



# Advisory Circular

## AC157-1

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**Notice of intention to construct, alter, activate  
or deactivate an aerodrome**

**Initial Issue**

**01 July 2002**

### **GENERAL**

Civil Aviation Authority Advisory Circulars (AC) contain information about standards, practices and procedures that the Director has found to be an Acceptable Means of Compliance (AMC) with the associated rule.

An AMC is not intended to be the only means of compliance with a rule, and consideration will be given to other methods of compliance that may be presented to the Director. When new standards, practices or procedures are found to be acceptable, they will be added to the appropriate Advisory Circular.

### **PURPOSE**

This Advisory Circular provides methods, acceptable to the Director, for showing compliance with the notice of intention requirements of Part 157 and explanatory material to assist in showing compliance.

### **RELATED CAR**

This AC relates specifically to Civil Aviation Rule 157.7.

### **CHANGE NOTICE**

There was no previous issue of this AC, consequently no change is in effect.

## Table of Contents

<b>Notice of intention to construct, alter, activate or deactivate an aerodrome</b>	<b>2</b>
1. Notice is required.....	2
2. Applicable aerodromes and heliports .....	2
3. Definitions.....	2
4. Projects requiring notice .....	3
5. How to submit a notice .....	3
6. Airspace utilisation considerations .....	3
7. Consultation with interested persons.....	3
8. Determinations .....	4
9. Charting of aerodromes.....	4
10. Effective period of the determination .....	4
11. Revision of the determination .....	4
12. Notice of completion .....	5
13. Promulgation of aerodrome and heliport data and information .....	5
14. Planning advice .....	5
15. Other legal requirements .....	5

## Notice of intention to construct, alter, activate or deactivate an aerodrome

### 1. Notice is required

1.1 Part 157 requires that prior notice be given to the Director of Civil Aviation whenever a person intends to construct, alter, activate or deactivate an aerodrome. This notice will enable the Director's staff to identify whether the use of the airspace associated with the aerodrome proposal will be a hazard to other established airspace users. It will also allow identification of problems that may affect the safety of persons and property on the ground.

1.2 It is also necessary to consider efficient use of airspace at an early stage. The Director, after receiving such notice, will give advice on the effects the proposal would have on the use of navigable airspace by aircraft and on the safety of persons and property on the ground.

1.3 The Director will maintain a database of all notified aerodromes so that each aerodrome's use of airspace can be taken into account in any future proposed use of airspace such as by new aerodromes, low flying areas, military exercises and similar.

### 2. Applicable aerodromes and heliports

2.1 Part 157 applies to every aerodrome or heliport unless it is:

- (1) an aerodrome that is required to be certificated under Part 139 (this aerodrome has to advise details under the certification rules); or
- (2) an aerodrome or heliport restricted to VFR operations that is used or intended to be used for a period of less than 7 days in any 30 consecutive day period; or
- (3) an aerodrome, used or intended to be used exclusively by aircraft engaged in agricultural operations, that is not located inside a control zone and that is located more than:
  - five nautical miles (9 kilometres) from the nearest other aerodrome; and
  - three nautical miles (6 kilometres) from the nearest heliport; or
- (4) a heliport, used or intended to be used exclusively by helicopters engaged in agricultural operations, that is not located inside a control zone and that is located more than:
  - three nautical miles (6 kilometres) from the nearest aerodrome; and
  - one nautical mile (2 kilometres) from the nearest other heliport.

### 3. Definitions

The definitions in Part 157 are different from those in Part 1 to make it clear that an aerodrome and a heliport are considered as separate identities in Part 157. Part 157 defines them as follows:

**Aerodrome** is defined as per Part 1 except that it does not include a defined area of land or water intended or designed specifically for use by helicopters:

**Heliport** means any defined area of land or water, and any defined area on a structure, intended or designed specifically for use by helicopters.

#### 4. Projects requiring notice

Civil Aviation Rule, Part 157, requires any person who intends to do any of the following to notify the Director.

- (1) Construct or otherwise establish an aerodrome or heliport to which Part 157 applies, or activate such an aerodrome or heliport.
- (2) Construct, realign, alter, or activate any runway or other aircraft landing or take-off area of an aerodrome or heliport to which Part 157 applies.
- (3) Deactivate, discontinue using, or abandon an aerodrome or heliport to which Part 157 applies, or any landing or take-off area of such an aerodrome or heliport, for a period of one year or more.

#### 5. How to submit a notice

5.1 Notice concerning the construction, alteration, and activation of any aerodrome or heliport must be submitted to the Director on a properly completed form CAA 157/01. The notice must be submitted at least 90 days before the day that the work is to begin.

5.2 Information concerning the deactivation, discontinued use, or abandonment of an aerodrome, heliport, or any landing or take-off area of an aerodrome or heliport, must be submitted in writing to the Director at least 30 days before the date planned for deactivation, discontinuation of use, or abandonment.

5.3 Copies of form CAA 157/01 may be obtained from the Civil Aviation Authority, **PO Box 31-441, Lower Hutt 6300. Phone 0-4-560 0400, Fax 0-4-569 2024. (PNG details needed here)** An example of the form and the instructions for completion are shown in Appendix 1. You may photocopy the example to use for your notification.

#### 6. Airspace utilisation considerations

The Director will conduct an aeronautical study into every Part 157 notification. This is 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:

- (1) the existing or anticipated aerodrome or heliport traffic circuits of neighbouring aerodromes or heliport;
- (2) the existing and projected airspace use;
- (3) the existing or proposed man-made objects;
- (4) the natural objects and features within the affected area;
- (5) the persons and property within the affected area;
- (6) the adjustment, of other aviation requirements, that may be needed to accommodate the aerodrome or heliport proposal; and
- (7) the possible revisions of the aerodrome or heliport proposal, that may be necessary, to eliminate a hazardous or inefficient use of airspace.

#### 7. Consultation with interested persons

As part of the aeronautical study, the Director is required under 157.9(b) to consult with such persons, representative groups, and organisations as the Director considers appropriate. This consultation may be accomplished through interviews, conferences, informal meetings or through the distribution of circulars describing the proposal and offering a period of time within which the public may submit comments on the proposal.

## 8. Determinations

8.1 The purpose of an aeronautical study is to give advice in the form of a determination issued by the Director. These determinations will be issued in one of the following categories:

- (a) **Acceptable.** An acceptable determination will be made 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.** A conditional determination will be made when the Director identifies unacceptable 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) **Unacceptable.** An unacceptable determination will be made when the Director identifies unacceptable aspects of the proposed action and will specify the Director's reasons for finding the proposed action objectionable.

8.2 Should an action which was deemed to be unacceptable by the Director proceed, the Director will take such action considered necessary to remove or overcome any hazardous use of the affected airspace. The Director will confidently expect the proponent and other parties to respect the Director's advice made in the interest of the overall safety in the civil aviation system.

8.3 The Director will establish liaison with those any central or district authorities that have control over land use to co-ordinate their activities about aerodrome and heliport proposals and about objects affecting navigable airspace. The applicable authorities will be party to aeronautical studies and it is likely that they would take due consideration of any unacceptable determinations issued by the Director.

8.4 The determination will be issued to the proponent, appropriate authorities, and other interested persons.

## 9. Charting of aerodromes

9.1 As part of the study, the Director will determine if the location of the aerodrome or heliport needs to be shown on aeronautical charts to:

- (1) alerting overflying aircraft to the presence of the aerodrome or heliport; and
- (2) aid navigation to the aerodrome or heliport; and
- (3) indicate the availability of the aerodrome or heliport for use in an emergency.

9.2 Aeronautical studies, about aerodrome or heliport proposals remote from other established aerodromes or heliports, with no apparent third party risk, will probably not require to address any matter other than charting.

## 10. Effective period of the determination

Acceptable and conditional aerodrome or heliport determinations will contain a void date. The purpose of the void date is to allow for the orderly planning of aerodromes and to eliminate needless protection of airspace. However, an extension to the void date may be requested by petition to the Director. The Director will consider all requests if the reasons for not completing the action by the specified time are valid.

## 11. Revision of the determination

Interested persons may, at least 15 days in advance of the void date, petition the Director to revise a determination. The Director will consider any new facts that change the basis on which the determination was made.

## **12. Notice of completion**

The proponent of an aerodrome or heliport proposal involving the construction, alteration, or activation, of an aerodrome or heliport must notify the Director in writing within 15 days after completion of the action.

## **13. Promulgation of aerodrome and heliport data and information**

It is recommended that the operators of non-certificated aerodromes and heliports promulgate the data and information in the Aeronautical Information Publication. This will assist the aircraft operators, particularly those conducting air operations, in complying with the requirements for use of aerodromes and heliports under the applicable rule Parts. For this purpose, aerodrome and heliports operators should refer to AC139-08, Aerodrome Data and Information, which details the data and information to be provided to the Aeronautical Information Service and the administrative details involved.

## **14. Planning advice**

The Director is available to provide advice, during project planning stages, on the feasibility of a project from an airspace utilisation standpoint. Prospective project sponsors are encouraged to take advantage of this service, particularly on new aerodrome or heliport projects, before money is expended for acquisition of property or for elaborate engineering plans. Such advice is informal in nature and the proposal will not be circulated to the public for comments unless specifically requested by the proponent.

## **15. Other legal requirements**

A determination issued by the Director does not pre-empt or waive any district or regional rules or regulations or any other Civil Aviation Rules. Proponents of aerodrome or heliport projects should become acquainted with the other legal requirements, applicable to the nature of the planned project, which may play a decisive role in the success or failure of the their plans. Coordinating these matters is the responsibility of the project proponent and is not that of the Director.