



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX46/25

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

**[Signed P. Spence]**

Pip Spence

Director of Aviation Safety

18 April 2025

### **CASA EX46/25 — Tindal Aerodrome Temporary Runway (Capiteq) Exemption 2025**

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#### **1 Name**

This instrument is *CASA EX46/25 — Tindal Aerodrome Temporary Runway (Capiteq) Exemption 2025*.

#### **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 ***Aeronautical Information Publication*** or ***AIP*** and ***AGL***.

In this instrument:

***Capiteq*** means Capiteq Pty Limited, ARN 518845.

*Note* Capiteq is also known by its business name AirNorth.

***main runway*** means Runway 14/32 at Tindal aerodrome.

***relevant aircraft*** means an Embraer S.A. EMB-120 Brasilia aeroplane operated by Capiteq.

***relevant runway*** means Runway 14L/32R at Tindal aerodrome.

*Note* As at commencement of this instrument, the relevant runway is published and marked in the AIP as being 23 m wide and is therefore a “narrow runway” for the relevant aircraft within the meaning of that term in regulation 121.220 of CASR.

***Tindal aerodrome*** means Tindal aerodrome (YPTN) in the Northern Territory.

#### **3 Application**

- (1) This instrument applies to the following persons only in relation to the operation of a relevant aircraft on the relevant runway:
  - (a) Capiteq, as the operator of the relevant aircraft;
  - (b) the pilot in command of the relevant aircraft for a flight.

#### **4 Exemption**

- (1) Capiteq and the pilot in command are exempt from subregulations 121.220(2), (3) and (4) of CASR.
- (2) The exemption in subsection (1) is subject to the conditions in section 5.

#### **5 Conditions**

- (1) Before the relevant aircraft is operated for a flight, Capiteq and the pilot in command must confirm that the shoulders of the relevant runway are free from any damage or deformity that would make them non-homogenous with the runway surface up to at least 3.5 m either side of the runway side markings.

*Note 1* The shoulders of the relevant runway are beyond the 23 m published runway boundary.

*Note 2* For example, if not already promulgated within a NOTAM, the condition of the runway could be confirmed with air traffic control, the aerodrome operator or an aerodrome officer responsible for the condition of the runway at Tindal aerodrome.

- (2) The pilot in command must:
  - (a) only operate the relevant aircraft for a flight by day when operating below 1 000 feet AGL; and
  - (b) when operating below 1 000 feet AGL:
    - (i) remain clear of cloud; and
    - (ii) maintain a minimum visibility of 5 000 m.
- (3) Capiteq must plan flights of the relevant aircraft so that the pilot in command is able to comply with the requirements set out in subsection (2).

#### **6 Repeal**

This instrument is repealed at the earlier of the following:

- (a) the day:
    - (i) the main runway is available for use by the relevant aircraft; and
    - (ii) the use of the relevant runway by the relevant aircraft has been ceased;
  - (b) the end of 30 November 2026.
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