



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX10/21

I, ROBERT KENNETH WALKER, Executive Manager, Stakeholder Engagement, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Rob Walker]

Robert Walker
Executive Manager, Stakeholder Engagement

5 May 2021

CASA EX10/21 — Gyroplane Flights (Williamtown Restricted Area — Brian Koppman) Exemption 2021

1 Name

This instrument is *CASA EX10/21 — Gyroplane Flights (Williamtown Restricted Area — Brian Koppman) Exemption 2021*.

2 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the Act and the Regulations. These include: *gyroplane*, *pilot in command* and *restricted area*.

In this instrument:

ASRA means Australian Sport Rotorcraft Association Incorporated, ARN 223306.

CAO 95.12.1 means Schedule 1 to the *Civil Aviation Order 95.12.1 Instrument 2011*, as in force from time to time.

CAO 100.5 means *Civil Aviation Order 100.5 (General requirements in respect of maintenance of Australian aircraft) 2011*, as in force from time to time.

relevant gyroplane means the Aviation Artur Trendak Tercel gyroplane registered with ASRA under the registration number G1960.

relevant pilot in command means Brian Anthony Koppman, ARN 438273, if flying the relevant gyroplane as pilot in command:

- (a) to the Williamtown restricted area; or
- (b) from the Williamtown restricted area; or
- (c) within the Williamtown restricted area.

Williamtown ATC means air traffic control at Williamtown aerodrome (YWLM).

Williamtown restricted area means:

- (a) any restricted area that envelops the airstrip at 643 East Seaham Road, East Seaham, New South Wales, 2324; and

- (b) any restricted area that is connected to a restricted area mentioned in paragraph (a).

Note At the time this instrument commences, restricted areas are declared by the instrument titled *CASA OAR 060/20 – Designation of Prohibited, Restricted and Danger Areas – Declaration and Determination (Permanent PRDs) Instrument 2020*, available on the CASA website at <https://www.casa.gov.au/sites/default/files/casa-instrument-oar-2020-60-designation-prohibited-restricted-danger-areas-declaration-determination.pdf> and described in Schedule 1 to that instrument. Declarations of that kind are published by Airservices Australia in the *Designated Airspace Handbook* (part of the Aeronautical Information Package available on the Airservices Australia website at www.airservicesaustralia.com/aip/aip.asp).

3 Exemptions

- (1) The relevant pilot in command is exempt from compliance with:
 - (a) subregulation 140 (5) of CAR, to the extent that the subregulation prevents the relevant pilot in command from complying with a direction given by Williamtown ATC that is inconsistent with a condition specified in the notice declaring a restricted area mentioned in the definition of ***Williamtown restricted area***; and
 - (b) subparagraphs 7.4 (a), (d) and (e) of CAO 95.12.1.

Note Under subregulation 140 (5) of CAR, the pilot in command of an aircraft must not fly the aircraft over a restricted area if the flight is not in accordance with conditions specified in the notice declaring the area to be a restricted area.

- (2) The exemptions in subsection (1) are subject to the conditions mentioned in section 4.

4 Conditions

- (1) The relevant pilot in command must:
 - (a) be a member of ASRA; and
 - (b) hold a current pilot certificate issued by ASRA; and
 - (c) ensure that the relevant gyroplane is currently registered with ASRA.
- (2) The relevant pilot in command must not commence a flight unless:
 - (a) Williamtown ATC has:
 - (i) given the relevant pilot in command approval for the flight; and
 - (ii) given the relevant pilot in command clearance on the track and altitude to be maintained during the flight; and
 - (iii) confirmed with the relevant pilot in command radio procedures and radiocommunication failure procedures; and
 - (b) the relevant pilot in command has agreed with Williamtown ATC on the radiocommunication failure procedures mentioned in subparagraph (a) (iii).
- (3) Before commencing a flight, the relevant pilot in command must ensure that the relevant gyroplane is equipped with:
 - (a) an operational radio capable of two-way communication with Williamtown ATC; and
 - (b) an altimeter tested in accordance with clause 4 of Appendix 1 to CAO 100.5; and
 - (c) a transponder that is:
 - (i) suitable for use in a restricted area; and
 - (ii) tested in accordance with clause 14 of Appendix 1 to CAO 100.5; and

- (iii) repaired or replaced in accordance with clause 14 of Appendix 1 to CAO 100.5.
- (4) Before commencing a flight, the relevant pilot in command must ensure that the logbook for the relevant gyroplane records all maintenance carried out on its altimeter and its transponder.
- (5) Except as directed by Williamtown ATC, or if cleared by Williamtown ATC to take a different route because of weather conditions arising during a flight, the relevant pilot in command must fly in the Williamtown restricted area the most direct route consistent with safety between:
 - (a) the airstrip at 643 East Seaham Road, East Seaham, New South Wales, 2324; and
 - (b) the boundary of the Williamtown restricted area.

5 Repeal

This instrument is repealed at the end of 30 April 2024.
