



# Australian Government

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## Civil Aviation Safety Authority

Instrument number CASA EX 156/21

I, ADAM ANASTASI, Branch Manager, Advisory and Drafting, Legal, International Relations and Regulatory Affairs Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

### [Signed Adam Anastasi]

Adam Anastasi  
Branch Manager, Advisory and Drafting  
Legal, International Relations and Regulatory Affairs Division

25 November 2021

### **CASA EX 156/21 — Design and Publication of Terminal Instrument Flight Procedures for Wolgan Valley (Global Airspace Solutions) Exemption 2021**

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#### **1 Name**

This instrument is *CASA EX 156/21 — Design and Publication of Terminal Instrument Flight Procedures for Wolgan Valley (Global Airspace Solutions) Exemption 2021*.

#### **2 Duration**

This instrument:

- (a) commences on 1 December 2021; and
- (b) is repealed at the end of the earlier of the following days:
  - (i) 30 November 2024;
  - (ii) the day Wolgan Valley HLS becomes a certified aerodrome.

#### **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: *AIP*, *AIS provider*, *certified aerodrome* and *terminal instrument flight procedure*.

In this instrument:

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

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

*HLS* means helicopter landing site.

*HLS operator* means Elstone Pty Ltd, ARN 786187, in its capacity as the operator of Wolgan Valley HLS.

*Part 173 MOS* means the *Manual of Standards (MOS) Part 173 – Standards Applicable to the Provision of Instrument Flight Procedure Design*, as in force from time to time.

*TIFP* means terminal instrument flight procedure.

**TIFP designer** means certified designer Global Airspace Solutions Pty Ltd, ARN 826936.

**Wolgan Valley HLS** means the Wolgan Valley helicopter landing site (YWVR).

#### 4 Exemptions

- (1) The TIFP designer is exempt from compliance with regulation 173.080 of CASR to the extent that the regulation requires the TIFP designer, in carrying on TIFP design work for Wolgan Valley HLS, to comply with the statements included in its operations manual that are to the effect of the statements mentioned in subparagraphs 2.1.1.1 (oa) (i) and (ii) of the Part 173 MOS.

*Note* Under regulation 173.080 of CASR, a certified designer must, in carrying on design work authorised under the designer's procedure design certificate, comply with the designer's operations manual. Under paragraph 2.1.1.1 of the Part 173 MOS, a certified designer must prepare an operations manual which includes a range of content. That content includes, relevantly in subparagraphs 2.1.1.1 (oa) (i) and (ii), a statement to the certified designer's staff to the effect that:

- (i) a design for a type of terminal instrument flight procedure (TIFP) (other than one for use in a specialised helicopter operation or a ship's pilot PinS operation) may only be completed and given for verification, validation or publication for a certified aerodrome or a registered aerodrome; and
- (ii) the terms of paragraphs 6.1.3.3 and 6.1.4.1A of the Part 173 MOS must be followed as if they were part of the operations manual.

Although Wolgan Valley HLS is not a certified aerodrome, the TIFP designer has developed a TIFP for that HLS. Also, Wolgan Valley is not a registered aerodrome and cannot become a registered aerodrome because registrations of aerodromes by CASA no longer takes place. The exemption in subsection 4 (1) is intended to allow the TIFP designer to complete a TIFP for Wolgan Valley HLS and give the TIFP to Airservices Australia for publication of the TIFP in the AIP.

- (2) The TIFP designer is exempt from compliance with subregulation 173.110 (1) of CASR to the extent that the subregulation requires the TIFP designer, in maintaining a TIFP for Wolgan Valley HLS, to follow the safety procedures mentioned in paragraphs 6.1.4.1A (a) and (b) of the Part 173 MOS.

*Note* Under subregulation 173.110 (1) of CASR, a certified designer is responsible for maintaining, in accordance with the standards for the maintenance of terminal instrument flight procedures set out in the Part 173 MOS, a terminal instrument flight procedure designed under the designer's procedure design certificate or for which that responsibility is transferred to the certified designer under regulation 173.215.

Under paragraph 6.1.4.1A of the Part 173 MOS, maintenance of a type of TIFP requires that, if a particular kind of written notification about an aerodrome is received from CASA, the following safety procedures must be followed:

- (a) withdrawal of the TIFP design for the aerodrome; and
- (b) written notification to the aerodrome operator that, in accordance with the maintenance requirements of this paragraph, the TIFP design has been withdrawn because the aerodrome was not a certified aerodrome or a registered aerodrome.

Wolgan Valley HLS is not a certified aerodrome or a registered aerodrome. Also, Wolgan Valley HLS cannot become a registered aerodrome because registrations of aerodromes by CASA no longer takes place. The exemption in subsection 4 (2) is intended to allow a Wolgan Valley TIFP to remain in place despite the TIFP withdrawal requirements for an uncertified or unregistered aerodrome.

- (3) The exemptions are subject to the conditions mentioned in section 5.

## **5 Conditions**

- (1) The TIFP designer must give each TIFP for Wolgan Valley HLS to Airservices Australia, in its capacity as the AIS provider responsible for publication of the TIFP in the AIP.
  - (2) Before the effective publication date of a TIFP for Wolgan Valley HLS, the TIFP designer must provide the HLS operator with diagrams and obstacle data sufficient to enable the HLS operator to report and monitor obstacles in the vicinity of the HLS.
  - (3) If requested by the HLS operator, or if the HLS operator has notified the TIFP designer that it is no longer operating Wolgan Valley HLS, the TIFP designer must:
    - (a) withdraw each TIFP for Wolgan Valley HLS; and
    - (b) give written notice to Airservices Australia or to CASA (as the case requires) that each TIFP has been withdrawn.
  - (4) The TIFP designer must not transfer responsibility for maintenance of a TIFP for Wolgan Valley HLS to another certified designer without CASA's prior written approval.
  - (5) The TIFP designer must comply with any written request given by CASA in relation to the following:
    - (a) withdrawing a TIFP for Wolgan Valley HLS;
    - (b) amending general text and data of a TIFP;
    - (c) providing advice to CASA regarding obstacles in the vicinity of Wolgan Valley HLS;
    - (d) redesigning a TIFP to conform with changes to design standards or changes to obstacles in the vicinity of Wolgan Valley HLS.
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