modified. These modifications would also need to be accompanied by risk assessment and safety audits on volumes of traffic in the 'collector road' range.

Potential adverse effects on NSA's future operation

3.7 As discussed above, NSA's Master Plan proposes an extension of the runway and diversion of Postman Road. NSAC has identified the need to improve aircraft and public safety with regard to the sealed runway width and length relevant to the existing Postman Road alignment.

3.8 NSA is currently in consultation with the Supporting Growth Alliance on the alignment of Postman Road about the potential expansion design of NSA and the future public transport options to the Airport as the business area develops. These options are dependent on:

(a) An interchange to SH1 being constructed at Wilks Road which will provide adjacent access to the future busway on SH1; and

(b) The rapid transit corridor proposed to the west of the Airport, with that route only indicatively identified at the present time.

3.9 It is noted that the Project proposal currently identifies an arbitrary "straight line" RTN route through the centre of the Surf Park Project Site, which may be premature and unduly limiting for such a significant future infrastructure asset.

3.10 It is therefore NSAC's concern, in addition to the immediate issues the Project poses to the continued operation of NSA, that the Project will adversely affect NSA by compromising NSA's future expansion. NSAC is concerned that these issues are unlikely to be adequately considered under fast-track processes and that the conventional RMA consenting process, including hearings and a right of appeal to the Environment Court, represents a more appropriate process in the circumstances.

4. OVERVIEW SUMMARY AND OUTCOME REQUESTED

4.1 NSAC has identified a range of potential adverse effects of the Surf Park Project that have the potential to severely impact the viability and efficient operation of NSA, both in terms of current operations and future operations and expansion. For the Project to occur, extensive input would be required by NSAC on a number of complex spatial planning and transportation issues, including the realignment of Postman Road.

4.2 As these issues raise a number of factors, including the Auckland Regional Policy Statement, Supporting Growth, proposed Future Urban zones, NSAC's Master Plan, etc.

NSAC submits that the Project is not suited to be considered under the FTCA fast-track procedures. Instead, NSAC requests that for these issues to be properly considered and safely mitigated the AWH application needs to be considered via the standard consenting process under the RMA.

4.3 NSAC is grateful to the Minister for the opportunity to comment on the Project's referral to an expert consenting panel for consideration and would be happy to provide any further information or clarification needed.

DATED 15th February 2023



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Counsel for NORTH SHORE AERO CLUB INC.

APPENDIX A

NORTH SHORE AIRPORT MASTER PLAN DATED 22 JUNE 2020