
The Provision of Air Traffic Services at Aerodromes

CAA Policy

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Purpose Statement

The attached policy addresses a “regulatory gap” that was identified in the late 1990s when the Airways Corporation first began to withdraw air traffic services from provincial (and mostly uncertificated) airports where historically a level of ATS had been provided. It was found that the CAA, as the air traffic services authority, lacked the necessary powers to respond effectively to safety issues when such a response was considered necessary to maintain an acceptable level of safety in operations in airspace at aerodromes.

This paper describes the background to the development of the policy and the problem that it seeks to address. The combination of policies, rules and advisory material will provide a regulatory structure for the provision of ATS that is consistent with the existing scheme, allocating responsibilities to the appropriate participants in the civil aviation system - aerodrome operators, air operators, air traffic service providers and the CAA.

This policy was approved by the Operations Executive Committee of CAA on 24 August 2005 and is now official CAA policy. It will now enter the rule making process.

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The Provision of Air Traffic Services at Aerodromes

Summary of Policy Provisions

It is CAA policy that:

- Thresholds for the provision of ATS at aerodromes, based on levels and types of movements, are to be established in the Civil Aviation Rules;
- The aerodrome operator is to be responsible for ensuring the provision of ATS at that aerodrome, in accordance with the established thresholds;
- The approval specifications for the aerodrome shall specify the arrangements for the provision of the required level of ATS and its ongoing monitoring;
- Air operators shall be prohibited from using aerodromes where ATS is required, but for whatever reason, is not being provided;
- Where an aerodrome is not already certificated, it shall be required to become certificated (or take other measures) if movements at that aerodrome reach the threshold for provision of any level of ATS;
- Aerodrome operators shall have the option of initiating an aeronautical study to determine the levels of risk at that aerodrome and identify possible alternatives to the provision of ATS;
- The Director shall have the option of conducting a study if he considered ATS to be necessary even though the threshold may not have been reached;
- Methodology for aeronautical studies is to be published in an Advisory Circular;
- All aerodromes with movements above a defined threshold, or when otherwise required by the Director, are to maintain data on aircraft movements at that aerodrome, and supply the data to the Director.

1. Purpose

This paper sets out the policy to be incorporated into a regulatory framework for the provision of Air Traffic Services (ATS) at aerodromes. Other issues, such as the provision of navigation aids, will be considered separately at a later date.

2. Statement of Problem

The CAA is uncertain of the level of risk that exists at specific aerodromes in New Zealand. It is possible that at some aerodromes the level of risk is excessive by comparison with overseas benchmarks.

If the CAA becomes aware that an unacceptable level of risk exists at a particular aerodrome and determines that a certain level of ATS is required at that location, the Director of Civil Aviation does not have the regulatory authority to ensure that that level of service is provided.

The absence of a clear policy and regulatory framework has led to a primarily reactive and ad hoc approach to dealing with safety issues. This approach inhibits the ability of industry participants to plan with certainty.

New Zealand is possibly in breach of its international obligations which, amongst other things, require the State to determine the need for ATS and ensure that the appropriate level of service is provided. These requirements include the implementation of systematic and appropriate ATS safety management programmes at aerodromes.

3. Background

Since its establishment in 1987, the Airways Corporation of New Zealand (ACNZ) has provided ATS on a commercial basis in domestic airspace and within the international airspace for which New Zealand has responsibility. It has also provided ATS at a number of aerodromes, although in the past 12 years uneconomic services have been withdrawn or reduced at a number of locations, with other mooted changes in service level not yet given effect. To address these problems, in August 1997 the CAA published an Airspace Policy document focused particularly on the provision of ATS at certificated aerodromes. In October 2000 CAA distributed a consultation paper outlining the still unresolved policy issues and seeking input on them. The results of that consultation were summarised and released to industry on 20 December 2001.

A consultative paper entitled “The Provision of Air Traffic Services at Aerodromes” was distributed to industry for comment on 3 December 2004. Twenty one submissions were received from industry. They have been considered and where appropriate incorporated into this policy.

4. The provision of air traffic services in New Zealand

Airspace in New Zealand is designated on the basis of the ICAO airspace classification system. The designation determines the mix of air traffic that can be expected within that airspace and the level of air traffic service provided. ATS is provided in order to prevent collisions, either between aircraft or between aircraft and obstructions on the ground, and to expedite and maintain an orderly flow of air traffic. There are two main types of ATS: air traffic control services and flight information services.

Air traffic control includes:

- *area control* (for control of air traffic in upper airspace and the en-route portion of a flight)
- *approach control* (for the control of traffic within terminal airspace) and
- *aerodrome control* (for the control of traffic within the vicinity of the aerodrome).

Flight information includes:

- *area flight information services which provide alerting and flight information to pilots around the country as they require it, and*
- *aerodrome flight information services which provide information (such as the preferred runway, weather conditions, and traffic information) to aerodrome traffic.*

All these services are currently provided by the ACNZ.

5. Present policy and regulatory framework for the delivery of ATS at aerodromes

Responsibilities of the Minister

Under Section 14 of the Civil Aviation Act, the functions of the Minister are to undertake the Minister's functions in such a way that contributes to the aim of achieving an integrated, safe, responsive and sustainable transport system, and to ensure that New Zealand's obligations under international civil aviation agreements are implemented. The Minister is also responsible under section 14A of the Act for the administration of New Zealand's participation in the Convention on International Civil Aviation (the Chicago Convention).

Amongst other things, Annex 11 of the Convention requires States to determine those portions of airspace and those aerodromes where ATS will be provided and to ensure that those services are provided. In fulfilling this responsibility States are required to implement ATS safety management programmes which include establishing acceptable levels of safety at aerodromes. Annex 11 to the Convention prescribes standards and recommended practices in relation to ATS.

Responsibilities of the CAA

Each State is required to designate the authority responsible for providing ATS and the Minister has designated CAA as the Air Traffic Services Authority for New Zealand. Although the CAA does not *provide* ATS it has been designated on the basis that it is responsible for the safety regulation of the aviation system, including the airways elements.

In the case of international aviation, the obligation to provide ATS is met through a Letter of Agreement made between the Director of Civil Aviation and ACNZ. ACNZ, as the sole provider, undertakes to provide at least those air traffic services and facilities specified in the ICAO Asia and Pacific Regional Air Navigation Plan. The Plan provides for full ATC at the three designated international aerodromes: Auckland, Wellington and Christchurch. It does not include other aerodromes serving international aviation.

For aerodromes not specified in the Regional Air Navigation Plan there are no provisions in the Agreement to require that a particular level of ATS is provided unless that aerodrome is certificated under Part 139, and then only in respect of aerodrome flight information service or aerodrome control.

In terms of Rule Part 71, the Director of Civil Aviation is also responsible for the Designation and Classification of airspace.

Responsibilities of ACNZ

As a State Owned Enterprise, ACNZ's principal objective is to be a successful business. This means that the ACNZ has to be as profitable and efficient as comparable businesses that are not owned by the Crown but it is also required "to exhibit a sense of social responsibility by having regard to the interests of the community in which it operates and by endeavouring to accommodate or encourage these when able to do so." (State Owned Enterprises Act 1986 section 4).

Under section 99 of the Civil Aviation Act, the ACNZ is the only organisation entitled to provide area control, approach control and [area] flight information services. In addition, ACNZ provides an aerodrome control service at 17 aerodromes in New Zealand. It also

provides an aerodrome flight information service at Milford aerodrome. Although aerodrome control services and aerodrome flight information services are contestable under the Act, no other providers have come forward to provide them except for a short time.

Section 35 of the Civil Aviation Amendment Act 1992 provides for the repeal of the statutory monopoly provisions of section 99 on a date to be advised by Order in Council. No such Order has been issued and the provisions are still in effect.

Civil Aviation Rule Part 172 specifies requirements relating to the certification of ATS organisations. ACNZ is a certificated provider under Part 172. The rule provides for the regulation of a service *if* an ATS organisation seeks to provide that service; it does not create an *obligation* to provide a particular service or to continue the service once it has commenced.

Note: - The rule is written such that more than one provider can be certificated so as to enable the competitive market for ATS services foreshadowed by the section 35 Act amendment mentioned above.

Responsibilities of air operators

Civil Aviation Rules Parts 121 and 125 prescribe the operating requirements for operators of large and medium aircraft respectively. Part 121 operators may only operate into certificated aerodromes unless they are alternate aerodromes, but there is no obligation on an operator to ensure that a particular level of air traffic service is provided in respect of that operation.

Responsibilities of aerodrome operators

Rule Part 139 specifies requirements for the certification of aerodromes. Aerodromes are required to be certificated if they service regular air transport operations by aeroplanes with a certified seating capacity of more than 30 passenger seats. Of approximately 100 aerodromes listed in the NZ Aeronautical Information Publication, only 26 are certificated. If an aerodrome is certificated under Rule Part 139, the Director of Civil Aviation may specify that an air traffic service (aerodrome control or AFIS) shall be provided. Currently there is no provision in the Rules for the Director to require an air traffic service to be provided at other than certificated aerodromes.

CAA Airspace Policy Document 1997

In 1997 the CAA, in consultation with ACNZ and others, published a policy document setting out, amongst other things, the criteria for provision of air traffic services at aerodromes. The document provides a statement of policy as to the thresholds above which CAA will require various levels of ATS at *certificated* aerodromes. The document provides that if an aerodrome operator submits that that level of ATS is not necessary, they can conduct an aeronautical study at that aerodrome. The document also specifies the process for conducting those studies. It does not deal with the issue of ATS provision at *non-certificated* aerodromes, where the Director of Civil Aviation has no mechanism for requiring either an assessment or the provision of a particular level of ATS. The document has no regulatory “teeth” and does not address the issue of how decisions made on the basis of the policy will be applied and enforced.

6. Current policy outcomes

It is possible that operations are currently being conducted at some aerodromes where the level of collision risk is excessive by comparison with overseas benchmarks or there is at least uncertainty over the level of risk.

In at least one case (Gisborne) there is uncertainty over the continuance of a service. ACNZ notified an intention to withdraw services at Gisborne with effect from July 1999 because the principal air transport operator had advised that it considered the services to be unnecessary. Following an aeronautical study ACNZ decided to continue services pending resolution of issues associated with the regulatory framework.

In another case (Taupo) the CAA has recently assessed the level of service to be provided following an Aeronautical Study and submissions from industry. (The 1997 policy document specifies the elements of an Aeronautical Study for determining appropriate levels of ATS but this cannot be enforced and it has been subject to challenge.)

Safety issues arising at specific locations have been dealt with through a variety of ad hoc processes, including in one instance resort to emergency rulemaking (following the withdrawal of the aerodrome control service at Ardmore). Such reactive processes can lead to tensions with the parties concerned. To assist the orderly development of aviation activity it is important that civil aviation participants be able to plan their operations with more certainty regarding the likely future air traffic and airspace requirements.

7. Key issues considered

A number of issues had to be considered in developing this policy: These fall into two main areas: determining the appropriate level of service and ensuring that the appropriate level of service is provided.

Determining the appropriate level of service

A formal and structured process is needed for determining the particular level of air traffic service that should be provided at a specific location. This process needs to include:

- criteria for establishing thresholds for the provision of ATS,
- the role of aeronautical studies within the regulatory framework and the methodology for conducting them,
- mechanisms ensuring that information is provided on air traffic movements.

Ensuring that the appropriate level of service is provided

Having determined the appropriate level of air traffic service that *should* be provided a regulatory mechanism is necessary for ensuring that it *will* be provided. Options considered included:

- relying on the ATS “market” to provide the appropriate level of service
- making the ACNZ responsible for providing ATS at particular aerodromes if this has been determined as necessary on safety grounds
- making the aerodrome operator responsible for providing ATS at that aerodrome if this has been determined as necessary on safety grounds

- placing the responsibility on air operators to ensure an appropriate level of ATS is provided at those aerodromes they seek to operate to.

Consideration also needs to be given to on-going monitoring of the service, once it is commenced.

8 Discussion of Issues and Approved Policy

Each issue is discussed below, followed in each case by the policy in italics.

Establishing Thresholds for the provision of ATS

It is clear that for the proposed regulatory system to work there must be an objective framework for assessing the level of collision risk at particular aerodromes and for determining a threshold for the provision of ATS.

This framework would have a number of elements and inputs including:

- activity data relating to operations at any particular location,
- formula for risk analysis and for cost/benefit calculations,
- target levels of safety,
- consideration of options other than ATS that may be employed to meet the target levels of safety.

Such a framework would allow a consistent approach to be taken at all aerodromes.

The aviation safety regulatory authorities of Australia, Canada and the USA all use collision risk formulae combined with cost benefit analysis techniques to establish target levels of airspace safety and hence the appropriate level of ATS at particular aerodromes.

Considerable work is being done to develop acceptable levels of safety and associated targets and thresholds for the provision of ATS in the New Zealand context. The 1997 CAA ATS and Airspace Policy Paper (the “1997 ATS Policy”) specifies the levels of ATS which are required at any aerodrome when the movement levels relevant to that type of ATS are reached. These levels have been updated to align with Australia and Canada where practicable, and are referenced in **Appendix 1** of this paper. Subject to industry consultation and the further development of aeronautical study methodology, including consideration of the value of AFIS, and the possible inclusion of UNICOM, those levels should be mandated in the rules.

Policy

The rules shall prescribe the level of ATS to be provided at aerodromes. The levels given in Appendix 1 of this paper could be the basis for prescribing this, subject to further development in relation to target levels of safety and the aeronautical study methodology.

Aeronautical Studies

While it is possible to establish target levels of safety for any given level of activity at an aerodrome and to establish the level of ATS (if any) normally required for that level of activity, the particular requirements of each aerodrome may differ and the level of air traffic service set by legislation may not necessarily be appropriate in all cases. ATS is not

the only means of achieving a required target level of safety. Other measures such as the implementation of Mandatory Broadcast Zones (MBZ), segregated circuits, or restrictions on the times some operations are permitted, may be appropriate instead of, or in combination with specific levels of ATS.

Where it is considered that the prescribed threshold is not appropriate, an Aeronautical Study provides a mechanism for determining the appropriate level of ATS for that particular aerodrome. In the absence of such a study, the level of ATS prescribed in the Rule would apply.

For example, if an aerodrome operator believes that the type or level of ATS indicated in the rule is not necessary for safe operations then an Aeronautical Study could be conducted according to the accepted methodology. Subject to the outcomes of the study and compliance with any recommendations of that study, an ATS may not be required at that location. If, on the other hand, the Director believes that ATS may be necessary at that aerodrome, even though the threshold has not been reached, then the Director could initiate the study.

There is a clear requirement for a formal, structured methodology and criteria for such studies. These should be decided after consultation with the industry, and included in rules or an Advisory Circular. CAA presently uses aeronautical safety study methodology and criteria which are based on A/NZ4360 and which are similar to CASA AC 71-1. Considerable development has gone into this methodology and criteria, based upon the lessons learned in the Taupo study. While the scale and length of the study may vary dependant on the operating environment, it should provide the basis for further development work on the issue.

Policy

CAA shall develop, in consultation with industry, a formal and structured methodology for the conduct of Aeronautical Studies. This should be based on the current CAA model, and included in an Advisory Circular or in the rules if necessary.

The rules framework shall establish clearly who is responsible for initiating and paying for the Study. If a study is initiated by the aerodrome operator then they should pay for it. If initiated by the Director then the Director would pay.

Ensuring that information on aircraft movements is provided

The policy in this paper depends on having accurate data on aircraft movements. While it is clearly not necessary for all aerodromes to regularly gather (and report) data on air traffic movements, those exceeding a certain level of activity would need to do so in order to indicate when the thresholds for ATS provision were being approached. The level of activity for reporting purposes should logically be set comfortably below the threshold for the provision of any level of ATS.

At certificated aerodromes, the party responsible for gathering the data should be the holder of the certificate. However present rules make no provision for the collection of data from a non-certificated aerodrome. A rule change would be necessary to require this information to be reported by non-certificated aerodromes.

The selected threshold for providing movement information would need to be discussed with the industry. However, a possible threshold is 30,000 VFR or 5000 IFR aircraft

movements annually over three years, or if the aerodrome is regularly used by any scheduled air transport operation using aircraft of more than nine seats, or if other factors are present that cause the Director to require it. It might also be necessary to include consideration of movements at peak periods as well as total annual movements. Consideration could be given to using sampling techniques for gathering and reporting the data.

Policy

Aerodrome operators, whether certificated or not, shall be made responsible for gathering and reporting data on aircraft movements above a defined threshold. The threshold should take account of total movements, types of aircraft and services, and possibly movement numbers at peak periods. Sampling of movements according to valid statistical principles would be permissible to determine whether the ATS threshold has been reached.

Ensuring that the service is provided

Relying on market forces alone to ensure the provision of an appropriate level of ATS at aerodromes has not proved a reliable mechanism.

Of the various regulatory options considered, the clear preference of CAA and the industry was to make the aerodrome operator responsible for ensuring the provision of the appropriate level of ATS at that aerodrome. They are best placed to understand, monitor and plan for the particular air traffic needs of their aerodrome.

Placing the responsibility on aircraft operators is not practicable as, amongst other reasons, they do not necessarily have the commitment to a particular location. It is, however, considered appropriate to place an obligation on air operators to ensure that if ATS is required at a particular location then they do not operate to that location unless the ATS is provided.

While making the ACNZ responsible had attractions it was not favoured by the Corporation itself and, if this option were to be pursued, there are fundamental policy considerations to be taken into account in respect of ACNZ's status as a statutory monopoly. This is neither necessary nor desirable at this time.

Policy

All aerodromes exceeding the prescribed threshold for provision of ATS shall be required to be certificated under Rule Part 139 (unless it is otherwise determined that that level of ATS is not necessary in the interests of safety). Provision of the required level of ATS shall be a condition of certification and be specified in the aerodrome's approval specifications.

Air operators shall also be prohibited from using aerodromes where ATS is required but, for whatever reason, is not being provided.

The current arrangements for ACNZ's statutory monopoly for approach and area control services should be left as is for the time being.

On going monitoring

Management of the ATS operation at an aerodrome should be seen as part of the safety management system for that aerodrome and be integrated into other safety requirements taking account of local conditions, activity and geography. An air traffic safety

management programme should include procedures for identifying actual and potential hazards, initiating a safety assessment where appropriate, ensuring that remedial action is taken as necessary to maintain an acceptable level of safety, and providing for continuous monitoring and regular assessment of the safety level achieved.

Several aerodromes may require guidance on the development of an air traffic safety management programme. This should best be achieved through Advisory Circulars developed in consultation with industry.

Policy

Any requirement for the provision of ATS at an aerodrome shall become part of the certification conditions applicable to that aerodrome. The operator shall be responsible for on-going monitoring and initiating necessary changes to the level and type of ATS. Any changes would be agreed through changes to the approval specifications.

9. Consultation

The proposals contained in this paper were derived from extensive consultation with the aviation industry in 2000/2001. A paper setting out the proposed policy was circulated to interested parties in December 2004. We received and considered 21 submissions on the December 2004 paper. Further discussions were held with some members of the aviation community to clarify their submissions. A summary of submissions is attached at **Appendix 2.**

10. Implementation

To give effect to this policy, it is necessary to:

- (a) amend Part 139 to require aerodromes to be certificated if it has been determined that the scope and nature of operations warrants the provision of ATS at that location.
- (b) Provide in Part 139 a table of the levels of activity which, at any particular aerodrome, would require a specified level of ATS. Industry should be consulted on the actual levels applicable.
- (c) Provide in Part 139 for an aeronautical study to be initiated by the operator of an aerodrome if it does not believe that the level of ATS specified in the rules for that level of activity is necessary in the interests of safety.
- (d) Provide in Part 139 for an aeronautical study to be initiated by the Director if he has grounds to believe such a study is necessary in the interests of safety, notwithstanding that the level of ATS provided (if any) has not yet reached the prescribed threshold .
- (e) Include in an Advisory Circular attached to Part 139 the methodology for conducting an aeronautical study. This could be based on the current CAA model, and would include guidance on other means of achieving target levels of safety than varying the level of ATS.
- (f) include in the Advisory Circular a statement of acceptable levels of air traffic safety.

- (g) amend Part 139 to require the operators of certificated aerodromes where ATS is required to implement a safety management programme at their aerodromes as part of their approval process. Such a programme would include procedures for identifying actual and potential hazards and initiating a safety assessment where appropriate, ensuring that remedial action is taken as necessary to maintain an acceptable level of safety, and providing for continuous monitoring and regular assessment of the safety level achieved.
- (h) include in an Advisory Circular attached to Part 139 guidance on development of a safety management programme, including procedures for conducting safety assessments.
- (i) provide in the rules a requirement that all aerodromes, whether certificated or not, maintain records of traffic movement data when activity rises above a certain level of movements. Such records should include data on annual aircraft movements, the mix of operations and aircraft types, together with analysis of any periods in which activity is concentrated above average. These records should be provided to the Director at regular intervals. Valid sampling methods may be used to project annual data.
- (j) place a requirement on air operators conducting operations in accordance with Rule Parts 121, 125 (and possibly 135) that states that where a particular level of ATS is required to be provided at an aerodrome, the operator shall not operate the service to that aerodrome unless the ATS is provided and is available.
- (k) Consult with industry in the development of Advisory Circulars containing:
 - Information on acceptable levels of air traffic safety;
 - guidance on the development of an air traffic safety management programme;
 - the process, methodology, standards, specifications and formulae required for conducting an aeronautical study.

Appendix 1: Criteria for different types of ATS

Type of ATS	ATS Criteria
Aerodrome flight information service	No aerodrome control service; and 40,000 or more aircraft movements per annum for three consecutive years; or 7,500 or more IFR movements per annum for three consecutive years
Aerodrome control service	100,000 or more aircraft movements per annum for three consecutive years; or 60,000 or more aircraft movements per annum for three consecutive years, of which there are 9,000 or more IFR movements; or 15,000 or more IFR movements per annum for three consecutive years; or Scheduled IFR international passenger aircraft.
Approach control service	9,000 or more IFR movements per annum for three consecutive years; or Scheduled IFR international passenger aircraft.
Area control service	9,000 or more IFR movements per annum for three consecutive years; or Scheduled IFR international passenger aircraft.

Appendix 2: Summary of Submissions

Introduction

Below are summarised the responses to the paper entitled “The Provision of Air Traffic Services at Aerodromes” which was released for public comment in December 2004. We have met with Air New Zealand and Airways Corporation of New Zealand in order to clarify their submissions or ask for further information.

About half of the submitters appear to have misunderstood the part on who should be responsible for the provision of ATS, several believing that the paper was referring to the actual provision of the service, rather than the party that CAA would hold responsible for its provision.

Several submitters were apprehensive about the possibility of the existing financial arrangements between ACNZ and the airline operators being opened up and the charging regime routed through the aerodrome companies. We have reassured them that this was not the intention of the paper.

Submissions

Regulatory system and framework for determining the proper level of ATS

There is general agreement that there is a significant safety issue at stake, the DCA is effectively barred from acting in many situations, and that the rules must be changed to allow the DCA power to act. There needs to be a proper framework established for determining the proper level of ATS at any particular aerodrome.

There is a need to develop the agreed process in an open and transparent manner and stick to it. Perhaps the process could be developed while carrying out an assessment of Gisborne.

One submitter believed that the DCA already had the power under Pt 139.113. NB. this only applies to certificated aerodromes. The submitter's suggestion is then to change parts 121 and 125 to mandate the use of certificated aerodromes for aircraft of more than, say, 10 seats.

Setting target level of Safety

Only three submitters mentioned this area. There was general agreement that all stakeholders should contribute to a definition of "acceptable levels of safety/risk". This should apply to the various categories of aircraft operation.

Air New Zealand Group believes that the Act still means "safety at reasonable cost". They are not persuaded that the paper addresses economic efficiency. Further, they do not like the term "target level of safety", and prefer the Australian "acceptable level of risk" criteria.

Gathering information

There is general agreement that data must be gathered. The range of aerodromes submitters thought should be covered went from all aerodromes, down to those who exceeded a threshold of movements by catering for scheduled ATOs for aircraft of five or ten seats. The data should include movements, types of aircraft and services, and movement numbers and mix in busy periods.

One aerodrome operator thought it would be acceptable to certificate all aerodromes above a certain level so as to ensure the availability of the data, whereas another thought it would be acceptable to not necessarily certificate all aerodromes, but put the onus for supply of data onto the person named in the AIP.

Movement thresholds for determining types of ATS

There was general agreement that thresholds should be set in consultation with the industry. They should include movements of the various aircraft types, mix, and time of day. The levels specified in the 2001 report (L Wicks) would be good starting point for consultation.

Who Initiates/administers safety assessment?

Most submitters thought that it should be the CAA who triggers, administers and pays for the studies. Only BARNZ thought that the aerodrome operator should initiate and administer, although others thought that the aerodrome or air operators should be able to initiate if there was a need. Air New Zealand believed that anyone but the DCA should be able to initiate/administer a study, but may have misunderstood the paper.

Authority of Director to determine indicated level of ATS put in place

There was clear agreement that the DCA should have the power to ensure that the level of ATS indicated by an aeronautical study was put in place. This should apply to both certificated and uncertificated aerodromes.

Who should ensure the provision of ATS: Market?

There was no support for this. New Zealand market is too small, inappropriate because the market doesn't want to spend any money it doesn't have to, and the market will not necessarily respond to the needs of a specific location.

Who should ensure the provision of ATS: ACNZ?

This was opposed by ACNZ because it suggests a monopoly situation which is inconsistent with SOE Act. Submitters who understood the question were generally not in favour of this approach due in the main to its effect on contestability. It would put ACNZ in a stronger position and specific needs of any location are best met by choice.

There was one comment that this would work if government changed its policy allowing contestability to be removed, and network pricing to be reinstated.

Another was in favour of this option due to the success for the current arrangements between ACNZ and the air operators. NB. As stated elsewhere, it was not CAA intention to disrupt those arrangements.

Who should ensure the provision of ATS: Aerodrome Operator?

The answer to this question from some submitters was skewed somewhat due to their misunderstanding of the responsibility question. There was also reluctance in some quarters to place any more control in the hands of the aerodrome operators due to their "culture of charging". As stated above, CAA does not advocate interfering with the current financial arrangements.

One submitter said that aerodrome operators often do not have the experience to appreciate the safety issues surrounding their airfield. Perhaps this submission overlooked the likely requirement for a prescribed methodology for the study, and the need for the actual provider of the ATS to be certificated under the rules.

Generally however, this option found strong favour with the submitters.

Who should ensure the provision of ATS: Airline Operator?

No one supported this option. Airlines do not have a commitment to any specific location, and it would be too challenging reaching consensus at any particular site.

Aeronautical safety study methodology and criteria

There is general strong agreement that the aeronautical safety study methodology and criteria should be decided after consultation with the industry, and placed in rules or an Advisory Circular. There is a need for a formal and structured mechanism. One submitter (NZALPA) suggested they be based on a risk management process such as AS/NZS4360 or Canadian Q850. Air New Zealand and Eagle would prefer the CASA AC 71-1. They suggest that a study could be conducted of Gisborne Aerodrome based on CASA AC 71-1, and the system adapted as part of that process.

Submitters want a number of air traffic management tools incorporated in the considerations, including UNICOM, and acknowledging the advantages of technology such as TAWS and ACAS. One submitter said that AFIS is an anachronism in today's aviation environment, and another went to some lengths to describe UNICOM.

Criteria for air traffic management safety programme.

There was little response in this area. ACNZ believe that all stakeholders should contribute to mechanisms and criteria to achieve an agreed level of safety. They make the point that ATC is not the only method; e.g. MBZs, segregated circuits, AWIB etc. Eagle says that AFIS is an anachronism in this context.

There was also a request from Air New Zealand and BARNZ to allow that the study should be able to indicate under provision as well as over provision. Query how a finding of over provision could impact on the financial relationships between aerodrome operators and air operators, and the Director's responsibilities in that regard.

Application to aerodromes at which level of activity or certification

Application should be to all aerodromes, including those which are uncertified but with regular scheduled air services using greater than five seater aircraft or with over a certain level of movement.

ACNZ Monopoly

This subject elicited two responses: the aerodrome operators and other ATS suppliers and providers, wanted the monopoly lifted. They said that this would allow other providers to come forward, or even if the New Zealand market was too small to allow other providers to come forward, at least this would allow aerodrome operators to have a proper relationship with ACNZ.

All air operators, including BARNZ and NZALPA, and ACNZ wanted the monopoly left alone. They commented that the present arrangements were working well and there were good safety reasons to leave them in place. ACNZ warned that a close relationship should be maintained between approach and aerodrome control for safety reasons.