

**APPENDIX 35 :SELECTED SECTIONS OF CAA RULE PART 77 - OBJECTS AND ACTIVITIES  
AFFECTING NAVIGABLE AIRSPACE ..... 1**

---

## APPENDIX 35 : SELECTED SECTIONS OF CAA RULE PART 77 - OBJECTS and ACTIVITIES AFFECTING NAVIGABLE AIRSPACE

### 77.5 Notice of construction or alteration of structure

Each person proposing to construct or alter a structure must notify the Director of the proposal in accordance with 77.13 if—

- (1) the structure will extend more than 60m in height above the ground level at its site; or
- (2) the structure will exceed the general tree height in the area by 18m and be located in an area of low level aerial activity or other low flying activity, or in a low flying zone or low level route as prescribed under Part 71; or
- (3) the structure is or will be located below the approach or take-off surfaces of an aerodrome as outlined in figures A.1 and A.2 of Civil Aviation Rules Part 77 CAA Consolidation 5 August 2004 5 CAA of NZ Appendix A, and will extend to a height greater than a surface, outlined in Appendix A, extending outward and upward at one of the following:
  - (i) a slope of 1:83 from the fan origin of the takeoff surface of each runway where the runway is used or intended to be used by aircraft with a MCTOW above 5700kg;
  - (ii) a slope of 1:50 from the fan origin of the takeoff surface of each runway where the runway is used or intended to be used by aircraft with a MCTOW at or below 5700kg;
  - (iii) a slope of 1:25 from the nearest point of the safety area of each heliport; or
- (4) the structure would penetrate the conical, inner horizontal, or transitional side surface of an aerodrome as--
  - (i) outlined in figure A.1 of Appendix A; or
  - (ii) specified in Part 139; or
  - (iii) as defined in the local district scheme.

### 77.7 Notice of use of a structure, light or laser

(a) Each person proposing to use a structure shall notify the Director of the proposal in accordance with 77.13 if—

- (1) the structure will or may discharge efflux at a velocity in excess of 4.3m per second through the obstacle limitation surfaces of an aerodrome; or
- (2) the structure will or may discharge efflux at a velocity in excess of 4.3m per second higher than 60m above ground level.

(b) A person proposing to operate a light or a laser must notify the Director in accordance with rules 77.13 if—

- (1) because of its glare or affect on a pilot's vision, the light or laser is liable to endanger aircraft; or
- (2) for a laser, it would produce exposures in navigable air space exceeding the maximum permissible exposure defined for that laser in NZS/AS2211; or
- (3) it is likely to endanger aircraft by being mistaken for—
  - (i) a light or part of a system of lights established or approved for display at or near an aerodrome; or
  - (ii) a light marking a hazard in navigable airspace.

...

**77.19 Standards for determining hazards**

- (a) The Director must determine a structure to be a hazard in navigable airspace if—
- (1) it is 120m or higher above ground level at its site; or
  - (2) it is 60m above ground level at its site and located within 1km of a defined VFR transit lane.
- (b) The Director must determine the use of a structure to be a hazard in navigable airspace if the structure or may discharge efflux at a velocity in excess of 4.3m per second through the obstacle limitation surf applicable to an aerodrome.
- (c) The Director must determine the use of a structure to be a hazard in navigable airspace if the structure or may discharge efflux at a velocity in excess of 4.3m per second higher than 60m above ground level.

...

- (h) The Director may determine, based on the circumstances of each proposal, a structure to be a hazard navigable airspace if--
- (1) it is 60m above ground level at its site and stands in a flat plain area; or
  - (2) it is located within an instrument flight procedures area that is specified in ICAO document 8168-OPS/611, including standard arrival routes, initial, intermediate, final, visual and miss approach segment areas, departure areas and standard instrument departure routes, and would result in—
    - (i) the vertical distance between any point on the structure and an established minimum instrument flight altitude within that area or segment being less than obstacle clearance required under 19.155; or
    - (ii) additional or new ceiling or visibility restrictions or a change in flight procedures applicable departures within that area; or
  - (3) it is located within an IFR en-route obstacle clearance area, including evaluated routes on NZ en-route and area charts but excluding chartered routes as published in the NZAIP instrument flight guide and would necessitate an increase in an existing or planned minimum obstacle clearance altitude; or
  - (4) it exceeds the general tree height by 18m and is located in an area of low level aerial activity or other low flying activity, or in a low flying zone or low level route as prescribed under Part 71; or
  - (5) it is in the vicinity of an aerodrome and protrudes through the obstacle limitation surfaces.