



PURSUANT to Section 28 of the Civil Aviation Act 1990

I, **HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *10th* day of *April* 2006
by **HARRY JAMES DUYNHOVEN**

[Handwritten signature]
Minister for Transport Safety

Civil Aviation Rules

Part 71, Amendment 3

Designation and Classification of Airspace

Docket 4/CAR/9

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Rule objective

The objective of Amendment 3 to Part 71 is to amend the rules relating to the information that must be entered into the New Zealand Air Navigation Register to include details of runways that are determined to require a right-hand aerodrome traffic circuit. These amendments to Part 71 are consequential to Amendment 3 to Part 93 which removes the prescribing of right-hand aerodrome traffic circuits from Part 93 and makes the determination of a right-hand traffic circuit for a runway a Director's function with a requirement for the relevant details of the runway and the circuit to be entered into the New Zealand Air Navigation Register.

Extent of consultation

Right-hand aerodrome traffic circuits

Since Part 93 came into effect in April 1997 a number of petitions for exemption from the standard left-hand aerodrome traffic circuit prescribed by Part 91 have been received. These petitions included comments that it was inappropriate to have what are essentially day-to-day operational requirements prescribed in a rule. The CAA undertook to address this issue in future rule making affecting Part 93 and some informal industry discussion took place during 1999/2000 in association with the development of a draft Notice of Proposed Rule Making (NPRM) to revise the whole of Part 93. This project did not proceed beyond the draft NPRM stage because of other higher priority projects.

In June 2003, NPRM 03-05 was issued for public consultation. This NPRM updated the list of aerodromes with right-hand aerodrome traffic circuits in Appendix C to Part 93. The NPRM also included an acknowledgement that the current rule making procedures for approving or withdrawing right-hand aerodrome traffic circuits were inappropriate, and that this issue would be addressed in a future rule making proposal.

Paraparaumu aerodrome special aerodrome traffic rules

Informal discussions were held with the Paraparaumu aerodrome operator during 1999/2000 regarding the right-hand circuit issue, and the "use of runway" rule now that the aerodrome flight information service (AFIS) had been withdrawn from the aerodrome. Further informal discussions with the aerodrome operator were held during 2004 in respect to these issues plus the additional issues of helicopter operations and touch and go manoeuvres. Following these discussions with the

aerodrome operator, an informal draft NPRM covering the Paraparaumu aerodrome issues was circulated to the local users in June 2004 through the aerodrome operator for discussion. There were no significant issues raised by either the aerodrome operator or individual local users to the informal draft NPRM.

A Notice of Proposed Rulemaking, NPRM 05-02, containing the proposed changes to Part 93 was issued for public consultation under Docket 4/CAR/9 on 14 March 2005.

The publication of this NPRM was notified in the *Gazette* on 17 March 2005 and advertised in the daily newspapers in the 5 main provincial centres on 19 March 2005, and in local Paraparaumu area newspapers on 21 and 23 March 2005. The NPRM was published on the CAA website and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 36 days was allowed for comment on the proposed rule.

New Zealand Transport Strategy

Development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

Amendment 3 to Part 71 has been assessed as follows against the NZTS:

Assisting Economic Development—The rule amendments are unlikely to affect economic development:

Assisting safety and personal security—The rule amendments are unlikely to affect safety and personal security issues:

Improving access and mobility—The rule amendments are unlikely to affect access and mobility issues:

Protecting and promoting public health—The rule amendments are unlikely to affect public health:

Ensuring environmental sustainability—The rule amendments are unlikely to affect environmental sustainability.

Summary of submissions

No written submissions or oral comments were received in relation to the amendment to Part 71. As a result no changes other than minor editorial changes have been made to this proposed rule.

The rule was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of Amendments

The amendments to the rules in this Part are reflected by revocation of the existing rule and the substitution of the new rule.

Effective date of rule

Amendment 3 to Part 71 comes into force on 11 May 2006.

Availability of rules

Civil Aviation Rules are available from—

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

Part 71 Amendments

Rule 71.15 is revoked and the following new rule substituted:

71.15 New Zealand Air Navigation Register

- (a) The Director must establish and maintain a register called the New Zealand Air Navigation Register.
- (b) The Director must ensure that the New Zealand Air Navigation Register contains the following information:
- (1) a current description of each portion of airspace that is designated under this Part:
 - (2) a current description of the boundary information of each portion of airspace that is classified by the Director as class F airspace under this Part:
 - (3) current information, including the name or designator and co-ordinates of each visual reporting point designated under this Part:
 - (4) the details required under Part 95 for each current instrument flight procedure:
 - (5) the details required under Part 95 for each current aerodrome meteorological minima:
 - (6) the details for every right-hand aerodrome traffic circuit for which a determination has been issued under Part 93.

Consultation Details

(This statement does not form part of the rules contained in Part 71. It provides details of the consultation undertaken in making the rules.)

The consultation details relating to amendment 3 to Part 71 are contained in the consultation details of amendment 3 to Part 93. The comments and all background material used in developing the rules are held on the docket and are available for public inspection at Aviation House, 10 Hutt Road Petone. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 4/CAR/9.