

Subpart 139.E Obstacles and hazards

139.350 Monitoring of airspace

- (1) The operator of a certified aerodrome or a registered aerodrome must monitor the airspace around the aerodrome for infringement of the obstacle limitation surfaces by:
 - (a) any object, building or structure; or
 - (b) any gaseous efflux having a velocity exceeding 4.3 metres per second.
- (2) The monitoring must be in accordance with the standards set out in the Manual of Standards.

139.355 Establishment of obstacle limitation surfaces

An aerodrome operator must ensure that obstacle limitation surfaces are established for the aerodrome in accordance with the standards set out in the Manual of Standards.

139.360 Notice of obstacles

- (1) An aerodrome operator must take all reasonable measures to ensure that obstacles at, or within the vicinity of, the aerodrome are detected as quickly as possible.
- (2) If the operator becomes aware of the presence of an obstacle, the operator must:
 - (a) tell the NOTAM Office immediately; and
 - (b) give the NOTAM Office details of:
 - (i) the height and location of the obstacle; and
 - (ii) amended declared distances and gradients, if applicable.

Penalty: 10 penalty units.

- (3) If the operator becomes aware of any development or proposed construction near the aerodrome that is likely to create an obstacle, the operator must:
 - (a) tell CASA as soon as practicable; and
 - (b) give to CASA details of the likely obstacle.

Penalty: 10 penalty units.

139.365 Structures 110 metres or more above ground level

A person who proposes to construct a building or structure the top of which will be 110 metres or more above ground level must inform CASA of that intention and the proposed height and location of the building or structure.

Penalty: 10 penalty units.

139.370 Hazardous objects etc

- (1) CASA may determine, in writing, that:
 - (a) an obstacle, or any proposed development or other proposed construction that is likely to create an obstacle; or
 - (b) a building or structure the top of which is 110 metres or more above ground level; or
 - (c) a proposed building or structure the top of which will be 110 metres or more above ground level;is, or will be, a hazardous object because of its location, height or lack of marking or lighting.
- (2) CASA may determine, in writing, that a gaseous efflux having a velocity exceeding 4.3 metres per second is, or will be, a hazard to aircraft operations because of the velocity or location of the efflux.
- (3) If CASA makes a determination under subregulation (1) or (2), it must:
 - (a) publish in AIP or NOTAMS particulars of the hazardous object or gaseous efflux to which the determination relates; and
 - (b) give written notice of the determination in accordance with subregulation (4).
- (4) CASA must give a copy of the notice:
 - (a) in the case of a hazardous object that is a proposed building or structure:
 - (i) to the person proposing to construct the building or structure; and
 - (ii) to the authority or, if applicable, one or more of the authorities whose approval is required for the construction; and
 - (b) in any other case, if a person who owns or is in occupation or control of the hazardous object, or owns or is in control of the installation that produces the gaseous efflux, can reasonably be identified — to that person.