





Australian Government
Civil Aviation Safety Authority

NOTICE OF PROPOSED RULE MAKING NPRM 1426AS



Post-implementation review of the legislative framework for Part 139 - Aerodromes

Date	August 2017
Project number	AS 14/24
File ref	D14/602686

Audience

This Notice of Proposed Rule Making (NPRM) will be of interest to:

- aerodrome operators
- aerodrome consultants and service providers
- planning approval bodies.

Amendment

This NPRM proposes a complete rewriting of Part 139 of the *Civil Aviation Safety Regulations 1998* (CASR) and the Part 139 Manual of Standards (MOS) as they relate to aerodromes. The existing Subpart 139.H of CASR and the proposed amendments to the heliports rules are both outside the scope of this NPRM.

Response date

The Civil Aviation Safety Authority (CASA) is responsible under the *Civil Aviation Act 1988* for, amongst other functions, developing and promulgating appropriate, clear and concise aviation safety standards. CASA must, where appropriate, consult with government, commercial, industrial, consumer and other relevant bodies and organisations in the performance of this function and the exercise of its powers.

Civil Aviation Act 1988 Subsection 9(1) (c) and Section 16

This NPRM contains a proposed new regulation, or proposed amendment to existing regulations, that may be pursued as a future regulatory change.

No action will be taken until all responses and submissions have been considered. To ensure clear and relevant safety standards, we need the benefit of your knowledge as an aerodrome operator, aviation consumer and/or provider of related products and services.

You can help by providing your feedback on the [online response form](https://consultation.casa.gov.au/regulatory-program/nprm1426as) at <https://consultation.casa.gov.au/regulatory-program/nprm1426as> by **8 December 2017**.

Foreword

This NPRM is issued by CASA with a view to ensuring that Australian aviation safety requirements are current and appropriately address safety risks. CASA's policies require that the aviation safety regulations must:

- be necessary to address known or likely safety risks
- provide for the most efficient allocation of industry and CASA resources
- be clear and concise
- where appropriate, be aligned with international standards and drafted in outcome-based terms.

Part 139 of CASR and the subsidiary Part 139 MOS were implemented in 2003. These rules regulate:

- the operation of certified, registered and 'certain other' aerodromes
- obstacles and hazards
- aerodrome radio communication services.

By 2014, CASA and industry both recognised that a comprehensive review of the Part 139 legislative framework was necessary. While a review of the rules for fire fighting (Subpart 139.H of CASR) and heliports will be subject to separate consultation, this proposed amendment to Part 139 of CASR and the Part 139 MOS aims to:

- more closely reflect the Standards and Recommended Practices (SARP) for Annex 14, Aerodromes to the International Convention on Civil Aviation (the Chicago Convention)
- simplify the categorisation of aerodromes by moving to two categories: certified aerodromes (regulated) and uncertified aerodromes (unregulated)
- introduce a graduated structure for aerodrome certification requirements to ensure that regulatory requirements are commensurate with the operation(s) being conducted at the aerodrome
- re-write existing regulations in an outcome-based format, where appropriate
- reduce existing regulatory costs
- provide a more streamlined and clearer regulatory framework for Part 139.

I would like to thank you for your interest in this proposal. I emphasise that no rule changes will be undertaken until CASA has considered all NPRM responses and submissions received by the closing date.

Jason McHeyzer
Manager, Regulation Development and Implementation
Aviation Group

August 2017

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1 Reference material

1.1 Acronyms and abbreviations

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

Acronym / abbreviation	Description
CASA	Civil Aviation Safety Authority
CASR	<i>Civil Aviation Safety Regulations 1998</i>
MAAT	Manual Authoring and Assessment Tool
MOS	Manual of Standards
NPRM	notice of proposed rule making
SARP	Standards and Recommended Practices
SCC	Standards Consultative Committee

1.2 References

Regulations

Regulations are available on the Federal Register of Legislation website <http://www.legislation.gov.au>

Document	Title
<i>Civil Aviation Act 1988</i>	
Part 11 of CASR	Regulatory administrative procedures
proposed Part 119 of CASR	Australian air transport operators - certification and management
Part 139 of CASR	Aerodromes
Part 139 MOS	Aerodromes

International standards

Document	Title
Annex 14 to the Chicago Convention	Aerodromes
ICAO Document 9981	Procedures for Air Navigation Services - Aerodromes (PANS-Aerodromes)

2 Industry consultation

2.1 Standards Consultative Committee

CASA is committed to working cooperatively with the aviation industry to maintain and enhance aviation safety. The Standards Consultative Committee (SCC) was a joint industry/CASA forum that brought together CASA staff and representatives from a range of aviation industry organisations. The SCC provided the aviation industry with the opportunity to be formally involved during the development of regulatory proposals.

The Airspace and Infrastructure Users Group (an SCC sub-committee) established the *Part 139 post-implementation review (PIR) project team - Aerodromes* to conduct the PIR of the applicable regulations and develop proposals for regulatory change. The project team met on seven occasions, with the following industry representatives involved in the development and formulation of the proposals contained in this NPRM:

Industry

Representative	Organisation
Caroline Wilkie	Australian Airports Association
Brett Eaton	Adelaide Airport
Tim Lyons	Brisbane Airport
Simon Hatfield	Alice Springs Airport
Nat Thomas	Aerodrome Management Services
Brett Curtis	Gold Coast Airport
Steve Willis	Cairns Airport
Marc Storti	Melbourne Airport
Ken Allcott	Sydney Airport
Mike Cleaver	Honourable Company of Air Pilots
Graham Brown	Gliding Federation of Australia
Tom Griffiths	Airports Plus
John Ferguson	Airport Lighting Specialists Pty Ltd
Matt Stein	Airservices Australia
Jimmy Maitland	Safegate
Jared Feehely / David Tansey	Australian Airports Association
Brian Greeves/Alexander Dunbar	Australian International Pilots Association
Clare Guenther	Department of Infrastructure and Regional Development

CASA

Representative	Role
Roy Tuomela	Manager, Air Traffic Management System Standards Aviation Group
Darren Angelo	Senior Standards Officer, Air Traffic Management System Standards Aviation Group
Kim Jones	Senior Standards Officer, Air Traffic Management System Standards Aviation Group
Jan Goosen	Senior Standards Officer, Air Traffic Management System Standards, Aviation Group

3 Proposed change

3.1 Background

The current rules for aerodromes are a blend of requirements adopted from Annex 14 to the Chicago Convention and historic Australian regulatory standards, including the *Rules and Practices for Aerodromes*. By 2014, both CASA and industry recognised the need to re-align the Part 139 framework with contemporary aerodrome policy. Changes to ICAO standards, industry developments and evolutions in technology also needed to be taken into account.

In response to this need, CASA set up a post implementation review (PIR), with the following objectives:

- move non-regulatory material from Part 139 of CASR to either the Part 139 MOS (for technical standards) or advisory circulars (for guidance material)
- reduce the number of regulated aerodrome categories (*certified, registered and certain other*) to a single category of *certified*, consistent with Annex 14 to the Chicago Convention
- limit the MOS content to physical, measurable standards that align with the ICAO SARP, unless there are justifiable reasons for Australia to file a difference
- implement a scalable system of aerodrome certification, with regulations that are commensurate with the type and volume of operations at an aerodrome
- provide for acceptance and inclusion of new technology in:
 - pavements
 - lighting
 - communication, navigation and surveillance infrastructure, including meteorological facilities
- establish a risk basis for CASA's program of aerodrome surveillance activities.

In delivering the objectives of the PIR, CASA also intended that there should be no overall increase in the cost of compliance for aerodrome operators and, if possible, that the review look for opportunities to reduce the cost of regulatory compliance.

Whilst Part 139 of CASR is titled 'Aerodromes', the existing regulations (Subpart 139.E) also covers obstacles and hazards for both:

- the aerodrome vicinity
- airspace between aerodromes, typically outside the aerodrome vicinity, that is used by aircraft flying between aerodromes (en-route airspace).

CASA also proposes to amend Subpart 139.E of CASR as detailed in this NPRM.

3.2 Case for change

The post-implementation review of Part 139 identified the following key drivers for amendment of the Part 139 rules.

3.2.1 Address modernised risk management and aircraft performance

As an aggregation of historical and international practices, the existing regulations and standards no longer fully align with current technology, modern risk management practices, modern aircraft performance and government policy: For example:

- The current criteria for aerodromes to be certified (30 seats or 3,400 kg payload) is not fully within the control of the aerodrome operator nor is it consistent with the definition of 'air transport' in the proposed Part 119 of CASR.
- The current requirement for a safety management system, wildlife hazard management plans, technical inspections and other management systems is based solely on an aerodrome having a runway suitable for an aircraft with more than 30 passenger seats (or 3,400 kg payload) that is available for regular public transport or charter operations. These criteria apply whether or not such operations are conducted at the aerodrome and do not reflect the risk associated with actual aircraft and passenger movements.
- The current regulation contains matters that would be more appropriately contained in Part 11 of CASR (e.g. regulations 139.050, 139.070 and 139.085 of CASR).
- The current Part 139 MOS contains matters that would be more appropriately addressed in advisory material (e.g. Sections 6.7 and 7.4; various illustrations for educational purposes, etc.).
- The current Part 139 of CASR and Part 139 MOS contain matters now legislated through Part 175 of CASR, which has resulted in regulatory overlap.
- Current emergency planning requirements do not reflect the reality of coordination with emergency services organisations under established state and territory emergency management legislation. This is particularly an issue for small regional aerodromes.
- Where a particular physical standard cannot be met, an aerodrome operator is currently required to seek an exemption against the standard. The exemption is only issued for a limited period, with each repeat application incurring an additional cost. For an exemption that is required because of a geographical/topographical limitation, CASA and industry both seek an enduring solution.

3.2.2 Harmonisation with ICAO

The post-implementation review identified a number of ICAO harmonisation issues:

- The current MOS contains requirements that are not set by ICAO or CASA. For example, Airservices Australia controls the process described in Section 10.3 of the existing Part 139 MOS, titled *Initiating a NOTAM*.
- Some standards are not consistent with Volume I of Annex 14 to the Chicago Convention and its associated documents. This is particularly the case for lighted visual aids in Chapter 9 of the existing Part 139 MOS.
- ICAO has proposed fundamental changes to the Volume I of Annex 14 to the Chicago Convention that provide relief to aerodrome operators based on refined physical characteristics for the movement area.
- ICAO has approved a new document PANS – Aerodromes (Doc 9981), which provides guidance on:
 - certification of aerodromes

- safety management systems
- aerodrome manuals
- compatibility of aeroplane operations and infrastructure with aircraft that exceed the existing reference characteristics of the aerodrome.

As Australia is a signatory to the Chicago Convention, CASA seeks to include certain aspects of PANS-Aerodromes in the Part 139 rules and supporting guidance materials.

- The ICAO Air Navigation Commission has initiated a review of the relationships between obstacle limitation surfaces and PANS-OPS surfaces, which relates to instrument approach procedures, and a complete review of Annex 14 to the Chicago Convention.

3.2.3 Update to reflect current drafting standards

When Part 139 was originally drafted, Manuals of Standards were not classified as legislative instruments. As a consequence, the Part 139 MOS contains language and advisory content that is no longer appropriate for a legislative instrument, and needs to be redrafted to meet current legislative drafting standards.

3.3 Key considerations

When developing or amending regulations, CASA has a responsibility to:

- develop appropriate, clear and concise aviation standards (Section 9 (1) (c) of the *Civil Aviation Act 1988*)
- adopt the ICAO SARP (as a signatory to the Chicago Convention) unless there is a justification for not conforming
- adhere to the Australian Government's [10 principles for policy makers](#).

These obligations and principles underpinned CASA's approach to reviewing the Part 139 regulations and standards. The review has also considered the following:

- The protection of the travelling public requires the maintenance of minimum physical standards, infrastructure condition and the protection of terminal instrument flight procedures including obstacle free areas.
- Aerodrome operators can only be held accountable for matters in their control.
- If a 'standard' is a 'should do' then it is advisory and should not be confused with the requirements in the CASR or MOS.
- Part 139 does not need to replicate requirements found in other CASR Parts, such as Parts 11, 13 or 175.
- Operational and administrative requirements, such as safety management systems and emergency response planning, should be structured to be commensurate with operational and passenger activity.
- Regulations will only be written to address identified risk or to harmonise with the Annex 14 SARP and PANS-Aerodromes.
- The application of standards for many physical characteristics, visual aids and the monitoring of airspace are dependent on the aerodrome operator nominating the reference code and capability of their facility.

- Where requirements are changed, CASA has an obligation to provide aerodrome operators with a reasonable period of time to transition their operational and administrative requirements.
- Penalty unit and offence provisions were not in scope of this review; pending a separate and overarching review of these provisions across the whole of the CASR. The existing penalty units and offence provisions have largely been retained or have been based on the existing Part 139 of CASR.
- In proposing the thresholds for SMS and other requirements be based on passenger and traffic movements, CASA intends to obtain this data from existing sources and will not require additional monitoring by industry.

3.4 Options considered by CASA

3.4.1 Option 1: retain existing regulatory structure

Option 1 would retain the existing regulatory structure and content. CASA would remove 'certain other aerodromes' and replicate any outstanding changes made to the Annex 14 SARP since Part 139 was promulgated.

This option, however, would not address the requirement for those exemptions necessary for issue against legacy infrastructure to be continuously renewed every 3 years. It would leave much explanatory or process material in the CASR and the MOS, and retain the current criteria for aerodromes to be certified without any regard to the level of aircraft and passenger activity at the aerodrome, which is often outside of the aerodrome operator's control.

CASA considers that this option is unsustainable because:

- additional costs would be incurred by industry on a continual basis
- it potentially would lead to an increased state of ICAO non-compliance and an overall lack of standardisation
- it would impose an increasing demand on CASA's finite surveillance and regulatory service resources.

3.4.2 Option 2: address the issues raised by industry during the PIR

Option 2 would address the various issues raised by industry and CASA staff during consultation with the Part 139 post-implementation review (aerodromes) project team. It would update the Part 139 rules to:

- reflect new regulatory standards for the application, issue and surveillance of certificates
- reduce the multiple types of aerodrome certification into a single but scalable certification structure
- move content that describes how compliance is to be demonstrated into guidance materials
- establish risk-based thresholds for management system requirements, such as:
 - technical inspections
 - wildlife hazard management

- safety management systems
- emergency response plans
- allow for a general edit and review of drafting style within the Part 139 regulations and standards.

3.5 CASA's preferred option for change

Given the amount of industry feedback received before and through the PIR, CASA has proposed policy changes based on Option 2, whereby the issues raised by the Part 139 post-implementation review (aerodromes) project team have been evaluated and addressed as necessary. This includes:

- amendment to Part 139 of CASR and the Part 139 MOS
- the potential for non-regulatory approaches to be incorporated in the revised Part 139 MOS
- updating advisory materials as a result of a new MOS structure
- create a sample tool and template for industry to use when creating an aerodrome manual.

The draft amendment instrument for Part 139 of CASR is provided at **Annex A**, with a summary table of the changes at **Annex B**. The draft amendment instrument for the Part 139 MOS is provided at **Annex C**, with a summary table of the changes at **Annex D**. An overview of the significant changes being made to both the regulations and standards, as well as the anticipated impacts, is detailed in the following sections.

Penalty provisions in the existing Part 139 of CASR have been preserved wherever possible. These will likely be addressed in a separate, overarching review of penalty provisions across the whole CASR.

3.5.1 Significant changes at a glance

Some of the more significant changes proposed by CASA include:

- Part 139 of CASR would be simplified to focus only on those regulatory requirements that must be met for the issue of an aerodrome certificate. The revised structure would establish a clear 'head of power' for each subsidiary element to be described in the revised Part 139 MOS.
- Provisions would allow for CASA to grant an enduring approval of specific non-compliance with the standards in instances where compliance is not physically possible and an exemption is not appropriate.
- CASA proposes to move to a single certification framework, consistent with ICAO standards. The classifications for existing 'registered' and 'certain other' aerodrome would be removed and replaced by a new scalable certification framework, wherein which regulatory requirements would be commensurate with the complexity of the aerodrome operation and resultant risk.
- Operators of aerodromes with no published terminal instrument flight procedures can elect not to transition to the new regulatory framework or can continue to be certified

('opt-in'). Existing aerodromes with terminal instrument flight procedures, however, must be certified.

- Revised grandfathering provisions would clearly establish when existing infrastructure must be upgraded to the new Part 139 standards (**note:** not as the result of maintenance).
- The numeric and alphabetic components of the aerodrome reference code would be revised in line with proposed changes to the Annex 14 SARP.
- Outer main gear wheel span categories, instead of wingspan, would be linked to key physical characteristics (e.g. runway width) in line with the current amendments to the Annex 14 SARP.
- Duplicated standards for the provision of aerodrome data would be removed from the Part 139 MOS, where otherwise covered by Part 175 of CASR or specified by the AIS provider through the aerodrome data product specification.
- More flexible parameters for transverse slope on runways and taxiways at intersections would be introduced to reflect practical engineering situations.
- Runway width requirements for Code F aircraft would be clarified in line with the proposed amendments to Volume 1 of Annex 14 to the Chicago Convention. Specific references to A380 and other aircraft types would be removed.
- Runway and taxiway widths—including strips, shoulder requirements and separation clearances—would be amended to reflect the proposed Annex 14 SARP amendments.
- Tolerances would be added to the dimensions of markers and markings to reflect practical realities.
- Approach lighting specifications and requirements would be updated to more closely reflect ICAO standards and international best practice.
- The provision of signal areas and aerodrome beacons would become optional.
- Existing helicopter related markings would be updated.
- Standards for LED lighting would be included.
- Apron lighting requirements would be expanded to provide more options whilst improving safety.
- Annual inspection and reporting requirements for all aerodromes would be amended to support risk-based regulatory surveillance and their commensurate application against aerodrome activity and risk.

Requirements for a safety management system, wildlife hazard management and an aerodrome emergency plan would be based on proposed risk-related criteria that reflect aircraft and passenger movement activity (

- Table 1).
- In Subpart 139.E of CASR, the threshold for reporting obstacles to CASA has been revised from 110 m above ground level to 100 m above ground level, to align with ICAO and Part 175 of CASR.
- Minor amendments would be made to the aerodrome radio communication services regulations contained in Subpart 139.F of CASR and the supporting Part 139 MOS. These proposed changes aim to ensure existing services such as certified air/ground radio communications can be provided and maintained into the future.

Table 1: Passenger and aircraft movement thresholds for requirement of various safety, risk, emergency and wildlife management approaches

Requirement	Air transport passengers (per year)					International
	0 < 10,000	10,000 < 25,000	25,000 < 50,000	50,000 < 350,000	350,000 +	
Safety / risk management	Safety management system recommended ¹		Risk management plan ²	Safety management system		ICAO Annex 19 Safety management system
Annual inspections	Validation only ³	'Split' technical inspection ⁴ (some elements may be conducted bi-annually)		Full technical inspection		
Emergency plan	May be covered under local emergency management arrangements			Emergency plan		
Emergency committee					Emergency committee	
Emergency preparedness	Emergency induction program			Emergency exercise or modular testing		
Wildlife hazard management	Wildlife hazard management plan recommended where a high wildlife risk exists at the aerodrome			Wildlife hazard management plan		

Additional requirements related to aircraft movements (per year)

¹ Risk management plans are required for more than 50,000 up to but not including 100,000 aircraft movements.

² A safety management system is required for 100,000 or more aircraft movements.

³ 'Split' Technical Inspections are required for more than 20,000 up to but not including 100,000 aircraft movements. In a 'split' Technical Inspection, some sub-elements including the inspection of pavements, drainage and lighting systems are only required once every 2 years.

⁴ Technical Inspections are required for 100,000 or more aircraft movements.

3.5.2 Anticipated impacts on industry

Overall, the proposed amendments would:

- reduce the complexity of the current regulation
- provide a more flexible path for operators to adopt alternative means of compliance where it is not currently possible to meet MOS requirements
- simplify the certification processes.

The major impacts of removing the current two tier aerodrome certification system of 'certified' and 'registered' aerodromes, and replacing it with a single authorisation using risk based standards, would be that:

- some aerodromes would no longer be required retain their existing safety management system
- emergency exercises would be removed for most certified aerodromes and replaced with a less costly emergency preparedness (induction style) program
- existing registered aerodromes would be required to have an aerodrome manual
- some existing registered aerodromes with significant air transport passenger movements would be required to undertake regular aerodrome technical inspections.

Most certified aerodromes would benefit from risk-based criteria that remove the requirement to retain their safety management system and to conduct regular emergency exercises. The new requirements would mostly impact on existing registered aerodromes. For the proposed introduction of an aerodrome manual, the impact should be limited to an upfront commitment of approximately 2-3 days for the aerodrome operator to develop the manual using the online [Manual Authoring and Assessment Tool](#) (MAAT) and supporting template provided by CASA.

The proposed changes to Part 139 to allow enduring approvals, subject to a suitable safety case being submitted and accepted by CASA, is consistent with the ICAO policy of using safety assessments¹ if compliance with the foundation Annex 14 SARP is not possible.

Part 139 of CASR and the Part 139 MOS are both legislative instruments. The offence provisions in the regulations—as required under Commonwealth drafting policy—are supported by CASA's enforcement policy. CASA, however, through the CASA Surveillance Manual (CSM), would continue to support a cooperative, outcomes-focused relationship with the aerodrome industry. Through a focus on such systems, supported by enhanced industry guidance and education, CASA seeks to improve safety outcomes beyond strict compliance requirements.

Non-compliance with requirements for aerodrome facilities will continue to be monitored through surveillance activity; however, CASA intends that legacy facilities would be protected through grandfathering provisions until they are upgraded or replaced by the aerodrome operator.

These anticipated impacts are discussed in more detail in the following sections. CASA will use feedback from this consultation to refine these impacts and submit a Regulation Impact Statement if required by the Office of Best Practice Regulation.

¹ As described in PANS - Aerodromes

Safety management system

Existing aerodromes

Currently, all certified aerodromes are required to have a safety management system. With the proposal to transition existing registered aerodromes to a scalable certificate, a threshold criteria was required to ensure that any regulatory impost was balanced against safety outcomes. In selecting the threshold, consideration was given to:

- replicating the 'intent' of the existing certification threshold—based on runways available for aircraft sizes greater than 30 passenger seats—in the form of an alternative based upon air transport passenger numbers
- the proposal by the Federal Aviation Administration to require an SMS for aerodromes with more than 100,000 aircraft movements per annum.

CASA also proposes that some other aerodromes would be required to implement a lower-tier risk management plan in accordance with the Table 1 thresholds. This would allow the risk management plan to scale up to a compliant SMS if passenger movements or air transport activities increase above the required threshold (refer Table 1).

With this proposal, CASA estimates that approximately 150 certified aerodromes currently required to have a safety management system would no longer be mandated to retain one. CASA will, however, still recommend that all aerodromes provide and maintain an SMS, in line with industry best practice.

If an existing certified aerodrome has already incurred the cost of establishing a safety management system, we expect they would choose to retain it instead of moving to the risk management plan or removing their SMS entirely if the new regulations resulted in the aerodrome meeting one of the lower thresholds.

International aerodromes (i.e. those with scheduled international air transport operations) would be required to develop and maintain an SMS that complies with the standards contained in Annex 19 of the Chicago Convention.

New aerodromes

New aerodromes would be required to establish a safety management system or risk management plan in accordance with the Table 1 thresholds. CASA's assessment is that an aerodrome operator would take approximately 1-2 days to develop a risk management plan unless such operations were already contained within an enterprise risk management framework.

For future implementation, we expect it would be approximately \$10,000 cheaper to develop the new risk management plan than a new safety management system.

For new aerodromes below the Table 1 thresholds, CASA again recommends the development of an SMS in line with industry best practice.

Emergency planning based on risk

Under the proposed changes, only aerodromes with more than 50,000 air transport passenger movements annually would be required to conduct regular emergency exercises. Aerodromes with up to but not including 50,000 would be required to implement a simple emergency

preparedness program to induct local emergency responders at the aerodrome, such as showing them where the emergency access points for the aerodrome are located.

With regular emergency exercises such as the simulated crash of a large passenger carrying aircraft costing approximately \$15,000, existing certified aerodromes with less than 50,000 air transport passenger movements annually should expect a reduction in emergency planning costs. Existing registered aerodromes would be required to undertake a simple emergency preparedness program with their local emergency responders. Unlike the cost of an exercise, this is expected to only require a couple of hours from a responsible person once per year.

For aerodromes with fewer than 50,000 air transport passenger movements annually, the proposed changes would also CASA to recognise the aerodrome emergency planning arrangements as part of the overarching state or local emergency management plans. CASA understands that most local government operators already have an emergency management plan (i.e. for road accidents) that could be used, or easily modified, to satisfy the requirements for an aerodrome emergency plan.

Aerodrome manual

Certified aerodromes

The proposed amendments would have no impact on the current requirement for a certified aerodrome to have an aerodrome manual.

Existing registered aerodromes

Existing registered aerodromes are currently required to document safety functions in writing. The proposed changes would require them to transfer this written content to an aerodrome manual.

CASA anticipates that it would take an aerodrome operator approximately 2 days to create an aerodrome manual using CASA's MAAT. MAAT would be provided free of charge and is designed to:

- prompt each step in the creation of an aerodrome manual
- provide sample text and guidance material at each step of manual creation
- automatically manage document control and formatting functions
- assist with the management of any future manual amendments (ongoing).

This tool is already available to the aviation industry free of charge and would provide a compliant aerodrome manual structure, document control functions, as well as sample text and guidance materials when developing each section of the document.

Technical inspections

Validation only

The proposed amendments would have minimal effect on aerodromes with less than 10,000 air transport passenger movements and less than 20,000 aircraft movements each year. These aerodromes are already required to conduct annual validation of their information reported in Aeronautical Information Publication. This has no impact on industry as these requirements are already mandated under Part 175 of CASR for all aerodrome operators with published

information. The validation, however, would require a check that the aerodrome manual is still up to date. Refer to the aerodrome manual section above.

'Split' technical inspection

The amendments would introduce a changed requirement for current registered aerodromes with 10,000 to less than 50,000 air transport passenger movements, provided aircraft movements also remain below 100,000 per year. These aerodromes would be required to conduct technical inspections.

This would introduce new requirements for approximately 10 existing registered aerodromes. The majority of these aerodromes, however, do not have significant traffic volumes and would be able to reduce the cost impact by extending the inspection frequency for certain elements by up to two years.

CASA estimates that the cost of the annual technical inspections will be in the order of \$2,000-\$5,000; however the cost may be less if the aerodrome operator employs staff with the expertise to conduct these inspections. Furthermore, there may be some operational benefits in the order of savings for these aerodromes from identifying and addressing issues before they become more expensive to repair.

Full technical inspection

Existing certified aerodromes with more than 50,000 air transport passenger movements per year would not be impacted by the proposed changes—a full technical inspection would still be required.

3.6 Key proposals

CASA seeks feedback about particular aspects of the proposed changes.

Proposal 1: address the baseline criteria for requiring certification

The existing requirement for aerodrome certification generally applies when an aerodrome is suitable and 'available' to charter and RPT aircraft with more than 30 passenger seats; however, this criterion is not always within the control of the aerodrome operator. Proposal 1 would make changes requested by industry to only require aerodrome certification if:

- a terminal instrument flight procedure is provided at the aerodrome
or
- the aerodrome operator chooses to seek certification ('opt-in').

Proposal 2: repeal and replace the existing Part 139 Manual of Standards

Proposal 2 would repeal and replace the existing Part 139 Manual of Standards, with the amendments to:

- contain more outcome based standards
- introduce multiple options for compliance in relevant sections including the provision of 'preferred' options
- clearly state best practice through 'recommendations',
- relocate guidance material to an updated library of advisory circulars.

Proposal 3: introduce a requirement for existing registered aerodromes to have an aerodrome manual

Proposal 3 would introduce the requirement for existing registered aerodromes to have an aerodrome manual in order to:

- remove ambiguity in the existing requirement, which only requires registered aerodrome operators to document 'safety related functions in writing'
- ensure that aerodromes are operated in accordance with the required safety standards which are clearly documented.

CASA recognises that this would create a new impost on existing registered aerodrome operators. We aim to minimise this impact by providing industry with an aerodrome manual template using the online MAAT. If industry does not find this proposal acceptable, CASA will need to understand the limitations or constraints industry foresees with such an approach so that we can identify an acceptable compromise.

Proposal 4: change the requirements for safety management systems at existing certified aerodromes

Proposal 4 would deliver a scalable certification framework for certified aerodromes by changing the thresholds for requirement of a safety management system or risk management plan as described in Table 1 of this NPRM.

For existing aerodromes operating below the specified criteria, CASA would recommend that a safety management system remain in place; however, the existing regulatory requirement would be removed.

Proposal 5: introduce trigger criteria for safety management systems and risk management plans to minimise regulatory impact at existing registered aerodromes

Proposal 5 would deliver a scalable certification framework for registered aerodromes as described in Table 1 of this NPRM.

Proposal 6: change the requirements for aerodrome emergency planning at existing certified aerodromes

Existing certified aerodromes with air transport passenger rates below the threshold shown in Table 1 of this NPRM can have their emergency plan recognised under state or local government emergency arrangements, if the aerodrome is clearly identified in the plan.

The change would also only require an aerodrome to have an aerodrome emergency committee if they have aerodrome rescue firefighting services on site.

Proposal 7: change the requirements for aerodrome emergency exercises at existing certified aerodromes

Proposal 7 would only require an aerodrome to conduct aerodrome emergency exercises if they have air transport passenger rates above the threshold described in Table 1 of this NPRM.

Existing certified aerodromes below this trigger requirement would no longer require an emergency exercise to be conducted every two years.

For certified aerodromes below the trigger criteria, the existing regulatory requirement for emergency exercises would be replaced by an emergency preparedness program. This program would focus on the on-site induction of emergency response agencies rather than exercising command, control and coordination which falls under the responsibility of the overarching state or local government emergency management arrangements.

Proposal 8: change the requirements for aerodrome technical inspections

Proposal 8 would amend the Part 139 MOS requirements for the conduct of aerodrome technical inspections, setting thresholds based on the number of air transport passenger and aircraft movements at an aerodrome as described in Table 1 of this NPRM.

Proposal 9: introduction of an *accountable manager* for aerodrome operators

Proposal 9 would require aerodrome operators to nominate an *accountable manager*. This position would be accountable for the compliance, maintenance and operational activities at the aerodrome.

This proposal would align the Part 139 personnel requirements with comparable regulations for aircraft operators, maintenance organisations and aeronautical information and data service providers.

Proposal 10: update the existing grandfathering arrangements

Proposal 10 would revise grandfathering arrangements for all certified or registered aerodrome facilities based on their existence immediately before the commencement date of the proposed Part 139 of CASR and Part 139 MOS amendments. These facilities would not be required to comply with the new design standards until such time as they were upgraded or replaced.

The definition of upgrade would also be changed to ensure that the aerodrome operator is able to control the timing of the upgrade or replacement. Maintenance activities would not trigger an upgrade.

Proposal 11: proposed transition arrangements

The proposed transition period is one year for existing certified aerodromes and two years for existing registered aerodromes. These proposed transition periods would, however, both commence an additional 12 months from the day on which the amended rules are signed.

4 Implementation and review

4.1 Implementation and transition timeframes

Following consideration of responses to this NPRM, CASA will prepare a summary of consultation and will then make revisions to the draft CASR and MOS as considered necessary.

CASA will further analyse the nature and extent of the impact that these changes will have on aerodrome operators and pilots to ensure an adequate timeframe is given for implementation. A preliminary date for the proposed rules to be made is the third quarter of 2018. The proposed rules would come into effect 12 months after making, with the transition period to be determined based on industry feedback to this consultation.

Please note that these dates may change depending on when the draft rules are signed, registered and set to commence.

4.2 Post-implementation review

CASA will monitor and review the new rules on an ongoing basis during the transition phase. Thereafter, CASA will conduct post-implementation monitoring and reviews as required. CASA will also continue work on proposed changes to the fire fighting and heliports rules as separate activities.