

PROPOSED DISTRICT PLAN CHANGE 15 – AIRPORT CURFEW EXEMPTION RULES

Explanation

The rules defining the operational limits for night flying operations are set out in Chapter 11A of the District Plan.

Rule 11.1.1.1.4 defines the curfew period (midnight to 6am for domestic operations, midnight to 6am for international departures, and 1am to 6am for international arrivals).

Rule 11.1.1.1.5 provides for exemptions to the curfew. The intention of Rule 11.1.1.1.5 is to provide flexibility for special occasions which may be justified in terms of very unusual or unlikely emergency or national interest situations.

Ongoing monitoring of aircraft operations through the Air Noise Management Committee has identified a specific concern relating to the scope of clause (g) of Rule 11.1.1.1.5 which provides dispensation for:

- (g) foreign military aircraft carrying heads of state and/or senior foreign dignitaries

The underlined words have the effect of restricting the application of the dispensation to foreign dignitaries and only when they fly on a foreign military aircraft. This is considered to be too restrictive and has led to situations where the New Zealand head of state and senior dignitaries (such as the Prime Minister) have been forced to make other arrangements to attend matters of national interest. It also potentially affects the ability for foreign dignitaries to be transported in non-military aircraft or in New Zealand Defence Forces (NZDF) aircraft during curfew.

A minor wording change to the District Plan is now proposed to remove the restriction on the type of aircraft and the nationality of the travelling VIP.

The amended clause would read:

- (g) aircraft carrying heads of state and/or senior dignitaries acting in their official capacity.

The words “acting in their official capacity” have been added to emphasise the specialised nature to which the classification applies.

No changes to the Objectives and Policies are proposed.

Written confirmation has been received from NZDF and the Department of Internal Affairs that they will buy into the spirit of the rule in accordance with the good neighbour principle.

Proposed District Plan Change 15

The Wellington City District Plan is proposed to be amended as follows:

11A AIRPORT RULES

Rule 11.1.1.1.5 (exemptions to the night flying curfew)

Amend the wording of clause (g) of Rule 11.1.1.1.5 by:

- € deleting the words “*foreign military*” at the beginning of the clause; and
- € replacing the words “*senior foreign dignitaries*” at the end of the clause with the words “*senior dignitaries acting in their official capacity*”.

The amended clause would read:

(g) aircraft carrying heads of state and/or senior dignitaries acting in their official capacity.