

Sydney Airport Curfew Amendment Regulations 2003 (No. 1)

2003 No. 261

EXPLANATORY STATEMENT

STATUTORY RULES 2003 No. 261

Issued by the authority of the Minister for Transport and Regional Services

Sydney Airport Curfew Act 1995

Sydney Airport Curfew Amendment Regulations 2003 (No. 1)

Section 26 of the *Sydney Airport Curfew Act 1995* (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted under the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Section 13 of the Act provides for BAe-146 aircraft as the only low noise heavy freight aircraft that are permitted to operate at Sydney Airport during the curfew. Section 13 of the Act also specifies a quota of 74 movements of BAe-146 aircraft per week during curfew hours.

The Act provides that the quota may be utilised through aircraft registered in the name of a specified operator, by a specified operator or on behalf of a specified operator. The allocation of this quota is managed through Regulations 8, 9 and 10 of the Sydney Airport Curfew Regulations (the Principal Regulations), which lists the number of movements that are available to specified operators.

The Regulations make changes to the specified operators of BAe-146 aircraft into Sydney Airport during the curfew to reflect the current overnight airfreight industry arrangements, regularise the operations being conducted and to make a technical amendment. There will be no increase in the quota. Previously, Regulation 10 specified that Ansett may undertake a total of 28 movements, National Jet Systems may make 28 movements and Mayne Nickless 18 movements. Ansett no longer operates and Mayne Nickless' freight operations have been taken over by Toll Transport Pty Ltd.

The Regulations therefore amend Regulation 8 to update the list of specified persons who may operate BAe-146 aircraft during the curfew at Sydney Airport. In addition, Regulation 9 is removed as there are no DC-9 operators in Australia and the only previously specified operator under this regulation, Mayne Nickless, no longer engages in airfreight operations. Regulation 10 is amended to reflect the current overnight airfreight industry arrangements and to regularise the operations to be conducted following the introduction of daylight saving (28 movements for National Jet Systems, 28 movements for Australian Air Express and 18 movements for Toll Transport).

The Regulations also amend a reference in regulation 1 to update the citation of the Principal Regulations in line with current drafting practice.

The Regulations commence on gazettal.