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CASA EX154/18 — Design and Publication of Terminal Instrument Flight Procedures for Wolgan Valley (Global Airspace Solutions) Exemption 2018

1 Name
This instrument is CASA EX154/18 — Design and Publication of Terminal Instrument Flight Procedures for Wolgan Valley (Global Airspace Solutions) Exemption 2018.

2 Duration
This instrument:
(a) commences on 1 December 2018; and
(b) is repealed at the end of the earlier of the following days:
   (i) 30 November 2021;
   (ii) the day the Wolgan Valley HLS becomes a certified or registered 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, certified aerodrome, certified designer, design work, registered aerodrome and terminal instrument flight procedure.

In this instrument:
HLS means helicopter landing site.
HLS operator means Elstone Pty Ltd, ARN 786187, the operator of Wolgan Valley HLS.
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 Exemption
The TIFP designer is exempt from compliance with requirements of the following provisions:

(a) regulation 173.080 of CASR to the extent that in carrying on TIFP design work for Wolgan Valley HLS, the TIFP designer must comply with the statements in its operations manual effecting the requirements of paragraph 2.1.1.1 (oa) of the MOS;

(b) subregulation 173.110 (1) of CASR to the extent that the TIFP designer must, in respect of maintenance of a TIFP for Wolgan Valley HLS in accordance with paragraph 6.1.4.1A of the MOS, withdraw the TIFP and give written notification to the HLS operator that the TIFP is withdrawn because Wolgan Valley HLS is not a certified or registered aerodrome.

Note 1 Wolgan Valley HLS is an uncertified and unregistered aerodrome for which the TIFP designer has developed a TIFP. Regulation 173.080 of CASR requires a certified designer to carry on design work in compliance with the certified designer’s operations manual. Among other things, paragraph 2.1.1.1 (oa) of the MOS imposes a requirement that a statement be included in the certified designer’s operations manual limiting their staff to only completing, and giving for publication, the design of a TIFP for a certified or registered aerodrome. The exemption in paragraph 4 (a) allows the TIFP designer to complete and give for publication a TIFP for Wolgan Valley HLS notwithstanding that it is not a certified or registered aerodrome.

Note 2 Subregulation 173.110 (1) of CASR requires a certified designer to maintain a TIFP in accordance with standards set out in the MOS. Among other things, paragraph 6.1.4.1A of the MOS requires the certified designer to withdraw a TIFP for an aerodrome if the aerodrome ceases to be a certified or registered aerodrome. The exemption in paragraph 4 (b) allows a Wolgan Valley TIFP to remain in place notwithstanding the TIFP withdrawal requirements for an uncertified or unregistered aerodrome.

5 Conditions
The exemption is subject to each of the following conditions:

(a) the TIFP designer must give each TIFP for Wolgan Valley HLS to Airservices Australia as the AIS provider responsible for publication of the TIFP in the AIP;

(b) 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;

(c) 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:
   (i) withdraw each TIFP for Wolgan Valley HLS; and
   (ii) give written notice to Airservices Australia or to CASA (as the case requires) that each TIFP has been withdrawn;

(d) 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;

(e) the TIFP designer must comply with any written request given by CASA in respect of the following:
   (i) withdrawing a TIFP for Wolgan Valley HLS;
   (ii) amending general text and data of a TIFP;
(iii) providing advice to CASA regarding obstacles in the vicinity of Wolgan Valley HLS;
(iv) redesigning a TIFP to conform with changes to design standards or changes to obstacles in the vicinity of Wolgan Valley HLS.