



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX48/22

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*.

[Signed D. O'Hagan]

Danny O'Hagan
Manager, Legislative Drafting

1 June 2022

CASA EX48/22 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Nowra and Shellharbour – Airservices Australia) Exemption 2022

1 Name

This instrument is *CASA EX48/22 – Flight Procedure Design (Overlapping Terminal Instrument Flight Procedures at Nowra and Shellharbour – Airservices Australia) Exemption 2022*.

2 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.

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

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

Nowra procedure means a TIFP published as:

- (a) Nowra (YSNW) ILS-Z or LOC-Z RWY 21; or
- (b) Nowra (YSNW) NDB RWY 21.

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

Shellharbour Airport procedure means a TIFP published as Shellharbour Airport (YSHL) RNP RWY 34.

TIFP means terminal instrument flight procedure.

3 Application

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

- (a) a Nowra procedure; or
- (b) the Shellharbour Airport procedure.

4 Exemptions — AA

- (1) AA is exempt from compliance with paragraph 173.085 (1) (b) of CASR, to the extent that a Nowra procedure does not comply with the overlapping procedures standards due to the design and publication of the Shellharbour Airport procedure.
- (2) AA is exempt from compliance with paragraph 173.085 (1) (b) of CASR, to the extent that the Shellharbour Airport procedure does not comply with the overlapping procedures standards due to the design and publication of a Nowra procedure.
- (3) 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 Nowra procedure, or the Shellharbour Airport procedure, is to the effect that the procedure is designed and validated in accordance with the overlapping procedures standards.
- (4) The exemptions are subject to the conditions mentioned in section 6.

5 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 Nowra procedure, or the Shellharbour Airport procedure, is designed and validated in accordance with the overlapping procedures standards.

6 Conditions

- (1) AA must ensure that design work in relation to a Nowra procedure is carried out so that the design is clearly marked with the phrases "Caution: procedure is overlaid by procedures at YSHL. Aircraft separation is not assured after NOWRA APP HRS.".
- (2) AA must ensure that design work in relation to the Shellharbour Airport procedure is carried out so that the design is clearly marked with the phrases "Caution: procedure is overlaid by procedures at YSNW. Aircraft separation is not assured after NOWRA APP HRS.".
- (3) AA must comply with any written direction given by CASA for the purpose of ensuring compliance with this instrument.
- (4) AA must not transfer responsibility for a Nowra procedure, or the Shellharbour Airport procedure, except with CASA's prior written approval.

7 Repeal

This instrument is repealed at the end of 31 May 2025.