

## 1. LOCATION OF OCCURRENCE

13 miles north-west of Cleve, South Australia	Height o.m.s.l. (ft) 950 feet	Date 8.9.69	Time (Local) 2028	Zone CST
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## 2. THE AIRCRAFT

Make and Model Piper PA28R-180	Registration VH-CVH	Certificate of Airworthiness	Valid from 18.3.69	Valid to 17.3.78
Registered Owner Civil Flying Services (W.A.) Pty. Ltd., Airport, Jandakot, W.A.	Operator D.F. Balharry, Redstone Stud, Byford, W.A.	Degree of damage to aircraft Destroyed		
		Other property damaged Nil		

## Defects discovered

Altimeter aneroid retaining nut was found detached and it is probable that the nut was in a loose condition before the accident. The effect of such a defect would be that the altitude indicated on the altimeter would be less than the actual altitude of the aircraft.

## 3. THE FLIGHT

Last or intended departure point Ceduna	Time of departure 1805	Next point of intended landing Parafield	Purpose of flight Travel	Class of operation Private
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## 4. THE CREW

Name	Status	Age	Class of licence	Hours on type	Total hours	Degree of injury
David Fenton BALHARRY	Pilot	27	Commercial	114	247	Fatal

## 5. OTHER PERSONS (All passengers and persons injured on ground)

Name	Status	Degree of injury	Name	Status	Degree of injury
Neville Francis ATKINSON	Passenger	Fatal	Antoinette Therese ATKINSON	Passenger	Serious
Jusan BALHARRY	Passenger	Fatal			

## 6. CONTRAVENTIONS OF REGULATIONS AND ORDERS


Regulation or Order No.	Nature of contravention
A.N.R. 62	The pilot acted in command of an aircraft at night without first complying with the recent experience requirements specified in A.N.O. 60.1.3.
AIP RAC/OPS 2-1	The flight departed using night VMC procedures when the forecast did not indicate that the flight could be conducted in VMC at not less than 1,000 feet above the highest obstacle within 10 miles either side of track.
AIP RAC/OPS 2-6	The aircraft was flown below the night VMC lowest safe altitude for the route.

## 7. RELEVANT EVENTS

For the last stage of a flight from Perth to Adelaide, the pilot flight planned for flight from Ceduna to Parafield using night VMC procedures. The area forecasts indicated that the en route weather would include some areas of cloud at a height which would preclude flight at the minimum safe altitude defined by the night VMC requirements. Some rain showers and drizzle were also expected. The pilot nevertheless elected to depart Ceduna at 1805 hours CST for a flight via Cowell and Ardrossan, and encountered last light at approximately 1839 hours. Radio communication was established with Ceduna and Adelaide but propagation conditions deteriorated and effective contact with the aircraft was not made after 1852 hours. Witnesses located in areas to the north west of Cleve saw the lights of, and heard an aircraft after 1910 hours. The aircraft was observed on various headings and, at 2025 hours the lights of the aircraft were seen, very low and heading towards the higher ground of the accident site where drizzling rain was falling. The impact of the aircraft with the ground was heard and local residents quickly located the wreckage. The aircraft had flown into the ground in essentially level flight just below the top of a sandy ridge some 950 feet above sea level.

## 8. OPINION AS TO CAUSE

The probable cause of the accident was that the pilot, who was inexperienced in night VMC operations, exceeded the limits of his capability by continuing a flight at night in adverse conditions.

Report approved  (D.S. GRAHAM)	Designation Assistant Director-General (Air Safety Investigation)	Date 11.11.1970
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## DEFINITIONS

**ACCIDENT** - An occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all those persons have disembarked and in which

- (a) any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft or anything attached to the aircraft; or
- (b) the aircraft suffers substantial damage.

**FATAL INJURY** - Any injury which results in death within 30 days.

**SERIOUS INJURY** - Any injury other than a fatal injury which

- (a) requires hospitalisation for more than 48 hours, commencing within seven days from the date the injury was received; or
- (b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- (c) involves lacerations which cause severe haemorrhages, nerve, muscle or tendon damage; or
- (d) involves injury to any internal organ; or
- (e) involves second or third degree burns, or any burns affecting more than five percent of the body surface.

**MINOR INJURY** - Any injury other than as defined under "Fatal Injury" or "Serious Injury".

**DESTROYED** - Consumed by fire, demolished or damaged beyond repair.

**SUBSTANTIAL DAMAGE** - Damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft and which would normally require major repair or replacement of the affected component. The following types of damage are specifically excluded: engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small punctured holes in the skin or fabric, taxi-ing damage to propeller blades, damage to tyres, engine accessories, brakes, or wingtips.

**MINOR DAMAGE** - Damage other than as defined under "Destroyed" or "Substantial Damage".