

## **STAFF REPORT**

**TO:** Mayor and Councillors  
**FROM:** Manager Property Services  
**REFERENCE:** 41111  
**DATE:** 2 May 2008  
**SUBJECT:** Drag Racing, Motueka Aerodrome

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### **PURPOSE**

**Moved Crs Higgins/Inglis  
FN08/04/36**

**THAT the Chief Executive be requested to bring the matter of the Nelson Drag Racing Association to Full Council.  
CARRIED**

### **BACKGROUND**

The Nelson Drag Racing Association (NDRA) hold a resource consent (RM980181) which enables them to undertake drag racing events at Motueka Aerodrome. The consent expires on 21 December 2008. A licence to occupy has been issued to the NDRA which allows them to use the Motueka Aerodrome for the purposes set out in a resource consent. The licence expires on 20 December 2008. The licence does not provide for any renewal.

As a result of an incident during a drag racing event in 2004, drag racing operations were suspended. Up until this time, drag racing had operated simultaneously with aerodrome operations. The grass runway remained open and drag operations were suspended during takeoffs and landings.

After considerable debate, Council resolved:

**Moved Crs Norriss/Borlase  
CN05/02/02**

**THAT Council appoints the Council's Enterprises Subcommittee to meet with representatives of the Nelson Drag Racing Association and other airport users**

**to negotiate, if feasible, a satisfactory way of accommodating drag racing at Motueka Airport until 2008.**

**CARRIED**

**Moved Crs Henry/King**

**CN05/02/03**

**THAT Council reconfirms that it will not allow the concurrent use by aviation users and drag racing of Motueka Airport.**

**CARRIED**

The licence with the NDRA was entered into with terms and conditions setting out their responsibilities during drag racing events and to ensure a satisfactory clean up occurred afterwards. Since 2005, the NDRA have held four events each year at Motueka Aerodrome. The events are generally scheduled for a Saturday with the Sunday being a lay day in the event of rain. What this means is that the aerodrome is closed to all air traffic from 8.00 am to 6.30 pm on race days with a risk of this also occurring on the following day should weather conditions mean that the event could not proceed as scheduled.

In July 2007 a report was prepared for the Council Enterprises Subcommittee discussing the future of drag racing at Motueka Aerodrome. The Council resolved:

**Moved Crs Riley/Higgins**

**FN07/07/24**

**THAT the Nelson Drag Racing Association be informed that its licence at Motueka Aerodrome will not be renewed when it expires on 20 December 2008.**

**CARRIED**

The NDRA were advised of the Council resolution.

In a letter dated 17 April 2008, the NDRA requested a review of the decision not to renew the licence until such time as they can find a suitable alternative venue. They have also indicated that they would be seeking to apply for an extension to their resource consent.

## **COMMENT**

There have been numerous reports and minuted discussions regarding drag racing at Motueka Aerodrome. These include a report from the Engineering Manager dated 12 August 2004 reviewing a detailed risk assessment with recommendations regarding risk reduction measures, minutes and confidential minutes of a special Engineering Services Committee meeting held 19 August 2004 to discuss the above report, a report from Cr T Norriss dated 7 January 2005 setting out the position of drag racing at Motueka Aerodrome as he saw it, a submission from the Motueka Airport Aviation Operators and Resident Tenants dated 25 January 2005 expressing concerns regarding the safety of aircraft operations due to drag race events, Special Council meeting minutes of 3 February 2005 at which the use of the Motueka

Aerodrome by NDRA was debated, a report from the Service Centre's Manager dated 18 May 2007 to the Council Enterprises Subcommittee regarding the expiry of the NDRA licence to operate at Motueka Aerodrome, Council Enterprises Subcommittee minutes dated 11 July 2007 where it was resolved that the Nelson Drag Racing Association be informed that its licence at Motueka Aerodrome would not be renewed when it expires on 20 December 2008 and a letter from NDRA dated 17 April 2008 requesting that the decision not to renew the licence be rescinded.

On 23 April 2008 the writer met with the user group from the Motueka Aerodrome. One of the issues discussed was the use of the aerodrome by NDRA. The users concerns are:

- The loss of flying time on race days.
- The loss of income.
- The inconvenience of having to allow for a lay day at each event.
- Aircraft safety as a result of damage to the runway or debris being left behind.
- The possibility of the aerodrome being closed for an extended period of time should a further incident occur.

The most recent drag racing event occurred on Saturday 22 March 2008. The Council's representative reported that the relationship between the aerodrome users and the NDRA was obviously not good as there was lots of complaining from both sides about each other's behaviour and requirements. He reported that the runway was clean but various small plastic tags and cable ties were present on the grass next to the runway and that the NDRA were not actively looking to inspect or pick up these small tags etc. While this may seem to be a rather petty issue, the writer is advised that considerable damage could be caused where this material is sucked into an intake or strikes propeller blades. A video of vehicles doing burnouts on the runway, after the conclusion of the day's racing, has also been made available and the inspection of the runway on 30 April 2008 showed a substantial build up of rubber due to burnouts and general NDRA activity which is clearly definable from that caused by aircraft landings. There is also evidence of damage caused to the runway surface caused by vehicles doing burnouts.

The aerodrome users acknowledge that they were initially supportive of drag racing at the aerodrome but also state that circumstances have changed. The aerodrome has become busier, the Council policy does not allow concurrent activities, the risk for damage to their aircraft and as previously mentioned, the effects on their businesses if the aerodrome is closed for an extended period of time.

The NDRA were given 18 months notice that the Council would not be renewing their licence. They are currently searching for an alternative venue but are not in a position to run their events elsewhere at this stage. They anticipate that the proposed motor sport facility will be a key factor. They have advised that they are intending to apply for an extension of their resource consent and have requested that

they be allowed to continue at the aerodrome until such time as they can find a suitable venue for their activities.

It is understood that the NDRA events are part of the national calendar and that there is a concern that should the events at Motueka Aerodrome cease, then some other centre will take over these dates meaning that when NDRA finally find an alternative venue, that they will not be able to be part of the national calendar. There is no evidence to suggest that this may be the case however.

It has also been suggested that the cancellation of NDRA events at Motueka Aerodrome will have an effect on business or trade in Motueka. That may be the case but it is highly likely that any new facility will be some distance from Motueka township anyway.

From the Council's perspective the prime use of the land is an aerodrome. A business case is being prepared this year for inclusion in the LTCCP which will focus on aerodrome development. Some of the areas identified for development are currently part of the NDRA licence. The business case will endeavour to show that the aerodrome can operate as a business and return a dividend to the Council while still being able to fund major maintenance requirements such as runway resurfacing. The reason this needs to be promoted for the LTCCP is due to the Council's policy that there is no measure of public good as far as Motueka Aerodrome is concerned. Interestingly the contribution from the Drag Racing Association would barely cover the expenses associated with each event.

There are issues with the management of the event with crowd control, cleanup and misuse of the area after events and the Civil Aviation Authority safety inspection undertaken on 18 February 2008 stated that the build up of rubber was a safety concern and recommended that the Council arrange for it to be removed. This work is currently being costed and although it is only a recommendation, the Council could be liable if a landing aircraft had an accident that was attributable to the build up of rubber. The licence agreement sets out to absolve the Council of any liability as far as possible and we employ a representative to liaise with the NDRA on each event. However, there is still a risk that something may be overlooked which could result in an accident or damage for which the Council may be liable. If the Council was reviewing this purely on the basis of risk, it would not entertain future racing activity.

## **OPTIONS**

- 1 Renew the licence. The renewal of the licence will also require a renewal of the resource consent. It is understood that this would be a notified consent and the aerodrome users have indicated that they will be objecting to any application to extend NDRA activity at the aerodrome. If the Council were to agree to renew the licence it should make it quite clear to NDRA that there was a definite finishing date with no right of renewal. Although NDRA was notified in July last year that their licence would not be renewed, it took them some nine months to react. If a new licence was granted, the licence would need to be reviewed and even stricter processes put in place. This would include having a Council representative at the aerodrome for the duration of

each event, better risk management, better security and better organisation by NDRA. Even with these improvements however the Council would not be able to permit concurrent use of the two activities which means the aerodrome users would still not be able to use the facilities.

- 2 Decline the request to renew the licence. This is the current Council policy. The cessation of NDRA activity from the end of this year will allow planning and promotion of the aerodrome to continue. Drag racing in the Tasman/Nelson regions could cease for up to two years while a new location was obtained and a new facility constructed.

## **AFFECTED PERSONS**

The aerodrome users are an affected party as there is a general expectation that aerodrome runways are generally available for aircraft traffic. Should the Council consider issuing a new licence to NDRA, then they will also need to consider the consultative requirements of the Local Government Act 2002 and the extent to which any consultation would occur.

## **CONCLUSION**

The continuation of drag racing at the aerodrome does expose the Council to a potential liability. If the factors of risk, compatibility and the Council business operation are considered then there would be no new licence issued. The only reason identified for granting a new licence would be to buy the NDRA sufficient time to secure an alternative venue. If this were to be the preference of the Council, any agreement would have to have a clear sunset clause and the NDRA should be required to produce firm evidence that they are actively seeking an alternative location and that the funding is available for it to be built. The Council needs to be aware that any resource consent for the continuation of drag racing at the aerodrome will be objected to unless the users' concerns on safety and loss of business, in particular, are addressed. Again in considering to grant an extension of the licence, it should do so in principle only as the conditions and effects on the aerodrome for any resource consents would need to be carefully weighed up in the first instance. As the present policy of the Council is that the licence will not be renewed upon its expiry on 20 December 2008, the Council has two possible recommendations to consider.

Either:

THAT the report on Drag Racing at Motueka Aerodrome dated 2 May 2008 be received (this confirms the status quo which is that drag racing will cease on 20 December 2008);

or

THAT the Nelson Drag Racing Association be informed that subject to them obtaining a resource consent on terms and conditions satisfactory to the Council, that

a new licence on such terms and conditions that the Council requires would be entertained.

J K Frater  
Manager Property Services

<http://tdctoday:82/shared documents/meetings/council/full council/reports/2008/rfn080515 report drag racing motueka aerodrome.doc>