



Queenstown Airport Bylaws Approval Order 2009

Anand Satyanand, Governor-General

Order in Council

At Wellington this 24th day of August 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 9 of the Airport Authorities Act 1966, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- 1 Title**
This order is the Queenstown Airport Bylaws Approval Order 2009.
- 2 Commencement**
This order comes into force on the 28th day after the date of its notification in the *Gazette*.
- 3 Approval of Queenstown Airport Bylaws 2009**
The bylaws made on 4 August 2009 by Queenstown Airport Corporation Limited and set out in the Schedule are approved.

Schedule

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Queenstown Airport Bylaws 2009

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Pursuant to section 9 of the Airport Authorities Act 1966, Queenstown Airport Corporation Limited makes the following bylaws.

1 Title

These bylaws are the Queenstown Airport Bylaws 2009.

2 Commencement

These bylaws come into force on the commencement of the Queenstown Airport Bylaws Approval Order 2009.

3 Interpretation

In these bylaws, unless the context requires another meaning,—

aircraft means a machine that can derive support in the atmosphere from the reactions of the air, other than by the reactions of the air against the surface of the earth

airport means the Queenstown Airport at Frankton, Queenstown, being—

- (a) the land owned, leased, or controlled by the company; and
- (b) any buildings, installations, and equipment that are on or adjacent to that land and used in connection with the airport or its administration

airport manager—

- (a) means the person appointed by the company as the airport manager; and
- (b) includes that person's deputy or authorised representative

airport official means—

- (a) the airport manager; and
- (b) any person appointed or authorised by the company or the airport manager to assist in the management or control of persons and property at the airport

airport road means any area in the airport made available by the company for the driving, standing, or parking of vehicles

airside means the operational areas of the airport including the movement area, passenger departure areas beyond a screening checkpoint, the ramp, luggage make-up areas, cargo

sheds, mail centres, flight catering areas, and aircraft cleaning premises

animal means any living member of the animal kingdom, including mammals, birds, fish, and reptiles, but does not include human beings

apron means any area in the airport on which aircraft may be loaded with passengers or cargo, unloaded, refuelled, parked, maintained, or repaired

company means Queenstown Airport Corporation Limited

constable has the meaning given by section 4 of the Policing Act 2008

hangar means a building at the airport used for the storage, shelter, maintenance, repair, or construction of aircraft

loading area means any part of an airport road that the company designates as a loading area for vehicles

movement area—

- (a) means any area in the airport intended to be used for the movement of aircraft on the ground; and
- (b) includes the apron

parking means,—

- (a) in relation to a vehicle in a parking area with a parking control system (for example, pay-and-display coupons, parking meters, or barrier arms), the stopping or standing of the vehicle for a period exceeding 5 minutes;
- (b) in relation to a vehicle on any other part of an airport road, the stopping or standing of the vehicle

parking area means any part of an airport road that the company designates as a parking area for vehicles

person includes a corporation sole, a body corporate, and an unincorporated body

security fence means a fence, barrier, or other structure that separates a security area or security enhanced area (as those terms are defined in section 2(1) of the Civil Aviation Act 1990) from other areas in the airport

small passenger service vehicle has the meaning given by section 2(1) of the Land Transport Act 1998

vehicle has the meaning given by section 2(1) of the Land Transport Act 1998, but does not include an aircraft.

Part 1 Airport users

4 Entering and leaving airport

- (1) A person may enter or leave the airport, by vehicle or on foot, only by using an entrance or exit made available by the company.
- (2) However, subclause (1) does not apply to a constable, or a person involved in emergency services, who is performing official duties.

5 Boarding aircraft

A person must not board or try to board an aircraft at the airport—

- (a) without authorisation to do so; or
- (b) if the boarding may prejudice the safety or security of the airport or people on the aircraft.

6 Restricted areas

- (1) The company or the airport manager may designate any area of the airport as a restricted area to which—
 - (a) entry by members of the public is prohibited; or
 - (b) entry is restricted to passengers who are waiting for a flight or who are boarding or leaving an aircraft.
- (2) The movement area is a restricted area to which entry by members of the public is prohibited.
- (3) However, the restrictions on entry to a restricted area do not apply to—
 - (a) a person who enters the area in accordance with the authorisation of the airport manager and any conditions of entry imposed by the manager; or
 - (b) passengers boarding or leaving an aircraft on the apron.
- (4) A restricted area, and the restrictions on entry to the area, must be indicated by conspicuous signs, notices, or markings.

Part 1—*continued*

- (5) A person must not enter or remain in a restricted area in breach of the restrictions on entry to the area.
- (6) If an airport official or a constable reasonably believes that a person is in a restricted area in breach of the restrictions on entry to the area, the official or constable may ask the person to leave the area and the person must leave immediately.

7 Identity cards and temporary passes

- (1) The airport manager may issue—
 - (a) an identity card to a person who works at the airport; or
 - (b) a temporary pass to a visitor, or a class of visitor, to the airport.
- (2) An identity card or temporary pass may state that the person to whom it is issued is authorised to enter certain restricted areas and may specify any conditions of entry to the areas.
- (3) A person to whom an identity card or temporary pass is issued, who wears the card or pass in a clearly visible position, is entitled to enter and remain in a restricted area in accordance with the authorisation, and any conditions of entry, specified on the card or pass.

8 Conduct

A person must not—

- (a) drink liquor, or possess liquor for drinking, at the airport in any area open to the public other than licensed premises (as liquor and licensed premises are defined in section 2 of the Sale of Liquor Act 1989); or
- (b) be drunk, or act in a manner that is disorderly or indecent, at the airport; or
- (c) act in a manner that threatens public order or safety, or the safety or security of people or property, at the airport; or
- (d) throw, drop, or leave anything at the airport that could injure or annoy any person or damage any property; or
- (e) climb any wall, fence, barrier, railing, or post at the airport unless authorised to do so; or

Part 1—*continued*

- (f) leave a door or gate to a restricted area open or unfastened unless authorised to do so; or
- (g) intentionally start a false alarm at the airport for a fire or other emergency; or
- (h) remain at the airport if an airport official or a constable has asked him or her to leave for breaching these by-laws.

9 Obstruction

A person must not obstruct, hinder, or interfere with—

- (a) the proper use of the airport; or
- (b) any lawful activities at the airport; or
- (c) any person lawfully performing a duty at the airport.

10 Vandalism

A person must not—

- (a) interfere or tamper with an aircraft at the airport, or anything used in connection with the control, operation, maintenance, repair, or storage of the aircraft; or
- (b) interfere or tamper with any machine or equipment at the airport, or insert into the machine or equipment anything other than the money, card, or other thing it requires; or
- (c) damage any property, or deface any notice or sign, at the airport; or
- (d) leave any offensive or dangerous material at the airport; or
- (e) place in a basin, tap, toilet, drain, or any other sanitation equipment at the airport anything that is likely to damage or obstruct the equipment.

11 Security fences

A person must not place or leave an object, vehicle, or any other thing within 1.5 metres of a security fence, except with the written approval of the company and in accordance with any conditions imposed by the company.

Part 1—*continued***12 Lost property**

- (1) A person must not abandon or leave any personal property at the airport.
- (2) A person who finds property that has been abandoned or lost at the airport must promptly deliver it to the airport manager's office or to a constable.
- (3) The company may sell any lost property by auction if—
 - (a) the company has held the property for at least 3 months; and
 - (b) the property has not been claimed by its owner; and
 - (c) the company has advertised the auction twice in a newspaper circulating in the Queenstown region, with the second advertisement being published at least 14 days, but no more than 21 days, before the auction.
- (4) However, the company may at any time dispose of lost property that is perishable or valueless.

13 Waste and spills

- (1) A person must not—
 - (a) leave any waste or litter (including confetti) at the airport other than in the waste containers provided; or
 - (b) leave or spill on any surface at the airport any oil, grease, or fuel, or anything else likely to cause damage or create a danger or obstruction.
- (2) A person who breaches subclause (1)(b) must—
 - (a) immediately tell an airport official; and
 - (b) at the person's own cost, remove the thing that was left or spilled in the area and return the area to the state it was in before the breach.
- (3) Any person with a lease, licence, or concession to use an area of the airport must keep the surface of the area clear of oil, grease, fuel, and anything else likely to cause damage or create a danger or obstruction.

Part 1—*continued***14 Soliciting funds**

A person must not seek funds, donations, or subscriptions, or sell raffle or competition tickets, at the airport except with the written approval of the airport manager and in accordance with any conditions imposed by the manager.

15 Written material and advertising

- (1) A person must not—
- (a) erect a structure at the airport or attach a display, advertisement, poster, or placard to anything at the airport; or
 - (b) display or distribute any material at the airport to advertise a product or service; or
 - (c) display or distribute any written or loose-leaf material—
 - (i) at any part of the airport outside the airport buildings; or
 - (ii) at or near an entrance to or exit from an airport building; or
 - (iii) inside an airport building in a manner that interferes with the safe operation of the airport or any person's use of the airport facilities.
- (2) However, a person may do anything described in subclause (1) with the written approval of the airport manager and in accordance with any conditions imposed by the manager.

16 Special events

- (1) The airport manager may direct any person participating in a reception, parade, exhibition, display, demonstration, protest march, or organised assembly to leave the airport or to move to a specified area of the airport.
- (2) The person must comply with the airport manager's direction.
- (3) The airport manager may give a direction only if satisfied that it is reasonably necessary in order to—
- (a) ensure the safety of the public within the airport; or
 - (b) maintain airport security; or
 - (c) maintain order for the use of airport services by the public; or

Part 1—*continued*

- (d) prevent insulting or offensive behaviour or a breach of the peace.

17 Commercial photography and recordings

A person must not take photographs, or make audio or video recordings, at the airport for commercial purposes unless the person—

- (a) is an accredited member of the news media who is performing duties in that capacity; or
- (b) has the written approval of the airport manager.

18 Telephones

A person may install a telephone at the airport only with the written approval of the airport manager and in accordance with any conditions imposed by the manager.

19 Animals

- (1) A person must not bring an animal to the airport unless the animal—
 - (a) is being delivered to or from an airline that has previously agreed to carry it; and
 - (b) is confined so that it is completely controlled at all times and cannot escape; and
 - (c) is properly cared for.
- (2) Subclause (1) does not apply to—
 - (a) an animal brought to the airport with the airport manager's written approval; or
 - (b) a disability assist dog (as defined in section 2 of the Dog Control Act 1996) that is restrained by a harness and is assisting a person with a disability; or
 - (c) a dog controlled by a constable, a Customs officer, an airport official, an aviation security officer of the Aviation Security Service, or the authorised officer of a government agency, who is performing official duties; or
 - (d) livestock that the company has authorised to graze on parts of the airport that are not used by aircraft.

Part 2 Roads and vehicles

20 Airport roads

- (1) The company may make any area in the airport available for use as an airport road.
- (2) The company may, in relation to all or part of an airport road,—
 - (a) make the road available to anyone or to only a specified class of persons; or
 - (b) stop making the road available; or
 - (c) change the area, size, or location of the road; or
 - (d) restrict vehicle movement to 1 direction.
- (3) The company may impose prohibitions or restrictions on the use of any part of an airport road by a vehicle or a vehicle of a specified class.

21 Company must use traffic signs, notices, and markings

The company must use traffic signs, notices, or markings in relation to the airport roads (including parking areas and loading areas) as required by Land Transport Rule: Traffic Control Devices 2004, or any rule that replaces it.

22 Compliance with traffic signs, directions, and laws

- (1) The driver of a vehicle, or a person in charge of a vehicle, at the airport must comply with—
 - (a) any traffic signs, notices, or markings in relation to an airport road (including a parking area or loading area); and
 - (b) any lawful direction given by a constable or airport official to regulate traffic; and
 - (c) these bylaws; and
 - (d) the Land Transport Act 1998 and the regulations and rules made under that Act.
- (2) A person may drive or use a vehicle at the airport only on an airport road.
- (3) A person may park a vehicle at the airport only in a parking area.

Part 2—*continued*

- (4) This bylaw does not apply to a vehicle being used in accordance with the authorisation of the airport manager.

23 Speed limit

- (1) The speed limit for any area in the airport, including an airport road, is 50 km/h.
- (2) However, the company may specify a different speed limit for an airport road by using conspicuous signs or markings.
- (3) A person must not drive or use a vehicle on any area in the airport, including an airport road, at a speed exceeding the speed limit for the area or road.
- (4) However, a person charged with breaching subclause (3) may avoid liability on any of the grounds provided for in clauses 1.8(1) and (3) and 5.1(3) of the Land Transport (Road User) Rule 2004.

24 Company may designate parking areas

- (1) The company may designate any part of an airport road as a parking area for vehicles.
- (2) The company may use a parking control system to control the use of a parking area (for example, pay-and-display coupons, parking meters, or barrier arms).
- (3) The company may restrict a parking area so that only a specified class of vehicle or person may use it.
- (4) The company must use conspicuous signs, notices, or markings at a parking area to indicate any conditions of using the area, including any charges set by the company under section 4A of the Airport Authorities Act 1966.

25 Use of parking area

- (1) The driver of a vehicle, or the person in charge of a vehicle, that uses a parking area at the airport must comply with any conditions of using the area (including paying any required charges).

Part 2—*continued*

- (2) The driver of a vehicle, or the person in charge of a vehicle, that parks at the airport must ensure that the vehicle is wholly within a marked parking space.
- (3) The driver of a vehicle, or the person in charge of a vehicle, that is longer than a marked parking space or that has a trailer attached to it may park the vehicle (and any trailer) in 2 or more parking spaces that are linked end-to-end.
- (4) A single parking space may be used by no more than 6 motor cycles or mopeds.
- (5) A motor cycle or moped that is parked in a parking space must be parked substantially at right angles to the kerb or footpath.
- (6) The driver of a vehicle, or the person in charge of a vehicle, at the airport may enter or leave a parking area only by using an entrance or exit made available by the company.

26 Parking for maximum of 3 months

A person must not park a vehicle in a parking area at the airport for more than 3 months except with the written approval of an airport official.

27 Company may designate loading areas

The company may designate any part of an airport road as a loading area for vehicles by using conspicuous signs, notices, or markings.

28 Loading and unloading vehicles

- (1) The driver of a vehicle, or the person in charge of a vehicle, may load or unload passengers, luggage, or freight at the airport only—
 - (a) in an area designated by the company as a loading area; and
 - (b) for as long as is reasonably needed to do so.
- (2) However, passengers and their luggage may also be loaded or unloaded from a private vehicle in a parking area.

Part 2—*continued***29 Small passenger service vehicles**

- (1) The company may do 1 or more of the following things:
 - (a) restrict or control small passenger service vehicles at the airport;
 - (b) require the driver of a class of small passenger service vehicle that is for hire at the airport to hold a licence issued by the company;
 - (c) determine the criteria for obtaining a licence and the terms of the licence;
 - (d) issue prepaid cards or receipts for the use of a small passenger service vehicle stand.
- (2) The driver of a small passenger service vehicle may pick up paying passengers at the airport only—
 - (a) from a small passenger service vehicle stand designated by the company, unless directed otherwise by a constable or an airport official; and
 - (b) under a licence granted by the company, and in accordance with the terms of the licence, if the company has required the driver of a vehicle of that class to hold the licence.
- (3) Before using a small passenger service vehicle stand, the driver of the vehicle must have paid any applicable charges set by the company under section 4A of the Airport Authorities Act 1966.
- (4) The driver of a small passenger service vehicle at a small passenger service vehicle stand must, if requested by a constable or airport official, produce any prepaid card or receipt used to access the stand.

30 Vehicle may be moved

If an airport official believes on reasonable grounds that a vehicle at the airport is involved in a breach of these bylaws, the official may—

- (a) enter, or authorise another person to enter, the vehicle for the purpose of moving it or preparing it for movement; and

Part 2—*continued*

- (b) move, or authorise another person to move, the vehicle to another place.

31 Vehicle repairs

A person must not clean, maintain, or repair a vehicle at the airport except—

- (a) in a vehicle repair shop or an area designated by the company; or
- (b) to make minor repairs to allow the vehicle to be driven from the airport.

32 Right of way to aircraft

The driver of a vehicle, or the person in charge of a vehicle, at the airport must give way to aircraft moving on or near the ground.

33 Driving vehicles on airside of airport

- (1) The company may issue a permit to a person that authorises the person to drive a vehicle on the airside of the airport, subject to any conditions specified in the permit.
- (2) A person must not drive a vehicle on the airside of the airport without a permit issued by the company.

34 Unauthorised vehicles on movement area

A person must not, without authority from an airport official, take or drive a vehicle—

- (a) on the movement area; or
- (b) through a gate at the airport if the vehicle is prohibited from entering by a conspicuous sign or notice; or
- (c) on the airside of the airport.

35 Refuelling tankers

- (1) A person may stop, stand, or park a mobile refuelling tanker on the apron only while the tanker is refuelling an aircraft.
- (2) The tanker must be removed from the apron immediately after the refuelling has ended.

Part 3

Aircraft operation and gate positions

36 Cleaning, maintenance, and repair of aircraft

A person at the airport must not clean, maintain, or repair an aircraft, or a vehicle used in connection with the airport, except—

- (a) in a hangar or in a place set aside by the company for the purpose; or
- (b) to make minor adjustments; or
- (c) with the written approval of an airport official.

37 Gate standing times

- (1) An aircraft may remain on the apron only during the times specified by the airport manager.
- (2) The person in charge of an aircraft must move the aircraft from the apron when directed by an airport official.

38 Gate positions

An aircraft may be stopped on the apron only in a place specified by the airport manager.

39 Parking of aircraft

The person in charge of an aircraft at the airport may park the aircraft only—

- (a) in the places and in the manner directed by the airport manager; and
- (b) in accordance with any terms and conditions specified by the airport manager.

40 Use of apron

The person in charge of an aircraft at the airport may use the apron only—

- (a) if authorised by the airport manager; and
- (b) in accordance with the parking pattern approved by the airport manager.

Part 3—*continued***41 Unattended aircraft**

An aircraft left unattended at the airport must be properly secured against adverse weather and unauthorised entry and interference.

42 Disabled aircraft

- (1) An aircraft at the airport that is unable to function normally must be moved to where it will not pose a hazard, as directed by the airport manager.
- (2) If an aircraft is not moved in accordance with the airport manager's direction, the airport manager may—
 - (a) enter, or authorise another person to enter, the aircraft for the purpose of moving it or preparing it for movement; and
 - (b) move, or authorise another person to move, the aircraft to a place where it will not pose a hazard.

43 Stationary engine testing

- (1) A person must not start or run an aircraft engine in a hangar.
- (2) A person must not start or run an aircraft engine at the airport to do stationary testing of the engine, except with the written approval of the airport manager.
- (3) The airport manager must not give written approval for stationary testing of an engine between 10 pm and 6 am unless he or she is satisfied that the testing is needed to allow an urgent flight to respond to an emergency.
- (4) The person responsible for testing to which subclause (3) applies must, within 24 hours after the airport manager requests it, provide the manager with a report specifying—
 - (a) the time, date, and duration of the testing; and
 - (b) the reason for the testing; and
 - (c) the time and date of the urgent flight for which the testing was needed; and
 - (d) the details of the emergency to which the flight responded.

Part 4

Fire prevention and other provisions

44 Acts causing fire risks

A person must not do anything that causes, or is likely to cause, a fire at the airport, except with the written approval of the airport manager.

45 Smoking and flames

- (1) The company may use conspicuous signs or markings to designate any area of the airport as an area in which smoking and flames are prohibited.
- (2) A person must not smoke, or create or have a flame,—
 - (a) in an area of the airport where it is prohibited; or
 - (b) within 50 metres of an aircraft, or a store or container of liquid fuel or explosives, at the airport.
- (3) A person also must not smoke—
 - (a) in any part of the airport where it is unlawful to do so; or
 - (b) on the airside of the airport.
- (4) In this clause, **smoke** includes to have a lit cigarette or other thing that can be smoked.

46 Servicing vehicles not to create hazard

A person must not use any vehicle or equipment to service or maintain aircraft at the airport unless the condition and contents of the vehicle or equipment will not create a fire, flash, or other hazard to aircraft or fuelling facilities or to people associated with aircraft or fuelling facilities.

47 Dealing with liquid fuel

A person must not pour liquid fuel into or from a container, or the fuel tank of a vehicle or an aircraft, at the airport except in a place designated by the company for that purpose.

48 Storage of flammable material

A person must not store flammable material in any part of the airport in a manner or quantity that is likely to create a fire hazard.

Part 4—*continued***49 Installations to comply with fire code**

- (1) All filling tanks, storage tanks, installations, safety equipment, pumps, and associated facilities must be installed and operated at the airport in compliance with—
 - (a) the requirements of the airport manager; and
 - (b) any applicable enactments (for example, regulations made under the Hazardous Substances and New Organisms Act 1996); and
 - (c) any applicable bylaws.
- (2) A fuel storage tank may be installed at the airport only with the written approval of the airport manager.

50 Civil Aviation Act 1990 prevails

If these bylaws conflict with the Civil Aviation Act 1990, or any regulations or rules made under that Act, the Act, regulations, or rules prevail.

51 Breach of bylaws

Section 9(8) of the Airport Authorities Act 1966 applies to a person who breaches these bylaws.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order approves bylaws made by Queenstown Airport Corporation Limited for the Queenstown Airport. Section 9(5) of the Airport Authorities Act 1966 provides that, until the bylaws are approved, they do not have any force or effect. The bylaws are set out in the *Schedule* of the order.

This order comes into force on the 28th day after the date of its notification in the *Gazette*.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 27 August 2009.
This order is administered by the Ministry of Transport.
