

# **ANNEX A**

Consultation response to NPC 139/07 – Part 139 Manual  
of Standards (MOS), Chapter 11 - Aerodromes

## A.1 Proposed changes to Part 139 MOS, paragraph 11.1.4

Three comments were received, as stated below.

### A.1.1 Comment 1 – Siting of facilities – reference to Runway Transverse Slope standards at paragraph 6.2.22 of Chapter 6

A respondent recommended that, when siting an ILS facility, the Runway Transverse Slope standard at paragraph 6.2.22 be considered. The respondent added that the ILS glide path hut is co-located with the glide path antenna. The building is not frangible and, due to its height and distance from the runway centreline, may exceed the 5% transverse slope standard.

#### A.1.1.1 CASA Response

This comment is appropriate and is accepted.

#### A.1.1.2 Disposition

CASA added the following text, in the form of Note 3, to paragraph 11.1.4.3 of the Part 139 MOS amendments:

*Note 3:*

*When siting any CNS facility, particularly an Instrument Landing System (ILS), consideration should be given to the requirements of paragraph 6.2.22 in relation to Runway Strip Transverse Slope limitations and the possibility of exceeding the 5% transverse slope standard.*

### A.1.2 Comment 2 – Reference to the relevance of the Airports (Protection of Airspace) Regulations 1996

A respondent submitted the following comment:

The proposed wording implies that if a facility meets the requirements of the new paragraphs, it does not require an exemption. It does not specifically state that all other sections of MOS 139 and in particular Chapter 7 must still be complied with. It also does not specifically point out that obstacles which intrude into the OLS of leased federal aerodromes must be approved under the *Airports (Protection of Airspace) Regulations 1996* and these regulations are not negated by the proposed change.

The respondent proposed the inclusion of a new paragraph 11.1.4.7, to reflect these additional matters that an aerodrome operator must consider.

#### A.1.2.1 CASA Response

This comment is appropriate and is accepted.

#### A.1.2.2 Disposition

CASA added paragraph 11.1.4.8, as per the text below, to the final Part 139 MOS amendments:

11.1.4.8 Paragraphs 11.1.4.6 and 11.1.4.7 do not affect any proposed development to comply with Chapter 7, Obstacle Restriction and Limitation. Additionally, under paragraph 7.1.1.5, leased federal aerodromes need to comply with the *Airports (Protection of Airspace) Regulations 1996*.

### A.1.3 Comment 3 – General comments

A respondent advised of several concerns with the proposal:

- Approval of compliance or determination of non-compliance with regulations and associated MOS is a regulatory function outside the role as a service provider. The NPC has not addressed this issue.
- It is acknowledged that CASA may rely on advice from the service provider regarding the technical and operational assessment of aerodrome development proposals, as mentioned in paragraph 2.1.6 of the NPC. However, it should be clarified that the service provider's advice in this situation is limited to the assessment of the potential impact of airport development proposal on the performance and operation of Airservices' airways facilities. Such advice is not intended as the approval of regulatory compliance against relevant CASRs and MOS.
- The respondent requested that CASA make it clear in the NPC that the proposed MOS amendment only apply to new aerodrome developments after the amendment becomes effective.
- The siting requirements in Chapter 11 of the Part 139 MOS should be updated to ensure that safety-critical airways facilities are protected in the medium-to-long term while also maintaining regulatory clarity for airport infrastructure developments. The service provider should provide technical support for the review and update of these MOS standards.

#### A.1.3.1 CASA Response

These comments are accepted. The first three comments have prompted revision of the Part 139 MOS amendment. The third comment will be actioned under a new project.

#### A.1.3.2 Disposition

CASA has revised proposed paragraphs 11.1.4.4 to 11.1.4.7, as per the text below, in the Part 139 MOS amendments:

11.1.4.4 Paragraphs 11.1.6 to 11.1.15.3 in this section set out the standards for siting requirements for Communication, Navigation and Surveillance (**CNS**) facilities used for aircraft guidance and air traffic control. They include specified siting requirements and the dimensions of restricted areas around the sites to ensure that radio transmissions are not unacceptably affected by other aerodrome infrastructure, buildings, hangars, vehicles, personnel or other obstacles.

11.1.4.5 The standards for the CNS facilities are generic in that they are based on known areas for acceptable operation at all locations under normal conditions. However, it is known by the Part 171 provider of the CNS facilities that, depending on the location and the type of facility and the proposed airport development, the dimensions of some of the restricted areas may be infringed without leading to unacceptable technical or operational affect to the functional performance of the facility. Paragraph 11.1.4.6 applies to permit the infringement of any of the standards for CNS facilities at an aerodrome, if the Part 171 provider of the CNS facilities considers that the dimensions of a restricted area may be infringed without leading to unacceptable technical or operational degradation in the functional performance of the facility, having regard to the location and the type of facility and the proposed aerodrome development.

11.1.4.6 An aerodrome operator may proceed with a proposed aerodrome development that infringes any of the standards for CNS facilities set out in paragraphs 11.1.6 to 11.1.15.3 inclusive if the aerodrome operator has the written authorisation of CASA. For this purpose, CASA must request the Part 171 provider of CNS facilities to undertake an assessment of the impact of the proposed aerodrome development on the performance of CNS facilities.

11.1.4.7 If the proposed development is acceptable to CASA, having regard to the assessment by the Part 171 provider and any applicable standards in MOS 139, CASA must authorise the development and provide the aerodrome operator with a copy of the assessment. The aerodrome operator must retain the assessment for not less than 3 years and allow a CASA inspector to examine the assessment at the request of the inspector.