



PURSUANT to Section 28 of the Civil Aviation Act 1990

I, HARRY JAMES DUYNHOVEN, Minister for Transport Safety,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *10th* day of *April* 2006
by **HARRY JAMES DUYNHOVEN**

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven', is written over the printed name.

Minister for Transport Safety

Civil Aviation Rules

Part 93, Amendment 3

**Special Aerodrome Traffic Rules and Noise Abatement
Procedures**

Docket 4/CAR/9

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Rule objective

The primary objective of Amendment 3 to Part 93 is to remove the prescription of right-hand aerodrome traffic circuits from subparts B, C, D, E, F, G, H, and Appendix C of Part 93 and to make the determination of right-hand aerodrome traffic circuits for a runway, a Director's function in accordance with section 72I(2) of the Civil Aviation Act 1990.

A secondary objective of Amendment 3 to Part 93 is to amend subpart E regarding use of runways and noise abatement procedures at Paraparaumu aerodrome.

Consequential amendments are also required to the following rule Parts:

- Part 1-Definitions and Abbreviations, Amendment 30
- Part 71-Designation and Classification of Airspace, Amendment 3
- Part 91-General Operating and Flight Rules, Amendment 13

Extent of consultation

Right-hand aerodrome traffic circuits

Since Part 93 came into effect in April 1997 a number of petitions for exemption from the standard left-hand aerodrome traffic circuit prescribed by Part 91 have been received. These petitions included comments that it was inappropriate to have what are essentially day-to-day operational requirements prescribed in a rule. The CAA undertook to address this issue in future rule making affecting Part 93 and some informal industry discussion took place during 1999/2000 in association with the development of a draft Notice of Proposed Rule Making (NPRM) to revise the whole of Part 93. This project did not proceed beyond the draft NPRM stage because of other higher priority projects.

In June 2003, NPRM 03-05 was issued for public consultation. This NPRM updated the list of aerodromes with right-hand aerodrome traffic circuits in Appendix C to Part 93. The NPRM also included an acknowledgement that the current rule making procedures for approving or withdrawing right-hand aerodrome traffic circuits were inappropriate, and that this issue would be addressed in a future rule making proposal.

Paraparaumu aerodrome special aerodrome traffic rules

Informal discussions were held with the Paraparaumu aerodrome operator during 1999/2000 regarding the right-hand circuit issue, and the “use of runway” rule now that the aerodrome flight information service (AFIS) had been withdrawn from the aerodrome. Further informal discussions with the aerodrome operator were held during 2004 in respect to these issues plus the additional issues of helicopter operations and touch and go manoeuvres. Following these discussions with the aerodrome operator, an informal draft NPRM covering the Paraparaumu aerodrome issues was circulated to the local users in June 2004 through the aerodrome operator for discussion. There were no significant issues raised by either the aerodrome operator or individual local users to the informal draft NPRM.

A Notice of Proposed Rulemaking, NPRM 05-02, containing the proposed changes to Part 93 was issued for public consultation under Docket 4/CAR/9 on 14 March 2005.

The publication of this NPRM was notified in the *Gazette* on 17 March 2005 and advertised in the daily newspapers in the 5 main provincial centres on 19 March 2005, and in local Paraparaumu area newspapers on 21 and 23 March 2005. The NPRM was published on the CAA website and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 36 days was allowed for comment on the proposed rule.

New Zealand Transport Strategy

Development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

Amendment 3 to Part 93 has been assessed as follows against the NZTS:

Assisting Economic Development—Removing the restriction on the use of grass runways at Paraparaumu aerodrome will provide more flexibility for the aerodrome operator and the users of the aerodrome regarding the utilisation of available runways to meet the flying demands:

Assisting safety and personal security—Removing the prescription of right-hand aerodrome traffic circuits from Part 93 and making this a Director’s function in accordance with section 72I(2) of the Act will enable more timely decisions to be made regarding any changes to the direction of aerodrome traffic that may be required to meet operational safety concerns:

Improving access and mobility—The rule amendments are unlikely to affect access and mobility issues:

Protecting and promoting public health—The amendments to the Paraparaumu aerodrome noise abatement procedures will assist in reducing noise from aircraft in flight over residential areas:

Ensuring environmental sustainability—The rule amendments are unlikely to affect environmental sustainability.

Summary of submissions

Sixteen written submissions were received on the NPRM. These submissions and the comments have been considered and as a result 2 changes have been made to the proposed rules that were published in the NPRM.

An internal CAA comment on the NPRM noted that the proposed rules regarding procedures for the Director to make a determination for a right-hand aerodrome traffic circuit did not include any requirement on the aerodrome operator to ensure that the details of a right-hand circuit are published in the AIPNZ. An additional paragraph has been inserted into rule renumbered 93.357 to prescribe this requirement.

A Paraparaumu resident raised concerns about noise from aircraft operations at Paraparaumu aerodrome and commented on the proposed changes to the rule regarding the use of runways. After further discussion with the resident, the aerodrome operator and CAA operations personnel it was agreed that the proposed rule would be amended to address some of the noise concerns.

Another Paraparaumu resident raised concerns about noise from helicopter operations at Paraparaumu aerodrome and suggested changes to the noise abatement rules. However the suggested changes are outside the scope of this amendment to Part 93 but the concerns have

been relayed back to the aerodrome operator and the helicopter operators at the aerodrome.

Wellington Gliding Club also suggested a change to the noise abatement procedures for Paraparaumu aerodrome in relation to gliding operations but the CAA considered that the proposed change is unnecessary and unacceptable.

Some editorial amendments have also been made to the new subpart H including the insertion of a purpose statement for the subpart with subsequent renumbering of the rules in the subpart.

The details of all the submissions on the NPRM and the CAA responses including the changes to the proposed rules are recorded in the Summary of Public Submissions which was published on the CAA web site on 29 June 2005.

The rule as amended was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

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 the revocation of existing rules and the substitution of the new rules in some cases, and the revocation of an existing subpart and appendix and the insertion of a replacement subpart.

Effective date of rule

Amendment 3 to Part 93 comes into force on 11 May 2006.

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 93—Special Aerodrome Traffic Rules and Noise Abatement Procedures

Subpart A—General

Rule 93.1 is revoked and the following new rule substituted:

93.1 Purpose

- (a) This Part prescribes—
- (1) special rules for aerodrome traffic, in addition to the rules for aerodrome traffic prescribed in Part 91; and
 - (2) exceptions from the rules for aerodrome traffic prescribed in Part 91; and
 - (3) aerodrome noise abatement procedures.
- (b) Subject to paragraph (c), the following rules also apply to a member of the New Zealand Defence Force and any aircraft operated by the New Zealand Defence Force:
- (1) rule 93.155;
 - (2) rule 93.303, 93.305 and 93.307.
- (c) This Part does not apply to any member of the New Zealand Defence Force or any aircraft operated by the New Zealand Defence Force acting in connection with—
- (1) any war or other like emergency; or
 - (2) the defence of New Zealand and other New Zealand interests; or
 - (3) aid to the civil power in time of emergency; or
 - (4) the provision of any public service.

Subpart B—Auckland International Airport

Rule 93.55 - Aerodrome traffic circuit-Auckland International Airport - is revoked and the rule number reserved

93.55 Reserved

Subpart C—Wellington International Airport

Rule 93.105 - Aerodrome traffic circuit-Wellington International Airport - is revoked and the rule number reserved

93.105 Reserved

Subpart D—Christchurch International Airport

Rule 93.155 is revoked and the following new rule is substituted:

93.155 Aerodrome traffic circuit

A pilot-in-command of an aircraft must, unless otherwise authorised by ATC, conduct that part of the aerodrome traffic circuit where the aircraft is not climbing after take-off or descending to land—

- (1) at or below an altitude of 900 feet QNH when landing at or taking off from grass runways; and
- (2) at or above an altitude of 1400 feet QNH when landing at or taking off from paved runways.

Subpart E—Paraparaumu Aerodrome

Rule 93.201 is revoked and the following new rule is substituted:

93.201 Purpose

This Subpart prescribes noise abatement procedures for an aircraft operating in the vicinity of Paraparaumu aerodrome for the purpose of landing at or taking-off from Paraparaumu aerodrome.

Rule 93.203 is revoked and the following new rule is substituted:

93.203 Noise abatement procedures

- (a) A pilot-in-command of an aeroplane must—
 - (1) except when performing a touch and go manoeuvre, commence each take-off—

- (i) from the threshold of the runway to be used; or
 - (ii) if required to meet aircraft operational performance requirements, from the start of the starter extension if the runway is provided with a starter extension; and
 - (2) climb to 500 feet QNH before commencing a turn, unless the aeroplane is towing a glider and—
 - (i) a turn is required to clear an obstruction; or
 - (ii) a turn is required to avoid flying over residential areas; and
 - (3) if operating under VFR, conduct the part of the aerodrome traffic circuit where the aeroplane is not climbing after take-off or descending to land, at an altitude of at least 1000 feet QNH, unless a lower height is required to maintain distance from cloud; and
 - (4) when approaching to land on a paved runway, except runway 16, not descend below 50 feet AGL until the aeroplane is over the displaced runway threshold.
- (b) A pilot-in-command of a helicopter must ensure approach and take-off flight paths do not descend below 500 feet AGL over any residential area.

Rule 93.205 - Aerodrome traffic circuit - is revoked

Rule 93.207 - Noise abatement procedures - is revoked

Subpart F—Matamata Aerodrome

Rule 93.253 - Aerodrome traffic circuit - is revoked and the rule number reserved.

93.253 Reserved

Subpart G—Ardmore Aerodrome

Rule 93.303 is revoked and the following new rule is substituted:

93.303 Aerodrome traffic circuit

(a) A pilot-in-command of an aircraft must conduct that part of the aerodrome traffic circuit where the aircraft is not climbing after take-off or descending to land—

- (1) for operations in aeroplanes by day, at or above an altitude of 1100 feet QNH; and
- (2) for operations in aeroplanes by night, at or above an altitude of 1300 feet QNH; and
- (3) for operations in helicopters by day, at or below an altitude of 800 feet QNH; and
- (4) for operations in helicopters by night, at or below an altitude of 1000 feet QNH.

(b) A pilot-in-command of a helicopter landing at or taking-off from a TALO must conduct —

- (1) left-hand circuits using the Western TALO when runway 03 is in use; and
- (2) right-hand circuits using the Western TALO when runway 21 is in use; and
- (3) left-hand circuits using the Eastern TALO when runway 07 is in use; and

- (4) right-hand circuits using the Eastern TALO when runway 25 is in use; and
- (5) an aerodrome traffic circuit to keep clear of the aeroplane flight paths when runway 03 or 21 is in use.

Subpart H is revoked and the following new Subpart substituted:

Subpart H—Right-Hand Aerodrome Traffic Circuits

93.351 Purpose

This Subpart prescribes rules to allow the Director to issue a determination regarding the requirement for a right-hand aerodrome traffic circuit to be published for a runway at an aerodrome, if in the interests of aviation safety or security, a standard left-hand aerodrome traffic circuit is not practicable.

93.353 Determination for a right-hand aerodrome traffic circuit

The Director may issue a determination for a right-hand aerodrome traffic circuit to be published for a runway at an aerodrome that is published in the AIPNZ if the Director considers that in the interest of aviation safety or security, a standard left-hand aerodrome traffic is not practicable.

93.355 Application for a right-hand aerodrome traffic circuit

- (a) An operator of an aerodrome that is published in the AIPNZ may apply to the Director for a right-hand aerodrome traffic circuit determination for a runway at the aerodrome.
- (b) An applicant for the issue of a right-hand aerodrome traffic circuit determination must provide the Director with the following:
 - (1) the name and contact details of the applicant;
 - (2) the name of the aerodrome;
 - (3) details of the runway that is the subject of the application including the runway designation, surface type, and any associated instrument procedures;

- (4) details of any other runway on the aerodrome:
 - (5) details of any other aerodrome or heliport that is within 10 nm of the aerodrome:
 - (6) the reasons for having a right-hand aerodrome traffic circuit:
 - (7) any other applicable information that is requested by the Director.
- (c) An application for a right-hand aerodrome traffic circuit determination must be submitted to the Director with the payment of any applicable charge prescribed by regulations made under the Act.
- (d) The application specified in paragraph (c) must be submitted not less than 90 days before the date on which the right-hand aerodrome traffic circuit is to come into force, unless a shorter period is acceptable to the Director.

93.357 Procedures for issue of a determination for a right-hand aerodrome traffic circuit

- (a) Before issuing a determination that a right-hand aerodrome traffic circuit is required for a runway at an aerodrome that is published in the AIPNZ, the Director must consult with such persons and organisations as the Director considers appropriate in each case.
- (b) Upon issuing a determination that a right-hand aerodrome traffic circuit is required for a runway at an aerodrome that is published in the AIPNZ the Director must—
- (1) notify the issue of the determination in the *Gazette*; and
 - (2) enter the details of the right-hand aerodrome traffic circuit in the New Zealand Air Navigation Register; and
 - (3) notify the aerodrome operator of the issue of the determination.
- (c) The gazette notice required under paragraph (b)(1) must specify the date on which the right-hand aerodrome traffic circuit comes into force.

(d) A right-hand aerodrome traffic circuit for a runway does not come into force until the date specified in the gazette notice.

(e) An aerodrome operator who is notified by the Director under paragraph (b)(3) of the issue of the determination must ensure that the applicable details for the runway and aerodrome are published in the AIPNZ.

93.359 Withdrawal of right-hand aerodrome traffic circuit

(a) An operator of an aerodrome that is published in the AIPNZ may apply to the Director to withdraw a right-hand aerodrome traffic circuit determination for a runway at the aerodrome, if the aerodrome operator considers that the right-hand aerodrome traffic circuit is no longer required.

(b) If after considering aviation safety and security requirements, the Director is satisfied that a right-hand aerodrome traffic circuit is no longer required for a runway at an aerodrome that is published in the AIPNZ, the Director may withdraw the determination for the right-hand aerodrome traffic circuit.

(c) After withdrawing a right-hand aerodrome traffic circuit determination for a runway at an aerodrome that is published in the AIPNZ the Director must—

- (1) notify the withdrawal and date of the withdrawal of the right-hand aerodrome traffic circuit in the *Gazette* ; and
- (2) amend the details of the aerodrome and the runway in the New Zealand Air Navigation Register; and
- (3) notify the aerodrome operator of the withdrawal of the determination.

(d) The withdrawal of a right-hand aerodrome traffic circuit comes into force on the date specified in the gazette notice.

(e) An aerodrome operator who is notified under paragraph (c)(3) that the Director has withdrawn a determination for a right-hand aerodrome traffic circuit for a runway at the aerodrome, must ensure that the details

for the aerodrome and the runway published in the AIPNZ are appropriately amended.

93.361 Savings provision for existing right-hand aerodrome traffic circuits

Every right-hand aerodrome traffic circuit for a runway at an aerodrome that is published in the AIPNZ immediately before 11 May 2006 continues to have effect on or after 11 May 2006 as if it were a right-hand aerodrome traffic circuit determined in accordance with this Subpart as in force on or after 11 May 2006.

Appendix C - Right-hand Aerodrome Traffic Circuits - is revoked and the Appendix letter reserved

Appendix C Reserved

Consultation Details

(This statement does not form part of the rules contained in Part 93. It provides details of the consultation undertaken in making the rules.)

Comments arising from the NPRM

Amendment 3 to Part 93 was developed under docket 4/CAR/9 and published as NPRM 05-02. Sixteen written submissions were received on the NPRM.

The comments and all background material used in developing the rules are held on the docket and are available for public inspection at Aviation House, 10 Hutt Road Petone. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 4/CAR/9.

Summary of submissions

General

Notice of Proposed Rule Making (NPRM) 05-02 was issued for public comment on 14 March 2005, with a submission close-off of 22 April 2005. The purpose of NPRM 05-02 was to:

- Amend Part 91 and Part 93 to authorise the Director to determine and withdraw right-hand aerodrome traffic circuits for a runway of any aerodrome published in the AIPNZ.
- Amend Part 93 Subpart E – *Paraparaumu Aerodrome* – to reflect the withdrawal of the aerodrome flight information service from Paraparaumu, remove the restriction regarding use of runways when gliding is in progress, clarify the rule regarding the commencement of take-offs, and amend the rules referring to helicopter operations.
- Amend Part 1 by inserting the abbreviation AIPNZ, and make a consequential amendment to Part 71 to include right-hand aerodrome traffic circuits in the Air Navigation Register.

A total of 16 submissions were received. Of these, 3 submissions from organisations, 7 from aerodrome operators, and 1 from an individual, commented that the proposal was acceptable without change.

A CAA Field Safety Adviser onforwarded a comment in reference to the note in the NPRM that if a right-hand circuit is required for noise abatement purposes then it will be addressed through the Minister's noise abatement rule made under s29B. The submission sought clarification that if an aerodrome operator has or changes to a right-hand circuit as a consideration due to noise or nuisance will the aerodrome be required to be in Part 93.

CAA comment: *The rules to allow the Director to determine a right-hand circuit are made under section 29(b) of the Act which provides for rules to be made in the interests of aviation safety or security only. If a right-hand circuit is required for noise abatement purposes only, then it must be prescribed in a rule made by the Minister under section 29B of the Act and would be published in Part 93.*

Wellington Gliding Club submitted comment on the following:

Use of terms *aeroplane* and *aircraft*: Wellington Gliding Club commented on what they considered to be a loose use of the terms *aeroplane* and *aircraft* in the *NPRM* and suggested that this loose use of the terms makes interpretation of the rule proposals more complex than necessary. They considered that no regard had been given to these terms as defined in Part 1 or to the proposed amendment to Part 1 regarding the definition of *category* as it relates to aircraft as published in the Part 61 NPRM 04-02 of 4 June 2004. They consider that any requirement to perform a standard or non-standard circuit should be on the pilot of any category of aircraft and not just the pilots of aeroplanes. They refer to the use of the terms *aeroplane*, *aircraft*, and *helicopter* in rule 91.223 which deals with *operating on and in the vicinity of an aerodrome*, and comment that the rule is unclear about the circuit direction requirements for other categories of aircraft such as gliders and microlights.

CAA comment: *The terms aeroplane and aircraft are used in the context of their definitions in Part 1. The amendment to Part 1 proposed in NPRM 04-02 in respect to category does not introduce a new definition but just transfers an existing definition from Part 61 to Part 1. However, the CAA accepts that there is a gap in the requirements of 91.223 in respect to*

gliders and microlights. This will be addressed in an Omnibus Rule Project currently under development.

Paraparaumu aerodrome use of runways: Wellington Gliding Club commented on the preamble to the NPRM regarding the statement that the rules regarding the use of runways at the aerodrome were no longer required because, among other things, *“the aerodrome operator has now introduced local user group agreements to improve the utilisation of the grass and paved runways”*. The Gliding Club commented that *“while the local Fixed Base Operator Chief Flying Instructors have participated in dialogues on this matter, no documented agreements have been seen”*. The Gliding Club suggested that if CAA has a copy of such documented agreements it would be helpful if CAA could provide copies.

CAA comment: *The CAA does not hold documented agreements as considerable informal pre NPRM correspondence and discussion took place with the aerodrome operator and the CAA Field Safety Adviser for the area, with the aerodrome operator giving CAA an assurance that agreement had been reached with local operators. Any requirement for a written agreement is between the aerodrome operator and the aerodrome user to address.*

Specific

An internal CAA discussion on the NPRM pointed out that rule 93.355(b)(3) did not put any requirement on the aerodrome operator to publish the right-hand circuit in the AIPNZ.

The final rule (renumbered to 93.357) will be amended to include an additional paragraph – (e)- to require the aerodrome operator to publish the right-hand aerodrome traffic circuit in the AIPNZ.

Wellington Gliding Club submitted a comment on Paraparaumu aerodrome noise abatement procedures – rule 93.203. Wellington Gliding Club proposed an additional sub-paragraph be added to paragraph (a)(2) to the exception to the requirement for a pilot-in-command of an aeroplane to climb to a height of 500 feet before commencing a turn, to allow a glider tow aeroplane to commence a low

level turn below 500 feet when a glider instructor is conducting launch failure training for a glider pilot under rule 104.59. They suggest that this exception is required in the rule because to provide realistic and safe aerotow launch failure training the towplane needs to initiate a relatively low level turn close in to the runway.

CAA comment: *The launch failure training under rule 104.59 is for the glider pilot not the tow plane pilot. In a simulated launch failure training exercise there is no need for the tow plane to execute a low level turn and therefore the tow plane can complete a normal circuit in accordance with the rules.*

In addition, the CAA has received submissions to this NPRM from local residents on the subject of low flying aircraft and aircraft noise. One submission specifically mentions gliders and tow planes. Given these submissions and the proximity of residential housing to Paraparaumu aerodrome, it would be inappropriate for the CAA to agree to the proposed addition to rule 93.203(a)(2).

A local Paraparaumu resident submitted comments on the following regarding aircraft noise:

Paraparaumu aerodrome use of runways: The resident considered that the proposed removal of rule 93.203 which prescribes restrictions on the use of the grass runway when gliding is in progress, is not acceptable as increased use of the grass runway would mean more noise directly overhead. The resident stated that glider tugs pass over houses at about 150 feet and already generate intolerable levels of noise. The resident considered that the traffic at the airport does not justify even modest use of the grass runway by other aircraft as any delays in takeoff on paved runways are minimal. The resident commented that the AWIB system does not always mention “gliding in progress” when it is taking place.

CAA comment: *The existing rule allows other aircraft to use the runway when gliding is not in progress, therefore the proposed rule change does not increase the overall number of aircraft using grass runway 34 but allows the aerodrome operator to make the best use of available resources. The comments regarding glider tugs and the AWIB have been*

drawn to the attention of the aerodrome operator and the CAA Field Safety Adviser for the area.

Paraparaumu aerodrome take off from runway threshold and runway starter extension rule: The resident considered that the proposed rule is not acceptable in respect to the runway starter extension but could be modified. The resident agreed that taking off from a point further back on a runway can lessen the noise an aircraft will make over residential areas as it climbs higher before crossing the airport boundary. For instance, for grass runway 34 if glider tugs started further back there would be little extra noise at the south end in the middle of the airport but considerable relief for residents as currently the tugs pass overhead at low altitude. Also, the resident considered that the southern end of the grass runway does not appear to be clearly defined. The resident also felt that a glider and tug crossing Kapiti Road at low altitude can cause a visual hazard to traffic on Kapiti Road.

In the resident's view the negative side of this proposed rule change is the increase in noise to residents adjacent to the starting point of the starter extension. The resident stated that aircraft at the northern end at the start of runway 16 rev/warm up their engines for several minutes and then put on full power for take-off commencing only 50 metres or so from the houses. In the resident's opinion, the runway is long enough to allow a start further down the runway, except for heavily laden large aircraft. The resident suggested that modification of this rule for small/medium aircraft starting at the northern end of runway 16 and not to start from the starter extension, would ensure that the requirement of rule changes to lessen noise stress on airport neighbours was implemented.

CAA comment: *Rule 93.203(a)(1) has been amended to remove the mandatory requirement to start from the start of the starter extension and only require start from the start of the starter extension if required to meet aircraft operational performance requirements. The comment in respect to glider tugs and the start of grass runway 34 has been drawn to the attention of the aerodrome operator and the CAA Field Safety Adviser.*

Paraparaumu aerodrome helicopter operations noise rule:

The resident commented that the proposed amendment to the helicopter operation noise rule is acceptable but could be further improved by making the minimum height 800 feet, as helicopters hover for considerable periods over residential areas close to the airport, in contrast to the quicker passage of fixed wing aircraft. The resident considered that the rule needs to be enforced more strictly than at present as many helicopters currently fly below 500 feet on approach and take-off, and over residential areas.

CAA comment: Raising the minimum height for approach and take-off flight paths for helicopters to 800 feet, has the potential to create operational problems for pilots due to the need to make a steeper descent and ascent than would normally be required. The comment in respect to better enforcement of the 500 foot requirement has been drawn to the attention of the appropriate unit within the CAA and also to the aerodrome operator and CAA Field Safety Adviser.

A local Paraparaumu resident submitted comments specifically on noise from helicopters:

The resident commented that while the proposed change to the rule to require helicopter approach and take-off flight paths to not be below 500 feet over any residential area was acceptable, the proposal would be improved if certain changes were made. The resident considered that helicopters, in particular the flight training helicopters, are the major noise source at Paraparaumu airport because in the resident's view:

- They tend to fly small repeated circuits in the vicinity of the airport above residential areas.
- They are using old and noisy helicopters.
- They are usually flown by trainees who are not yet skilled in operating the aircraft efficiently (e.g. they are using more revs than needed, and needing to approach more slowly etc).

The resident stated that the Kapiti District Aero Club (KDAC) has acknowledged that helicopter circuiting operations do constitute a

considerable noise problem and KDAC have instigated circuit procedures which help to mitigate the noise problem. The resident attached a copy of these procedures. However, the resident pointed out that even when trainee pilots adhere to this circuit pattern there can still be considerable noise problems if the circuiting continues over a period of several hours. The resident gave a recent example of this.

The resident also pointed out that the proposed rule change does have weaknesses when it comes to enforcement because it is largely based on height restrictions making it difficult to provide evidence of breaches.

The resident proposed that CAA adopt the KDAC voluntary circuit pattern as a rule and work towards improving this to provide a more acceptable solution for local residents.

CAA comment: *The resident's proposal represents a significant amendment to a noise abatement rule and is outside the scope of this NPRM. An amendment such as this requires consultation and agreement with the aerodrome operator and helicopter operators, before it could be considered by the CAA. It is the CAA view that the preferred solution to an aircraft noise issue such as this should, in the first instance, be discussed by the affected parties (aerodrome operator, aerodrome users, and local residents) to try and agree on a voluntary approach to the problem rather than attempt a rules-based approach. Accordingly, the content of this submission has been passed to the aerodrome operator and the CAA Field Safety Adviser for the area to consider.*