



Australian Government
Civil Aviation Safety Authority

Instrument number CASA EX45/09

I, MICHAEL DAVID QUINN, Deputy Chief Executive Officer, Operations, a delegate of CASA, make this instrument under regulation 308 of the *Civil Aviation Regulations 1988 (CAR 1988)*.

A handwritten signature in black ink, appearing to read 'Mick Quinn'.

Mick Quinn
Deputy Chief Executive Officer
Operations

2 June 2009

Exemption — Surveillance Australia Pty Ltd operations into Lord Howe Island

1 Duration

This instrument:

- (a) commences on the day after it is registered; and
- (b) stops having effect at the end of May 2011.

2 Application

This instrument applies to operations by Surveillance Australia Pty Ltd, Aviation Reference Number 532345 (the *operator*), into Lord Howe Island using DHC8-202 aircraft (the *aircraft*).

3 Exemption

For subregulation 308 (1) of CAR 1988, the operator is exempt from compliance with directions under subregulation 235 (2) of CAR 1988 to the extent mentioned in Schedule 1, subject to the conditions mentioned in Schedule 2.

Schedule 1 Extent of exemption

The exemption only applies to the requirement to comply with subparagraphs 4.1 (a), (b) and (c) of Civil Aviation Order 20.7.1B to the extent that they would prevent taking into account the use of the departure end of the runway end safety area to calculate the take-off distance and accelerate-stop distance for the aircraft.

Schedule 2 Conditions

- 1 The operator must comply with the following operation specifications:

DHC8-202 operational requirements for take-off and landing at Lord Howe Island, Runway 10/28

Lord Howe Island aerodrome

Suitable operational runway	Runway 10/28
Landing distance available	Runway 10: 886 m (ERSA) Runway 28: 785 m (ERSA)
Take-off distance available	Runway 10: 1006 m (ERSA + 60 m) Runway 28: 1006 m (ERSA + 60 m)
Take-off run available	Runway 10: 946 m (ERSA + 60 m) Runway 28: 946 m (ERSA + 60 m)
Accelerate-stop distance available	Runway 10: 946 m (ERSA + 60 m) Runway 28: 946 m (ERSA + 60 m)
Line-up allowance for take-off	180° turn

Operational limitations

Aircraft landing weight	As calculated, based upon aircraft flight manual data and limited to maximum certified landing weight. Threshold speed and prevailing wind must be considered and accounted for in the landing distance calculation. Temperature accountability is not required in the landing distance calculation.
Landing distance required	Actual landing distance (ALD) is the distance between a point 50 feet above the runway threshold and the point where the aircraft comes to a complete stop. Dry runway: 1.43 x ALD Wet runway: 1.43 x 1.15 x ALD Contaminated runway operations not approved for landing.
Landing flap	Flap 35 landing (unless a greater emergency exists).


Aircraft performance

Braking application	Maximum braking effort
Retarding applications	Power levers at disc
Runway visibility	Daylight operations only

System requirements

All brakes and anti-skid	An aircraft must not take off for a flight to Lord Howe Island unless these systems are operative and fully functional.
Nose gear steering	
Full flight control and rudder	

- 2 Unless otherwise stated in clause 1, all of the operator's applicable operational procedures and limitations apply.
 - 3 The additional 60 m (RESA) allowed for take-off only must be added to the brake release end of the runway.
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Explanatory Statement

Civil Aviation Regulations 1988

Exemption — Surveillance Australia Pty Ltd operations into Lord Howe Island

Legislation

Under subsection 98 (1) of the *Civil Aviation Act 1988* (the *Act*), the Governor-General may make regulations for the Act and in the interests of the safety of air navigation.

Under regulation 308 of the *Civil Aviation Regulations 1988* (**CAR 1988**), CASA may exempt aircraft, or persons in, on, or otherwise associated with the operation of the aircraft, from compliance with specified provisions of CAR 1988. Subregulation 308 (3) of CAR 1988 provides that CASA can impose conditions necessary in the interests of safety.

Subregulation 235 (2) of CAR 1988 provides that CASA may, for the purposes of ensuring the safety of air navigation, give directions setting out how to determine the maximum take-off and landing weights of an aircraft. These are given by paragraph 4.1 of Civil Aviation Order 20.7.1B (**CAO 20.7.1B**) which provides for the determination of take-off weight limitations, paragraph 5.1 which provides for the determination of landing weight limitations and paragraph 11.1 which provides for the landing distance required.

Amendments of CAO 20.7.1B allows the runway end safety area (**RESA**) at the Lord Howe Island aerodrome to be taken into account when calculating the length of runway available for take-off.

A RESA is an area symmetrical about the extended runway centre-line, primarily intended to reduce the risk of damage to an aeroplane undershooting or overrunning the runway. Generally, a RESA cannot be taken in account in the length of runway available for take-offs. Its bearing strength is often less than the bearing strength of the runway.

At Lord Howe Island, the RESAs are constructed to an equivalent standard to the runway. It is, therefore, acceptable for the departure end RESA to be used for take-offs, and is a safety enhancement that provides for more runway length than would otherwise be available.

The exemption allows the RESA to be used for this purpose. It also contains particulars of the relevant runway 10/28 and requirements to ensure the safety of operations under the exemption.

Legislative Instruments Act

The exemption is a legislative instrument for section 5 of the *Legislative Instruments Act 2003* (the **LIA**). It is subject to tabling and disallowance in the Parliament under sections 38 and 42 of that Act.

Consultation

Consultation under section 17 of the LIA has not been undertaken in this case. The instrument only renews a previous exemption issued to the operator (CASA EX25/07) which expires at the end of May 2009.

The instrument commences on the day after it is registered. It stops having effect at the end of May 2011.

The exemption has been made by a delegate of CASA under subregulation 7 (1) of CAR 1988.

[Instrument number CASA EX45/09]