



PURSUANT to Sections 28, 29 and 30 of the Civil Aviation Act 1990

I, Hon TIM MACINDOE, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT *Hamilton*

This *18th* day of *September* 2017

A handwritten signature in black ink, appearing to read 'Tim Macindoe', written in a cursive style.

by **Hon TIM MACINDOE**

Associate Minister of Transport

Civil Aviation Rules

Part 135, Amendment 23

Air Operations - Helicopters and Small Aeroplanes

Docket 16/CAR/10

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Rule objective

The objective of amendment 23 to Part 135 is to enable a performance-based set of options for determining landing distance calculations procedures as specified in rule 135.233.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 17-02, containing the proposed Small Issues rule amendments was issued for public consultation under Docket 16/CAR/10 on 20 February 2017.

The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 29 days was allowed for comment on the proposed rule.

Summary of submissions

Forty five written submissions and no oral comments were received on the NPRM. A summary of submissions for this NPRM is available on the CAA website. These submissions and comments have been considered and as a result of the consultation:

- ‘dispatch of’ is deleted in paragraphs (a) and (c) of Appendix D.1, as the inclusion of the phrase has fundamentally changed the base requirement to apply only to dispatch of an aircraft and excludes landing requirements; and
- draft rule 135.67 which provides for leaving a helicopter unattended with the rotors turning under power except under certain circumstances, is deleted.

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 rule 135.233 to allow a holder of an air operator certificate to calculate the landing distance of an aircraft on a runway either by using the procedures approved by Director as specified in the rule, or the procedures specified in Appendix D,
- revoking rule 135.235;
- inserting Appendix D to enable a performance-based set of options for determining landing distance calculations procedures (TALPA procedures or another acceptable method).

Effective date of rule

Amendment 23 to Part 135 comes into force on 30 October 2017.

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 135 Air Operations – Helicopters and Small Aeroplanes

Rule 135.233 is revoked and replaced with the following rule:

135.233 Landing distance – runways

(a) A holder of an air operator certificate must ensure that, for each aeroplane it operates, the landing weight for the estimated time of landing will not exceed the landing weight specified in the aeroplane flight manual.

(b) A holder of an air operator certificate must use the following procedures for calculating the landing distance for an aeroplane on a runway:

- (1) that have been approved under paragraph (c); or
- (2) as provided in Appendix D.

(c) The Director may approve an application by a holder of an air operator certificate for procedures referred to in paragraph (b)(1) if satisfied of the following matters:

- (1) whether or not the aeroplane proposed has performance data issued by the manufacturer supporting the procedures that is available for use by the pilot or flight crew; and
- (2) whether the operator has reliable access to either –
 - (i) accurate, real-time reporting on runway conditions that is appropriate for the permitted procedures to be used; or
 - (ii) data that enables the operator to identify equivalent conditions; and
- (3) the margin of error that should be applied when calculating landing distance using the permitted procedures which must take into account the following:

- (i) the implications of pilot technique on landing distance:
 - (ii) the implications of unexpected environmental conditions at the destination aerodrome:
 - (iii) whether the calculation is being undertaken at the dispatch stage or en-route:
 - (iv) whether the margin of error is supported by the reporting of the runway conditions; and
- (4) whether all personnel involved in the reporting of runway conditions, calculation of data and operation of the flight have had appropriate training in the use of the procedures.

Rule 135.235 is revoked:

**135.235 Landing distance – wet and contaminated runway
[Revoked]**

Appendix D is inserted after Appendix C:

Appendix D — Landing Distance Assessments for Runways

D.1 Permitted landing distance assessments – Dry runway

A holder of an air operator certificate must carry out the following procedures under rule 135.233(b)(2) for calculating the landing distance where a runway is dry:

- (a) A holder of an air operator certificate must ensure that, for each aeroplane it operates, the landing weight for the estimated time of landing allows a full-stop landing from 50 feet above the threshold within 70% of the landing distance available assuming that the aeroplane is landed.

(b) When calculating the landing weight under paragraph (a), a holder of an air operator certificate must take account of—

- (1) aerodrome elevation; and
- (2) ambient temperature at the aerodrome; and
- (3) the type of runway surface and the runway surface condition; and
- (4) the runway slope in the direction of landing; and
- (5) not more than 50% of the reported headwind component or not less than 150% of the reported tailwind component.

(c) For an aeroplane to land as specified in paragraphs (a) and (b), it is assumed that the aeroplane will land on the most favourable runway taking into account—

- (1) the forecast meteorological conditions; and
- (2) surrounding terrain; and
- (3) approach and landing aids; and
- (4) obstacles within the missed approach flight path.

(d) If the holder of an air operator certificate is unable to comply with paragraph (c) for the destination aerodrome, the aeroplane may be dispatched if an alternate aerodrome is designated that permits compliance with paragraphs (a), (b), and (c).

D.2 Permitted landing distance assessments – Wet or contaminated runway

A holder of an air operator certificate must carry out the following procedure under rule 135.233(b)(2) for calculating the landing distance where a runway is wet or contaminated –

ensure that, for each aeroplane it operates, when the relevant weather reports or forecasts or a combination of them, indicate that the runway at the estimated time of arrival of its aeroplane may be wet or

contaminated, the landing distance available is at least 115% of the landing distance required by paragraph D.1.

D.3 TALPA procedures

A holder of an air operator certificate must carry out the procedures under rule 135.233(b)(2) that provides for calculation of the landing distance for a runway –

- (1) utilising TALPA performance data provided by the aircraft manufacturer to enable inflight calculation of landing performance by the flight crew in accordance with the manufacturer's recommendations; and
- (2) utilising appropriate aerodrome data including, but not limited to, surface conditions and ambient weather, on runway conditions.