

**CIVIL AVIATION ACT
(Cap 71: 01)**

**CIVIL AVIATION, LAND USE CONTROL
(SIR SERETSE KHAMA AIRPORT) ORDER, 1996
(Published on 13th September, 1996)**

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Application of provisions of Order
3. Limitation on height of structures or trees
4. Restrictions on use of controlled areas
5. Exemption of existing structures and trees
6. Marking and lighting of obstructions
7. Limitation on changes in use of controlled areas
8. Abandoned or destroyed obstruction not to be restored
9. Owner may be required to mark and light obstruction
10. Offence and penalty

FIRST SCHEDULE

SECOND SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Works, Transport and Communications by section 4 of the Civil Aviation Act, the following Order is hereby made —

1. This Order may be cited as the Civil Aviation, Land Use Control (Sir Seretse Khama Airport) Order, 1996. Citation

2. This Order shall apply to those areas of land and water situated on or near Sir Seretse Khama Airport and covered by the descriptions set out in the First Schedule hereto, which areas may herein be referred to as “controlled areas”. Application of provisions of Order

3. Except as otherwise provided in this Order, no person shall erect, alter or maintain any structure or grow any tree of a height in excess of the limits set out in respect of each controlled area as indicated in the Second Schedule hereto. Limitation on height of structures or trees

4. Notwithstanding any other provisions of this Order, no use may be made of land or water within any controlled area established by this Order in such a manner as to create any electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other illuminations, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or manoeuvring of aircraft intending to use the airport. Restrictions on use of controlled areas

5. This Order shall not be construed so as to require the removal, lowering, or other change or alteration of any structure not conforming to the requirements of this Order as at the effective date thereof, or otherwise interfere with Exemption of existing structures and trees

the continuance of the normal use thereof, and nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the date of commencement of this Order, and is continued without delay in accordance with the original plans.

Marking and lighting of obstructions

6. Notwithstanding the provisions of paragraph 5, the owner of any existing structure or tree which does not conform with the requirements of this Order shall permit the installation, operation, and maintenance thereon, at the expense of the Department of Civil Aviation, of such markers and lights as are deemed necessary by the Department of Civil Aviation to indicate the presence of any such obstruction to the operators of aircraft in the vicinity of the airport.

Limitation on changes in use of controlled area

7. (1) No material change shall be made in the use of land, and no structure shall be erected or otherwise established in any controlled area unless a permit therefor has been granted by the Director of Civil Aviation.

(2) Every application for a permit shall be made in writing to the Director of Civil Aviation, shall specify the purpose for which the permit is required, and contain sufficient particulars to enable the Director to determine whether the structure, or the resulting use, would conform to the requirements of this Order.

(3) No permit shall be granted for a structure or a use which does not conform with the requirements of this Order, and no permit shall be granted that would allow the establishment or creation of an obstruction, or permit a structure or tree or the use thereof or of land to become a greater hazard to air navigation than it was on the date of commencement of this Order.

Abandoned or destroyed obstruction not to be restored

8. Whenever in the opinion of the Department of Civil Aviation a tree or structure which does not conform with the requirements of this Order has been abandoned or more than 80 per cent torn down, has physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to be restored so as to exceed the applicable height limit or otherwise deviate from the requirements of this Order.

Owner may be required to mark and light obstruction

9. Any permit granted under this Order may, if the Director of Civil Aviation considers it to be advisable for the purposes of this Order and to be not unreasonable in all the circumstances, be granted subject to the condition that the owner of the structure or tree in question install, operate, and maintain, at his own expense, such markings and lights as may be necessary in the interest of safety.

Offence and penalty

10. Any person who contravenes or fails to comply with any provision of this Order with which he is required to comply, shall be guilty of an offence and shall be liable to a fine of P500 and to imprisonment for 6 months.

FIRST SCHEDULE

1. *Approach Surfaces*

1.1 Description — An approach surface is an inclined plane or combination of planes preceding the thresholds of:

- (a) the existing 3 000 metre runway, of orientation 08-26, or
- (b) the future 4 000 metre runway, to be developed by extending 1000 metres at 26 end (eastern end) of the existing runway.

1.2 Characteristics — The limits of the approach surface shall comprise:

- (a) an inner edge of 300 metres in dimension, perpendicular to the extended centre line of the runway and located at 60 metres distance before the threshold;
- (b) two sides originating at the ends of the inner edge and diverging uniformly at a rate of 15 per cent from the extended centre line of the runway; and
- (c) an outer edge parallel to and 15 000 metres distant from the inner edge.

1.3 The elevation of the inner edge shall be equal to the elevation of the mid-point of the threshold.

1.4 The slope(s) of the approach surface shall be measured in the vertical plane containing the centre line of the runway.

1.5 The approach surface consists of three contiguous sections as indicated below:

First section: Inner edge to 3 000 metres at a two percent slope;

Elevation at 3 000 metres is 60 metres above the inner edge.

Second section: 3 000 metres from the inner edge to 6 600 metres from the inner edge at a 2,5 per cent slope;

Elevation at 3 000 metres is 60 metres, and at 6 600 metres is 150 metres above the inner edge.

Third section: A horizontal surface of elevation 150 metres above the inner edge commencing at 6 600 metres from the inner edge and ending at 15 000 metres from the inner edge.

2. *Take-off climb surface*

2.1 Description — Take-off climb surface is an inclined plane beyond the end of clearways of:

- (a) the existing 3 000 metre runway of orientation 08-26, or
- (b) the future 4 000 metre runway to be developed by extending 1000 metres at the 26 end (eastern end) of the existing runway.

2.2 Characteristics — The limits of the take-off climb surface shall comprise:

- (a) an inner edge of 180 metres in dimension horizontal and perpendicular to the centre line of the runway and located at the end of the clearway;
- (b) two sides originating at the ends of the inner edge diverging uniformly at a rate of 12,5 per cent from the take-off track to a 1 800 metre final width and continuing thereafter at that width for the remainder of the length of the takeoff climb surface; and
- (c) an outer edge horizontal and perpendicular to the specified take-off track; parallel to and 1 500 metres distant from the inner edge.

2.3 The elevation of the inner edge shall be equal to the highest point on the extended runway centre line between the end of the runway and the inner edge, i.e. the highest point of the ground on the centre line of the clearway.

- 2.4 The slope of the take-off climb surface shall be measured in the vertical plane containing the centre line of the runway, and shall have a value of 1.6 per cent commencing from the inner edge. The elevation of the outer edge is 240 metres above the inner edge.
3. *Transitional Surface*
An area bounded by:
- (a) two parallel lines 930 metres apart and symmetrically placed 465 metres on either sides of the centre of the runway; and
 - (b) the approach surfaces on either ends of the existing and the future runways.
4. *Inner Horizontal Surface*
An area within 4 kilometres from any point on the existing and future runways.
5. *Conical Surface*
An area within 6 kilometres from any point on the existing and future runways and outside the inner horizontal surface.
6. *Clearways*
An area bounded by two parallel lines 150 metres apart and symmetrically placed 75 metres on either side of the extended centre line of the runway and extending in length to 1500 metres on either end of the existing runway and 2 000 metres on either end of the future runway.
7. *VOR/DME Station*
Located at a point on the ground 8 341 metres (4,5 nautical miles) before the threshold of 08 runway, along the extended centre line of the runway.

SECOND SCHEDULE

1. *Approach Surface*
Height limited to be below the approach surface.
2. *Take-off Climb Surfaces*
Height limited to be below the take-off climb surface.
3. *Transitional Surfaces*
Height limited to a transitional plane of 1:7 (1 vertical distance: 7 horizontal distance) rising outwards from the edges of a 300 metre wide runway strip.
4. *Inner Horizontal Surface*
Height limited ordinarily to 30 metres above the runway and exceptionally to 45 metres above the runway.
5. *Conical Surface*
Height limited ordinarily to 30 metres above the runway at the boundary of the inner horizontal surface increasing at a uniform rate to 130 metres at 6 kilometres distance from the runway.
Height limited exceptionally to 45 metres above the runway at the boundary of the inner horizontal surface increasing at a uniform rate to 145 metres at 6 kilometres distance from the runway.

6. *Clearways*

No structures are allowed; tree heights are limited to a plane rising 1,25 percent from the runway end along the extended centre-line.

7. *VOR/DME Station*

7.1 No structure, wire line or metal fence is allowed within 150 metres of the location of the station. Beyond 150 metres up to 1 000 metres of the station, no structure, wire line or metal fence shall project above a limitation of a vertical angle of 1,2 degrees measured from the horizontal plane, with origin at the location of the station.

7.2 No trees are allowed within 150 metres of the station. Single trees up to 9 metres high are allowed beyond 150 metres up to 300 metres of the station. No groups of trees are allowed within 300 metres of the station; and from 300 to 600 metres no group of trees shall project above a vertical angle of 2 degrees measured from the station.

MADE this 23rd day of August, 1996.

D.K. KWELAGOBÉ,
*Minister of Works, Transport and
Communications.*

L2/7/92 III