



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX08/24

I, ANTHONY ALFRED STANTON, Branch Manager, Sport & Recreation Aviation, Stakeholder Engagement Division, a delegate of CASA, make this instrument under regulations 11.160, 11.205 and 11.245 of the *Civil Aviation Safety Regulations 1998*.

[Signed A.A. Stanton]

Dr Anthony A. Stanton
Branch Manager, Sport & Recreation Aviation
Stakeholder Engagement Division

8 February 2024

CASA EX08/24 — The Bright Open Instrument 2024

1 Name

This instrument is *CASA EX08/24 — The Bright Open Instrument 2024*.

2 Duration

This instrument:

- (a) commences on 10 February 2024; and
- (b) is repealed at the end of 16 May 2024.

Note The provisions of this instrument, other than the direction in section 4, apply only during the event period, which ceases at the end of 16 February 2024. The direction in section 4 is in force until the repeal of this instrument because of the record retention requirement in paragraph 6(b) of Schedule 1.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988* and the regulations. These include *ASAO*, *exposition*, for an ASAO, *NOTAM* and *paraglider*.

In this instrument:

Albury aerodrome means Albury aerodrome (YMAY), CASA.ADCERT.0183.

CAO 95.8 means *Civil Aviation Order 95.8*, as in force from time to time.

Competition Director means the person appointed by SAFA to manage the event.

event means the “Bright Open 2024” conducted at Bright, Victoria, during the event period.

event period means the period commencing at the start of 10 February 2024 and ceasing at the end of 16 February 2024.

Note The combined effect of subparagraphs 4(c) and 10.1(b) of CAO 95.8 is that a paraglider employed in private operations may only be flown during daylight hours.

Gundwring launch site means the hang glider and paraglider launch site located at the point of latitude 36°23'44"S longitude 147°5'25"E.

in the vicinity of has the meaning given by regulation 91.360 of CASR.

Manny's launch site means the hang glider and paraglider launch site located at the point of latitude 36°24'50"S longitude 146°37'25"E.

Mystic launch site means the hang glider and paraglider launch site located at the point of latitude 36°45'31"S longitude 146°57'57"E.

relevant qualification means:

- (a) a SAFA Pilot Certificate (PG4); or
- (b) a higher qualification issued by SAFA; or
- (c) a valid overseas qualification and flight experience recognised by SAFA as equivalent to, or higher than, the qualifications mentioned in paragraph (a) or (b).

SAFA means Sports Aviation Federation of Australia Limited, ARN 217853.

SAFA ASAO exposition means the exposition:

- (a) composed of the set of documents approved by CASA under regulation 149.080 of CASR in relation to SAFA as an ASAO, as existing at the time this instrument commences; or
- (b) if the set of documents mentioned in paragraph (a) is changed under regulation 149.115 or 149.120 of CASR, or in accordance with the process mentioned in paragraph 149.340(i) of CASR — the set of documents as changed, as existing at the time this instrument commences.

Note The set of documents that the SAFA ASAO exposition is composed of is listed in the Explanatory Statement.

Wangaratta aerodrome means Wangaratta aerodrome (YWGT), CASA registration number R092.

Note At the time this instrument is made:

- (a) a transitional aerodrome certificate mentioned in paragraph 202.701(1)(c) of CASR is in force for Wangaratta aerodrome; and
- (b) an aerodrome certificate is taken to have been granted to the operator of Wangaratta aerodrome in accordance with subregulation 202.701(4) of CASR, subject to regulation 202.702.

4 Direction

SAFA is directed to comply with the requirements mentioned in Schedule 1.

5 Exemption — pilots in command

- (1) While participating in the event during the event period, a pilot in command who operates a paraglider in the vicinity of Wangaratta aerodrome and in Class G airspace within the danger area mentioned in paragraph 1(a) of Schedule 1 is exempt from compliance with:
 - (a) regulations 91.400, 91.630 and 91.640 of CASR; and
 - (b) the following provisions of CAO 95.8:
 - (i) to the extent that the subparagraph may require the carriage or use of a VHF radiocommunication system — subparagraph 10.3(a);

(ii) subparagraph 10.4(b).

Note Subsection 8 of CAO 95.8 provides persons with an exemption from obligations under other specified CASR and CAR provisions, including regulation 91.625 of CASR, in relation to aircraft to which CAO 95.8 applies. These include paragliders employed in private operations.

- (2) The exemption in subsection (1) is subject to complying with the conditions mentioned in Schedule 2.
- (3) Subsection (1) applies to the pilot in command of a paraglider whether or not the paraglider is equipped with a VHF radiocommunication system.

6 Exemption — radio operators

- (1) Subsection (2) applies to an individual mentioned in that subsection if the individual is the holder of a radio operator endorsement issued by SAFA in accordance with the SAFA ASAO exposition, as existing at the time this instrument commences.
- (2) Each of the following individuals is exempt from compliance with regulation 91.625 of CASR when transmitting on a radio frequency while operating a ground communications station in accordance with clause 1 of Schedule 1:
 - (a) Alexandra Bryse, SAFA member number 39098;
 - (b) Sonya Fardell, SAFA member number 46511;
 - (c) Phil Joughin, SAFA member number 301863;
 - (d) Martin Joyce, SAFA member number 18273.

Schedule 1 Requirements for direction

- 1 For each day of the event, SAFA must ensure that:
 - (a) a danger area is active for the event that covers the event operations on that day; and
 - (b) if flight from Gundowring launch site is required on the day — at least 30 minutes before the commencement of the first flight on the day, the Competition Director notifies the air traffic control tower at Albury aerodrome by phone that Gundowring launch site will be used for the event; and
 - (c) if flight from Manny’s launch site is required on the day — at least 30 minutes before the commencement of the first flight on the day, the Competition Director notifies the air traffic control tower at Albury aerodrome by phone that Manny’s launch site will be used for the event; and
 - (d) if flight from Mystic launch site is required on the day — at least 30 minutes before the commencement of the first flight on the day, the Competition Director notifies the air traffic control tower at Albury aerodrome by phone that Mystic launch site will be used for the event.

Note For the phone number and air traffic control tower hours for Albury aerodrome, see the current version of the document titled *En Route Supplement Australia (ERSA)*, freely available online at <https://www.airservicesaustralia.com/aip/aip.asp?pg=10>. At the time of making this instrument, the ERSA mentions that tower hours at Albury aerodrome may change at short notice.

- (e) an effective ground communications station is established and maintained that covers the following:
 - (i) the area within 15 nautical miles of all paragliders participating in the event;
 - (ii) if a paraglider participating in the event is in the vicinity of Wangaratta aerodrome — the area in the vicinity of Wangaratta aerodrome; and
- (f) one of the following individuals maintains a listening watch on appropriate VHF frequencies whenever flights are taking place for the purpose of the event:
 - (i) Alexandra Bryse, SAFA member number 39098;
 - (ii) Sonya Fardell, SAFA member number 46511;
 - (iv) Phil Joughin, SAFA member number 301863;
 - (iv) Martin Joyce, SAFA member number 18273; and
- (g) the Competition Director, or another competent person, operates the appropriate UHF frequencies whenever flights are taking place for the purpose of providing traffic, weather and other pertinent information to event participants; and
- (h) at intervals of no more than 30 minutes, the following information about the event is transmitted on relevant VHF frequencies from a ground communications station to pilots of aircraft, not participating in the event, operating in the danger area mentioned in paragraph (a):
 - (i) location of the launch site and activities;
 - (ii) duration of activities;
 - (iii) operating direction of paragliders participating in the event;
 - (iv) location of the proposed landing site.

Note The event organiser has informed CASA that, although it is possible that more than one launch site will be used during an event day, two or more launch sites will not be used at the same time.

- 2 For paragraph (e) of clause 1, an effective ground communications system must be:
 - (a) supported by available back-up VHF and UHF radiocommunication systems and batteries; and
 - (b) active:
 - (i) on relevant UHF frequencies, VHF common traffic advisory frequencies and VHF area frequencies; and
 - (ii) from at least 30 minutes before event flights begin and continuing for the duration of event flights.
- 3 A hand-held VHF radiocommunication system without an external antenna is not an effective ground communications station.
- 4 SAFA must ensure that the Competition Director, at least 5 days before the commencement of the event period, gives CASA sufficient information to prepare a NOTAM about the event operations, that manages risk of conflict between paragliders participating in the event and other aircraft, including the following information about the event operations:
 - (a) location of the launch sites and activities;
 - (b) duration of activities;

- (c) operating area of paragliders participating in the event.
- 5 Before the first flight on each day of the event, SAFA must ensure that a daily briefing is given to event participants that addresses the following:
- (a) confirmation of ground communications station set-up and the frequencies in use;
 - (b) review and explanation of the NOTAM published for that day, and any danger area established for that day, in relation to the event;
 - (c) review and explanation of the danger area boundaries and the requirement to operate within the boundaries;
 - (d) review and explanation of the conditions under which the exemption in subsection 5(1) has been issued;
 - (e) review and explanation of any airspace in which other aircraft may be operating;
 - (f) if event participants may fly in the vicinity of an aerodrome — review and explanation of the air traffic and activities which may occur at the aerodrome;
 - (g) any other matters that SAFA considers appropriate to promote the safety of the event.
- 6 SAFA must ensure that:
- (a) for each day of the event, the Competition Director records the name of each event participant that attends the daily briefing mentioned in clause 5; and
 - (b) SAFA retains the records mentioned in paragraph (a) for 3 months from the end of the event period.
- 7 Before each event participant first operates a paraglider during the event period for the purpose of the event, SAFA must ensure that the Competition Director gives the event participant a diagram that identifies air traffic routes to assist the participant to manage the risk of conflict with other aircraft.

Schedule 2 Conditions on exemption

- 1 The pilot in command must ensure that the paraglider is equipped with a serviceable UHF radiocommunication system.
- 2 If, during a flight, the pilot in command becomes aware that the UHF radiocommunication system of the paraglider is unserviceable, the pilot in command must cease the flight as soon as safely practicable.
- 3 The pilot in command may conduct a flight to which the exemption applies only if satisfied that:
 - (a) a ground communications station will be established and maintained in accordance with Schedule 1, and is operating satisfactorily; and
 - (b) a NOTAM has been published for the day of the flight that provides information about the event operations to aircraft operating in the danger area mentioned in paragraph 1(a) of Schedule 1; and
 - (c) the danger area mentioned in paragraph 1(a) of Schedule 1 is active; and

- (d) for a flight from any of the following — the Competition Director has notified the air traffic control tower at Albury aerodrome in accordance with paragraphs 1(b), (c) and (d) of Schedule 1:
 - (i) Gundowring launch site;
 - (ii) Manny’s launch site;
 - (iii) Mystic launch site.
 - 4 The pilot in command must:
 - (a) attend the daily briefing mentioned in clause 5 of Schedule 1; and
 - (b) operate in accordance with the SAFA ASAO exposition, as existing at the time this instrument commences; and
 - (c) hold a relevant qualification that authorises participation in the event.
 - 5 The pilot in command may rely on the daily briefing mentioned in paragraph 4(a) to reach the satisfaction mentioned in clause 3.
 - 6 The pilot in command may conduct a flight to which the exemption applies only within the active danger area mentioned in paragraph 1(a) of Schedule 1.
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