



# Australian Government

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## Civil Aviation Safety Authority

I, JOHN FRANCIS McCORMICK, Director of Aviation Safety, on behalf of CASA, make this instrument under paragraph 9 (1) (c) of the *Civil Aviation Act 1988* and regulation 139.015 of the *Civil Aviation Safety Regulations 1998*.

**[Signed John F. McCormick]**

John F. McCormick  
Director of Aviation Safety

23 September 2013

### Manual of Standards Part 139 Amendment Instrument 2013 (No. 1)

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#### **1 Name of instrument**

This instrument is the *Manual of Standards Part 139 Amendment Instrument 2013 (No. 1)*.

#### **2 Commencement**

This instrument commences on the day after registration.

#### **3 Amendment of the Manual of Standards Part 139**

Schedule 1 amends the Manual of Standards (MOS) — Part 139 Aerodromes.

### **Schedule 1 Amendments**

#### **[1] Paragraph 11.1.4.3, after Note 2**

*insert*

3. When siting any airways facility, and in particular an ILS, consideration must be given to paragraph 6.2.22 in relation to runway strip transverse slope limitations and the possible exceedance of the 5% transverse slope standard.

#### **[2] After paragraph 11.1.4.3**

*insert*

- 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.
  - 11.1.4.8 Paragraphs 11.1.4.6 and 11.1.4.7 do not affect the requirement for any proposed aerodrome 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*.
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