



Australian Government

Civil Aviation Safety Authority

I, PHILIPPA JILLIAN SPENCE, Director of Aviation Safety, on behalf of CASA, make this instrument under regulations 139.005 and 201.025 of the *Civil Aviation Safety Regulations 1998*.

[Signed P. Spence]

Pip Spence
Director of Aviation Safety

11 December 2024

Part 139 Manual of Standards Amendment Instrument 2024 (No. 2)

1 Name of instrument

This instrument is the *Part 139 Manual of Standards Amendment Instrument 2024 (No. 2)*.

2 Commencement

This instrument commences on the day after it is registered.

3 Amendment of the Part 139 (Aerodromes) Manual of Standards 2019

Schedule 1 amends the *Part 139 (Aerodromes) Manual of Standards 2019*.

Schedule 1 Amendments

[1] Subsection 6.21 (3)

omit

subsection (4)

insert

subsection (4) and section 6.21A

[2] After section 6.21

insert

6.21A Protection of the fly-over area of a runway strip

- (1) At a certified aerodrome, a prescribed thing that is used for a prescribed purpose may project through the plane described in subsection 6.21 (3), but only if, when, and for as long as, the conditions under subsection (3) of this section are complied with.

Note The expressions *prescribed things* and *prescribed purposes* are defined in subsection (2).

- (2) For subsection (1):
- (a) a **prescribed thing** is any of the following on the fly-over area of a runway strip (the **relevant area**):
 - (i) an airside vehicle, including anything that is part of the vehicle, and any mobile or moveable object, machine or equipment carried in, attached to, resting on, or for use with, the vehicle (**ancillary things**);
 - (ii) relevant personnel who:
 - (A) accompany, use, or are transported on, or in, an airside vehicle; or
 - (B) alight from the vehicle, whether or not they carry or transfer ancillary things; or
 - (C) arrive by foot on the relevant area, and are present and move about on foot, whether or not they carry or transfer anything relevant to their presence; and
 - (b) a **prescribed purpose** is one or more of the following activities conducted on the fly-over area of a runway strip:
 - (i) a serviceability inspection or an aerodrome technical inspection;

Note See Chapter 12 for serviceability inspections and aerodrome technical inspections.
 - (ii) the removal of foreign object debris;

Note The expression **foreign object debris** is defined in subsection 3.01 (2).
 - (iii) wildlife hazard management, monitoring, dispersal or culling;
 - (iv) time-limited works;

Note Examples of some common time-limited works include grass maintenance, line marking, drain clearing.
 - (v) emergency or time-critical remediation or similar activity essential to maintain aerodrome safety.
- (3) For subsection (1), the conditions are the following:
- (a) the certified aerodrome operator must ensure that:
 - (i) all requirements of this section are complied with; and
 - (ii) the aerodrome manual contains procedures to provide that all requirements of this section are complied with;
 - (b) the certified aerodrome operator must ensure that all applicable requirements under Chapter 14 are complied with;

Note Chapter 14 deals with Control of Airside Access and Vehicle Control.
 - (c) for a controlled aerodrome when air traffic control (**ATC**) is in attendance — an airside driver, or relevant personnel, seeking to access the fly-over area of a runway strip at the aerodrome must:
 - (i) comply with the applicable requirements of any letter of agreement between the aerodrome operator and the ATC provider; and
 - (ii) remain outside the graded runway strip until expressly cleared for entry by ATC; and
 - (iii) during periods of low visibility, remain outside the fly-over area of the runway strip until expressly cleared for entry by ATC; and
 - (iv) comply with any instructions issued by ATC;

- (d) for both:
 - (i) an uncontrolled aerodrome (including one with an aerodrome flight information service (an *AFIS*), a CA/GRS or a UNICOM); and
 - (ii) a controlled aerodrome when ATC is not available;
an airside driver or relevant personnel (as applicable), seeking to access the fly-over area of a runway strip at the aerodrome (the *relevant area*), must:
 - (iii) comply with the applicable requirements of any letters of agreement (*LOA*) between the aerodrome operator and ATC, or between the aerodrome operator and the AFIS, CA/GRS or UNICOM service providers; and
 - (iv) if there are no such LOA — broadcast their intentions (as applicable) to operate within the relevant area; and
 - (v) remain outside the graded runway strip when an aircraft is taxiing, or positioning for departure, on the runway — unless:
 - (A) two-way radio contact is established, and maintained between an authorised airside driver or other relevant personnel (as applicable), and the pilot in command of the aircraft; and
 - (B) the pilot expressly agrees that the airside vehicle or relevant personnel may enter onto the graded runway strip or, if applicable, onto the runway surface;
 - (e) when an aircraft (a *relevant aircraft*) is in the process of taking off, landing, or approaching to land, no prescribed thing may be on any part of the runway surface or graded runway strip except:
 - (i) for a relevant aircraft that is in the process of taking off but has not yet done so and is still stationary — a member of the crew of the aircraft; or
 - (ii) a person mentioned in sub-subparagraph (2) (a) (ii) (C), but only if:
 - (A) for a controlled aerodrome — the person has the express agreement of ATC; or
 - (B) for an uncontrolled aerodrome — the person has the express agreement of the pilot in command of the relevant aircraft.
 - (f) without affecting the exceptions under paragraph (e), all prescribed things must immediately move, or be moved, off the runway surface and outside of the graded runway strip in the event of:
 - (i) an aircraft emergency; or
 - (ii) an abnormal aircraft operation; or
 - (iii) a request from the pilot in command of an aircraft that is about to take off or land.
 - (4) For sub-subparagraph (3) (d) (v) (A):
authorised means that the applicable airside driver or other relevant personnel:
 - (a) holds an aeronautical radio operator certificate under Part 64 of CASR; and
 - (b) is authorised by the certified aerodrome operator to undertake airside driving activities.
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