



**PURSUANT** to Section 30 of the Civil Aviation Act 1990

**I, Hon Julie Anne Genter, Associate Minister of Transport,**

**HEREBY MAKE** the following ordinary rules.

**SIGNED** at Wellington

This 24<sup>th</sup> day of August 2020

A large, handwritten signature in black ink, which appears to read 'Julie Anne Genter', is written over the printed name.

by Hon Julie Anne Genter

**Associate Minister of Transport**

Civil Aviation Rules

**Part 139, Amendment 14**

**Aerodromes-Certification, Operation and Use**

*Docket 17/CAR/1*

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**Rule objective**

The objective of amendment 14 to Part 139 is to make minor editorial amendments to rules 139.51 and 139.59; reformat rule 139.77; and make a correction to appendix E.1.

**Extent of consultation**

A Notice of Proposed Rule Making NPRM 19-03, containing the proposed amendments to Part 139 and 13 other rule Parts was issued for public consultation under Docket 17/CAR/1 on 17 May 2019.

The NPRM was published on the CAA web site on 17 May 2019 and emailed to subscribers of the automatic alert service provided by the CAA.

A period of 21 days was allowed for comment on the proposed rule.

**Summary of submissions**

Three written submissions were received on this NPRM, none relating to the proposed amendments to Part 139.

These submissions and comments have been considered. No changes were made to Part 139 as a result of the submissions.

A summary of submissions for this NPRM is available on the CAA website.

**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 –

- revoking and replacing rules 139.51, 139.57, 139.77 and appendix E.1.

**Effective date of rule**

Amendment 14 to Part 139 comes into force on 1 December 2020

**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 139 Aerodromes - Certification, Operation and Use

*Rule 139.51 is revoked and replaced with the following rule:*

### **139.51 Aerodrome design requirements**

(a) An applicant for the grant of an aerodrome operator certificate must ensure that the physical characteristics of the aerodrome, the obstacle limitation surfaces, the visual aids for navigation and for denoting obstacles and restricted areas, and the equipment and installations for the aerodrome are commensurate with—

- (1) the characteristics of the aircraft that the aerodrome is intended to serve; and
- (2) the lowest meteorological minima intended for each runway; and
- (3) the ambient light conditions intended for the operation of aircraft on each runway.

(b) An applicant for the grant of an aerodrome operator certificate must ensure that a runway end safety area that complies with the physical characteristics prescribed in appendix A.1 is provided at each end of a runway at the aerodrome if—

- (1) the runway is used for regular air transport services operating to or from New Zealand; or
- (2) the aerodrome operator certificate is first issued after 12 October 2006 and the runway is used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat; or
- (3) the runway is commissioned after 12 October 2006 to be used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat; or

- (4) the runway is used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat and—
  - (i) either the landing distance available or the length of the runway strip is extended to a distance or length that is more than 15 metres greater than the respective distance or length that was published for the runway immediately before 12 October 2006; or
  - (ii) the runway is upgraded to an instrument runway after 12 October 2006.
- (c) The RESA provided at the aerodrome must be acceptable to the Director.
- (d) An applicant for the grant of an aerodrome operator certificate must ensure that the physical characteristics, obstacle limitation surfaces, visual aids, equipment and installations, provided at the aerodrome are—
  - (1) compliant with—
    - (i) Appendices C, D, F, G, and H; and
    - (ii) appendices E.1, E.2, E.3 and E.4; and
  - (2) acceptable to the Director.
- (e) Paragraph (d) applies only to areas on an aerodrome that are used by 1 or more aeroplanes—
  - (1) engaged in regular air transport operations where—
    - (i) the aeroplane's point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
    - (ii) the aeroplane's point of landing that immediately follows the aeroplane taking off from the aerodrome, is an aerodrome outside New Zealand;

- (2) having a certificated seating capacity of more than 30 passengers that are engaged in regular air transport operations for the carriage of passengers.

***Rule 139.59 is revoked and replaced with the following rule:***

**139.59 Rescue and firefighting – category determination**

(a) Except as provided in paragraph (b), an applicant for the grant of an aerodrome operator certificate for an aerodrome referred to in rule 139.5(aa)(1) must determine the aerodrome category for rescue and firefighting as specified in Table 1 according to the largest aeroplane type regularly using the aerodrome.

**Table 1.** Aerodrome category for rescue and firefighting

Aerodrome category <sup>1</sup>	Aeroplane overall length <sup>2</sup>	Maximum fuselage width
3	12 m up to but not including 18 m	3 m
4	18 m up to but not including 24 m	4 m
5	24 m up to but not including 28 m	4 m
6	28 m up to but not including 39 m	5 m
7	39 m up to but not including 49 m	5 m
8	49 m up to but not including 61 m	7 m
9	61 m up to but not including 76 m	7 m
10	76 m up to but not including 90 m	8 m

*1 To categorise the aerodrome according to the largest aeroplane type regularly using the aerodrome, first evaluate the overall length, and second, the fuselage width of the aeroplane.*

*2 If, after selecting the category appropriate to the overall length of the aeroplane and the fuselage width of the aeroplane is greater than the maximum width in column (3) for that category, then the aerodrome category for that aeroplane size is actually one category higher.*

(b) The aerodrome category determined under paragraph (a) may be reduced by—

- (1) one category if the number of aeroplane movements at the aerodrome of those aeroplanes used to determine the aerodrome category under paragraph (a) is less than 700 movements in the busiest consecutive 3 months of any 12 month period; or
- (2) two categories if—
  - (i) the number of aeroplane movements at the aerodrome of those aeroplanes used to determine the aerodrome category under paragraph (a) are less than 700 movements in the busiest consecutive 3 months of any 12 month period; and
  - (ii) there is a difference of 3 or more categories between the aerodrome categories determined under paragraph (a) for the range of aeroplane sizes of the aeroplanes using the aerodrome.

(c) An applicant for the grant of an aerodrome operator certificate, other than for an aerodrome specified in paragraph (a), must determine the aerodrome category for rescue and firefighting as follows:

- (1) if the aerodrome serves any turbojet or turboprop aeroplanes with a certified seating capacity of more than 30 passengers engaged in regular air transport operations, the rescue and firefighting category must be the category specified in Table 1 according to the largest aeroplane type regularly using the aerodrome and may be reduced by 2 categories but in any case must not be less than category 4;
- (2) if the aerodrome does not serve any turbojet or turboprop aeroplanes of the kind specified in paragraph (c)(1), but serves



non-turbojet or non-turbofan aeroplanes with a certified seating capacity of more than 30 passengers engaged in regular air transport operations, and has more than 700 aeroplane movements of such aeroplanes in the busiest consecutive 3 months of any 12 month period, the aerodrome category must be category 3 or higher:

- (3) if the aerodrome category for rescue and firefighting is not determined in paragraphs (1) or (2), then no category applies.

***Rule 139.77 is revoked and replaced with the following rule:***

**139.77 Aerodrome certification exposition**

(a) An applicant for the grant of an aerodrome operator certificate must provide the Director with an exposition which must contain—

- (1) a statement signed by the chief executive, on behalf of the applicant's organisation, confirming that the exposition and any included manuals—
  - (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
  - (ii) are to be complied with at all times; and
- (1A) in relation to the system for safety management required by rule 139.75,—
  - (i) all of the documentation required by rule 100.3(b); and
  - (ii) for an applicant that is not applying for a renewal of an aerodrome operator certificate, an implementation plan that describes how the system for safety management will be implemented; and
- (2) the titles and names of the senior person or persons required by rules 139.55(a)(1) and (2); and
- (3) the duties and responsibilities of the senior person or persons required by rules 139.55(a)(1) and (2), including—

- (i) matters for which they have responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
- (ii) responsibilities for safety management; and
- (4) an organisation chart showing lines of responsibility of the senior person or persons required by rules 139.55(a)(1) and (2); and
- (5) any limitations on the use of the aerodrome established under rule 139.53; and
- (6) each current exemption granted to the applicant from the requirements of Subparts A, B, C, or D; and
- (6A) information identifying the lines of safety responsibility within the organisation; and
- (7) the aerodrome emergency plan required by rule 139.57; and
- (8) a statement of the aerodrome category for rescue and firefighting determined under rule 139.59 with a description of the extinguishing agents, vehicles and discrete communication system required by rules 139.61 139.63 and 139.67A, the procedures and personnel required by rule 139.65 and the procedures required by rules 139.111(c)(2) and (3); and
- (9) a description of the safeguards for public protection required by rule 139.69; and
- (10) the environmental management programme when required by rule 139.71; and
- (11) the procedures required by rule 139.73 for the notification of aerodrome data and information; and
- (12) [*revoked*]
- (12A) the procedures required by rule 139.76 for the collection and reporting of traffic movement data; and

- (13) the aerodrome maintenance programme required by rule 139.103; and
  - (14) the procedures required by rule 139.105 for the preventive maintenance and checking of the aerodrome visual aids for navigation; and
  - (15) the procedures and precautions required by rule 139.76A for any works on the aerodrome; and
  - (16) [*revoked*]
  - (17) the aerodrome inspection programme, procedures and reporting system required by rule 139.117; and
  - (18) the procedures required by rule 139.119 for the control of ground vehicles; and
  - (19) the procedures required by rule 139.125 for limiting aircraft operations if an unsafe aerodrome condition occurs; and
  - (19A) the procedures required by rule 139.76B(2) for management and control of documents necessary for the provision and operation of the aerodrome; and
  - (20) a description of measures taken to comply with the security requirements in Subpart D, including details of the security awareness programme and the procedures required by rules 139.203(d)(8) and (9); and
  - (21) the security training programme required by rule 139.205(c); and
  - (22) procedures for controlling, amending and distributing the exposition.
- (b) The applicant's exposition must be acceptable to the Director.

*Appendix E.1 is revoked and replaced with the following appendix:*

## **Appendix E — Visual Aids for Navigation**

### **E.1 Wind direction Indicators**

- (a) Wind direction indicators (windsocks) must be located adjacent to each paved runway threshold.
  
- (b) If a paved runway is intended to be used at night, the wind direction indicators required by paragraph (a) must be illuminated.