

8.7 Airport usage of runway 04/22

REPORT BY THE MANAGER - ECONOMIC DEVELOPMENT
TO 19 JULY 2023 ORDINARY MEETING
GOV400103, F0470008

RECOMMENDATION

That Council:

1. **receive the report by the Manager - Economic Development on the Airport usage of runway; and**
2. **endorse the NOTAM (C87/22) currently in place restricting use of the grass runway strip parallel to the sealed 04/22 runway, for take-off and landing of Aircraft and publish the details in the En Route Supplement Australia (ERSA).**

Executive summary

In May 2023 a letter was provided to Council by AOPA demonstrating that CASA CEO, Pip Spencer had provided AOPA conflicting information to the guidance received by Council in September 2022 from CASA on the permitted use of the grass landing strips on runway 04/22. Following the receipt of this letter a request was submitted to CASA to clarify this conflicting information on the NOTAM (C87/22) currently in place, restricting use of the grass runway strip parallel to the sealed 04/22 runway, for take-off and landing of aircraft.

Council has received further advice from CASA on 21 June 2023 confirming that the original advice provided in September 2022 was correct.

It is recommended that Council endorse the NOTAM (C87/22) currently in place restricting use of the grass runway strip parallel to the sealed 04/22 runway, for take-off and landing of Aircraft and publish the details in the En Route Supplement Australia (ERSA).

Disclosure of Interest

Nil

Detailed report

In May 2022 NOTAM was issued to restrict aircraft from using the grass runway strip parallel to the sealed runway 04/22 for take-off and landing as it was identified that the runway strip did not comply with the current legislation Civil Aviation Safety Regulation 1988 (CASR 1988) and Part 139 (Aerodromes) Manual of Standards 2019 (amended), (MOS 139) to allow take-off and landing. At this time Council further requested CASA provide advice on the validity of the NOTAM issued to ensure the legislation had been interpreted correctly by Council staff.

On the 5th of September 2022 a response was received: CASE ENQ-22-140294 - Response to Guidance Query - Use of Runways Strip for Take-off and Landing [SEC=OFFICIAL]
CRM:000247001460.

The response confirmed that the decision to issue the NOTAM was valid.

In May 2023 a letter was submitted to Council by Clinton McKenzie (Director of AOPA) authored by Pip Spence (CEO of CASA) appearing to contradict the CASE ENQ-22-140294 - Response to Guidance Query.

As a result of the receipt of the letter a guidance query was lodged CASE ENQ -CS0010926 with CASA to clarify the restriction of the use of the grass runway strip. The below query response was received on the 21st of June 2023.

Question:

Mid-Western Regional Council is seeking to clarify the correct interpretation and understanding of the attached letter from CASA CEO Pip Spence as this seems to conflict with the attached response to guidance query as attached.

Consequently, this has questioned the validity of our current position which we have adopted, which was to close the grass runway strip on the side of 04/22 sealed runway for take-off and landing of aircraft as we could not meet the CASA regulation.

Answer:

“Guidance provided by CASA to the operator of Mudgee aerodrome is correct, as it relates to compliance requirements for a certified aerodrome. An aerodrome operator is to publish which facilities are available for use; information such as the condition of a runway strip, graded surfaces, gable markers etc. must be available to operators and pilots to assess the suitability of an aerodrome.

CASA’s response to Ben Morgan on 22 December 2022 outlined the use of the runway was a procedure and there was nothing stopping that from continuing provided the grass strip was safely and appropriately maintained. For a runway strip to be available for take-offs and landings, the aerodrome operator must prepare and maintain that runway strip to ensure compliance with the regulatory requirements.

The only grandfathered runways at Mudgee aerodrome are 04/22 and 16/34, which are the only runways published in the AIP. A grass unsealed runway is not published or identified in the aerodrome operator’s manual and is therefore not a grandfathered runway. It is for the aerodrome operator to assess and decide if a grass unsealed runway will be made available for use.

The aerodrome operator would need to survey the proposed runway for obstacles and publish to what extent the facility is available. The presence of PAPI light installations in the strip and the resulting reduction in available length would also need to be determined for publication.

The aerodrome operator would also need to conduct an instrument survey to determine if the approach to the runway or transitional area along the side of the runway is clear of obstacles. This will establish revised obstacle limitation surfaces and determine if the ground surface could be prepared to accept the additional width. Considering the current code 3 runway is only published at 90 m wide, it is unlikely additional obstacle free area is available however that is for the operator to determine. If the runway was widened by adding an unsealed section to the sealed runway, the resulting code 1 runway would be required to have obstacle limitation surfaces that are determined in accordance with an offset runway centreline.”

The response confirmed that the decision to issue the NOTAM was valid and therefore it is recommended that Council endorse NOTAM (C87/22) currently in place restricting use of the grass runway strip parallel to the sealed 04/22 runway, for take-off and landing of Aircraft and publish the details in the En Route Supplement Australia (ERSA).

Council may consider further investigation by setting a budget to conduct an instrument survey to determine if the approach to the runway or transitional area along the side of the runway is clear of obstacles and establish revised obstacle limitation surfaces and determine if the ground surface could be prepared to accept additional width, however currently there is no budget set to complete this survey.

Community Plan implications

Theme	Connecting Our Region
Goal	An active travel network within the region
Strategy	Support viable public transport options across the region

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Civil Aviation Safety Regulation 1988 (CASR 1988)
Part 139 Method of Standards 2019 (Amended)

Financial implications

Not Applicable

Associated Risks

Risks associated with dismissing the advice from CASA and lifting NOTAM (C87/22) may cause Council to be non-complaint with legislation and legally liable for any accidents arising from the use of the grass landing strips.

MICHELE MINI
MANAGER - ECONOMIC DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

3 July 2023

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER