



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX65/24

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations & Standards, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Campbell]

Steven Campbell

Executive Manager, National Operations & Standards

21 November 2024

CASA EX65/24 — Part 135 Landing Performance Requirements (Pel-Air Aviation Pty Ltd) Exemption 2024

1 Name

This instrument is *CASA EX65/24 — Part 135 Landing Performance Requirements (Pel-Air Aviation Pty Ltd) Exemption 2024*.

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: ***Australian air transport operation, authorised weather forecast, CASR, dry, EASA, exposition, flight crew member, low-visibility operation, medical transport operation.***

(1) In this instrument:

CAT.POLA.255 ground training AMC means a portion of the document, published by EASA, titled *Easy Access Rules for Air Operations* that is contained within the subheading “Ground Training” and labelled “AMC1 CAT.A.POL.255(b)(2)(iv) Approval of reduced required landing distance operations”, revision 21, dated September 2023, as it exists at the time this instrument commences.

daylight means the period between the beginning of morning civil twilight (first light) and the end of evening civil twilight (last light).

Lord Howe Island aerodrome means Lord Howe Island aerodrome (YLHI).

Part 121 MOS means the *Part 121 (Australian Air Transport Operations—Larger Aeroplanes) Manual of Standards 2020*.

Part 135 MOS means the *Part 135 (Australian Air Transport Operations—Smaller Aeroplanes) Manual of Standards 2020*.

relevant aeroplane means a Pilatus PC 24 turbojet.

relevant operation means an Australian air transport operation, conducted by the relevant operator, that:

- (a) is a medical transport operation; and

(b) involves landing a relevant aeroplane at Lord Howe Island aerodrome.

relevant operator means Pel-Air Aviation Pty Ltd, ARN 227573.

relevant sections of the relevant operator's exposition means the following, as they exist at the time this instrument commences:

- (a) section 4.1 of the document titled *Pel-Air PC 24 Flight Crew Operating Manual*, version 1.1, dated 31 October 2024;
- (b) the entry under the heading *Lord Howe Island* in Chapter 2 of the document titled *NSWA Airport Guide*, version 1.7, dated 31 October 2024.

relevant pilot in command means the pilot in command of a relevant aeroplane in a relevant operation.

safety pilot means a pilot that:

- (a) holds a type rating for a relevant aeroplane; and
- (b) performs the pilot monitoring duties of a safety pilot, as set out in the relevant sections of the relevant operator's exposition, during a relevant operation.

short landing operation has the meaning given by subsection 10.15(1) of the Part 135 MOS.

special approach procedure means any of the following:

- (a) a short landing operation;
- (b) a steep approach;
- (c) a planned landing screen height higher than 60 ft or lower than 35 ft;
- (d) a low-visibility operation;
- (e) an approach that is outside the criteria, set out in the relevant operator's exposition, for a stabilised approach.

steep approach means an approach operation conducted with an approach path angle of 4.5 degrees or more.

type rating has the same meaning as in regulation 61.010 of CASR.

- (2) Unless the contrary intention appears, words and phrases in this instrument have the same meaning as in the Part 121 MOS and the Part 135 MOS.

3 Application

This instrument applies, in relation to a relevant operation in a relevant aeroplane, to:

- (a) the relevant operator; and
- (b) the relevant pilot in command.

4 Exemptions — Part 135 landing performance requirements

- (1) For a relevant operation, the relevant operator and the relevant pilot in command are each exempt from compliance with regulation 135.350 of CASR as follows:
 - (a) only in relation to paragraph 135.350(2)(d) (safety factor percentages for landing performance);
 - (b) only to the extent of the following:
 - (i) for the relevant operator and the relevant pilot in command — the requirement under section 10.17 of the Part 135 MOS to comply with paragraph 9.10(2)(a) of the Part 121 MOS;

- (ii) for the relevant pilot in command — the requirement under section 10.17 of the Part 135 MOS to comply with paragraph 9.13(6)(a) of the Part 121 MOS in relation to paragraph 9.13(5)(a) of the Part 121 MOS.

Note 1 Regulation 135.350 of CASR provides that the Part 135 MOS may prescribe requirements relating to the landing performance for a flight of an aeroplane. Under paragraph 135.350(2)(d), the Part 135 MOS may prescribe requirements relating to safety factor percentages to be applied. Under subregulations 135.350(3), (4) and (5), the operator and pilot in command of an aeroplane commit an offence of strict liability if either of them is subject to a requirement under the Part 135 MOS and the requirement is not met.

Note 2 Section 10.17 of the Part 135 MOS provides that, for subregulation 135.350(1) of CASR, the prescribed requirements relating to take-off performance and landing performance, for a flight of an aeroplane, are the requirements stated in Chapter 9 of the Part 121 MOS.

Note 3 In Chapter 9 of the Part 121 MOS, section 9.10 sets out pre-flight landing requirements for the pilot in command and operator in circumstances when the weather forecast predicts a dry runway. Under paragraph 9.10(2)(a), the required distance to bring a jet-engine aeroplane to a stop on a runway at the planned destination aerodrome and the destination alternate aerodrome (if any), for the flight, is not greater than 60% of the landing distance available for the runway.

Note 4 In Chapter 9 of the Part 121 MOS, paragraph 9.13(5)(a) requires that the pilot in command, during flight and before landing, must ensure that, if a weather report indicates that the runway, at the time of the aeroplane's arrival, should be dry, then the requirements in subsection (6) must be met. Under paragraph 9.13(6)(a), the landing distance required to bring a jet-engine aeroplane to a stop on the runway planned to be used at the aerodrome of intended landing must not be greater than 60% of the landing distance available for the runway.

- (2) The exemptions are subject to each of the conditions in section 5.

5 Conditions

- (1) The relevant operator and relevant pilot in command may only conduct a relevant operation in daylight.
- (2) The relevant operator and relevant pilot in command must not conduct a relevant operation unless each of the following conditions are satisfied:
 - (a) the runway planned to be used for landing at Lord Howe Island aerodrome:
 - (i) has been indicated by an authorised weather forecast to be dry at the relevant aeroplane's estimated time of arrival; and
 - (ii) has been confirmed by an authorised weather report to actually be dry at the relevant aeroplane's estimated time of arrival;
 - (b) there is no tailwind at any altitude below 1 000 ft on the approach to, and for landing at, Lord Howe Island aerodrome;
 - (c) there is no moderate or severe turbulence, indicated by an authorised weather forecast, or reported or experienced, on the approach to Lord Howe Island aerodrome.
- (3) The relevant operator must ensure that, during a relevant operation, the relevant pilot in command is accompanied by a safety pilot, who is a flight crew member for the purposes of the relevant operation.
- (4) Before conducting a relevant operation, the relevant pilot in command must have completed in-flight reduced runway factor training at Lord Howe Island, in accordance with the syllabus set out in the relevant sections of the relevant operator's exposition.

- (5) Before conducting a relevant operation, within the 12-month period ending immediately before the relevant operation:
 - (a) the relevant pilot in command and the safety pilot must have completed a course of training in accordance with CAT.POL.A.255 ground training AMC; and
 - (b) the relevant pilot in command must have completed reduced runway landing performance re-currency training, in accordance with the syllabus set out in the relevant sections of the relevant operator's exposition.
- (6) During a relevant operation, the relevant pilot in command must not use a special approach procedure at Lord Howe Island aerodrome.
- (7) During a relevant operation, the relevant pilot in command must ensure that the landing distance required to bring the relevant aeroplane to a stop on the runway planned to be used at Lord Howe Island aerodrome is not greater than 80% of the landing distance available for the runway.
- (8) For the purpose of calculating the landing distance under subsection (7), the relevant pilot in command:
 - (a) must take into account the factors set out in paragraphs 9.13(7)(a) – (d) of the Part 121 MOS; and
 - (b) must not take into account headwind as a factor.
- (9) The relevant operator and relevant pilot must ensure a relevant operation is conducted in accordance with the relevant operator's exposition.
- (10) The relevant operator must not make any changes to the relevant sections of the relevant operator's exposition without the approval of CASA, unless the change is correcting an obvious editorial error.

6 Repeal

This instrument is repealed at the end of 31 October 2027.
