

Part 157 Notice of Construction, Alteration, Activation, and Deactivation of Aerodromes: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

157.11 Aerodrome determination

To improve sentence clarity and readability, rules 157.11(a)(1) and (3) have been reorganised:

(a) On completion of the aeronautical study, the Director ~~must~~ ~~shall~~ issue to the proponent, appropriate local authorities, and other interested persons an aerodrome determination which shall be one of the following:

- (1) **Unobjectionable:** An ~~unobjectionable~~ determination ~~that the proposed action is unobjectionable~~ ~~must~~ ~~shall~~ be made when the Director is satisfied that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (2) **Conditional:** A conditional determination ~~must~~ ~~shall~~ be made when the Director identifies objectionable aspects of a proposed action but specifies conditions which, if complied with, satisfy the Director that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (3) **Objectionable:** An ~~objectionable~~ determination ~~that the proposed action is objectionable~~ ~~must~~ ~~shall~~ be made when the Director identifies objectionable aspects of a proposed action and ~~must~~ ~~shall~~ specify the Director's reasons for finding the proposed action objectionable.

Part 157
**Notice of Construction, Alteration, Activation,
and Deactivation of Aerodromes**

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157.1 Applicability

- (a) This Part prescribes rules for persons proposing to construct, alter, activate, or deactivate an aerodrome or heliport of the kind specified in paragraph (b).
- (b) This Part applies to an aerodrome or heliport unless it is—
- (1) an aerodrome that is required to be certificated under Part 139; 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 and that is not located inside a control zone and that is located more than—
 - (i) 5 nautical miles (9 kilometres) from the nearest other aerodrome; and
 - (ii) 3 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 and that is not located inside a control zone and that is located more than -
 - (i) 3 nautical miles (6 kilometres) from the nearest aerodrome; and
 - (ii) one nautical mile (2 kilometres) from the nearest other heliport.

157.3 Definitions

For the purposes of rules 157.1 and 157.5:

"Aerodrome" 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.

157.5 Projects requiring notice

Each person who intends to do any of the following (who in this Part is referred to as a 'proponent') must notify the Director in the manner prescribed in rule 157.7:

- (1) construct or otherwise establish an aerodrome or heliport to which this Part applies or activate such an aerodrome or heliport:
- (2) construct, re-align, alter, or activate any runway or other aircraft landing or take-off area of an aerodrome or heliport to which this Part applies:
- (3) increase the use of an established aerodrome or heliport restricted to VFR operations to more than 7 days in any 30 consecutive day period:
- (4) deactivate, discontinue using, or abandon an aerodrome or heliport to which this Part applies, or any landing or take-off area of such an aerodrome or heliport, for a period of one year or more.

157.7 Notice of intent

- (a) The notice required by rule 157.5(1), (2) and (3) must be submitted on the approved CAA Form to the Director at least 90 days before the day that work is to begin.
- (b) The notice required by rule 157.5(4) must be submitted in writing at least 30 days before the date planned for deactivation, discontinuance of use, or abandonment.

157.9 Aeronautical study

- (a) On receiving a notification under rule 157.7(a), the Director must conduct an aeronautical study.
- (b) In conducting the aeronautical study, the Director must consult with such persons, representative groups, and organisations as the Director considers appropriate.
- (c) The purpose of the aeronautical study will be to consider the effects that the proposed action would have on the safe and efficient use of airspace

by aircraft, and on the safety of persons and property on the ground. In particular, the aeronautical study must consider the following:

- (1) the effect the proposed action would have on existing or contemplated aerodrome traffic circuits of neighbouring aerodromes:
- (2) the effect the proposed action would have on existing and projected airspace uses:
- (3) the effect the proposed action would have on the safety of persons and property on the ground:
- (4) the effect the existing or proposed man-made objects and natural objects within the affected area would have on the proposed action.

157.11 Aerodrome determination

(a) On completion of the aeronautical study, the Director must issue to the proponent, appropriate local authorities, and other interested persons an aerodrome determination which must be one of the following:

- (1) **Unobjectionable:** A determination that the proposed action is unobjectionable must be made when the Director is satisfied that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (2) **Conditional:** A conditional determination must be made when the Director identifies objectionable aspects of a proposed action but specifies conditions which, if complied with, satisfy the Director that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (3) **Objectionable:** A determination that the proposed action is objectionable must be made when the Director identifies objectionable aspects of a proposed action and must specify the Director's reasons for finding the proposed action objectionable.

(b) Unobjectionable and conditional aerodrome determinations must contain a determination void date in order to facilitate efficient planning for the use of the navigable airspace.

(c) All work or action for which a notice is required by this Part must be completed by the determination void date. Unless otherwise extended, revised, or terminated, an aerodrome determination becomes invalid on the day specified as the determination void date.

(d) Interested persons may, at least 15 days in advance of the determination void date, petition the Director to—

- (1) revise the determination based on new facts that change the basis on which it was made; or
- (2) extend the determination void date.

157.13 Notice of completion

The proponent must notify the Director in writing of the completion of any action notified under rule 157.5 within 15 days of the completion.