
[Signed C. Martin]
Craig Martin
Acting Executive Manager, Regulatory Services & Surveillance
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CASA EX125/19 — Dubbo Aeromedical Terminal (Royal Flying Doctor Service of Australia (South Eastern Section)) Instrument 2019

1 Name
This instrument is CASA EX125/19 — Dubbo Aeromedical Terminal (Royal Flying Doctor Service of Australia (South Eastern Section)) Instrument 2019.

2 Duration
This instrument:
(a) commences on 25 November 2019; and
(b) is repealed at the end of 31 October 2022.

Note For regulation 11.205 of CASR, the direction mentioned in section 8 ceases to be in force at the end of 31 October 2022.

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: AOC and pilot in command.

In this instrument:

CAO 20.9 means Civil Aviation Order 20.9, as in force from time to time.

Dubbo Airport means Dubbo Aerodrome, New South Wales, CASA certificate number CASA.ADCERT.0216.

Note Dubbo Airport is also known as Dubbo City Regional Airport.

Dubbo Airport RFDS Precinct means the Royal Flying Doctor Service Precinct located on Lot No. 151 DP 1235260 at Dubbo Airport.

Note A site plan of the Dubbo Airport RFDS Precinct is at Schedule 1.

relevant aircraft means an aircraft operated by RFDSSES.

Note At the time this instrument commences, RFDSSES operates BE-200 and BE-300 aircraft under its AOC.

relevant unsealed building means any of the following hangars located in the Dubbo Airport RFDS Precinct:
(a) Hangar 1;
(b) Hangar 2;
Note See Schedule 1 for a diagram of the hangars. The RFDSSES operations manual refers to the hangars as shelters.  

RFDSSES means Royal Flying Doctor Service of Australia (South Eastern Section), ARN 200045.  

RFDSSES operations manual means the Royal Flying Doctor Service South Eastern Section Operations Manual AVM001, Version 3.2, effective 25 November 2019, as existing at the time this instrument commences.

4 Application
This instrument applies in relation to RFDSSES.

5 Exemptions — fuelling

Relevant aircraft with maximum take-off weight exceeding 5 700 kg

(1) RFDSSES and the pilot in command of a relevant aircraft with a maximum take-off weight exceeding 5 700 kg are exempt from compliance with subregulation 235 (7A) of CAR, to the extent that the subregulation requires compliance with subparagraph 4.1.1 (d) of CAO 20.9 in relation to fuelling the aircraft within 15 metres of a relevant unsealed building.

(2) The pilot in command of a relevant aircraft with a maximum take-off weight exceeding 5 700 kg is exempt from compliance with subregulation 235 (8) of CAR, to the extent that the subregulation requires compliance with subparagraph 4.1.1 (d) of CAO 20.9 in relation to fuelling the aircraft within 15 metres of a relevant unsealed building.

Relevant aircraft with maximum take-off weight not exceeding 5 700 kg

(3) RFDSSES and the pilot in command of a relevant aircraft with a maximum take-off weight not exceeding 5 700 kg are exempt from compliance with subregulation 235 (7A) of CAR, to the extent that the subregulation requires compliance with subparagraph 4.1.1 (e) of CAO 20.9 in relation to fuelling the aircraft within 9 metres of a relevant unsealed building.

(4) The pilot in command of a relevant aircraft with a maximum take-off weight not exceeding 5 700 kg is exempt from compliance with subregulation 235 (8) of CAR, to the extent that the subregulation requires compliance with subparagraph 4.1.1 (e) of CAO 20.9 in relation to fuelling the aircraft within 9 metres of a relevant unsealed building.

(5) The exemptions mentioned in subsections (1) and (3) are subject to the conditions mentioned in section 7.

6 Exemption — starting, or operating, engine

Relevant aircraft with maximum take-off weight exceeding 5 700 kg

(1) The pilot in command of a relevant aircraft with a maximum take-off weight exceeding 5 700 kg is exempt from compliance with subparagraph 5.1.4 (d) of CAO 20.9 in relation to starting, or operating, the engine of the aircraft within 15 metres of a relevant unsealed building.

Relevant aircraft with maximum take-off weight not exceeding 5 700 kg

(2) The pilot in command of a relevant aircraft with a maximum take-off weight not exceeding 5 700 kg is exempt from compliance with subparagraph 5.1.4 (e) of
CAO 20.9 in relation to starting, or operating, the engine of the aircraft within 8 metres of a relevant unsealed building.

Note The pilot in command must comply with the instructions in the RFDSSES operations manual that relate to starting, or operating, the engine of a relevant aircraft — see subregulation 215 (9) of CAR. Subject to this section, the pilot must also comply with the requirements of subsection 5 of CAO 20.9 that apply to the pilot.

7 Conditions — fuelling

(1) RFDSSES must ensure that fuelling of the aircraft is conducted in accordance with the RFDSSES operations manual.

Note Subject to subsections 5 (1) and (3), RFDSSES must also comply with the requirements of subsection 4 of CAO 20.9 that apply to RFDSSES as the operator of the relevant aircraft.

(2) RFDSSES must ensure that a copy of this instrument is included in the RFDSSES operations manual.

(3) RFDSSES must not, without CASA’s prior written approval, amend any part of the RFDSSES operations manual that relates to fuelling the aircraft within the Dubbo Airport RFDS Precinct.

Note In accordance with section 46AA of the Acts Interpretation Act 1901, this instrument incorporates the version of the RFDSSES operations manual mentioned in section 2, as existing at the time this instrument commences.

8 Direction — starting, or operating, engine

For subregulation 11.245 (1) of CASR, RFDSSES must not, without CASA’s prior written approval, amend any part of the RFDSSES operations manual that relates to starting, or operating, the engine of a relevant aircraft within the Dubbo Airport RFDS Precinct.