



# Australian Government

---

## Civil Aviation Safety Authority

Instrument number CASA EX51/22

I, BRAD VINCENT WILLIAM PARKER, Acting Branch Manager, Air Navigation, Airspace & Aerodromes, National Operations & Standards Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

### [Signed B. Parker]

Brad Parker

Acting Branch Manager, Air Navigation, Airspace & Aerodromes  
National Operations & Standards Division

29 June 2022

### **CASA EX51/22 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Christmas Creek and Fortescue Dave Forrest – Airservices Australia) Exemption 2022**

---

#### **1 Name**

This instrument is *CASA EX51/22 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Christmas Creek and Fortescue Dave Forrest – Airservices Australia) Exemption 2022*.

#### **2 Duration**

This instrument:

- (a) commences on 1 July 2022; and
- (b) is repealed at the end of 29 November 2023.

#### **3 Repeal of CASA EX95/21**

Instrument *CASA EX95/21 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Christmas Creek and Fortescue Dave Forrest – Airservices Australia) Exemption 2021* is repealed.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: *AA* and ***terminal instrument flight procedure***.

In this instrument:

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

***chief designer***, for AA, means the person appointed as chief designer for AA under Division 173.B.3 of CASR.

***Christmas Creek procedure*** means a TIFP published as:

- (a) Christmas Creek (YCHK) RNAV (GNSS) RWY 09; or
- (b) Christmas Creek (YCHK) RNAV (GNSS) RWY 27.

***design work***, in relation to a TIFP, has the meaning given by regulation 173.010 of CASR.

***Fortescue Dave Forrest procedure*** means a TIFP published as:

- (a) Fortescue Dave Forrest (YFDF) RNAV-Z (GNSS) RWY 12; or
- (b) Fortescue Dave Forrest (YFDF) RNAV-Z (GNSS) RWY 30.

***Manual of Standards*** has the meaning given by regulation 173.010 of CASR.

***overlapping procedures standards*** means the standards mentioned in paragraph 8.1.1.3 of the Manual of Standards.

***TIFP*** means terminal instrument flight procedure.

## **5 Application**

This instrument applies in relation to AA, ARN 202210, in its capacity as the certified designer responsible for the design of a Fortescue Dave Forrest procedure.

## **6 Exemptions — AA**

- (1) AA is exempt from compliance with paragraph 173.085 (1) (b) of CASR to the extent that a Fortescue Dave Forrest procedure does not comply with the overlapping procedures standards due to the design and publication of a Christmas Creek procedure.
- (2) AA is exempt from compliance with subregulation 173.100 (1) of CASR to the extent that the subregulation requires AA to ensure that the certificate by AA's chief designer for a Fortescue Dave Forrest procedure is to the effect that the procedure is designed and validated in accordance with the overlapping procedures standards.
- (3) The exemptions are subject to the conditions mentioned in section 8.

## **7 Exemption — chief designer**

The chief designer for AA is exempt from compliance with paragraph 173.180 (d) of CASR to the extent that the paragraph requires that the chief designer is responsible to AA for issuing a certificate to the effect that a Fortescue Dave Forrest procedure is designed and validated in accordance with the overlapping procedures standards.

## **8 Conditions**

- (1) AA must ensure that design work in relation to a Fortescue Dave Forrest procedure is carried out so that the design:
  - (a) is clearly marked with the phrases “Caution: procedure is overlaid by procedures at YCHK. Aircraft separation is not assured”; and
  - (b) includes operational notes that ensure aircraft separation.
- (2) AA must comply with any written directions given by CASA for the purpose of ensuring compliance with this instrument.
- (3) AA must not transfer responsibility for maintaining a Fortescue Dave Forrest procedure except with CASA's prior written approval.