



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX69/23

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*.

**[Signed D.B. O'Hagan]**

Danny O'Hagan  
Manager, Legislative Drafting

17 July 2023

### **CASA EX69/23 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Gladstone and Mackay – Airservices Australia) Exemption 2023**

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#### **1 Name**

This instrument is *CASA EX69/23 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Gladstone and Mackay – Airservices Australia) Exemption 2023*.

#### **2 Duration**

This instrument:

- (a) commences on 1 August 2023; and
- (b) is repealed at the end of 31 July 2026.

#### **3 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 whose appointment as chief designer for AA has been approved under Division 173.B.3 of CASR.

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

***Facing Island procedure*** means the TIFP published as Facing Island (YFLD) RNP 125.

***Gladstone procedure*** means the TIFPs published as:

- (a) Gladstone (YGLA) RNP RWY 10; and
- (b) Gladstone (YGLA) RNP RWY 28; and
- (c) Gladstone (YGLA) VOR RWY 28.

***Mackay procedure*** means the TIFPs published as:

- (a) Mackay (YBMK) NDB-A or VOR-A; and
- (b) Mackay (YBMK) RNP RWY 14; and
- (c) Mackay (YBMK) RNP RWY 32; and
- (d) Mackay (YBMK) VOR RWY 14; and
- (e) Mackay (YBMK) VOR RWY 32.

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

***primary area*** means an area, defined in a TIFP, that is symmetrically disposed about the nominal flight track of the TIFP and in which full obstacle clearance is provided.

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

***Victor Island procedures*** means the TIFPs published as:

- (a) Victor Island East (YVIE) RNP 167; and
- (b) Victor Island West (YVIW) RNP 167.

#### **4 Application**

This instrument applies in relation to AA, ARN 202210, in its capacity as the certified designer responsible for the design of:

- (a) a Gladstone procedure; or
- (b) a Mackay procedure.

#### **5 Exemptions — AA**

- (1) AA is exempt from compliance with paragraph 173.085(1)(b) of CASR to the extent that the paragraph requires AA to ensure that:
  - (a) a Gladstone procedure meets the requirement, mentioned in paragraph 8.1.1.3 of the Manual of Standards, that the primary area of the Gladstone procedure must not be closer than 1 nautical mile to the primary area of a Facing Island procedure; and
  - (b) a Mackay procedure meets the requirement, mentioned in paragraph 8.1.1.3 of the Manual of Standards, that the primary area of the Mackay procedure must not be closer than 1 nautical mile to the primary area of a Victor Island 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 Gladstone procedure, or a Mackay procedure, is to the effect that the procedure is designed and validated in accordance with the requirement, set out in paragraph 8.1.1.3 of the Manual of Standards, that the primary area of the procedure must not be closer than 1 nautical mile to the primary area of another TIFP to a second aerodrome.
- (3) The exemptions are subject to the conditions mentioned in section 7.

#### **6 Exemption — chief designer**

The chief designer 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 Gladstone procedure, or a Mackay procedure, is designed and validated in accordance with the requirement, set out in paragraph 8.1.1.3 of the Manual of Standards, that the

primary area of the procedure must not be closer than 1 nautical mile to the primary area of another TIFP to a second aerodrome.

## **7 Conditions**

- (1) AA must ensure that design work in relation to:
    - (a) a Gladstone procedure is carried out so that the design is clearly marked with the phrase “Caution: procedure is overlaid by procedures at YFLD. Aircraft separation is not assured”; and
    - (b) a Mackay procedure is carried out so that the design is clearly marked with the phrase “Caution: procedure is overlaid by procedures at YVIE and YVIW. Aircraft separation is not assured”.
  - (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 Gladstone procedure or a Mackay procedure except with CASA’s prior written approval.
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