



Australian Government

Civil Aviation Safety Authority

Instrument number CASA 23/23

I, WILLIAM ANDREW TOOTELL, National Manager Regulatory Services, Regulatory Oversight Division, a delegate of CASA, make this instrument under regulation 11.056 and paragraph 101.030(1)(a) of the *Civil Aviation Safety Regulations 1998*.

[Signed W. Tootell]

William Tootell
National Manager Regulatory Services
Regulatory Oversight Division

31 March 2023

CASA 23/23 — Operation of Remotely Piloted Aircraft Within No-Fly Zone of a Controlled Aerodrome Approval 2023

1 Name

This instrument is *CASA 23/23 — Operation of Remotely Piloted Aircraft Within No-Fly Zone of a Controlled Aerodrome Approval 2023*.

2 Duration

This instrument:

- (a) commences on 30 April 2023; and
- (b) is repealed at the end of 30 April 2026.

3 Definitions

Note In this instrument, certain terms and expressions have the same meaning as they have in the *Civil Aviation Act 1988*, the regulations and the Part 101 MOS. These include: ***chief remote pilot, controlled aerodrome, no-fly zone of a controlled aerodrome, NOTAM*** and ***RPA***.

In this instrument:

relevant ATC means the air traffic control service for a relevant controlled aerodrome.

relevant controlled aerodrome means a controlled aerodrome for which the Defence Force is the provider of air traffic services.

4 Application

This instrument applies in relation to a certified RPA operator operating an RPA within the no-fly zone of a controlled aerodrome that is a relevant controlled aerodrome.

5 Approval

- (1) For regulation 101.030 of CASR, the no-fly zone of a controlled aerodrome that is a relevant controlled aerodrome is approved as an area for the operation of RPA.
- (2) The approval is subject to the conditions set out in section 6.

6 Conditions

- (1) The RPA operator must not operate the RPA unless it has made an agreement with the relevant ATC to operate the RPA.
 - (2) The operator must comply with:
 - (a) any direction given by the relevant ATC; and
 - (b) any condition of the agreement made under subsection (1).
 - (3) The operator must conduct operations in accordance with its documented practices and procedures.
 - (4) If it is impossible for the operator to comply with a provision of its documented practices and procedures and a condition in this section, the operator must comply with the condition in this section.
 - (5) The operator must:
 - (a) ensure that the agreement referred to in subsection (1) is made on its behalf by its chief remote pilot; and
 - (b) supply a copy of the operator's current certification as an RPA operator to the relevant ATC.
 - (6) The operator must not conduct operations unless a current NOTAM advising of RPA operations in the operating area is active.
 - (7) The operator must notify the relevant ATC of any "escape" event, where the RPA is not under the control of the remote pilot, as soon as is practicable after the event happens.
 - (8) The operator must not activate any transponder fitted to the RPA or transmit ADS-B position information, unless specifically directed to do so by the relevant ATC.
 - (9) The operator must ensure that the RPA is equipped and operated with an active fail-safe mode that will ensure that, in the event of a data-link loss with the RPA, the RPA will:
 - (a) adjust altitude to the minimum safe level to provide obstacle clearance and minimum potential for collision with other aircraft; and
 - (b) move to a predefined safe landing or flight termination area; and
 - (c) land or otherwise terminate the flight.
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