

Proposed District Plan Change 15 - Airport Curfew Exemption Rules

SUMMARY OF SUBMISSIONS

<i>Submission Number</i>	<i>Name</i>	<i>Address for Service</i>	<i>Wishes to be heard</i>
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1	Jeffrey Arthur	2/83 Monorgan Road Strathmore Park WELLINGTON	No
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Support

My submission is that the proposed change be accepted without changes. In fact it would be better to remove the curfew completely.

How is a country able to function fully if it's Capital City is forced to close its gates because of a subjective noise. This curfew not only restricts the function of the Country, but also the potential of the city and also the members of the community. Either greater freedom is required with applying the curfew (i.e. less restrictive) or totally removing it completely.

2	Board of Airlines NZ (Inc.) (BARNZ)	Grant Stewart Milne Exec Director BARNZ PO Box 2779	No
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AUCKLAND

Support

BARNZ supports the proposed change. Without this change the situation exists whereby an urgently needed trip of a head of state (including the Prime Minister of NZ) or a senior dignitary (such as the Minister of Defence) could not take place during the curfew.

Seek:

€ Agreement to the proposed amendment.

3	Hataitai Residents' Association	Roy Glass Hataitai Residents Association (Inc.) PO Box 14 276 Kilbernie WELLINGTON	No
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Support

Our Association has considered the proposed change to the district plan that would permit aircraft carrying heads of state and/or senior dignitaries acting in their official capacity to fly to/from Wellington airport outside the existing curfew. We support the proposed change to the district plan on the understanding that:

- € the proposal is supported by the Air Noise Management Committee; and
- € the incidence of such flights is likely to be low (on average, no more than 5 flights per year).

4	Melissa & Tim O'Sullivan	146B Queens Drive Lyllall Bay WELLINGTON	No
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Oppose:

Very disappointed to see of proposed changes to the airport curfew exemption rules and strongly oppose such changes.

The airport is situated in a residential area, with houses surrounding the entire runway. Most airports in Capital cities are situated out of the city in industrial area therefore affecting less residential housing. Noise between 1-6am is an annoyance and a pollutant and must not be tolerated from the public or so called VIPs. Such privileges are open to abuse and given that the curfew is only for a few hours, it does not need to change.

Seek:

€ No changes area applied to Rule 11.1.1.1.5 regarding airport curfew exemption rules.

5	Alex Fechney (Wellington Airnoise Management Committee)	Wellington International Airport Ltd PO Box 14 175 WELLINGTON	Yes
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Support

I am making this submission as a representative of the Wellington Airport Airnoise Management Committee. The Committee includes members from local resident groups, aircraft operators, New Zealand Defence Force, Airways Corporation and Wellington International Airport Ltd.

This Committee has noted an anomaly in the District Plan Airport Noise Rules which only allow heads of state and/or senior dignitaries in foreign military aircraft to arrive or depart during curfew

The current rule does not make provision for New Zealand's heads of state and/or senior dignitaries acting in their official capacity. It also does not allow foreign heads of state and/or senior dignitaries to arrive or depart during curfew unless they are travelling in a foreign military aircraft.

The Committee has sought comment from the Department of Internal Affairs and the New Zealand Defence Force regarding how

many times a year such a provision might be required for New Zealand's heads of state and/or senior dignitaries. The Committee believes this change is important in terms of the national interest and is satisfied it will only be used on rare occasions, when operations outside of the curfew hours prove impractical.

Seek:

€ Support of the proposed rule change as this corrects an oversight and does not consider this was the original intent when the rules were drafted.

6	Robert Murray	34 Hornsey Road Melrose WELLINGTON	Yes
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Oppose

I oppose the proposed change and submit that rather than further eroding the objectives of the District Plan by making provisions for further exemptions to the curfew; this change should be amended to reduce the range of exemptions to the curfew to emergency and rescue operations only, and to extend the curfew (for both domestic and international operations) from 11pm to 7am.

Seek

€ 11.1.1.1.4 to read: "Domestic and international operations must not occur during the hours from 11pm to 7am"

€ 11.1.1.1.5 (g) to be deleted entirely

€ 11.1.1.1.5 (h) to be deleted entirely

7	Mirelle Pawliez	159 Sutherland Road Lyal Bay WELLINGTON	No
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Oppose

I object strongly to the deletion of “foreign military” and “foreign” in rule (g) of rule 11.1.1.5

I’d support the deletion of the whole rule. Aircraft noise is a nuisance for the residents living near the airport, particularly after 10pm and before 7am. Also, it is not democratic to have special rules for a handful of people at the expense of the majority. Despite the current curfew, noise is noticeable from 5.30am to 12.30 am, or even 1am.

If the rule would to be kept as is, I nonetheless support the addition of “in their official capacity” to prevent abuse of the rule.

Therefore, I do not support the amendment as proposed in Change 15 for being undemocratic and a nuisance for many Wellingtonians. The airport curfew is necessary as the noise affects most of Wellington – this is the price to pay to have an airport in the middle of a city.

Seek

- € Reject the proposed amendment as is in Proposed District Plan Change 15
- € Propose that rule 11.1.1.1.5 is deleted altogether from Chapter 11A of the District Plan.

8	New Zealand Defence Force	Private Bag WELLINGTON	Yes
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Supports the proposed Plan Change:

The proposed amendments address practical difficulties with managing VIP transport at Wellington International Airport. These are:

- € difficulties in always anticipating the travel requirements of VIP’s particularly in times of crisis or national emergency, and for sudden events;
- € difficulties in always anticipating when NZDF aircraft might be required to transport foreign VIP’s due to aircraft breakdown or scheduling difficulties; and
- € difficulties in relying on the resource consent process to authorise aircraft movements at short notice.

The policy intent of the District Plan (i.e. to minimise the effects of aircraft noise by controlling late night aircraft activities) is maintained.

The likely effects of the proposed amendments are considered to be minor, as historically VIP flights during curfew hours have been very infrequent and this is not expected to change in the future.

The proposed amendments recognise the importance of Wellington as the nation's capital, and the need for a degree of flexibility to transport both foreign and New Zealand VIP's during the Airport curfew should the need arise.

NZDF reiterates that it has a firm policy to, where practicable, avoid or mitigate any adverse effects of NZDF aircraft activity at Wellington International Airport. This includes ensuring, where practicable, that all flights by NZDF aircraft occur outside of the curfew period.

In addition, noise effects from NZDF aircraft used for VIP transportation will most likely be substantially reduced with the introduction of new Boeing 757 aircraft (Chapter 3 Compliant) in 2003.

Seek:

€ NZDF seeks that Wellington City Council adopt the Proposed Plan Change as notified.

9

Colin Stuart Dawe

57 Matai Road
Hataitai
WELLINGTON

Yes

Oppose:

It is highly undesirable that the sleep of thousands of Wellington citizens should be disturbed and their health adversely affected to suit the convenience of a small number of selfish 'senior dignitaries' who can easily make alternative arrangements. The same is true of the customs and airport staff who must turn out to work at these irregular hours.

It is also highly undesirable that the political, economic and social welfare of New Zealand should be endangered because such 'senior dignitaries' do not get regular sleep. Judgements and decisions made by persons suffering from fatigue or 'jet lag' are likely to be highly detrimental both to themselves and their fellow citizens.

If major countries, such as the United States, with vast national and international obligations can maintain a night curfew in the national capital then a small country with few major commitments like New Zealand can do likewise

NZCF and Internal Affairs undertakings to 'buy into the spirit of the (new) rule are inadequate. They should follow good diplomatic practice and treat their fellow citizens with the respect they are entitled to.

Seek:

€ affirmation of the existing rule (no change).

10

Te Runanga O Toa Rangatira
Inc.

Ra Pomare
PO Box 50079
Porirua

No

Support the proposed Plan Change and the amendment to Rule 11.1.1.1.5 clause (g) of the airport rules, and the proposed amended clause. We also support that no changes to the objectives and policies of the airport curfew exemption rules are made.

Seek:

€ That the proposed District Plan Change 15 including the amendment to Rule 11.1.1.1.5 of clause (g) of the Airport Rules and the Proposed amended clause is made.

11

The Strathmore Park
Progressive & Beautifying Ass
(Inc)

The Secretary
PO Box 14 -112
Kilbirnie

No

WELLINGTON

Supports the intent of the Plan Change and the formal wording referring to the expanded criteria

Additional matters for consideration:

- € Since the rule refers to operations during curfew hours, which is expected to include both arrivals and departures of jet aircraft, this Association considers that there should be a reference to the requirement to use noise abatement procedures which cover the unique conditions of Wellington for night operation.
- € Also bearing in mind the effect of sleep disturbance to a great number of local residents it is further recommended that, subsequent to the event and where practicable for security reasons, publicity should be given to operations under this rule to make clear to the public the circumstances under which this provision was used.

Seeks:

- € amendment of the rule and/or the Wellington flight guide to cover above recommendations

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Tiffany McNeill & Costas
Matsis

3 Freyberg Street
Lyll Bay
WELLINGTON

No

Oppose:

The Proposed Plan Change is contrary to Objective 10.2.2 of the District Plan which seeks to protect the amenities of areas surrounding the Airport Precinct from adverse environmental effects.

The Proposed Plan Change is unnecessary. One of the reasons given for requiring an exemption to the Airport Curfew (rule 11.1.1.1.4) is that the rule as currently worded forces New Zealand heads of state and senior dignitaries (such as the Prime Minister) to make other arrangements to attend matters of national interest. Rule 11.1.1.1.5 already provides for exemptions from the Airport Curfew for the operation of unscheduled flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983. Similarly, there is already an exemption for up to four aircraft movements per night with noise levels not exceeding 65 dBA Lmax (1sec.). Those exemptions are, in our submission, perfectly adequate.

The Proposed Plan Change is unclear and ambiguous. The Plan does not provide any guidance as to the meaning of “*acting in their official capacity*”. The wording reserves too much discretion to Council officers and airport officials.

The scope of the Proposed Plan Change is too wide. The expressed intention behind the Plan Change is to provide flexibility for special occasions which may be justified in terms of very unusual or unlikely emergency or nation interest situations. This is not clear from the working of the proposed rule exemption. The wording of the Proposed Plan Change is wide enough to allow Airport Curfew exemptions for (for example) Ministers of the Crown travelling on ordinary commercial passenger flights returning from overseas conferences. There is no good reason for such non-urgent flights to be granted exemptions to the Airport Curfew to the detriment of local resident’s values.

Seek:

€ Reject the proposed plan change in its entirety; or

€ Alternatively, make the following amendments:

(a) Amend the proposed clause (g) as follows:

“(g) aircraft carrying heads of state and/or senior dignitaries acting in their official capacity and attending to urgent matters of national or international importance”

(b) Add a new clause (h):

“(h) the number of aircraft movements pursuant to the exception in clause (g) above shall not exceed 5 movements per night”

13

John Joseph Pavan

5 Neville Street
Johnsonville
WELLINGTON

Yes

Oppose:

We are trustees for the Sheridan Trust who owns a large number of sections at Sheridan Terrace in Johnsonville almost directly below the flight path high on the hill. We would oppose any extension to flight hours as this would be detrimental to our potential buyers and existing residences. This flight path came in to existence a number of years ago. From its previous flight path over rural land, it is now over densely populated areas of the Northern Suburbs. Also, since Ansett ceased trading the present planes have gotten noisier.

Seeks:

- € No further night flights over this area
- € Return the flight path to the less populated area

14	Miramar Maupuia Progressive Association	Robyn Boldarin 10 Torridon Road Miramar WELLINGTON	Yes
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Oppose

Miramar/Maupuia Progressive Association does not support the widening of the rules, for any reason, of the Wellington International Airport Curfew for airport noise.

The proposed rule change does not take into consideration the STARTLE EFFECT of larger aircraft taking off when children and residents are asleep and noise levels double for every 10 dBA measured.

We note reference is made to senior dignitaries need to fly into Wellington during curfew hours for International Forums, State funerals and the like. Such events don't happen overnight and are usually subject to "event planning" which usually allows adequate time lines to plan to arrive and depart outside curfew hours. Also, no airport in New Zealand is more than approximately two hours flying time away from Wellington. This means that most business people are able to arrive in Wellington before the business day commences. The normal business day is from 8.00am to 5.00pm.

We further note the report uses the term "*on matters of national interest.*" This we consider has far too wide a meaning which could lead to misunderstandings in the future. Our Association suggests the following amendments to 11.1.1.1.5:

- (g) (i) *Foreign aircraft carrying heads of state and/or senior dignitaries*
- (ii) *Aircraft carrying heads of state and/or senior dignitaries acting in there official capacity in matters of national security and/or the national interest.*

As amended above would be more flexible for the types of aircraft that could be used by foreign heads of states. As amended above would more define occasions where senior dignitaries would be needed at short notice in Wellington by the government of the day.

Seek:

- € No change to the Airport Curfew Exemption Rules.
- € Failing that we seek to have Rule 11.1.1.1.5 (g) amended as stated in our submission.

15

Wellington Federation of
Progressive & Resident
Associations

Robin Boldarin
Secretary
10 Torrindon Road
Miramar
WELLINGTON

No

Supports subject to rewording

The Federation recognises the omission made when the Airport Curfew Exemption Rules were drawn up and supports the intention to rectify this error.

It does, however, hold some reservations as to whether the parties involved will honour the change in the light of a 'good neighbour' and requests that a twelve-month record be kept of any occasions when this policy is brought into force, with a copy being forwarded to the Federation at the termination of this period.

We also seek a slight rewording in the phrase "*of national interest*" to "*the national interest*" as being more defining and not so open to a loose interpretation.

Seek

- € A change to the Airport Curfew Exemption Rules as amended.

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Helena Janet Gokcen

55a Sheridan Terrace
Johnsonville
WELLINGTON

Not stated

Oppose

Four properties we own would be affected by an extension to the flight hours. Residents currently tolerate the existing flight path so an extension to those hours would be a disgrace.