



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX28/22

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

Danny O'Hagan
Manager, Legislative Drafting

March 2022

CASA EX28/22 — Authorised Instrument Approach Procedures (PHI International) Exemption 2022

1 Name

This instrument is *CASA EX28/22 — Authorised Instrument Approach Procedures (PHI International) Exemption 2022*.

2 Duration

This instrument:

- (a) commences on 24 March 2022; and
- (b) is repealed at the end of 24 March 2023.

3 Repeal

Instrument *CASA EX35/21 — Authorised Instrument Approach Procedures (PHI International) Exemption 2021* is repealed.

4 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include: *AIP*, *authorised instrument approach procedure*, *terminal instrument flight procedure* and *VMC*.

In this instrument:

certified designer has the meaning given by regulation 173.015 of CASR.

exempted aerodrome means any of the following aerodromes:

- (a) Charlie One (YCLN);
- (b) Seabuoy (YSBY);
- (c) Tessa Shoals (YTES);
- (d) Victor Island East (YVIE);
- (e) Victor Island West (YVIW);
- (f) Scawfell Island (YSCF).

exempted procedure means any of the following authorised instrument approach procedures as published in the AIP:

- (a) Charlie One (YCLN) RNAV-Z GNSS 062;
- (b) Charlie One (YCLN) RNAV-Y GNSS 084;
- (c) Seabuoy (YSBY) RNAV GNSS 044;
- (d) Tessa Shoals (YTES) RNAV GNSS 050;
- (e) Victor Island East (YVIE) RNP 167;
- (f) Victor Island West (YVIW) RNP 167;
- (g) Scawfell Island (YSCF) RNP 050.

flight inspection means a flight conducted for the purpose of verifying existing obstacles and checking for new obstacles.

PHI International means PHI International Australia Pty Ltd, ARN 067339.

procedure designer, in relation to an authorised instrument approach procedure, means the certified designer who is responsible for maintaining the procedure.

ship's PINS operation means a helicopter operation to and from a point in space at or near a ship at sea, conducted for the purpose of:

- (a) transporting a marine pilot to or from the ship; or
- (b) transporting a medical patient or medical personnel to or from the ship; or
- (c) a rescue operation from the ship; or
- (d) training for an operation mentioned in paragraph (a), (b) or (c).

specified areas, in relation to an authorised instrument approach procedure, means the areas in the vicinity of the procedure that have been identified by the procedure designer as requiring monitoring for obstacles.

5 Exemption

- (1) PHI International is exempt from compliance with subregulation 139.025 (1) of CASR if it is using an exempted procedure at an exempted aerodrome for a ship's PINS operation conducted in a helicopter.
- (2) The exemption is subject to each of the conditions mentioned in Schedule 1.

Note Subregulation 139.025 (1) of CASR prohibits the operator of an aerodrome, which would include the helideck of a marine vessel, from having a terminal instrument flight procedure for the aerodrome if the operator does not hold an aerodrome certificate for the aerodrome, and if the terminal instrument flight procedure is not only for use in a specialised helicopter operation.

Schedule 1 Conditions

- 1 PHI International must include the following in its operations manual:
 - (a) procedures to monitor obstacles in the specified areas that are critical to an exempted procedure;
 - (b) instructions to a pilot conducting an approach to an exempted aerodrome to be particularly vigilant in ensuring safe separation from aircraft conducting approach procedures into Mackay (YBMK) or Gladstone (YGLA);
 - (c) a caution explaining that the Victor Island East and Victor Island West approach procedures are overlaid by approach procedures into Mackay (YBMK).

- 2 PHI International must ensure that:
 - (a) a flight crew member that is conducting an exempted procedure at an exempted aerodrome monitors whether obstacles in the specified area for the procedure are different from the obstacles on which the procedure design is based; and
 - (b) if an obstacle in the specified areas is different — the pilot in command of the aircraft reports the difference, within 7 days, to the procedure designer of the exempted procedure through PHI International’s chief pilot.
 - 3 For each exempted procedure, PHI International must ensure that a flight inspection of the specified areas for the procedure is conducted, in accordance with clause 4, at least once in a 12-month period to identify if the obstacles in the specified area are different from the obstacles on which the procedure design is based.
 - 4 The flight inspection may only be conducted in VMC by:
 - (a) PHI International; or
 - (b) another operator that is authorised by CASA to conduct instrument approach procedures at that location; or
 - (c) CASA.
 - 5 If PHI International observes any new obstacle or changes to the obstacles indicated in the data provided by the procedure designer during a flight inspection, PHI International must document and report the matter, within 7 days, to the procedure designer of the exempted procedure.
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