

Purpose of Rule Part 157

Civil Aviation Rule Part 157 provides requirements relating to the construction, alteration, activation, and deactivation of aerodromes and heliports to enable the Civil Aviation Authority to manage the safe and effective use of airspace associated with aerodromes and heliports.

Notice of proposals

The rule requires that prior notice be given to the Director whenever a person intends to construct, alter, or activate an aerodrome or heliport. This is to allow the CAA to identify:

- (a) whether the use of the airspace associated with the aerodrome proposal will be a hazard to other established airspace users
- (b) whether there are any problems related to the safety of persons and property on the ground.

It is also necessary to consider efficient use of airspace at an early stage.

Aeronautical Study considerations

After receiving such notice, the Director will conduct an Aeronautical Study to determine the effect of the aerodrome or heliport proposal on the safe and efficient use of airspace, by aircraft, and on the safety of persons and property on the ground. Some of the factors considered in the Study are:

- (a) the existing or anticipated traffic circuits of neighbouring aerodromes or heliports;
- (b) the existing and projected airspace use;

- (c) the safety of persons and property within the affected area;
- (d) existing or proposed man-made objects;
- (e) natural objects and features within the affected area;
- (f) the adjustment of other aviation requirements that may be needed to accommodate the proposal; and
- (g) possible revisions of the proposal that may be necessary to eliminate a hazardous or inefficient use of airspace.

Matters that cannot be considered

The Aeronautical Study is focused solely on matters that affect the safety and efficiency of airspace use and the safety of persons and property on the ground. It is not the role of the Civil Aviation Authority to deal with matters relating to noise or other environmental issues, the effect on lifestyle or property values, or the effect on other services in the area such as roading.

Consultation with interested persons

As part of the Aeronautical Study, the Director is required to consult with such persons, representative groups, and organisations as the Director considers appropriate. This consultation is accomplished by notifying Local Government Authorities, aerodrome and heliport operators in the area, aircraft operators and pilots, air traffic service providers, and, when considered necessary, the general public, of the proposal and offering a period of time within which submissions and comments can be made on the proposal.

Determinations

Following completion of the Study the Director will make a Determination regarding the proposal. Determinations will be one of the following:

- (a) **Unobjectionable** when the Director is satisfied that the proposed action will not adversely affect the safe and efficient use of airspace by aircraft nor the safety of persons or property on the ground.
- (b) **Conditional** when the study identifies objectionable aspects of a proposed action but specifies conditions which, if complied with, satisfy the Director that the proposed action will not adversely effect the safe and efficient use of airspace by aircraft, nor the safety of persons or property on the ground.
- (c) **Objectionable** when the study identifies objectionable aspects of the proposed action. The Determination will specify the reasons for finding the proposed action objectionable.

The Determination will be issued to the proponent, appropriate local authorities, and those who made submissions. The Determination will also be published on the Civil Aviation Authority website at www.caa.govt.nz

Local Government Authorities administer the use of land under the provisions of the Resource Management Act and it is likely that they will take due consideration of any Conditional or Objectionable Determination issued.

Effective period of the determination

Unobjectionable and Conditional Determinations will contain a void date. The purpose of this is to allow for the orderly planning of aerodromes and to eliminate needless protection of airspace.

An extension to the void date may be granted if there are valid reasons for not completing the action by the void date.

Revision of the Determination

An Unobjectionable or Conditional Determination can be revised if any new facts that change the basis on which the Determination was made are identified.

Interested persons may, at least 15 days in advance of the void date, petition the Director to revise a Determination.

Other legal requirements

The provisions of a Determination made under CAR Part 157 are in addition to and not in derogation of the provisions of any other Act, or orders or regulations made thereunder.

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Aeronautical Studies

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