

**APPROVED DISPENSATIONS****INDIVIDUAL DISPENSATION DETAILS FOR PERIOD: 10/10/07 - 1/02/2008****DETAILS OF DISPENSATION**

Date: Friday, 12 October 2007  
Aircraft: B747-400  
Registration: BLAD  
Operator: Cathay Pacific  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Cathay Pacific flight CX138 was ready for pushback at 9:55pm when an engine malfunction was noted. Engineering was called to assess the problem and a clogged fuel filter in engine two was located. Cathay Pacific requested take-off no later than 11:15pm due to these unforeseen circumstances. Engineering declared the aircraft was safe for take-off at 11:05pm. There were 198 passengers and 14 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. The circumstances were considered to be of immediate origin due to a problem with engine number two which could not have been foreseen (ie. detected just prior to pushback). Condition two had been satisfied as it was a matter of safety and an unforeseen safety problem. Given that the aircraft was carrying 212 people it would have caused a high degree of hardship for those passengers if a dispensation was not granted. The aircraft departed Sydney on runway 16R at 11:22pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 25 October 2007  
Aircraft: B767-300  
Registration: VH-ZXE  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF556 flying to Brisbane was unable to depart Sydney due to the Sydney Airport tarmac being closed between 8:45pm and 10:20pm. This closure was due to lightning activity in Sydney. Accommodation was limited due to the Singapore Airlines A380 arrival which brought several visitors and viewers and also a major convention being held in Sydney. There were 130 passengers and 10 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. The circumstances were considered to be of immediate origin as the flight was delayed due to the closure of the airport through lightning strikes. The circumstance was considered to be not reasonably foreseeable as the flight was delayed due to lightning strikes resulting in the tarmac being evacuated in accordance with safety legislation. Sufficient accommodation was unable to be sourced for the people on board, therefore the circumstances were not reasonably able to be met by alternative arrangements. The aircraft departed Sydney on Runway 16R at 11:21pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 25 October 2007  
Aircraft: B767-300  
Registration: VH-ZXF  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF497 flying to Melbourne was unable to depart Sydney due to the Sydney Airport tarmac being closed between 8:45pm and 10:20pm. This closure was due to lightning activity in Sydney. Accommodation was limited due to the Singapore Airlines A380 arrival which brought several visitors and viewers and also a major convention being held in Sydney. There were 198 passengers and 10 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant of a dispensation. The circumstances were considered to be of immediate origin as the flight was delayed due to the closure of the airport through lightning strikes. The circumstance was considered to be not reasonably foreseeable as the flight was delayed due to lightning strikes resulting in the tarmac being evacuated in accordance with safety legislation. Sufficient accommodation was unable to be sourced for the people on board, therefore the circumstances were not reasonably able to be met by alternative arrangements. The aircraft departed Sydney on Runway 16R at 11:36pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 25 October 2007  
Aircraft: B767-300  
Registration: VH-OGV  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF7623 was ready to pushback just prior to curfew when Air Traffic Control ceased this process due to traffic congestion created while the Sydney Airport tarmac was closed between 8:45pm and 10:20pm as a result of lightning storms in Sydney. This flight was a freight service flying to Auckland uplifting perishable seafood and couriering premium cargo. A dispensation was sought to depart at 11:10pm to avoid spoilage of the seafood. The delay was unforeseen and beyond the operators control. There were 2 crew on board.

**Approved:** Yes

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. The circumstances were considered to be of immediate origin as the flight was delayed just prior to push back which was due to the closure of the airport through lightning strikes. The circumstance was considered to be not reasonably foreseeable as the flight was delayed due to lightning strikes resulting in the tarmac being evacuated in accordance with safety legislation. The circumstance was considered to be not reasonably able to be met by alternative arrangements, the aircraft was uplifting passengers at Auckland, and the live cargo would spoil if departure was delayed until the end of the curfew period the next day. The aircraft departed Sydney on 16R at 11:38pm.

**DETAILS OF DISPENSATION**

Date: Friday, 26 October 2007  
Aircraft: B737-800  
Registration: VH-VOD  
Operator: Virgin Blue  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Virgin Blue flight DJ528 was delayed upon arrival due to weather conditions into Coolangatta and take-off for Sydney was delayed due to ground handling staff being evacuated from the Coolangatta tarmac due to lightning strikes. This was an unforeseen event and although Virgin Blue moved some passengers to other flights, accommodation was also difficult to locate due to a lack of availability. There were 87 passengers (including 2 minors) and 6 crew on board

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. Condition one was met as the flight was delayed just prior to landing at Coolangatta and again a further delay on the tarmac upon arrival. Condition two was met as the tarmac was evacuated, due to lightning strikes, in accordance with safety legislation. This was an unforeseen event over which the airline had no control. Virgin Blue had moved some passengers to other flights where possible and had checked accommodation availability but could not secure enough rooms for the remaining passengers. Given that no alternative arrangements were available, condition three was satisfied. The aircraft landed on runway 34L at 11:12pm.

**DETAILS OF DISPENSATION**

Date: Friday, 26 October 2007  
Aircraft: A320-200  
Registration: VH-VQV  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flight JQ427 was delayed taking off due to weather conditions into Coolangatta and the ground handling staff being evacuated from the Coolangatta tarmac due to lightning strikes. Available accommodation in Coolangatta was minimal with only 20 rooms found across six hotels for various flights. There were 156 passengers and 7 crew on board.

**Approved:** Yes

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. Condition one was met as the flight was delayed just prior to landing at Coolangatta and again a further delay on the tarmac upon arrival. Condition two was met as the tarmac was evacuated, due to lightning strikes, in accordance with safety legislation. This was an unforeseen event over which the airline had no control. Jetstar had called various hotels for accommodation, but could not get enough rooms for the 133 people on board. Given that no alternative arrangements were available, condition three was satisfied. The aircraft landed on runway 34L at 11:10pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 1 November 2007  
Aircraft: A320-200  
Registration: VH-VQK  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flight JQ748 was delayed in taking off from Launceston due to a cabin crew member suffering a serious medical incident requiring urgent ambulance attendance. The crew member was unable to be moved until ambulance staff arrived to safely move the crew member. This delayed the take-off and meant that the aircraft would not land in Sydney until after 11pm. There were 168 passengers on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

On this occasion the Delegate was satisfied that the circumstances met the criteria required to grant a dispensation as the application met all of the three general criteria required for consideration. Due to the nature of the incident (ie. injured flight attendant), and timing of the paramedics arrival, condition one was met. Condition two was met as this incident was of an unforeseen nature. As a result of the time of arrival of the paramedics and the lack of accommodation in Launceston, condition three was satisfied. The aircraft landed on runway 34L at 11:15pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 8 November 2007  
Aircraft: A320-200  
Registration: VH-JQG  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flight JQ747 was delayed in taking off due to a delay in the previous leg (Sydney - Launceston). Flight JQ747 was delayed in Sydney enroute to Launceston due to a Hydraulic Power Transfer Unit fault. The aircraft was advised to be unserviceable at 7:15pm and another aircraft was brought in to carry passengers to Launceston. Accommodation was sought for those passengers travelling to Sydney in Launceston, Hobart and Melbourne without success. There were 169 Passengers and 7 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. Given Jetstar had exhausted all reasonable options with aircraft and accommodation condition one was satisfied. Condition two was satisfied as the mechanical failure of the aircraft occurred prior to pushback on the previous leg and could not have been reasonably foreseen. Jetstar made all reasonable efforts by locating a replacement aircraft and then seeking accommodation for the passengers and crew in Launceston, Hobart and Melbourne but insufficient accommodation was available. Condition three was satisfied. The aircraft landed on runway 34L at 11:35pm.



**DETAILS OF DISPENSATION**

Date: Thursday, 15 November 2007  
Aircraft: B747  
Registration: VH-OJQ  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF31 was preparing for departure to London via Singapore when engineers located a fuel valve defect. The aircraft was unable to be refuelled until the valve defect was rectified. This was estimated to be able to be completed by 11:55pm. Normal procedure would be to overnight in Sydney, however attempts to find accommodation for the passengers and crew in the Sydney metropolitan area were unsuccessful. This aircraft was also carrying three live animals and ten tonnes of perishable freight which was already loaded on the aircraft ready for dispatch. There were 245 passengers and 20 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. The fuel valve was defective and had to be replaced. This was considered of immediate origin and met condition one. The malfunction on the fuel valve could not have been reasonably foreseen, therefore condition two was also satisfied. Condition three was met as this was an international flight and could not have been performed by any other aircraft. Qantas had made all reasonable efforts to find accommodation and could only find accommodation three and a half hours away. There was also livestock and perishables onboard. The aircraft departed on runway 16R at 11:56pm.

**DETAILS OF DISPENSATION**

Date: Wednesday, 28 November 2007  
Aircraft: A320-200  
Registration: VH-VQJ  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jestar flight JQ724 was originally delayed into Hobart from Sydney due to a defective weather radar system on the previous leg. Prior to departure for Hobart, it was requested that the weather radar be serviced for safety reasons as thunderstorms were in the vicinity. Further delays were encountered with security as passengers were recalled for their flight. The weather radar system was again defective enroute to Hobart and Avionics engineers were called. The Avionic engineers in Hobart fixed the weather radar and 11 tonnes of fuel was uplifted in case of a diversion to Melbourne or Avalon being required due to deteriorating weather. Flight JQ724 pushed back from Hobart at 9:48pm. There were 152 passengers (including 2 infants) and 7 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. Condition one was met as the mechanical problems occurred on the preceding sector causing delays and the aircraft was further delayed by more mechanical problems occurring enroute. The mechanical problems and loading of additional fuel for bad weather could not have been reasonably foreseen and therefore condition two was satisfied. Condition three was satisfied as Jetstar had tried to locate accommodation but due to a convention in Hobart, accommodation was scarce. The aircraft landed on runway 34L at 11:08pm.

**DETAILS OF DISPENSATION**

Date: Wednesday, 5 December 2007  
Aircraft: B747-400  
Registration: 9M-MPL  
Operator: Malaysia Airlines  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Flight MH140 was delayed departing Sydney due to a 20 minute delay in the previous leg (Malaysia - Sydney) with passport edit updates in Malaysia and a comlink problem. All passengers were on board ready for departure when the load control alerted the gate to a Qantas Telex link problem. Manual sheets had to be created for the Captain to sign before take-off. There were 256 passengers and 20 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. Condition one was satisfied in that the telex link failure was of immediate origin and had only just become known to the operator. The failure of the telex system that compiles passenger manifests and load sheets thirty minutes prior to curfew commencement could not have been foreseen, therefore condition two was satisfied. The circumstance was not considered to be able to be met by alternative arrangements with 276 passengers loaded, the holds closed and the ability to source manual load sheets reasonably quickly. The aircraft departed on runway 16R at 11:29pm.

**DETAILS OF DISPENSATION**

Date: Sunday, 9 December 2007  
Aircraft: B737-700  
Registration: VH-VBU  
Operator: Virgin Blue  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Flight DJ396 experienced delays in the previous leg (Sydney- Cairns) due to storms in Sydney which delayed departure. Inbound to Cairns, the pilot radioed ahead for 14 tonnes of fuel. Flight DJ396 encountered refuelling problems which caused a delay in the turnaround time by 15 minutes. The aircraft pushed back at 7:35pm. There were 107 passengers and 6 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

On this occasion the Delegate was satisfied that the circumstances met the criteria required to grant a dispensation for the late arrival of DJ396 into Sydney Airport. The storm delays and refuelling difficulties on the turnaround of the aircraft were immediate in nature. Condition two was satisfied due to refuelling difficulties on the turnaround which were beyond the control of the operator and were rectified quickly to allow the aircraft the best possible chance of arriving into Sydney before the curfew period commenced. Condition three was satisfied as the aircraft was on the tarmac and fully loaded and reasonable alternate arrangements would have been difficult to source. The aircraft landed on runway 34L at 11:12pm.

**DETAILS OF DISPENSATION**

Date: Friday, 21 December 2007  
Aircraft: Navajo Chieftain PA3  
Registration: VH-JRA  
Operator: AAS Charter  
Operation: Departure on runway 34

**REASONS FOR GRANTING A DISPENSATION**

A delay occurred due to passengers arriving late from a connecting mainstream flight. The pilot was on the runway awaiting departure when advised there were 30 knot tailwinds preventing safe operation on Runway 16R. Air Traffic Control directed the pilot to use runway 34L, but only after a runway-use dispensation was approved. The aircraft was a Navajo Chieftain PA-31 that has a maximum takeoff weight of 3, 175kgs. There were 3 passengers and 1 crew member on board.

**Approved:** Yes

**REASONS FOR APPROVAL**

The delegate was satisfied that this event was of immediate origin and of such character that it could not have reasonably been foreseen. The delay of the arriving passengers could not have been foreseen nor could have the unsafe winds which prevented runway 16R from being used for departure. The aircraft departed Sydney on runway 34L at 11:27pm.

**INDIVIDUAL DISPENSATION DETAILS FOR PERIOD:****10/10/07 - 1/02/2008****DETAILS OF DISPENSATION**

Date: Friday, 21 December 2007  
Aircraft: B737-800  
Registration: VH-VOD  
Operator: Virgin Blue  
Operation: Departure after 11pm

**REASONS FOR GRANTING A DISPENSATION**

Flight DJ894 experienced a delay in taking off due to a discrepancy between the final head count and the manifest just before departure. A manual count had been performed on three separate occasions resulting in differing results and had to be resolved prior to departure. There were 106 passengers and 7 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the application met all of the three general criteria required to grant a dispensation. The circumstances were considered to be of immediate origin as the aircraft was fully loaded and was ready for take-off. Condition two was satisfied as inconsistent head counts were a matter of security. A difference between the numbers on the manifest and those obtained from the head count were not expected to be different and was therefore not foreseeable. Virgin Blue advised that it had contacted hotels and was not able to source alternative accommodation for those on the plane. As such, Condition three was met. The aircraft departed Sydney on runway 34L at 11:24pm.

**DETAILS OF DISPENSATION**

Date: Wednesday, 26 December 2007  
Aircraft: B767-300  
Registration: VH-ZXA  
Operator: Qantas  
Operation: Arrival after 11pm

**REASONS FOR GRANTING A DISPENSATION**

Shortly prior to QF566 arriving into Perth at 2:45am (WA local time) several Qantas aircraft became unserviceable, with more becoming unserviceable while QF566 was taxiing to its designated bay. The unserviceable aircraft caused available aircraft parking bays to become blocked and as such, QF566 was kept standing on the taxiway until a bay could be cleared (approximately 4:48pm WA local time, two hours after arrival). This delay meant that the aircraft's turn around time was pushed back. The new departure time was 5:30pm (WA local time), therefore pushing back arrival into Sydney to approximately 11:30pm (NSW local time). There were 246 passengers on board.

**Approved:** Yes

**REASONS FOR APPROVAL**

The circumstance was considered to be of an immediate origin as the situation had only become known to the operator just as QF566 arrived at Perth. The operator could not have reasonably foreseen several aircraft becoming unserviceable and causing delays and congestion. The circumstance was not considered to be able to be met by alternative arrangements. Qantas had already accommodated many hundreds of stranded passengers in Perth due to the other aircraft unserviceability. Based on passenger loads from the B747 and B737 confirmed as unserviceable, accommodation in Perth was unavailable for an additional 246 people. Accordingly, condition three was also met. The aircraft arrived at Sydney on runway 34L at 11:27pm.

**DETAILS OF DISPENSATION**

Date: Thursday, 10 January 2008  
Aircraft: B747-400  
Registration: VH-OJG  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF1 to Bangkok encountered a defect alert on one of its doors after pushback which required an engineer to attend to rectify the problem before the aircraft would be able to depart. The engineer fixed the defect while the aircraft was on the tarmac. There were 349 passengers and 19 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the circumstances met all three criterion required to grant a dispensation on this occasion. The circumstance was seen to be of immediate origin as the aircraft was on the taxiway preparing to take-off when the alarm sounded. The mechanical fault could not have reasonably been foreseen by the operator and at the late stage of the evening the delegate deemed it would be extremely difficult for alternative arrangements to be made. Qantas was only able to source 90 rooms for 368 passengers and crew. The flight departed on runway 16R at 11:24pm.



**DETAILS OF DISPENSATION**

Date: Friday, 18 January 2008  
Aircraft: B747-300  
Registration: VH-EBW  
Operator: Qantas  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

A mechanical failure of the leading edge flap, which is required for safe operation of the aircraft, was found on flight QF583 just prior to departure to Perth late in the evening. The aircraft was deemed unserviceable. A Qantas aircraft had arrived in Sydney (VH-EBW) which was capable of undertaking the leg to Perth after an extremely short turnaround. There were 380 passengers and 18 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

On this occasion the Delegate was satisfied that the circumstances met the criteria required to grant a dispensation for the late take-off of Qantas Flight QF583 from Sydney Airport. The circumstance was considered to be of an immediate origin as the situation had only become known just prior to departure in the late hours of the evening. A mechanical failure of the leading edge flap could not have reasonably been foreseen prior to the pre-push back checks. The aircraft was deemed unserviceable for safety reasons until repairs or a replacement aircraft could be found. The circumstance was not considered to be able to be met by alternative arrangements except for the alternate aircraft. Qantas was unable to source accommodation for the 398 passengers and crew on board. The flight departed Sydney Airport on runway 16R at 11:27pm.

**DETAILS OF DISPENSATION**

Date: Sunday, 20 January 2008  
Aircraft: B737-800  
Registration: VH-VYD  
Operator: Qantas  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

On the previous leg (Sydney to Brisbane) delays had been caused by weather and fuel supply issues. Qantas flight 559 from Brisbane to Sydney was scheduled to depart Brisbane on time to ensure arrival in Sydney before 11pm. A passenger collapsed while boarding in Brisbane on Qantas flight 559 to Sydney which caused a delay in taking off. There were 116 passengers and 9 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

On this occasion the Delegate was satisfied that the circumstances met the criteria required to grant a dispensation as the application met all of the three general criteria. The delays were seen as immediate in origin. While weather and fuel delays were not immediate, the aircraft was still expected to make the curfew until the medical emergency occurred during boarding which could not have been reasonably foreseen. Qantas had not called around accommodation preferring to instead expedite the departure of the aircraft. Delegate considered the fact that the applicant was trying to mitigate the delay and that the margin into the curfew period was expected to be minimal. The flight arrived at Sydney Airport on runway 16L at 11:09pm.

**DETAILS OF DISPENSATION**

Date: Monday, 28 January 2008  
Aircraft: B737-BBJ  
Registration: A36-001  
Operator: Royal Australian Air Force, Squadron 34  
Operation: Arrival before 6am

**CIRCUMSTANCES LEADING TO REQUEST**

The Royal Australian Air Force was granted a dispensation on 28 January 2008 to allow the Government's Special Purpose Aircraft (Boeing Business Jet) to land at Sydney Airport before 6am for the uplift of 2 Australian VIPs for immediate departure to Indonesia. The reason for the flight was to ensure that Australian Government representation was able to attend the Suharto funeral in Indonesia, scheduled at short notice. There were 2 passengers and 12 crew members on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

To ensure that Australian Government representation was able to attend the Suharto funeral arranged at short notice according to local custom and religious beliefs. The aircraft arrived on runway 34L at 5.01am. Departure was at 6.18am after curfew ended.

**INDIVIDUAL DISPENSATION DETAILS FOR PERIOD:****10/10/07 - 1/02/2008****DETAILS OF DISPENSATION**

Date: Tuesday, 29 January 2008  
Aircraft: B747-400  
Registration: HSTG2  
Operator: Thai Airlines  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

In the previous sector, the Thai Airlines aircraft suffered a bird strike while on arrival into Sydney Airport (9:28pm) which damaged one of the aircraft's wing-flaps. Engineers were in the process of repairing the wing-flap when they advised the aircraft would not be available for its scheduled departure time of 10:15pm and there be about a minor delay before passengers could be loaded. There were 263 passengers and 22 crew on board.

**Approved: Yes**

**REASONS FOR APPROVAL**

The Delegate was satisfied that the circumstances met the criteria required to grant a dispensation as the application met all of the three general criteria required for consideration. The circumstance was considered to be of an immediate origin as the situation occurred on arrival into Sydney. The circumstance of a bird striking and causing damage to the plane was considered to be of such a character that it could not have reasonably been foreseen. Thai Airlines had advised that it was not able to source rooms to accommodate all the passengers booked on this flight. The flight departed Sydney Airport on runway 16R at 11:14pm.

## **DISPENSATIONS NOT APPROVED**

**INDIVIDUAL DISPENSATION DETAILS FOR PERIOD: 10/10/2007 - 1/02/2008**

### **DETAILS OF DISPENSATION**

Date: Wednesday, 10 October 2007  
Aircraft: Not advised  
Registration: Not advised  
Operator: Air Tahiti Nui  
Operation: Arrival before 6am

### **CIRCUMSTANCES LEADING TO REQUEST**

Due to industrial dispute action in Tahiti, Air Tahiti Nui requested an early arrival into Sydney Airport, at approximately 4:50am (normally arrives at 6:05am), which would allow the flight to depart Tahiti before the industrial action commenced. Passenger numbers were not provided.

**Approved: No**

### **REASONS FOR DISAPPROVAL**

The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Thursday, 11 October 2007  
Aircraft: B737-800  
Registration: VH-VYD  
Operator: Qantas  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Melbourne experienced an unforeseen weather change at approximately 8pm, which caused air traffic congestion on the ground and in the air. Due to this congestion, Qantas Flight QF490 left Melbourne 50 minutes late and requested a dispensation to arrive in Sydney no later than 11:20pm. Passenger numbers were not advised.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The adverse weather at Melbourne was not considered exceptional as the condition was known to the operator prior to the aircraft leaving Melbourne. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Monday, 22 October 2007  
Aircraft: CL850  
Registration: VH-LEF  
Operator: Air National Australia  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Air National Australia requested to depart Sydney Airport at approximately 1:00am with a CL850 aircraft. The request was due to the aircraft being diverted to Sydney Airport as a result of weather. The aircraft had originally planned to operate into Bankstown Airport. There were 13 passengers and 4 crew on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The weather circumstances were known to the operator several hours prior to the commencement of the start of curfew. Due to the small number of crew and passengers on board and the prior knowledge of the issue, the operator had ample time to organise alternative arrangements. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Thursday, 25 October 2007  
Aircraft: B737-800  
Registration: VH-VUJ  
Operator: Virgin Blue  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Virgin Blue flight DJ882 was delayed on the previous route inbound to Melbourne due to Airport Air Traffic Control staff shortages. These delays meant that flight DJ899 (Melbourne to Sydney) would be due to arrive into Sydney after 11pm. There were 84 passengers and 6 crew on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The application did not meet the exceptional circumstances criteria.



**DETAILS OF DISPENSATION**

Date: Thursday, 25 October 2007  
Aircraft: B737-700  
Registration: VH-VBP  
Operator: Virgin Blue  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Delays in the previous leg inbound to Melbourne due to Air Traffic Control staff shortages meant that flight DJ895 (Melbourne to Sydney) would be due to arrive into Sydney after 11pm. There were 71 passengers and 6 crew on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Sunday, 11 November 2007  
Aircraft: MD-11(F)  
Registration: N255UP  
Operator: United Parcel Service  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

The United Parcel Service flight arrived in Sydney at 6:14pm with a number 2 engine starter problem. After the mechanics investigated the issue, they discovered that the number 2 engine starter assembly had to be replaced. Further problems with equipment required for the removal of the engine caused more of a delay. The estimated time of departure by the United Parcel Service aircraft was after midnight. There was cargo, 1 passenger and 2 crew members on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The mechanical issue was first identified at 6:30pm therefore not of immediate origin. The requested departure time was 12:45pm, one hour and forty five minutes after the commencement of the Sydney airport curfew. This was not unforeseen circumstances and the accommodation arrangements for three people in Sydney would have been easily found. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Thursday, 15 November 2007  
Aircraft: B747-400  
Registration: N409MC  
Operator: Atlas Air  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Atlas Air encountered a mechanical fault on landing at 4:24pm. Unserviceable components had not been replaced in time, and there was insufficient time to allow a departure prior to the curfew. Passenger and crew numbers not provided.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The late departure of the aircraft out of Sydney as it was not immediate in nature and was not an unforeseen event. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Friday, 30 November 2007  
Aircraft: A320-200  
Registration: VH-VQV  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flight JQ918 was diverted to Townsville with a medical emergency at 7:42pm with the passenger taken to hospital. Four other Jetstar flights had also been cancelled during the day which caused passenger congestion. Due to the level of disruption, Jetstar had to move quite a number of passengers onto other aircraft. Jetstar sought a dispensation to operate into Sydney by no later than 11:10pm. There were 160 passengers and 7 crew members on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The disruption to the aircraft was a network issue relating to events earlier in the day allowing sufficient time for alternative arrangements to be made. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Monday, 3 December 2007  
Aircraft: A330-300  
Registration: VH-EBB  
Operator: Jetstar  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flights between Sydney and Denpasar had operated behind schedule due to a mechanical problem that occurred the day before, i.e. on Sunday 2 December. Jetstar arrived in Sydney on Monday 3 December 1.29 hours late (at approximately 10:45pm) and requested a dispensation for flight JQ37 to depart Sydney after curfew. The mechanical problem had caused a 1.30 hour delay and the arrival into Denpasar was subject to a further delay as a result of the Indonesian President taking precedence in landing. There were 275 passengers and 9 crew members on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The Delegate was not satisfied that this circumstance was of immediate nature or an unforeseen event as all of the delays occurred on previous sectors over a period of over 24hrs. Jetstar was aware of the problem well in advance of the curfew period in Sydney. Jetstar had sufficient time to make alternative arrangements due to the knowledge of the delays which occurred on the previous sectors. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Friday, 7 December 2007  
Aircraft: A320-200  
Registration: VH-VQY  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar advised flight JQ427 was delayed from Sydney to Coolangatta due to ground handling staff being removed from the tarmac in Sydney earlier in the evening due to storm activity. The flight did not arrive in Coolangatta until 8:12pm (one hour and ten minutes late). The aircraft suffered a lightning strike enroute and as such, required an engineering inspection at Coolangatta. This meant that the return leg to Sydney would be delayed and a request for dispensation for no later than 11:15pm. There were 164 passengers on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The delays were from previous sectors and thus were not considered to be of immediate origin and the Delegate felt that condition one was not satisfied. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Sunday, 16 December 2007  
Aircraft: A330-300  
Registration: BLAF  
Operator: Cathay Pacific  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Cathay Pacific contacted the operations centre 8.5 hours prior to curfew to apply for a dispensation due to a delay to Cathay Pacific flight CX138 occurring in Hong Kong on the previous leg. The delay was caused as a result of the need to unload a sick passenger. There were 211 passengers and 13 crew members on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

On this occasion the delegate determined that the application did not satisfy the immediate origin requirement nor did the application satisfy the criteria that the event could reasonably have been met by alternative arrangements. As there was enough time (8.5 hours) prior to curfew commencement for alternative arrangements to be put in place this dispensation request was not approved. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Friday, 21 December 2007  
Aircraft: B767-300  
Registration: VH-ZXF  
Operator: Qantas  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Melbourne experienced heavy rain at approximately 8.30pm which delayed the original departure of Qantas flight QF492 to Sydney. The rescheduled flight was to arrive in Sydney just prior to curfew, but 30 knot winds were stronger than forecast meant the flight would arrive just after the curfew period. There were 163 Passengers and 11 Crew on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The initial delay to depart from Melbourne was weather related. The weather system was well established with a front having moved through earlier in the day and thus delays could have reasonably been foreseen. The application did not meet the exceptional circumstances criteria.



**DETAILS OF DISPENSATION**

Date: Friday, 28 December 2007  
Aircraft: A320-200  
Registration: Unknown  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Due to an earlier white powder incident involving another aircraft in the Jetstar fleet (incident occurred approx 11:30am) there were significant delays in Jetstar's flight networks. The flow on effect from this incident meant the flight JQ427 (Coolangatta to Sydney) was delayed. Jetstar requested a late arrival into Sydney no later than 11:35pm. There were 165 passengers and 7 crew on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The circumstances were not of immediate origin and could have been reasonably foreseen allowing for alternative arrangements to be made. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Wednesday, 2 January 2008  
Aircraft: B737-800  
Registration: ZK-PBD  
Operator: Pacific Blue  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

The Pacific Blue aircraft struck its tail on the runway while taking off from Sydney airport on 1 January 2008. Accordingly the aircraft tail subsequently required repairs. The aircraft was expected to be ready for use at 11pm and it was estimated that it could be ready for departure by 11:30pm. There were 148 passengers and 6 crew members on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The incident occurred on 1 January 2008, a full day prior to this curfew period. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Friday, 4 January 2008  
Aircraft: A320-200  
Registration: VH-VQT  
Operator: Jetstar  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Due to weather Jetstar flight JQ427 travelling Sydney to Coolangatta was diverted to Brisbane where the passengers were off-loaded. Jetstar requested that this aircraft be allowed to arrive in Sydney during the curfew to reposition without any passengers to facilitate operations from Sydney the following day. There were 5 crew members on board.

**Approved:** No

**REASONS FOR DISAPPROVAL**

The repositioning the aircraft is not an accepted reason for granting a dispensation for a late arrival into Sydney. Weather had also been a factor in delays throughout the afternoon and thus was foreseeable. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Wednesday, 16 January 2008  
Aircraft: B747-400  
Registration: N8187  
Operator: United Airlines  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

United Airlines flight UA863 departed San Francisco a day late due to mechanical problems. This flight was due in Sydney at approximately 10:20pm, but encountered weather problems over the Pacific. The aircraft was carrying 333 passengers and 19 crew members on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The aircraft had been delayed due to a mechanical problem the day before the weather experienced should have been foreseen through meteorological forecasts. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Sunday, 20 January 2008  
Aircraft: unknown  
Registration: unknown  
Operator: Qantas  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Qantas flight QF492 (Melbourne to Sydney) was delayed earlier in the evening in Sydney on the previous leg due to weather and fuel issues. Qantas proposed a landing in Sydney just after the curfew start. It is not known how many passengers were on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

Weather had been a factor in delays from earlier in the evening and was known to Qantas. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Thursday, 31 January 2008  
Aircraft: A340-500  
Registration: A6-ERG  
Operator: Emirates  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Due to severe weather in Sydney, Emirates flight EK413 from Christchurch diverted to Melbourne to refuel. Emirates was planning to return to Sydney to resume its scheduled service to Dubai, and sought a dispensation for departure at 12.15am on 1 February 2008. There were 232 passengers and 18 crew members on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The aircraft was diverted earlier due to extreme weather in Sydney and thus the applicant was reasonably able to foresee the aircraft's late departure from Sydney. The application did not meet the exceptional circumstances criteria.

**DETAILS OF DISPENSATION**

Date: Thursday, 31 January 2008  
Aircraft: A340-500  
Registration: A6-ERG  
Operator: Emirates  
Operation: Arrival after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Emirates flight EK413 from Christchurch diverted to Melbourne to refuel before flying back to Sydney was placed in a holding pattern above Sydney. Emirates requested a dispensation as the majority of the passengers had transfer connections to Europe and would have been affected for the next 48 hours if the flight was not allowed to land in Sydney. There were 232 passengers and 18 crew members on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

On this occasion the Delegate was not satisfied that the circumstances met the criteria required for issue of a Curfew Dispensation for the late arrival of the aircraft into Sydney. The aircraft was diverted earlier in the evening. It was felt the applicant was reasonably able to foresee the aircrafts late arrival into Sydney and also, given the weather-related delays and traffic congestion at Sydney, was able to reasonable foresee the inability to land at Sydney before curfew. Alternative arrangements could have been made in Melbourne. The application did not meet the exceptional circumstances criteria.

**INDIVIDUAL DISPENSATION DETAILS FOR PERIOD: 10/10/2007 - 1/02/2008**

**DETAILS OF DISPENSATION**

Date: Friday, 1 February 2008  
Aircraft: A320-200  
Registration: VH-VQQ  
Operator: Jetstar  
Operation: Departure after 11pm

**CIRCUMSTANCES LEADING TO REQUEST**

Jetstar flight JQ627 was diverted to Canberra due to severe weather at Sydney airport throughout the evening. On arrival at Canberra, Jetstar was advised ground crew had been evacuated due to an electrical storm and it experienced further delays in Canberra as there were problems sourcing the correct refuelling equipment. Once the flight had arrived in Sydney, Jetstar advised there had been many other flight cancellations in Sydney and that hotel rooms were limited. A request for a late departure from Sydney to Avalon no later than 11:30pm was made. There were 154 passengers and 4 crew on board.

**Approved: No**

**REASONS FOR DISAPPROVAL**

The aircraft was diverted earlier in the evening the applicant was able to reasonably foresee the requirement for a dispensation and was also able to make alternative arrangements. The application did not meet the exceptional circumstances criteria.