



Australian Government
Civil Aviation Safety Authority

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SUMMARY OF PROPOSED CHANGE

Proposed amendment to allow access to the Obstacle Restriction Area of an Aerodrome

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Introduction

Runway safety, particularly runway incursions remain one of the top aviation safety priorities of the International Civil Aviation Organization (ICAO).

As one element of addressing Runway Safety, ICAO and Australian documentation specify exclusion and restricted operating areas on aerodromes to protect aircraft taxiing, arriving and departing to a runway, including in the event of a 'go around' or missed approach.

In addition to the above detail, CASA and the aerodromes it regulates have been burdened with administrative processes to allow maintenance and safety related operations to occur in the fly-over area of a runway and the proposed amendments will alleviate some of this administration.

This amendment focuses on operations in the runway strip, including the fly-over area of the runway strip, and the type and timing of operations within the area that may penetrate the surfaces that are made available for safe operation of aviation activities.

These rule changes affect operators at controlled and non-controlled aerodromes and allow for operators to coordinate effective maintenance and safety activities within the scope of the Part 139 MOS provisions.

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Acknowledgement of Country

The Civil Aviation Safety Authority (CASA) respectfully acknowledges the Traditional Custodians of the lands on which our offices are located and their continuing connection to land, water and community, and pays respect to Elders past, present and emerging.

Artwork: James Baban.

1 Reference material

1.1 Acronyms

The acronyms and abbreviations used in this SPC are listed in the table below.

Table 1. Acronyms

Acronym	Description
AC	advisory circular
AD	aerodrome
AFIS	Aerodrome Flight Information Service
ATC	Air Traffic Control
CA/GRS	Certified Air/Ground Radio Service
CAR	<i>Civil Aviation Regulations 1988</i>
CASA	Civil Aviation Safety Authority
CASR	<i>Civil Aviation Safety Regulations 1998</i>
LOA	Letter of Agreement
ORA	obstacle restriction area
UNICOM	Universal Communications

1.2 Definitions

Terms that have specific meaning within this SPC are defined in the table below. Where definitions from the civil aviation legislation have been reproduced for ease of reference, these are identified by 'grey shading'. Should there be a discrepancy between a definition given in this SPC and the civil aviation legislation, the definition in the legislation prevails.

Table 2. Definitions

Term	Definition
fly-over Area	that part of the runway strip outside of the graded area the width of which varies dependant on the runway code number.
obstacle restriction area	consists of the runway strips, runway end safety areas, clearways and taxiway strips.
runway strip	a defined area, including the runway and stopway, provided to: (a) reduce the risk of damage to aircraft running off a runway; and (b) protect aircraft flying over the runway during take-off or landing operations.

1.3 References

Legislation

Legislation is available on the Federal Register of Legislation website <https://www.legislation.gov.au/>

Table 3. Legislation references

Document	Title
Part 139 of CASR	Aerodromes
Part 139 MOS	Part 139 (Aerodromes) Manual of Standards 2019

2 Problem description and proposal

2.1 Problem description

Subsection 6.21(3) of the Part 139 MOS states that, unless approved in writing by CASA for navigational aids for the guidance of aircraft or vehicles, no portion of the fly-over area of a runway strip, and no object or structure on the fly-over area, may project through a plane that starts along each outer side of the graded area and has an upward slope away from the graded area of 5%.

During the last 4 years, CASA has received multiple approval and exemption applications from certified aerodromes to permit specific operations within the obstacle restricted area (ORA) and the runway strip (including the fly-over area).

Enabling consistent safety outcomes through exemptions and approvals is costly and time consuming to regulated entities and CASA. CASA would prefer, where possible, to ensure appropriate and predictable safety outcomes through the publication of requirements that transparently apply to all applicable persons.

2.2 Proposed new Part 139 MOS section

Following these exemption and approval applications, CASA reviewed the applicable legislative requirements and determined that it should implement a more streamlined system which enables aerodrome operators and authorised persons to conduct certain activities within these areas without the need for an exemption or approval.

This outcome is proposed to be implemented by adding a new section 6.21A to the Part 139 MOS that should minimise the need for exemptions and approvals for these matters.

The proposed new section 6.21A contains proposed safety controls that are specific to operations at controlled and non-controlled certified aerodromes. The amendment proposes requiring the aerodrome operator's aerodrome manual to contain procedures ensuring compliance with all requirements of the new MOS section.

The proposed amendment aims to achieve the following outcomes:

- clarifying the requirements for access to, and permitted operations within, the runway strip (including the fly-over area)
- allows the aerodrome operator to define the scope of relevant operations in their aerodrome manual to limit and manage activities in cooperation with other aerodrome users
- identifies the communications required for the activities and the times when those activities may be undertaken.

3 Safety risks and impact on industry

3.1 Safety risk analysis

CASA conducted a safety risk analysis during development of the proposed amendment.

The amendment is expected to enhance safety by implementing requirements designed specifically for relevant operational circumstances.

3.2 Impact analysis

As this change is minor in nature, no specific impact analysis is required to be completed for submission to the Australian Government Office of Impact Analysis (OIA) under a standing agreement between CASA and the OIA.

However, CASA assesses that the proposed MOS amendment will have a positive impact by providing clear direction on the boundaries and process for operating within the ORA and, additionally, for operations within the graded portion of the runway strip, the fly-over area and on the runway surface at controlled and non-controlled aerodromes.

The proposed amendment will also avoid aerodrome operators needing to apply for, and pay the requisite fees for, future exemptions and approvals like those received by CASA in recent years.

4 Submitting your view and what next

We would like to hear your views on the amendments we have presented. Please review the proposal and provide your feedback and any additional concerns not covered in this SPC.

Your feedback will make a valuable contribution to CASA's policy decision-making process and help to fully inform CASA of the perceived impacts (positive and negative) on the aviation community regarding the proposal.

CASA will consider all comments received as part of this consultation process and incorporate changes as appropriate. Comments on this consultation should be submitted through the online response (CASA Consultation Hub) form by midnight 3 October 2024.