



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX90/24

I, ADRIAN PAUL SLOOTJES, National Manager, Air Navigation, Airspace & Aerodromes, Air Navigation, Transformation & Risk Division, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed Adrian Slootjes]

Adrian Slootjes

National Manager, Air Navigation, Airspace & Aerodromes
Air Navigation, Transformation & Risk Division

20 December 2024

CASA EX90/24 — Control Tower Visibility Requirements (Avalon Aerodrome) Exemption 2024

1 Name

This instrument is *CASA EX90/24 — Control Tower Visibility Requirements (Avalon Aerodrome) Exemption 2024*.

2 Duration

This instrument:

- (a) commences on 1 January 2025; and
- (b) is repealed at the end of 16 May 2025.

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: **aerodrome**, **AGL**, **air traffic control**, **air traffic control function**, **air traffic control service**, **ATS provider**, **medical certificate** and **NOTAM**.

In this instrument:

AA means Airservices Australia, ARN 202210, in its capacity as the ATS provider at Avalon aerodrome.

aerodrome control rating has the same meaning as in regulation 65.075 of CASR.

affected taxiways means the taxiways at Avalon aerodrome designated “A”, “B” and “C”.

Airshow means the 2025 Australian International Airshow at Avalon, Victoria.

air traffic service has the meaning given by regulation 172.010 of CASR.

ARFFS has the meaning given by regulation 139.705 of CASR.

ATC means a person who:

- (a) is employed and authorised by AA to provide an air traffic control function; and
- (b) holds a current aerodrome control rating and a Class 3 medical certificate.

Avalon aerodrome means Avalon aerodrome, certificate number CASA.ADCERT.0010.

daylight means the period between the beginning of morning civil twilight and the end of evening civil twilight.

observer briefing paper means the document titled *Airservices, Avalon Airshow AIA25 — Observer, Briefing Paper*, version 2 dated 10 November 2024, as it exists at the time this instrument commences.

operational command authority means the overall responsibility for the provision of an operational air traffic control service.

qualified ASO means a person who:

- (a) is approved by the operator of Avalon aerodrome as a reporting officer or works safety officer for Avalon aerodrome; and
- (b) has successfully completed training to the required standard in accordance with the observer briefing paper; and
- (c) has demonstrated to AA competence to perform the responsibilities of a qualified observer that is required by the observer briefing paper and this instrument; and
- (d) has completed an AIA25 Observer Registration & Declaration Form in accordance with the observer briefing paper and given a copy of the Form to AA.

qualified observer means an ATC, a RAAF controller or qualified ASO.

RAAF controller means a member of the Australian Defence Force:

- (a) who is the holder of a licence, granted in accordance with the Defence Aviation Safety Regulation, to perform an air traffic control function; and
- (b) who has a rating on the licence that is equivalent to an aerodrome control rating; and
- (c) whose duties include performing an air traffic control function for the Royal Australian Air Force.

reporting officer has the same meaning as in regulation 139.110 of CASR.

runway 18/36 means the runway at Avalon aerodrome designated “runway 18/36”.

single-aircraft operations means aircraft operations at an aerodrome during which no more than one aircraft is moving on the aerodrome at any time.

works safety officer has the same meaning as in regulation 139.110 of CASR.

4 Exemption

- (1) AA is exempt from compliance with subregulation 172.095(4) of CASR to the extent that the subregulation, read with paragraph 3.03(1) of the Manual of Standards (MOS) – Part 172, prohibits AA from lawfully providing an air traffic service from the Avalon control tower due to the partial obstruction of the view of runway 18/36 and affected taxiways by marquee structures installed for the Airshow.

- (2) The exemption is subject to the conditions mentioned in section 5.

5 Conditions

- (1) AA must not provide an air traffic service at Avalon aerodrome involving runway 18/36 unless:
- (a) AA has a qualified observer on duty who maintains visual surveillance of all areas of the manoeuvring area obstructed by marquee structures during aircraft operations on the runway; and
 - (b) from 17 March 2025 to 31 March 2025, during daylight, a qualified observer is on duty in the “Forward Operating Centre” or a suitably located mobile tower provided for the Airshow; and
 - (c) the qualified observer:
 - (i) is in direct contact with the Avalon control tower; and
 - (ii) complies with AA’s Temporary Local Instruction (**TLI**) that includes the descriptor, “Avalon Line of Sight Obstruction Procedures”, as the instruction exists at the time this instrument commences; and
 - (iii) subject to subsection (2), does not undertake any other activities while on duty for the purpose mentioned in paragraph (a); and
 - (d) air traffic control provided from the Avalon control tower has operational command authority for Avalon aerodrome.

Note 1 Communications between the qualified observer and the Avalon control tower must be effected in accordance with Part 171 of CASR.

Note 2 Subparagraph (c)(ii) has legal effect to require compliance with the TLI despite the end of the validity period for the TLI.

- (2) If the qualified observer is a qualified ASO, the qualified observer may undertake other activities while on duty, provided that:
- (a) the observer is on duty for the period required to maintain the surveillance required under paragraph (1)(a); and
 - (b) the observer is able to return to duty within 5 minutes if called upon by an ATC at the Avalon control tower.
- (3) AA must ensure that the qualified observer is an ATC or RAAF controller unless:
- (a) single-aircraft operations are being conducted at the aerodrome; and
 - (b) a NOTAM has been published that advises that single-aircraft operations are being conducted at the aerodrome.
- (4) Subsections (5) and (6) apply if the qualified observer is not an ATC and any aircraft is:
- (a) on runway 18/36; or
 - (b) on approach to land on runway 18/36 and within 2 nautical miles of the threshold; or
 - (c) on final for a missed approach below 300 feet AGL.
- (5) AA, through the Avalon control tower, must ensure that no other aircraft, vehicle or personnel is on the manoeuvring area of the aerodrome, other than the following:
- (a) ARFFS vehicles, and vehicles of a reporting officer or works safety officer, that are required for monitoring the runway;

- (b) vehicles, personnel and stationary aircraft on taxiway E or B that are east of taxiway A.
 - (6) AA, through the Avalon control tower, must ensure the following:
 - (a) code C and above aircraft on the main apron are pushed back, tail east;
 - (b) aircraft mentioned in paragraph (a) do not taxi under their own power;
 - (c) aircraft on taxiway D, and aircraft on taxiway A that are south of taxiway D, are instructed to hold short of the runway and are monitored by the tower.
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