Veteran helicopter pilots call on CAA to lower its 500ft rule in mountain passes



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Pilots have called for a change to helicopter altitude limits, saying that restricting operations to a minimum of 500ft is unsuitable for New Zealand's mountainous terrain.

New Zealand Helicopter Association (NZHA) chairman Scott McKenzie told the *Herald* that he planned to raise the matter with the Civil Aviation Authority (CAA).

Current CAA rules say pilots can't fly lower than 500ft above ground level unless there's a "bona fide purpose", such as during police operations, on search and rescue missions or when inspecting powerlines.

McKenzie does not think the rule is suitable for New Zealand's geographically diverse and meteorologically changeable flying environment.

"In mountainous terrain, when it's windy, it's actually safer to fly closer to the terrain," he said.

Flying closer to mountainous terrain, particularly on the windward side of a hill, provided some protection.

He likened flying with the wind behind a helicopter to water hitting a rock in a river – the flow is smoother as it approaches the obstacle but more turbulent when it passes.

"I think the rule needs to be changed to allow for flying in mountainous terrain. I would be a proponent of [a minimum height of] about 200ft through passes."

When flying in passes – the saddles between two mountain peaks – it was often difficult to fly at 500ft, especially if clouds were at 400ft.

He did not believe a lower minimum would compromise safety.

The CAA told the *Herald* it was open to hearing the NZHA's perspectives on the issue, but emphasised that the minimum height rules were designed to provide time for pilots to react if they experienced an emergency or needed to take evasive action.

"Minimum heights help provide time and space to recognise and respond to unexpected hazards, including terrain, wires and other obstacles, as well as aircraft or engine problems.

"CAA would welcome hearing the association's evidence and operational perspectives."

McKenzie, who served in the Royal New Zealand Air Force for nearly 22 years and obtained the highest instructional qualifications for helicopters and fixed-wing aircraft, said advances in helicopter engines and stringent maintenance regimes meant mechanical issues were "very rare".

"I think there's room to adjust that [CAA] rule to make it safer in mountainous terrain with the weather we have in New Zealand. Do I think it's inherently unsafe to fly below 500ft? No, I've done lots of it myself."

He emphasised that pilots needed to balance risk according to the situation and shouldn't, for example, fly low if transporting a family from Auckland's Mechanics Bay to Waiheke Island.

But if the purpose of the flight was to photograph a boat in a harbour, flying below 500ft could be justified, if only essential people, such as the photographer, were on board.

One of the country's most experienced and respected helicopter pilots, John Funnell – now mayor of Taupō – told the *Herald* that flying below 500ft was common around the world, and in New Zealand.

"You can operate very safely below 500ft, and in bad weather, provided you slow down and keep some other options open".

Funnell, who spent 49 years doing search and rescue operations, and was also an agricultural spray pilot, said, "Most of my life has been below 500ft … and I'm alive."

In August, the *Herald* revealed details of a crash involving a Southern Lakes (SL) helicopter in Fiordland National Park.

The *Herald*'s investigation showed the helicopter was flying low in Murrells Pass in blizzard conditions moments before a "hard landing", in which five tourists and a pilot were left stranded before another helicopter came to the rescue.

After the incident, the company made multiple safety changes and paid reparations to passengers after the CAA identified "serious" failures in its operations, flight planning and auditing of pilots.

A summary of events, detailed in an enforceable undertaking signed by SL and the CAA in January this year, said the helicopter was flying below 500ft, and visibility was limited to the point where the pilot couldn't see beyond 500-700m.

Data obtained by the *Herald* under the Official Information Act (OIA) showed that, before the crash, the helicopter's GPS indicated that 15 of its previous 34 flights may have been below 500ft for sustained periods.

"Some" flights may also have taken place in weather that was unsafe or below meteorological minimums, the CAA said in its OIA response.

However, the CAA said that, despite its analysis, it could not confirm whether any of those flights were against regulations.

"That analysis did not, by itself, establish that those flights breached the rules: GPS altitude and terrain information have limitations, and some operations may lawfully take place below the usual minimum height."

Similarly, the agency said forecast weather did not establish the precise conditions encountered during a flight.

While the CAA's examination of the helicopter's GPS was not enough for it to make findings, the agency had clear advice when asked about safety in general: "Our message to all operators is consistent: safety margins, weather minima, flight planning and compliance with the applicable rules must never be treated as optional."

McKenzie said conversations about the Southern Lakes accident were part of the reason he wanted to discuss altitude limitations with the CAA.

In the United States, helicopters are exempt from the 500ft minimum altitude rule.

Helicopter pilots there can fly below 500ft if they don't present a hazard to people or property.

New Zealand Defence Force (NZDF) fixed-wing aircraft and helicopters operate under rules governed by their own regulator, the Defence Aviation Authority.

The NZDF said fixed-wing aircraft could fly down to 250ft, and helicopters as low as 100ft, and sometimes even lower when flying in military operating areas.

The CAA said differences between countries' rules did not, by themselves, establish that one approach was safer.

About 900 helicopters operate in New Zealand, which has one of the highest per capita concentrations of helicopters in the world.

Michael Morrah is a senior investigative reporter/team leader at the *Herald*. He won News Journalist of the Year at the 2025 Voyager Media Awards and has twice been named reporter of the year at the NZ Television Awards. He has been a broadcast journalist for 20 years and joined the *Herald*'s video team in July 2024.

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