

25 February, 2020

West Auckland Airport, Parakai - Airport Authority Status

We wanted to share an update with you.

The Minister of Transport and Cabinet have endorsed the proposal from West Auckland Airport, Parakai to become an airport authority. The Order in Council granting airport authority status will come into force on 1 April 2020.

In 2018, West Auckland Airport, Parakai applied for airport authority status.

To inform advice given to Government on the application, the Ministry conducted public consultation to seek feedback from the local community. This included holding a public meeting at the Helensville War Memorial Hall on 23 May 2019.

During the course of the meeting Ministry officials shared information about airport authority status and answered questions from the audience. Background information was also published on the Ministry's website.

Public consultation subsequently closed in June 2019. Submissions were received from a range of stakeholders both within, and outside of, the Parakai community, with responses from local residents, the aviation industry, including airport users, airports, and the NZ Airports Association.

In reviewing the submissions, a majority of responses supported granting airport authority status to the Airport Company, with a smaller number of submissions opposed to the application.

Submissions in support of the application noted the points below:

- The airport is an asset to the local community and deserves to operate under a regulatory framework designed for airports
- The airport does (or could) provide transport links and economic benefits for the region
- Airport authority status is important for protecting the airport for use into the future.

Submissions opposed to the application noted the points below:

- The need to grant airport authority status was not clearly demonstrated
- A lack of information regarding any future business plans shared
- The possibility of increased flight frequency and/or the possibility of an extended runway
- Environmental impact from any expansion of services.

It should be noted the number of submissions made for, or against, a proposal does not determine the final decision made by Government.

After giving full consideration to the submissions made by the local community and the aviation sector, and weighing the merits of the application, the Minister of Transport supported the approval of the application for airport authority status for West Auckland Airport, Parakai.

While the granting of airport authority status changes the powers and responsibilities the airport has under legislation, the main powers are restrained through local and central government decision-making to ensure they are not misused.

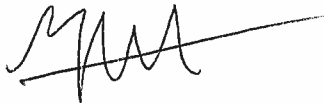
Additionally, any substantial development plans at the airport would first be subject to Resource Management Act processes, would involve community input, and would require approval from the District Council and/or the Environment Court.

A full list of the powers and responsibilities of Airport authorities in New Zealand can be found as an addendum to this letter.

We thank you for taking the time to make a submission, your feedback served to inform advice given to the Minister on this application.

For additional information, the briefing to the Minister of Transport and the associated Cabinet paper will be uploaded to the Ministry's website soon; www.transport.govt.nz

Yours sincerely,



Tom Forster
Manager, Economic Regulation

Powers and responsibilities of Airport Authorities under New Zealand Legislation

Below is a non-exhaustive summary of the main powers and responsibilities conferred on airport authorities by New Zealand legislation.

Legislation	Powers	Responsibilities
<p>Airport Authorities Act 1966</p>	<p>Make bylaws (subject to central government approval).</p> <p>An airport authority (that is not a local authority/Council) is deemed a Government Work under the Public Works Act.</p>	<p>Must consult with substantial customers regarding airport charges.</p> <p>If required by regulations made under the Act, airport authorities must supply to the Secretary for Transport information such as financial statements and financial forecasts.</p>
<p>Resource Management Act 1991</p>	<p>An airport authority is a network utility operator for the purposes of operating an airport as defined by the Airport Authorities Act 1966.</p> <p>A network utility operator may seek approval from the Minister for the Environment to become a requiring authority.</p> <p>A requiring authority can:</p> <ul style="list-style-type: none"> • apply to the local authority to designate land. (A designation is a provision in a district plan that gives notice to the community that a requiring authority intends to use land in the future for a particular work or project) • undertake works in an emergency and get resource consents after the work has been done • apply to the Minister of Land Information to use the compulsory acquisition powers in the Public Works Act 1981 • go on to private land (after giving notice) to undertake investigations under the Public Works Act 1981. 	

<p>Public Works Act 1981</p>	<p>An airport authority (that is not a local authority/Council) can have land compulsorily taken for a public work, but only through, and with approval from, the Minister of Lands.</p>	
<p>Land Transport Act 1998</p>	<p>Powers to make and enforce bylaws (subject to central government approval).</p>	
<p>Litter Act 1979</p>	<p>An airport authority is a public authority for purposes of the Litter Act, and can appoint litter control officers and wardens.</p>	
<p>Public Audit Act 2001</p>		<p>Airport companies authorised by the Airport Authorities Act are classed as public entities under the Public Audit Act. The Auditor-General is the auditor of public entities, and public entities are subject to the information-gathering and disclosure of information requirements of the Act.</p>
<p>Ombudsmen Act 1975</p>		<p>Airport authorities are subject to the Ombudsman Act. The Ombudsman has functions under the Act to investigate decisions, acts and recommendations made by individuals and entities which are subject to the Act.</p>