

Civil Aviation Rules



Part 71

CAA Consolidation

23 October 2008

Designation and Classification of Airspace

DESCRIPTION

Part 71 prescribes the general rules for the designation and classification of airspace for aviation purposes and in the public interest.

In particular, Part 71 empowers the Director as the person who may designate and classify airspace for aviation purposes in New Zealand's domestic airspace (New Zealand Flight Information Region) and in the airspace over the high seas for which New Zealand has accepted responsibility for the management of the airspace under an ICAO Regional Air Navigation Agreement (Auckland Oceanic Flight Information Region).

Part 71 also empowers the Director to restrict aviation activity by the designation of special use airspace.

Airspace can be designated as either controlled airspace or special use airspace. Controlled airspace is designated where there is a need for an air traffic control service to be provided for the safety and efficiency of aircraft operations. Such designations include control areas and control zones. Special use airspace is designated where there is a need to impose limitations on the operation of aircraft for aviation safety and security, or national security, or for any other reason in the public interest. Special use airspace includes restricted areas, military operating areas, mandatory broadcast zones, volcanic hazard zones, danger areas, and low flying zones.

Airspace classification is the term used to specify various levels of air traffic services that are required to ensure the safety and efficiency of aircraft operations. Airspace classifications are made in accordance with the ICAO airspace classification system.

This document is the current consolidated version of Part 71 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Transport. Copies of the official rules as signed by the Minister of Transport may be obtained from the Civil Aviation Authority or may be downloaded from the official web site at: www.caa.govt.nz

Bulletin

Part 71 first came into force on 1 January 1998 and the following amendment was made:

Amendment	Effective Date
Amendment 1	8 August 2002
Amendment 2 (Re-issue)	5 August 2004
Amendment 3	11 May 2006
Amendment 4	23 October 2008

Summary of amendments:

Amendment 1 (98/CAR/1304)	71.11 is revoked and a new rule is inserted.
Re-issue (98/CAR/1304)	Part 71 is revoked and re-issued and includes rules for the designation of special use airspace.
Amendment 3 (4/CAR/9)	Rule 71.15 is revoked and substituted.
Amendment 4 (99/CAR/1333 & 99/CAR/1334)	Rule 71.15 is revoked and replaced.

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Subpart A—General

71.1 Purpose

This Part prescribes rules for the designation and classification of—

- (1) airspace within the territorial limits of New Zealand; and
- (2) airspace for which New Zealand has accepted responsibility under international civil aviation agreements.

71.3 Overview of this Part

(a) Under this Part the Director may designate—

- (1) any portion of airspace within the Auckland Oceanic Flight Information Region and the New Zealand Flight Information Region as any one or more of the following:
 - (i) a sector if the Director considers such a designation is necessary to facilitate the provision of an air traffic service within that flight information region;
 - (ii) controlled and associated airspace in accordance with Subpart B;
 - (iii) special use airspace in accordance with Subpart D;
 - (iv) transponder mandatory airspace in accordance with Subpart E.
- (2) visual reporting points, area QNH zones, mountainous zones, and other miscellaneous designations in accordance with Subpart F.

(b) The Director must classify airspace that is designated as controlled airspace under paragraph (a)(1)(ii) in accordance with Subpart C.

(c) The Director may classify a portion of airspace that is not designated as controlled airspace under paragraph (a)(1)(ii) as Class F in accordance with Subpart C.

(d) Any portion of airspace within a flight information region that is not designated as controlled airspace under paragraph (a)(1)(ii) is uncontrolled airspace and is classified as Class G airspace unless it is classified as Class F airspace under paragraph (c).

71.5 Boundaries of designated airspace

(a) The lateral limits of airspace designated under this Part must be defined by—

- (1) geographical co-ordinates in degrees, minutes, and seconds; and
- (2) any one or more of the following:
 - (i) prominent geographical line features:
 - (ii) a circle or any part of a circle of specified radius around a geographical co-ordinate:
 - (iii) a great circle between 2 points:
 - (iv) a parallel of latitude.

(b) The vertical limits of airspace designated under this Part must be defined by heights, altitudes, or flight levels.

(c) Unless otherwise specified, the expression **to a height** includes that height.

71.7 Application for designation and classification of airspace

(a) Any person with a bona fide interest in airspace may apply to the Director for a designation or classification of airspace under this Part.

(b) An applicant for an airspace designation or classification must provide the following details:

- (1) the name and contact details of the applicant:
- (2) the type of designation or classification required:
- (3) the reason for the designation or classification:

- (4) the dimensions or other boundary information for the airspace that is required:
 - (5) the period for which the designation or classification is required:
 - (6) the contact details of any applicable administering authority or using agency:
 - (7) any other applicable information required by the Director.
- (c) Except for urgent requests that are associated with Police operations, search and rescue operations, security, or other emergency situations, an application for an airspace designation or classification must be submitted to the Director not less than 90 days before the date on which the designation or classification is to come into force unless a shorter period is acceptable to the Director.

71.9 Procedure for designation and classification of airspace

(a) Before making a designation or classification under this Part, the Director must consult with such persons, organisations, and representative groups within the aviation industry and elsewhere, Government departments, and Crown agencies as the Director in each case considers appropriate, having regard to the requirements of—

- (1) Subpart B (controlled airspace); and
 - (2) Subpart C (classification of airspace); and
 - (3) Subpart D (special use airspace); and
 - (4) Subpart E (transponder mandatory airspace); and
 - (5) Subpart F (reporting points, area QNH zones, mountainous zones, and other miscellaneous designations).
- (b) For each designation or classification of airspace made under this Part, the Director must specify—
- (1) the period that the designation or classification is active; or
 - (2) the method by which the designation or classification is made active.

(c) Designations and classifications of airspace, and designations of reporting points, area QNH zones, and mountainous zones that are made under this Part do not come into force until those designations and classifications are notified and published in accordance with paragraphs (d) and (e).

(d) Except as provided in paragraph (g), the Director must ensure that each of the following is notified in the *Gazette*:

- (1) a designation of airspace:
- (2) a classification of airspace:
- (3) a designation of a reporting point:
- (4) a designation of an area QNH zone:
- (5) a designation of a mountainous zone.

(e) The Director must ensure that the details of each designation and classification of airspace, and each designation of a reporting point, area QNH zone, and mountainous zone are—

- (1) published in an AIP Supplement or by NOTAM; and
- (2) entered in the New Zealand Air Navigation Register.

(f) The *Gazette* notice required under paragraph (d) must specify the date on which the designation and the classification, as the case may be, comes into force.

(g) Designations and classifications that will be effective for a period of not more than 6 months need not be notified in the *Gazette*.

71.11 Review of designated and classified airspace

At least every 5 years, the Director must review each current airspace designation and classification to verify the continuing need for the airspace designation or classification.

71.13 Withdrawal of designations and change of airspace classification

(a) If the Director is satisfied that a designation, or a classification, that has been made under this Part is no longer needed or is no longer appropriate, the Director may withdraw the designation or alter the classification.

(b) Except as provided in paragraph (d), the withdrawal of an airspace designation or the change of an airspace classification made under paragraph (a) does not come into force—

- (1) until that withdrawal or change is notified in the *Gazette*; and
- (2) the details are published in an AIP Supplement or by NOTAM; and
- (3) the details in the New Zealand Air Navigation Register are amended.

(c) The *Gazette* notice required under paragraph (b)(1) must specify the date that the withdrawal of an airspace designation or the change of an airspace classification comes into force.

(d) Paragraph (b)(1) does not apply to an airspace designation or an airspace classification that has been in force for a period of not more than 6 months.

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 by Part 95 for each current instrument flight procedure:
- (5) the details for every right-hand aerodrome traffic circuit for which a determination has been issued under Part 93.

71.17 Transitional provisions

If an airspace designation specified in column 1 of the following table (an **old Part 73 designation** or a **Part 19 designation**) was, immediately before 5 August 2004, in force under those Parts, the old Part 73 designations and the Part 19 designation are, on and after 5 August 2004, deemed to—

- (1) have the re-issued Part 71 designation specified in column 2 of that table opposite the old Part 73 designation and the Part 19 designation; and
- (2) have been designated and notified in accordance with this Part:

Column 1	Column 2
Old Part 73 designation	Re-issued Part 71 designation
Restricted area	Restricted area
Military operational area	Military operating area
Mandatory broadcast zone	Mandatory broadcast zone
Volcanic hazard area	Volcanic hazard zone
Danger area	Danger area
Low flying area	Low flying zone
Part 19 designation	

Mountainous area	Mountainous zone
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Subpart B—Controlled Airspace

71.51 General

(a) If the Director determines that an air traffic control service is required in a portion of airspace within a flight information region, the Director must—

- (1) designate that portion of airspace as a control area or a control zone in accordance with this Subpart; and
- (2) classify that portion of airspace as Class A, B, C, D, or E airspace in accordance with Subpart C.

(b) If another ICAO Contracting State provides an air traffic control service for any portion of airspace within the Auckland Oceanic Flight Information Region, the Director must—

- (1) designate that portion of airspace as a control area or a control zone in accordance with this Subpart after consulting with the other State; and
- (2) classify that portion of airspace as Class A, B, C, D, or E airspace in accordance with Subpart C.

(c) The Director may designate portions of airspace within a control area or control zone as a specific sector to facilitate air traffic management.

(d) A control area or control zone becomes uncontrolled class G airspace during those times when an air traffic control service is not being provided within that control area or control zone.

(e) For each portion of airspace designated as a control area or control zone the Director must —

- (1) specify the air traffic control unit that has responsibility for providing the air traffic control service within that control area or control zone; and

- (2) identify the control area or control zone by—
 - (i) the ICAO nationality letters of the State providing the air traffic control service followed by the letter “A” followed by a number; and
 - (ii) the name of the air traffic control unit providing the air traffic control service within that control area or control zone, except that, if appropriate, the control area or control zone may be identified with the name of the aerodrome, town, city, or geographical feature over which the control area or control zone is established.

71.53 Control areas

- (a) The Director may specify a control area designated under this Part as—
 - (1) a terminal control area if the Director determines that an approach control service is required at the confluence of ATS routes in the vicinity of one or more major aerodromes; or
 - (2) an upper control area if the Director determines that an area control service is required; or
 - (3) an oceanic control area if the Director determines that an area control service is required over the high seas.
- (b) The upper limit of a control area must not exceed flight level 660.
- (c) The lower limit of a control area must—
 - (1) be at least 500 feet below the flight paths of IFR flights that the Director determines to require an air traffic control service; and
 - (2) be established at—
 - (i) the highest practical altitude; and
 - (ii) not less than 700 feet above the surface of the earth; and

- (3) when the lower limit of a control area is above 3000 feet AMSL, coincide with a VFR cruising altitude or flight level prescribed in Part 91.
- (d) If a portion of airspace below a control area is designated as another control area, the upper limit of the lower control area must extend to the lower limit of the control area directly above it.

71.55 Control zones

- (a) The Director may designate as a control zone that portion of airspace around an aerodrome if—
 - (1) the Director determines that an aerodrome control service or an aerodrome and approach control service is required; and
 - (2) the traffic density and pattern requires controlled airspace.
- (b) A control zone must be as small as practical consistent with the need to protect the flight paths of IFR flights arriving at and departing from the aerodrome.
- (c) The lateral limits of a control zone must—
 - (1) encompass at least those portions of the airspace that are not within a control area containing the paths of IFR flights arriving at and departing from the aerodrome under IMC; and
 - (2) extend to at least 5 nm from the centre of the aerodrome in the directions from which instrument approaches may be made; and
 - (3) take into account the category of IFR aircraft using the aerodrome and the areas of airspace that need to be protected for those IFR flights.
- (d) Prominent geographical features must be used, where practical, to define the lateral limits of a control zone.
- (e) A control zone with an upper limit above 3000 feet AMSL must coincide with a VFR cruising altitude or flight level prescribed in Part 91.

71.57 VFR transit lanes

(a) The Director may designate a portion of controlled airspace as a VFR transit lane for either or both of the following purposes:

- (1) separating transiting VFR traffic from arriving and departing IFR flights;
- (2) permitting transiting VFR traffic to operate within the VFR transit lane without requiring an ATC clearance.

(b) A VFR transit lane must be clear of airspace that encompasses IFR arrival and departure procedures within that controlled airspace.

(c) The Director must—

- (1) ensure that buffer zones are provided between the nominal flight paths of arriving and departing IFR flights and each VFR transit lane; and
- (2) identify each VFR transit lane by the ICAO nationality letters of the State providing the air traffic control service followed by the letter “T” followed by a number.

(d) A VFR transit lane is class G airspace and may only be active during the day.

71.59 General aviation areas

(a) The Director may designate a portion of controlled airspace as a general aviation area for the purpose of allowing VFR flights access to a portion of previously controlled airspace without the requirement for an ATC clearance.

(b) For each general aviation area, the Director must—

- (1) specify, at the time that the Director designates the airspace, the air traffic control unit having responsibility for providing the air traffic control service over the area; and
- (2) identify the area by the ICAO nationality letters of the State providing the air traffic control service followed by the letter G followed by a number; and

- (3) specify that the area is active—
 - (i) permanently during the day; or
 - (ii) by approval of the ATC unit responsible for the airspace; or
 - (iii) by prior notification from an airspace user to the ATC unit responsible for the airspace.
- (c) A general aviation area—
 - (1) may only be active during the day; and
 - (2) is class G airspace while the area is active.

71.61 Subsidiary airspace designations

If the Director considers it necessary in the interests of aviation safety, air traffic management, or international agreements, the Director may designate any controlled airspace or portion of controlled airspace as either or both of the following:

- (1) RNP airspace, on consideration of air traffic density and ATS route structure, and aircraft navigation system accuracy:
- (2) RVSM airspace, on consideration of air traffic density and ATS route structure, and aircraft altimetry system accuracy.

Subpart C—Airspace Classification

71.101 Class A airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class A airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between all flights; and
- (2) VFR flights are not permitted.

71.103 Class B airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class B airspace if the Director considers it necessary in the interests of aviation safety that separation is required between all flights.

71.105 Class C airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class C airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between—
 - (i) IFR flights; and
 - (ii) IFR and VFR flights; and
 - (iii) IFR and special VFR flights; and
 - (iv) special VFR flights when the flight visibility is reported to be less than 5 km; and
- (2) traffic information must be provided to VFR flights about other VFR flights; and
- (3) traffic avoidance advice must be provided to VFR flights on request.

71.107 Class D airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class D airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between—
 - (i) IFR flights; and
 - (ii) IFR and special VFR flights; and
 - (iii) special VFR flights when the flight visibility is reported to be less than 5 km; and

- (2) traffic information must be provided to—
 - (i) IFR flights about VFR flights; and
 - (ii) VFR flights about IFR flights; and
 - (iii) VFR flights about other VFR flights; and
- (3) traffic avoidance advice must be provided to IFR and VFR flights on request.

71.109 Class E airspace

Any portion of airspace that is designated as a control area under 71.51(a) or (b) must be classified as Class E airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between IFR flights; and
- (2) traffic information must be provided, where practical, to—
 - (i) IFR flights about VFR flights; and
 - (ii) VFR flights about IFR flights; and
 - (iii) VFR flights about other VFR flights.

71.111 Class F airspace

The Director may classify any portion of uncontrolled airspace as Class F airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) IFR flights within the airspace need to receive an air traffic advisory service; and
- (2) all flights within the airspace should receive a flight information service if requested.

71.113 Class G airspace

Class G airspace is any uncontrolled airspace that is not Class F airspace and—

- (1) IFR flights are entitled to receive a flight information service; and
- (2) VFR flights are entitled to receive a flight information service on request.

Subpart D—Special Use Airspace

71.151 General

(a) The Director may designate special use airspace under this Subpart if the Director considers such airspace is necessary—

- (1) in the interests of safety or security within the civil aviation system; or
- (2) in the interests of national security; or
- (3) for any other reason in the public interest.

(b) The Director must ensure that each portion of airspace designated under this Subpart is as small as practicable consistent with the activities for which the area is required.

(c) Airspace designated by the Director under this Subpart must be identified by an alphanumeric designator that is not being used to identify any other portion of airspace designated under this Part.

71.153 Restricted areas

(a) The Director may—

- (1) designate a portion of airspace as a restricted area to restrict the activities of aircraft within that area —
 - (i) within the territorial limits of New Zealand; and
 - (ii) within the territorial limits of another ICAO Contracting State in the Auckland Oceanic Flight Information Region upon request by that State; and
- (2) impose conditions under which—

- (i) aircraft may be permitted to fly within that restricted area; and
 - (ii) the administering authority responsible for the restricted area must operate.
- (b) The Director must—
 - (1) specify the type of activity for which each restricted area is designated; and
 - (2) specify the administering authority responsible for each restricted area; and
 - (3) identify each area by the ICAO nationality letters of the applicable State followed by the letter “R” followed by a number.
- (c) The administering authority responsible for a restricted area—
 - (1) must manage—
 - (i) the entry of aircraft into the restricted area; and
 - (ii) the operation of aircraft within the restricted area; and
 - (iii) the exit of aircraft from the restricted area; and
 - (2) if the restricted area is designated as being made active by NOTAM, must at least 24 hours before the restricted area is to become active, give to the New Zealand NOTAM Office notice of that restricted area becoming active, except that in the case of emergencies less than 24 hours notice may be given; and
 - (3) may, within any conditions imposed by the Director under paragraph (a)(2)(ii), impose conditions under which an aircraft may be operated within the restricted area.

71.155 Military operating areas

- (a) The Director may—

- (1) designate a portion of airspace as a military operating area to segregate military activities from other traffic; and
 - (2) impose conditions under which—
 - (i) aircraft may be permitted to fly within that military operating area; and
 - (ii) an administering authority specified under paragraph (b)(2) must operate.
- (b) The Director must—
- (1) specify the type of activity for which each military operating area is designated; and
 - (2) specify the administering authority responsible for each military operating area; and
 - (3) identify each military operating area by the ICAO nationality letters of the applicable State followed by the letter “M” followed by a number.
- (c) The administering authority responsible for a military operating area—
- (1) must manage—
 - (i) the entry of aircraft into the military operating area; and
 - (ii) the operation of aircraft within the military operating area; and
 - (iii) the exit of aircraft from the military operating area; and
 - (2) if the military operating area is designated as being made active by NOTAM, must at least 24 hours before the military operating area is to become active, give to the New Zealand NOTAM Office notice of that military operating area becoming active, except that in the case of emergencies less than 24 hours notice may be given; and

- (3) may, within any conditions imposed by the Director under paragraph (a)(2)(ii), impose conditions under which an aircraft may be operated within the military operating area.

71.157 Mandatory broadcast zones

(a) The Director may designate a portion of uncontrolled airspace as a mandatory broadcast zone if, due to traffic density or special circumstances, the pilots within that zone are required to make radio broadcasts of their position and intentions.

(b) The Director must—

- (1) identify each mandatory broadcast zone by the ICAO nationality letters of the applicable State followed by the letter “B” followed by a number; and
- (2) assign the radio frequency to be used within the mandatory broadcast zone for the mandatory radio broadcasts; and
- (3) prescribe the maximum interval between a pilot’s mandatory radio broadcasts.

71.159 Volcanic hazard zones

(a) The Director may designate a portion of airspace as a volcanic hazard zone if volcanic activity (such as flying rocks, gas plumes, and ash clouds) may present a hazard to aircraft.

(b) The Director must identify each volcanic hazard zone by the ICAO nationality letters of the applicable State followed by the letter “V” followed by a number.

71.161 Danger areas

(a) The Director may designate a portion of airspace as a danger area to notify operators that there is a potential danger to aircraft flying in the area.

(b) The Director must—

- (1) specify the nature of the danger for which each danger area is designated; and

- (2) if the Director considers it necessary, nominate a using agency as the contact point for a danger area; and
 - (3) identify the area by the ICAO nationality letters of the applicable State followed by the letter “D” followed by a number.
- (c) The using agency for a danger area must—
- (1) be a person or organisation that is responsible for the activity that necessitated the danger area being so designated; and
 - (2) ensure that the activities that necessitated the designation of the danger area are contained within that danger area; and
 - (3) if the danger area is designated as being made active by NOTAM, at least 24 hours before the danger area is to become active, give to the New Zealand NOTAM Office notice of that danger area becoming active, except that in the case of emergencies less than 24 hours notice may be given.

71.163 Low flying zones

- (a) The Director may designate a portion of airspace as a low flying zone where pilot training in low level manoeuvres may be conducted.
- (b) The Director must—
- (1) nominate a using agency responsible for—
 - (i) briefing pilots on the associated conditions of use agreed with the registered owner or administrator of the land or water below the low flying zone; and
 - (ii) complying with paragraphs (e) and (f); and
 - (2) identify each low flying zone by ICAO nationality letters of the applicable State followed by the letter “L” followed by a number.
- (c) A low flying zone may only be active during the day.
- (d) The vertical limits of a low flying zone must extend from the surface of the earth to a height of 500 feet.

(e) The Director may not designate a portion of airspace as a low flying zone unless the using agency nominated for the low flying zone—

- (1) provides the Director with a map or chart on which the boundaries of the low flying zone are defined; and
- (2) satisfies the Director that the registered owner or administrator of the land or water below the low flying zone consents to the portion of airspace above their land or water being used for low flying; and
- (3) provides the Director with full details of consultation with other airspace users.

(f) A using agency nominated under paragraph (b)(1) must satisfy the Director, if requested to, that the using agency continues to have the consent referred to in paragraph (e)(2).

Subpart E—Transponder mandatory airspace

71.201 Transponder mandatory airspace within controlled airspace

The Director may designate a control area or a control zone, or any portion of a control area or a control zone, as transponder mandatory airspace if—

- (1) the operation of transponders is required for the provision of an air traffic control surveillance service; or
- (2) the Director determines that the traffic density in the airspace requires the operation of transponders to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

71.203 Transponder mandatory airspace within special use airspace

The Director may designate any portion of special use airspace as transponder mandatory airspace if the Director determines that the traffic density in the airspace requires the operation of transponders to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

Subpart F—Miscellaneous

71.251 Visual reporting points

- (a) The Director may designate visual reporting points for the purpose of—
- (1) facilitating the requirements of air traffic services for information regarding the progress of aircraft in flight; or
 - (2) facilitating the safe conduct of flight by visual reference.
- (b) The Director must ensure that visual reporting points —
- (1) are based on prominent geographical features; and
 - (2) are identified by names or designators that—
 - (i) are easily recognisable in voice communications; and
 - (ii) will not be confused with those of other reporting points in the same general area; and
 - (iii) do not create confusion with other communications exchanged between pilots and between air traffic services and pilots.

71.253 Area QNH zones

The Director may designate as an area QNH zone those portions of airspace from the surface of the earth to a specified altitude within which a common area QNH altimeter setting must be used.

71.255 Mountainous zones

The Director may designate a portion of airspace as a mountainous zone if, in the interests of safety, the Director considers it necessary to increase the minimum obstacle clearance to provide additional height above terrain for IFR flights to accommodate the possible effects of turbulence, down draughts, and other meteorological phenomena on the performance of aircraft.