

CASR PART

101

Micro and excluded remotely piloted aircraft operations

PLAIN ENGLISH GUIDE | SEPTEMBER 2020



QUICK MENU		

About this guide

Safety in the sky is our priority. To keep people, property and the environment around you safe, it is essential you know the rules that apply to the operation of a drone. The Civil Aviation Safety Authority's (CASA's) Plain English guide: Micro and excluded remotely piloted aircraft operations summarises and restates Part 101 of the Civil Aviation Safety Regulations 1998 (CASR) and Part 101 Manual of Standards (MOS), which relate to the operation of micro and excluded remotely piloted aircraft (RPA).

This guide is a tool to assist you to understand and apply drone regulations and safety rules. This guide should not be used as a substitute for the aviation regulations or MOS, as it does not reproduce all the text that appears in the legislation. However, the guide does refer to the corresponding provisions appearing in the regulations and MOS. If you need to refer to the full text of the law, it can be found on the Federal Register of Legislation website.

By following this guide, it is expected you will comply with the rules that apply to micro RPA (250 g or less) and excluded RPA (more than 250 g, but not more than 25 kg) that may be used for commercial activities or certain activities over your own land.

We are committed to providing you with accurate, consistent and clear information to help you understand your obligations. The information contained in this guide was correct at the time of publication but is subject to change without notice. If you rely in good faith on information appearing in this guide that turns out to be incorrect, we will consider any resultant non-compliance with the legislative requirements in accordance with the 'just culture' principles set out in CASA's *Regulatory Philosophy* in determining what action, if any, we take. Please visit the CASA website regularly for updates.

How to use this guide

In this guide, the word *you* refers to the person operating the remote controls of an RPA. We have also used the *controller* and the *remote pilot*. Within the guide, there are two key definitions of the term drone. An RPA is a drone that is used for hire or reward, commonly referred to as commercial activities. A model aircraft is a drone that is used for sport and recreation

Further, we have defined certain words to avoid repetition and improve readability. Where we do not define a word, you should consider its meaning to be that given in the Macquarie Dictionary or the regulations.

For improved understanding, we have added *comments* to assist in explaining a requirement. This commentary is not intended to introduce a new requirement, but to provide a more detailed explanation.

This guide also provides the corresponding regulatory reference in brackets if you wish to refer to the regulation on the <u>Federal Register of Legislation website</u>.

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Disclaimer: The guide has been prepared by CASA for information purposes only, and while every effort has been made to ensure that the contents accurately conform to the civil aviation legislation, this guide is not the law. CASA accepts no liability for damages or liability of any kind resulting from its use. You should ensure you are using the most current version of the guide.

CASA is responsible for the safety regulation of civil air operations in Australian territory, and for the regulation of Australian-registered aircraft outside Australian territory. For further information, visit CASA's website www.casa.gov.au

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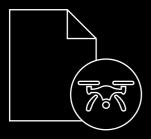
The following terminology table has been created for this guide to improve readability.

Term	Meaning
accreditation	authorises a person to operate a micro RPA, an excluded RPA or a model aircraft (other than a glider)
airspace	vertical dimensions of airspace (as set out in the aeronautical charts or ERSA) are referenced to mean sea level (MSL)
altitude	is referenced to MSL
controller	a non-regulatory term for the person controlling an RPA
crew	this includes the controller and any other person tasked with ensuring the safety of an RPA activity (e.g. RPA observers tasked with keeping a lookout for aircraft and people)
drone	an unmanned aerial vehicle
excluded RPA	very small or small RPA, operated by a controller with a valid accreditation, in standard RPA operating conditions for certain activities other than sport and recreation, in certain conditions
	a medium RPA, operated by a controller with a valid RePL, in standard RPA operating conditions for certain activities other than sport and recreation, in certain conditions
	RPA used solely for the purpose of the person receiving training by an authorised RPA operator's certificate holder
height	is referenced to the natural ground or water surface
manned aircraft	conventionally piloted aircraft
micro RPA	an RPA that is 250 g or less which is not an excluded RPA but can also be used for other than sport and recreational purposes using an accreditation rather than a RePL
	Previously a micro RPA was 100 g or less
movement area	part of the aerodrome where aircraft taxi or are towed while on the ground (i.e. heading to or from the runway, boarding gates or a hangar)
no-fly zone of a controlled aerodrome	any area within 5.5 km (3 NM) of the movement area of a controlled aerodrome and the approach and departure path
no-fly zone of a non- controlled aerodrome	any area within 5.5 km (3 NM) of the movement area of a non-controlled aerodrome or the approach and departure path that is being used (or will be used) by a manned aircraft
operate	fly or control the RPA
operator	the legal entity (organisation) or person conducting the RPA activities
participant	includes the registration holder, controller, crew and operator, noting that one person may perform any or all these roles
person	takes the ordinary meaning of the word but includes a certified RPA operator
registration holder	the legal entity (the person or company) that holds the RPA registration
remote pilot	person who manipulates the flight controls of an RPA or who initiates and monitors the flight and is responsible for the RPA's safe conduct during the flight
you	the controller or remote pilot

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CHAPTER 1: INTRODUCTION

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This guide is for a person who does not hold a <u>remote pilot licence</u> (RePL) and intends to use a drone (not more than 2 kg) for commercial or professional activities (i.e. hire and reward) for work, research, training or community services. Common activities include photography and film-making, media, university research, real estate, surf lifesaving, construction and trade.

This guide is also for a person who does not hold a RePL and intends to use a drone (not more than 25 kg) over their own land for certain operations such as aerial spotting, land surveying, agricultural operations, infrastructure inspections or carrying cargo.

If you fly a remotely piloted aircraft (RPA) as part of your job or to deliver a service, you're usually required to hold a RePL and operate under a remotely piloted aircraft operator's certificate (ReOC). However, if you intend to operate an RPA for one or more of the activities described above, and comply with the drone safety rules and standard RPA operating conditions, you may be permitted to conduct these activities without a RePL and certification requirements. Instead, you will need to register your drone and obtain an RPA operator accreditation. Registration and RPA operator accreditation can be obtained in the myCASA portal.

CASA has produced a short <u>excluded category</u> <u>safety video</u> of the rules that apply to micro and excluded RPA used for activities other than sport and recreation, and covered in this guide.

Within the aviation legislative framework, drones operated for sport and recreation are defined as model aircraft. Drones operated for a purpose other than sport and recreation (e.g. drones used commercially for hire and reward) are defined as RPA.

The relevant legislation and guidance material is available on the <u>CASA website</u>.

Types of RPA by weight and operation

RPA are classified by weight:		
Micro	> 250 g or less	
Very small	 more than 250 g, but not more than 2 kg 	
Small		
Small	more than 2 kg,but not more than 25 kg	
Medium	> more than 25 kg,	
	but not more than 150 kg	
Large	› more than 150 kg	

The activity or operation you may conduct will depend on the:

- > activity and location
- > weight of the RPA
- qualifications, accreditation/licence and certification required to conduct the activity.

Remotely piloted aircraft operator's certificate (CASR Division 101.F.4)

A ReOC is required for more complex commercial RPA activities, such as flying at night or over people. To be able to fly an RPA under a ReOC, a person must also successfully complete training through a certified training provider and hold a RePL – see Figure 1. More information about the ReOC can be found on the CASA website.

Note: The ReOC is outside the scope of this guide.

Excluded RPA (CASR 101.237)

Excluded RPA are drones that can be used for activities that are not sport or recreation. These include commercial or professional activities (i.e. hire and reward) for work, research, training or community services. Common activities include photography and film-making, media, university research, real estate, surf lifesaving, construction and trade.

To operate an excluded RPA, the controller is not required to hold a RePL but must be 16 years or older, hold a valid RPA operator accreditation and operate the registered RPA in standard RPA operating conditions at all times (see Figure 1).

The following types of RPA can be operated as excluded RPA.

Very small RPA (more than 250 g, but not more than 2 kg)

Very small RPA may be operated for commercial activities (payment or reward) for work, research, training or community services; basically, any activity that is not sport or recreation. You do not need to hold a RePL, but you will need to be 16 years or older to obtain a valid RPA operator accreditation, register your RPA before the first flight, and operate it in standard RPA operating conditions at all times.

Small RPA (more than 2 kg, but not more than 25 kg)

Small RPA may be operated as excluded RPA over the RPA owner's land for activities such as aerial spotting, land surveying, agricultural operations, infrastructure inspections or carrying cargo. The controller does not need to hold a RePL. The activity must meet the requirements below, the controller must hold a valid accreditation, and the RPA must be registered before the first flight and operated in standard RPA operating conditions at all times. Records of the activity must also be kept.



Medium RPA (more than 25 kg but not more than 150 kg) may also be operated as excluded RPA over your own land, but you are required to hold a RePL and hold a specific rating for that RPA. Further details can be found on the CASA website.

To operate a small excluded RPA over your own land:

- > the controller must be the owner of the RPA or a person operating on behalf of the RPA owner
- > the RPA must be operated over the RPA owner's land or land occupied by the owner of the RPA
- > the RPA must be operated in standard operating conditions
- > the RPA must be operated for one of the following purposes (CASR 101.237):
 - » aerial spotting
 - » aerial photography
 - » agricultural operations
 - » aerial communications relay
 - » carriage of cargo
 - » any activity similar to those described above

> neither the operator, controller or owner of the RPA, or the owner or occupier of the land, or any person on whose behalf the activity is conducted, may receive any money or remuneration for the operation of the RPA.

Gaining practical experience

A person may operate a small RPA as an excluded RPA to gain practical experience for the sole purpose of obtaining a RePL. If a person already holds a RePL and wants to gain practical experience or proficiency, they may operate a small RPA as an excluded RPA. On every occasion, the RPA must be flown in standard RPA operating conditions.

Note: The RePL holder may only fly a small RPA of the same category specified in the licence (i.e. aeroplane, helicopter, multirotor), but it may exceed the weight class specified in the RePL currently held by the remote

RPA of any weight class are also excluded RPA when used for the sole purpose of training a person, in accordance with an authorised ReOC holder's documented training procedure.

Micro RPA (CASR Division 101.FA.2; CASR Subpart 47.C.2)

RPA weighing 250 g or less used for a commercial activity (i.e. for hire and reward) are micro RPA. A micro RPA must be registered, and the controller must be 16 years or older and hold an RPA operator accreditation before the first activity is conducted (see Figure 1).

Model aircraft (CASR.101.023

and Subpart 101.G)

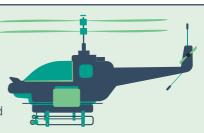
Model aircraft are aircraft (other than a balloon or kite) that do not carry a person and are used for sport and recreation. Model aircraft flown at CASA-approved model airfields are not required to be registered and the controller does not need accreditation. However, from March 2022, model aircraft weighing 250 g or more flown in areas other than a CASA-approved model airfield will need to be registered and the controller accredited.

Note: Model aircraft are outside the scope of this guide.

Figure 1: Remote pilot licence and accreditation privileges

Remote pilot licence (RePL)

- » RePL holders may operate an RPA under a remotely piloted aircraft operator certificate (ReOC) for complex operations
- » RePL holders may operate RPA (under a ReOC), micro RPA, very small, small and medium excluded RPA, and model aircraft (sport and recreation)
- » RePL holders are not required to obtain RPA operator accreditation



RPA operator accreditation privileges*

Excluded category operations

- » Very small RPA more than 250 g, not more than 2 kg - for activities other than sport and recreation (i.e. hire and reward) in the standard RPA operating conditions
- » Small RPA more than 2 kg, not more than 25 kg – for activities over your own land (land owned or occupied by the owner of the RPA) in the standard RPA operating conditions
- » RPA operator accreditation has been required since January 2021
- » RPA operator accreditation holders are not required to obtain recreational accreditation

Micro RPA operations

- » 250 g or less for commercial activities (i.e. hire and reward)
- » RPA operator accreditation has been required since January 2021
- » RPA operator accreditation holders are not required to obtain recreational accreditation



Recreational accreditation privileges

Model aircraft (sport and recreational) operations

- » Model aircraft that weigh 250 g or more
- » Recreational accreditation from March 2022



* Accreditation is free and valid for three years
 An RPA operator accreditation allows a person of at least 18 years of age to supervise a person under 16 to fly an RPA.

Standard RPA operating conditions

(CASR 101.238)

An RPA is operated in standard RPA operating conditions if, at all times during the operation, the RPA is:

- > operated in Australian territory
- > operated within the visual line of sight of the person operating the RPA
- > operated at or below a height of 400 ft by day
- not operated within 30 m of a person who is not directly associated with the operation of the RPA
- > not operated:
 - » in a prohibited area
 - » in a restricted area that is classified as RA3
 - » in a restricted area that is classified as RA2 or RA1 otherwise than in accordance with regulation 101.065
 - » over a populous area
 - » within 3 NM (5.5 km) of the movement area of a controlled aerodrome
- not operated over an area where a fire, police or other public safety or emergency operation is being conducted without the approval of a person in charge of the operation, and the person operating the RPA operates only that RPA.

Record keeping (MOS Division 10.3)

Small and medium excluded RPA operators must keep an operational log of each flight (CASR Part 101, MOS section 10.10).

The operator is required to keep a record of the following:

- > the nature and purpose of the operation
- the specific location of the operation and the maximum height at which the RPA was flown
- information identifying the RPA, including the type, model and unique identification mark
- > the remote pilot station for the operation
- > the dates and times of the operation
- the name and aviation reference number (ARN) of the controller
- whether the RPA was serviceable after the final flight of the day and the nature of any unserviceability.

An operational record should be created as soon as practicable after each flight and kept for a period of three years after the last time the RPA is operated (by the operator).



CASA does not specify the form of the RPA operational log. The operator may keep the log physically or electronically, as long as the records are available on request from CASA.

Checklist 1 – Can you operate your drone for commercial activities without a RePL or ReOC?

STEP 1 Are you flying your drone for sport and recreation? **Yes** − you are flying a *model aircraft*. Use a CASA-verified safety app to check where you can fly and follow the drone safety rules No – you are flying an RPA, go to Step 2 STEP 2 Is your RPA 250 g or less? Yes – it is a *micro RPA*, which is not prevented from being used for hire and reward, but it must be registered, and you must be accredited and follow the drone safety rules. See Chapter 2 ■ No – go to Step 3 STEP 3 Is your RPA more than 250 g, but not more than 2 kg? Yes – it is a *very small RPA*, which may be operated for hire and reward provided it is registered, you are accredited and you follow the drone safety rules and standard operating conditions. See Chapter 2

STEP 4

Is your RPA more than
2 kg but not more than
25 kg, and will be flown
over land you own or occupy
for one of the following purposes:

- > aerial spotting
- > aerial photography
- > agricultural operations
- > aerial communications relay
- carriage of cargo
- > any activity similar to those described above?
- Yes it is a *small RPA*, which may be operated for hire and reward, but it must be registered, you must be accredited, you must follow the drone safety rules and standard operating conditions, and you must not be remunerated (paid). See Chapter 2
- **No** a RePL and ReOC is required
 - A medium RPA (more than 25 kg, but no more than 150 kg) may also be operated as set out above in Step 4 if you or the operator holds a RePL with a specific rating for that RPA.

Note: This checklist omits RPA that are excluded on the basis that they are being used for training or for gaining practical experience and proficiency.

No – go to Step 4



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Before you fly, you must ensure your micro RPA or excluded RPA is registered and you hold a valid RPA operator accreditation.

To do these things, you will first need an ARN.

Aviation Reference Number

An ARN allows CASA to transact with you and provide a service. Think of it as a driver licence number or bank account number.

Your ARN will allow access to the <u>myCASA portal</u> to obtain accreditation or register your RPA. This portal also provides access to other aviation services.

Types of ARN

Individual ARNs are available to eligible people who are not flying for a business or organisation. You will need an individual ARN to access the myCASA portal to register your drone and obtain accreditation. If you are an individual running your own business, we suggest you also apply for an organisation ARN.



You are generally eligible to hold an ARN if you pass the identity checks.

Organisation ARNs are available to eligible Australian businesses. You will need an organisation ARN to interact with CASA and register drones on behalf of a business or company. An organisation ARN is the only way to allow more than one person to act on behalf of the business in the myCASA portal. You will also need an individual ARN and be authorised to apply on behalf of the business.



You are generally eligible if your organisation holds an ABN, ACN, ARBN or foreign ID number.

How to get an ARN

An ARN application for an individual can be made through the <u>CASA website</u> and should not take long to complete. The applicant will need to provide CASA with proof of identity. Details of acceptable identity documents are available on the CASA website.

An ARN application for an organisation or business can be made through the <u>CASA website</u>. Before applying for an organisation ARN, the authorised representative of the organisation will need to obtain an individual ARN.

Accreditation (CASR 101.FA)

When operating a micro RPA or excluded RPA, you must be accredited. If you already hold a RePL, you do not need to obtain RPA operator accreditation. Accreditation is free and is valid for three years.



There is also the requirement for a person flying a micro RPA to be accredited.

You can obtain accreditation after viewing a short safety video, reading the educational material, and successfully completing an online quiz to test your knowledge of the standard RPA operating conditions and drone safety rules.

Accreditation can be completed online through the myCASA portal.

Age limit (CASR 101.374B(4))

- You must be 16 years or older to become accredited.
- If you are under 16 years, you may only operate an RPA if supervised by an accredited person who is at least 18 years.

Proof of accreditation (CASR 101.374C)

If requested by CASA or the police, you must present proof of your valid accreditation or a RePL. Your proof of accreditation can be electronic or printed.



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RPA registration (CASR 47.C.2)

Like registration requirements for a motor vehicle, there is a compulsory registration system for all RPA. RPA registration is valid for 12 months. Anyone 16 years or older can register an RPA. Registration can be completed online through the myCASA portal.



There is a requirement to register your micro



It is an offence to operate an RPA used for commercial purposes that is not registered. The offence may be attributed to the RPA operator and/or the controller. Where the RPA controller is under the age of 16, the offence may be attributed to the supervising adult, parent or guardian.

Proof of registration (CASR 47.099B)

If requested by CASA or the police, you must provide proof of your RPA registration. This can be an electronic or printed certificate.

RPA registered in another country (CASR 101.099)

RPA registered outside Australia can be operated in Australian territory, but the RPA details must be recorded with CASA, and permission issued to the operator before the first flight. The controller must also hold an RPA operator accreditation or a RePL.

The process for applying for permission to fly a foreign-registered RPA is similar to registering an Australian RPA. This can be completed through the myCASA portal.

Notification requirements

(CASR 101.371)

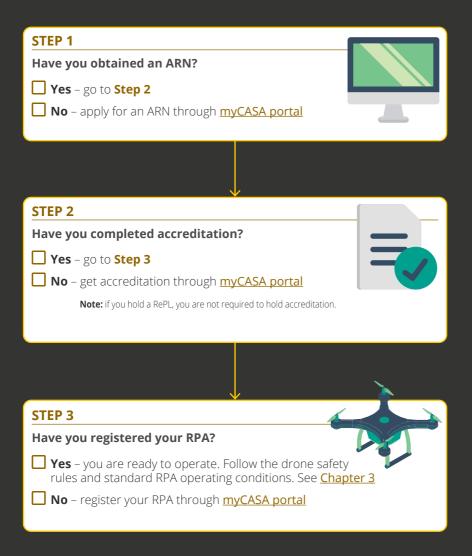
By registering your excluded RPA before your first flight, you have satisfied the requirement to notify CASA.

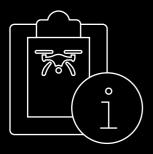


There is no need to notify CASA before you operate a micro RPA.

Checklist 2 – Ready for the first flight?

Follow this checklist if you are operating an RPA.





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Before every flight, you should identify the areas where you must not fly, seek permission if required and always operate with caution. These areas include:

- > prescribed areas
 - » no-fly zones for controlled and non-controlled aerodromes
 - » no-fly zones for non-controlled airspace
- > restricted or prohibited areas
- > danger areas.

How to identify no-fly zones

Drone safety apps

CASA-<u>verified drone safety applications</u> are the easiest way to find information about no-fly zones and restricted airspace. The drone safety apps and web applications provide customised location-based information with easy to use maps about where you can and cannot fly your drone in accordance with aviation legislation.

While drone safety apps show all controlled aerodromes and most non-controlled aerodromes, some uncertified aerodromes in Australia may not be captured in these apps.

Drone safety apps are useful for identifying areas where you must not fly. However, they are not an official source of air navigation information and should be supplemented by using official sources of information when planning an operation.

Official sources of information

It remains your responsibility not to operate in a nofly zone. While drone safety apps provide guidance, CASA recommends you refer to official publications in the Aeronautical Information Package, such as the En Route Supplement Australia (ERSA), Visual Terminal Charts (VTCs), Visual Navigation Charts (VNCs), NOTAMs and the Aeronautical Information Publication (AIP) (see Appendix A).

Other

You may also need to check with your local or state government for local rules or regulations before you fly (e.g. in national parks or marine parks).

Prescribed areas – no-fly zones around aerodromes

(CASR 101.075, Part 101 MOS Ch.4 & 9)

An aerodrome can range in size from a small dirt airstrip on an outback cattle station to a large airport in a capital city. An aerodrome (which includes helicopter landing sites) can be found just about anywhere – even a helideck on a cruise liner could be an aerodrome. No-fly zone refers to the area around a controlled or non-controlled aerodrome.

Controlled aerodromes

A controlled aerodrome generally has an air traffic control tower. At a controlled aerodrome, there is increased air traffic and strict rules about where you can and cannot fly. You must not fly an excluded RPA:

- > over a departure or approach path
- > over a movement area
- within 5.5 km (3 NM) of a movement area of a controlled aerodrome.



Micro RPA are permitted to be flown within 5.5 km (3 NM) of the movement area of a controlled aerodrome provided they are:

- > not operated over the movement area
- not operated over or in the departure or approach path
- not creating a collision hazard to other aircraft taking off or landing.

Figure 2 is a snapshot taken from a CASA-approved drone safety app. It illustrates the no-fly zone near the Alice Springs controlled airport including the approach and departure paths, and the 5.5. km (3 NM) boundary from the movement areas of the aerodrome.

If you require more detailed information on movement areas and the defined departure and approach paths, please refer to Appendix B.

Exceptions around controlled aerodromes

You can only fly your RPA in a no-fly zone of a controlled aerodrome if it is flown indoors where it is physically impossible for it to escape.

Appendix B provides more information on no-fly zones around controlled aerodromes.

Figure 2: No-fly zone for Alice Springs airport

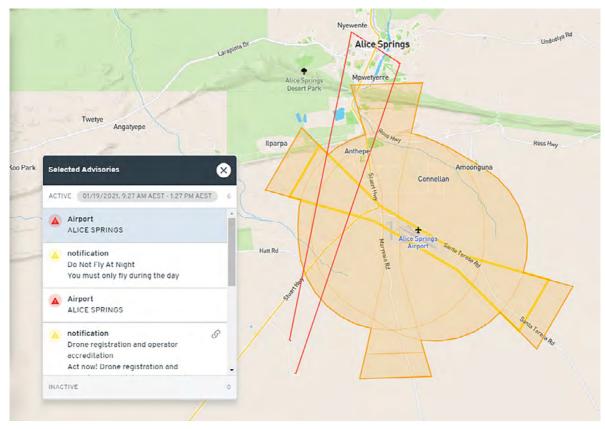


Image | AirMap | AirMap Inc

Non-controlled aerodromes

A non-controlled aerodrome does not have an air traffic control service and generally does not have a control tower. Many aerodromes in Australia are non-controlled. Manned aircraft communicate with each other via radio to maintain separation and to sequence landing and take-off.

The limitations that apply to operating around controlled aerodromes do not apply to operating around non-controlled aerodromes. However, any time you become aware that a manned aircraft is operating (or is about to operate) within 5.5 km (3 NM) of the movement area for the aerodrome, or the defined departure and approach paths, you

must not launch your RPA. If your RPA is already in the air, you must quickly and safely manoeuvre your RPA away from the path of the manned aircraft and land as soon as possible.



You or an observer will normally become aware of a manned aircraft by hearing or seeing it.

If you are unsure whether there is an aerodrome in the area you plan to operate, it is good practice to check a CASA-verified drone safety app. If you are in a more remote location, check with local aviation operators (e.g. aero clubs, flying schools, agricultural and aerial work operators).

Figure 3 is a snapshot from a CASA-verified drone safety app. It illustrates the no-fly zone for the Towrang gliding aerodrome when a manned aircraft is in the area. The image does not show the departure and approach paths for this aerodrome; it only shows the no-fly zone as a circle with a 3 NM (5.5 km) radius from the centre of the aerodrome.

If you require more detailed information on movement areas and the defined departure and approach paths, please refer to <u>Appendix B</u>.

Figure 3: No-fly zone for a non-controlled aerodrome

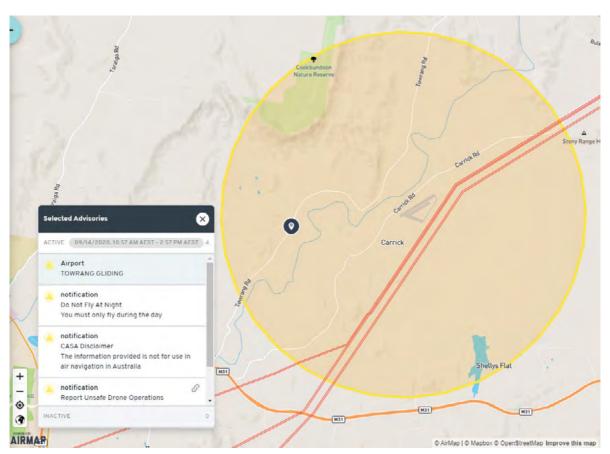


Image | AirMap | AirMap Inc

Prescribed areas – no-fly zones for non-controlled airspace under controlled airspace (Part 101 MOS Ch.9)

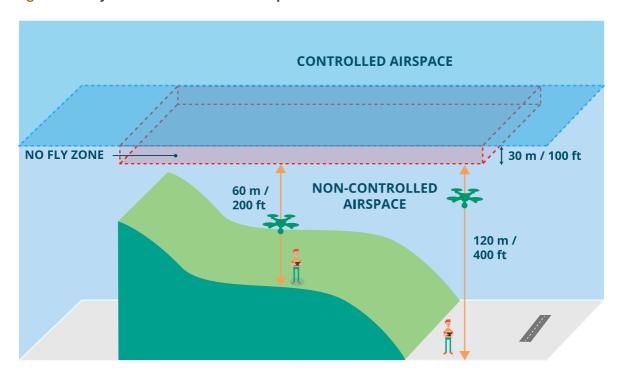
Non controlled airspace within 30 m (100 ft) of controlled airspace constitutes a no-fly zone. You must not operate in this zone.

There are locations throughout Australia where controlled airspace overlies non-controlled airspace.

In some areas, the lower limit of controlled airspace begins at a height less than 150 m (500 ft). At these locations, you will need to take extra care to ensure your RPA is not operated in the no-fly zone for noncontrolled airspace (see Figure 4). In this example, from the elevated position shown, you must not fly above a height of 60 m (200 ft) in order to remain clear of the no-fly zone for non-controlled airspace.

These areas are identified on <u>VTCs</u> published by Airservices Australia (see Appendix A) by a purple tint.

Figure 4: No-fly zone for non-controlled airspace



Some CASA-verified drone safety apps show overlying controlled airspace.

Figure 5: Drone safety app depiction of areas where the lower limit of controlled airspace is at a height of less than 150m (500 ft)

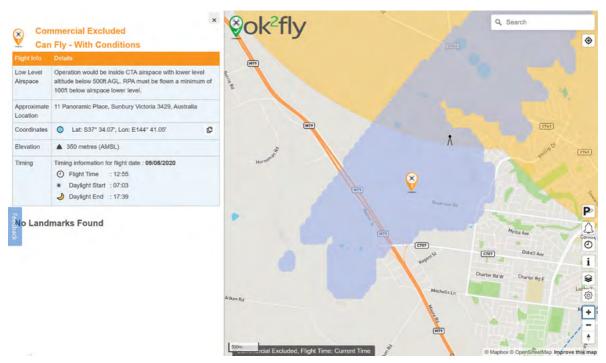


Image | **ok2fly** | AvSoft Australia

Restricted and prohibited areas (CASR 101.065)

No-fly areas associated with prohibited and restricted areas

An RPA is not permitted to be flown in a prohibited area. Prohibited areas are rarely declared in Australia. In fact, at the time of publishing this guide, there are no declared prohibited areas.

Restricted areas are quite common in Australia. An RPA is not permitted to be flown when the restricted area is active. Restricted areas are often (but not always) associated with military flight or weapons training, but can be established for many reasons. Radio or optical telescopes, for example, may be the reason why the area is classified as a restricted area.

The VNC extract shows the restricted area around the Tidbinbilla Deep Space Tracking Station, west of Canberra.





It is the controller's responsibility to check if an area is restricted before commencing operations.



Image | © Canberra Deep Space Communication Complex

The CASA-verified drone safety apps show the locations of most restricted areas, and some also show their activation times (see Figure 6). These apps would also show prohibited areas should any be declared.

Figure 6: Drone safety app depiction of restricted area with activation times

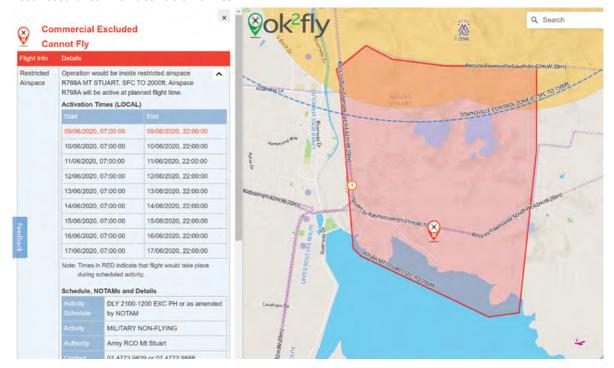


Image | **ok2fly** | AvSoft Australia

Airservices Australia also publishes the activation times for some prohibited, restricted and danger areas in the AIP ERSA: www.airservicesaustralia.com/aip/aip.asp. Activation times may vary and become active with very little notice. Activation times may also be published via NOTAM (please see the next section).

NOTAM

A NOTAM is a notice to airmen, which is advice to pilots that contains information immediately relevant to flight operations. It is normally published electronically and can be issued at short notice.

Instead of fixed activation times, some restricted areas are activated as needed, for example, when the Australian Defence Force is conducting training activities in the area. The times for these areas are published in a NOTAM.

Where a restricted area can be activated by NOTAM, the Visual Terminal or Navigation Chart illustrating the restricted area will bear an annotation – NOTAM (see the extract as shown here).

NOTAMs are freely available through Airservices Australia's online National Aeronautical Information **Processing System.** Alternatively, some CASAverified drone safety apps show NOTAM information (see Figure 7).



Figure 7: Drone safety app depiction of restricted area activation time by NOTAM

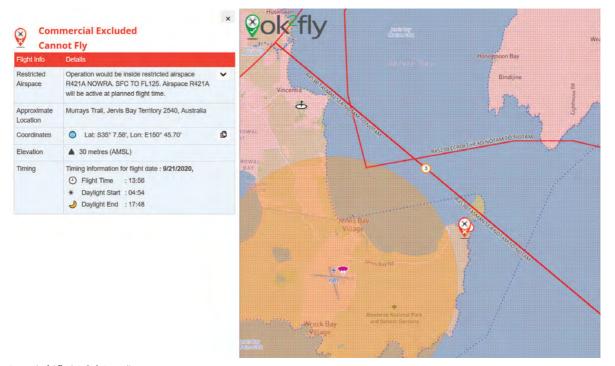


Image | ok2fly | AvSoft Australia

Operating excluded RPA in active restricted airspace

Under the standard operating conditions, an excluded RPA is not permitted to operate in restricted areas without the approval of the controlling authority for the area.

The ERSA lists restricted area categories in the Prohibited Restricted Danger (PRD) section:

www.airservicesaustralia.com/aip/aip.asp.



Local councils may also have restrictions in place, so it is a good idea to check before you fly.

CASA-verified drone safety apps display information about restricted areas. See Figure 8 in relation to an area of Sydney, NSW.

Figure 8: Drone safety app depiction of Sydney Harbour restricted area



Image | Nico Smit | unsplash.com



Sydney Harbour has large areas of restricted airspace. CASA approval is required to fly any drones, RPA or model aircraft in this area.



Image | OpenSky | Wing Aviation

Danger areas (AIP-ENR 1.4-12)

Danger areas exist where there is activity taking place that may pose an increased risk to aviation safety. These danger areas include activities such as flying training, parachuting, blasting, rifle ranges, firing ranges, high-velocity exhaust plumes, gliding and visual flight rule transit lanes. Unmanned aerial vehicle testing areas may also be classified as danger areas.

An excluded RPA is permitted to operate in a danger area; however, the controller should be aware of the activity and evaluate the risk before a flight.

All CASA-verified drone safety apps display the location of danger areas, and some also detail the reason and the hours of activity.



Image | Neora Aylon | unsplash.com

Figure 9: Drone safety app depiction of danger area associated with parachuting

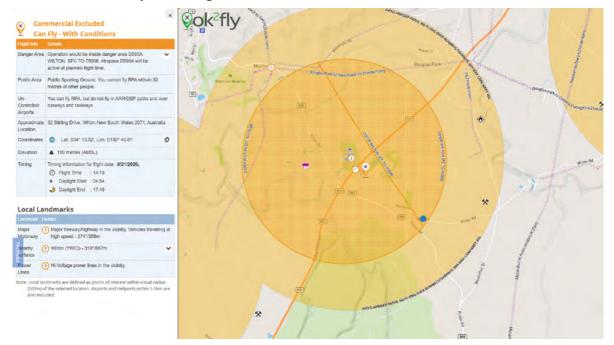


Image | ok2fly | AvSoft Australia

Aviation charts (such as VNCs) also show danger areas. Details of the activity in the danger area can also be found in ERSA, see www.airservicesaustralia.com/aip/aip.asp.

Checklist 3 – Before every flight

STEP 1 Is your flight planned in a no-fly zone near non-controlled airspace? Yes – do not operate No – go to Step 2 STEP 2 Is your flight planned in a no-fly zone near a controlled aerodrome? Yes – you cannot fly your RPA unless it is a micro RPA and is not operated over the departure and approach paths ■ No - go to Step 3 STEP 3 Is your flight planned in a no-fly zone near a non-controlled aerodrome? operating in the no-fly zone? > No - go to Step 4 > Yes – are you operating wholly indoors? » No – do not launch or, if already airborne, land » Yes - go to Step 4

STEP 4

Is your flight planned in a prohibited or restricted area?



☐ **Yes** – is the prohibited or restricted area active?

- Yes you must not fly your RPA unless permission is obtained from the area's controlling authority
- > No go to Step 5
- No go to Step 5

STEP 5

Is your flight planned in a danger area?



- Yes you can fly your RPA provided you mitigate the risk. See Chapter 4
- No you can fly your RPA. Follow the drone safety rules. See Chapter 4

No − go to Step 4



CHAPTER 4: DURING EVERY FLIGHT

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One RPA at a time (CASR 101.238)

You must not operate more than one RPA at a time.

Maximum operating height

(CASR 101.085)

The maximum height a micro or excluded RPA can be flown is 120 m (400 ft), which is about the height of a 35-storey building or the length of a football field.

Manned aircraft do not usually operate below a height of 150 m (500 ft) unless they are near an aerodrome or performing some form of aerial work such as an emergency service operation. Operating RPA at or below a height of 120 m (400 ft) aims to provide a 30 m (100 ft) buffer between RPA and manned aircraft.

When at the maximum height of 400 ft, you must be aware of the elevation of the natural surface over which you are operating your RPA. If the surface elevation decreases – over a ravine, for example – your RPA must descend. When clear of the ravine and over rising terrain, your RPA may once again climb providing it doesn't exceed the maximum height of 400 ft or encroach on the no-fly zone in non-controlled airspace (see Figure 10).

Figure 10: Relationship between height and altitude with changes to the elevation of the natural surface



Image | Neil Palmer | CIAT



It is your responsibility to know the height and altitude of the RPA at all times during a flight. Most RPA operating in Australia do not have sensors to provide the operator with an indication of height. Unless the operating area is completely flat, the RPA height will only be accurate when the RPA is over the position it was first turned on (initialised).

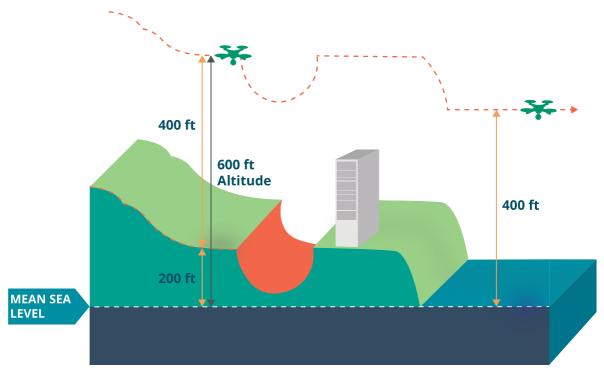




Image | Jonathan Lampel | unsplash.com

Weather limitations (CASR 101.095)

You must not operate an RPA without approval in cloud, thick fog, at night or whenever you do not have at least 5 km visibility. You must operate an RPA only when you can see the RPA with your own eyes.

Operating in cloud, mist, fog, rain, dust or smoke can reduce:

- > your ability to maintain visual line of sight
- > your ability to see and avoid other aircraft or obstacles.

Wind and temperature

All RPA can be affected by wind, temperature and other environmental factors. Many RPA are not designed to be flown in moisture, snow, sleet or rain. An RPA should only be operated within its manufacturer's documented limits.



Operating an RPA outside the manufacturer's recommended limits increases risk of failure.

Daylight

All RPA must be operated only during the daytime.



Day means the time between morning civil twilight and evening civil twilight. Civil twilight times can be obtained from Geoscience Australia.

The easiest way to ensure that the RPA is operated by day is not to operate after sunset or before sunrise.

Visual line of sight (CASR 101.073)

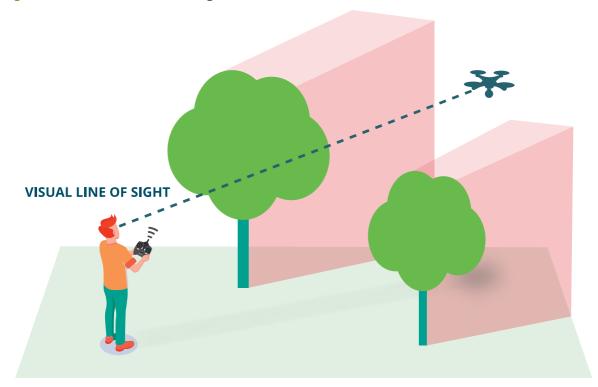
An RPA must be operated within the visual line of sight of the person controlling the RPA (see Figure 11). You must always be able to see, orient and navigate the RPA with your own eyes and not view it through a device. You may use prescription glasses, contact lenses or sunglasses while operating an RPA.



You must not operate the RPA from a position where an obstacle may block your view of the

You must not navigate the RPA using the view provided by an onboard camera (referred to as first person view).

Figure 11: Unaided visual line of sight



Populous area (casr 101.025)

A populous area is an area where people are living or gathered for some purpose, and where, if an RPA were to fail due to a fault, it could pose an unreasonable risk to the life, safety or property of a person who is in the area, but is not connected with the RPA operation. A crowded beach, a busy road or a sporting event may constitute a populous area (see Figure 12).

Figure 12: Simplistic representation of populous area

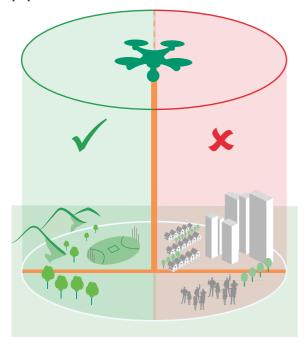




Image | Jay Wennington | unsplash.com

Operations near people

(CASR 101.245 (8))

You must not operate an RPA closer than 30 m (100 ft) to a person, unless that person is assisting you or has duties essential to the operation of your RPA. You must not operate an excluded RPA in a populous area (see Figure 13).

Keeping at least 30 m (100 ft) from people provides a buffer zone in case you lose control of the RPA or there is a system failure. This area is also referred to as an *exclusion zone*. The 30 m (100 ft) exclusion zone must be measured from the point on the ground directly beneath the RPA.

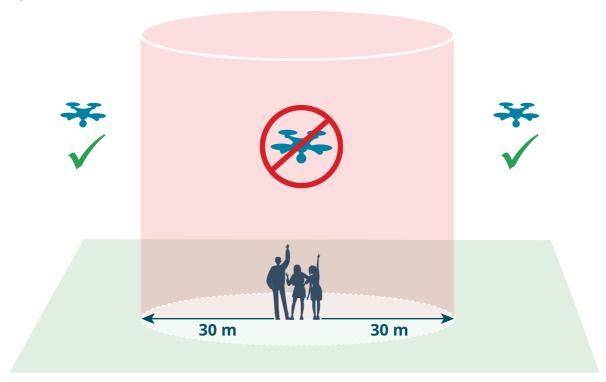
Dropping objects from an RPA (CASR 101.090)

You are permitted to drop or discharge an object from an RPA; however, it may only be done if you do not create a hazard to another aircraft, person or property.



If you do drop an object, you should consider the weight and size and the potential for it to drift. The performance and safety of the RPA may also be affected by the additional weight.

Figure 13: The 30 m rule



Operating with care and skill

(CASR 101.055)

You must ensure the RPA is not operated in a way that creates a hazard to another aircraft, person or property.

An RPA can be dangerous, particularly if it is not operated with care and skill. What is hazardous will depend on the circumstances and the controller should always consider the risk the RPA may pose to aircraft, people and property in the vicinity.

Keeping clear of public safety operations (CASR 101.238)

RPA must not be operated over or near an area of a public safety or emergency operation. This includes operations such as:

- > firefighting
- > law enforcement
- > emergency medical services
- > search and rescue.

During public safety and emergency operations such as firefighting, both manned and remotely piloted aircraft are often used. In such situations, these aircraft cannot operate if there is a risk of collision with an unknown RPA. A collision between even a very small RPA and a manned aircraft has the potential to be catastrophic. Where there is a benefit, a person in charge of conducting a public safety or emergency operation may give permission for you to operate your RPA in the same area.



Permission is generally only given in exceptional circumstances and only to RePL holders operating under a ReOC who have established procedures and protocols in place with the public safety or emergency response agency.

Autonomous RPA operations

(CASR 101.097)

Autonomous operation of an RPA is not permitted. You must be able to control the RPA during all stages of flight.

Automation – as opposed to autonomy – can improve the quality, accuracy and precision of an RPA operation. This means operating to a preprogrammed flight plan or utilising subject tracking is permitted. However, you must ensure that you can always immediately override the automation and resume control of the RPA.



You should never put your radio control transmitter down or leave your remote pilot station during flight.



Image | Robdownunder | flickr.com

Checklist 4 – During every flight

If you cannot comply with the checklist items below, you must not take off or, if already airborne, you must safely land.

Yes	No	
		Fly only one RPA at a time
		Do not operate your RPA in an autonomous mode
		Remain at or below a height of 120 m (400 ft)
		Fly during daylight only
		Fly in good visibility (5 km)
		Fly clear of cloud
		Always keep your drone in sight
		Stay clear of populous areas
		Stay at least 30 m (100 ft) clear of people
		Ensure you do not fly over people
		 Do not create a hazard to other aircraft, people or property when flying in the event your drone malfunctions when dropping things
		Keep clear of the following public safety operations in firefighting law enforcement emergency medical services search and rescue
		Operate within the manufacturer's meteorological and other limitations



CHAPTER 5: ENFORCEMENT PROVISIONS





Image | **Duncan Grant** | Civil Aviation Safety Authority

Operation of an RPA in contravention of the Airspace Act 2007 and the Civil Aviation Act 1988, and the various pieces of subordinate legislation such as the CASR and MOS, can have significant penalties, including, in some instances, terms of imprisonment. Most of the aviation laws that apply to RPA are strict liability offences carrying fines of up to \$10,500.



A strict liability offence is one where there is no need for CASA to prove the operator intended to break the rule, the act of breaking the rule is sufficient for the offence to be committed. There is a defence of honest and reasonable mistake of fact available.

Depending on the severity of the contravention, CASA may:

- > issue an infringement notice to pay a penalty
- > take administrative action such as suspending or cancelling your accreditation
- > compel the operator to enter into enforceable voluntary undertakings
- > refer a matter for criminal prosecution.



Not only can a contravention be expensive, but it can also result in a prohibition on future involvement with RPA.



CHAPTER 6: OTHER RELEVANT CONSIDERATIONS

Reporting of incidents and accidents (TSIA Pt.3)	36
Operations in national and state parks (and forests)	37
Operating near wildlife	37
Using RPA for chemical application	38
Privacy	38
Insurance requirements	38

The CASR Part 101 contains the rules relating to aviation safety for the operations of RPA and model aircraft. There are other rules an RPA operator should be aware of before operating. This section briefly details some of the other rules as well as some of the non-operational rules relating to aviation safety.



The controller is responsible for complying with all rules that may apply to the operation of RPA.

Reporting of incidents and accidents (TSIA Pt.3)

Certain incidents and accidents, known as immediately reportable and routine reportable matters, must be reported to the Australian Transport Safety Bureau (ATSB) under the *Transport Safety Investigation Act 2003* (TSIA).



The ATSB's function is to improve safety and public confidence in aviation, rail and marine transport through accident investigation, data analysis and safety awareness. The ATSB does not apportion blame.

Immediately reportable matters

An immediately reportable matter is a serious safety matter including accidents involving death, serious injury or significant damage to the RPA. Immediately reportable matters may include where a person is seriously injured by an RPA, a collision with another aircraft (including another RPA), where the RPA has been seriously damaged, or other matters where it may be necessary for the ATSB to attend the operational area immediately to collect evidence for safety analysis.

If any of these occur, the ATSB must be contacted by phone as soon as reasonably practicable, with a follow-up written report submitted within 72 hours.



As soon as reasonably practicable means at the first opportunity after you have completed your emergency procedures and the emergency services have been informed (where required).

Routinely reportable matters

A routinely reportable matter is something that has not had a serious outcome and does not require an immediate report, but could have impacted the safety of aviation. Routinely reportable matters may include a non-serious injury to a person, a near-miss with another aircraft (including another RPA), an issue controlling the RPA such as a loss of control, non-serious damage to the RPA, or other matters where aviation safety could be enhanced by the ATSB collecting the incident data.

If any of these matters occur, a written report should be submitted within 72 hours.

Who is required to make a report?

Any member of the RPA crew who becomes aware of a reportable matter must make a report unless they reasonably believe that another person has or will be making a report. Generally, it is the controller or owner of the RPA who makes the report to the ATSB.

Details on how to make a report about an incident or accident can be found on the <u>ATSB website</u>.

The ATSB has a 24/7 toll-free telephone number: **1800 011 034**

Operations in national and state parks (and forests)

Each state and territory has rules about RPA operations in national parks and forests. These rules differ from state to state, but generally prohibit RPA from operating without consent from the park's controlling authority. Before you fly, you should check the local state or territory laws.



Generally, any commercial or business activity carried out in connection with a national or state park requires a formal approval from the park's controlling authority in the form of a lease, licence, permit or consent.

If an RPA is flown over a national or state park, consent is generally required from the park's controlling authority.

Operating near wildlife

Some states and territories have specific rules about operating RPA near wildlife, including minimum distances and limitations on the direction in which wildlife can be approached. Penalties may apply, so check the local laws before you fly.

The NSW Government states that drones must not be flown within 100 m of marine mammals (see Figure 14). Breaking these rules can incur a fine of up to \$110,000. More information is available on the NSW Government website.



Image | Duncan Grant | grantdesign.com.au

Figure 14: Height restrictions for aircraft in the vicinity of whales, dolphins, and dugongs

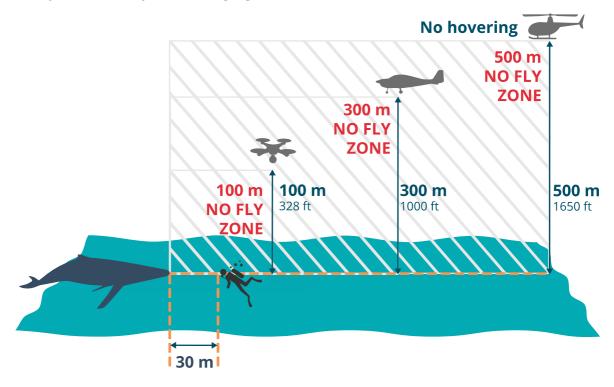


Image | **Duncan Grant** | based on <u>NSW Department of Planning</u>. Industry and Environment

Using RPA for chemical application

Some states and territories have rules about the aerial application of pesticides, fertilisers or other chemicals using RPA. These rules can include additional licensing requirements, spray quality and equipment standards. Before you fly, check the local state or territory laws.

The Australian Pesticides and Veterinary Medicines Authority also has information about the regulation of agricultural chemicals and spray drift management in aerial application.

Privacy

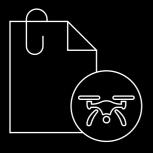
A range of privacy laws can apply to RPA operations. These differ by state and territory, the type of RPA activity and the size of the operator's organisation.

In some cases, an RPA activity may be considered a criminal offence. This can include activities where an RPA is used to record a person conducting a private act without their consent, or where the RPA is used as a surveillance device.

The Office of the Australian Information **Commissioner** has more information about some of the privacy rules that apply.

Insurance requirements

There are no aviation rules that require the owner or operator of an RPA to hold public liability insurance. However, an operator may be exposed to potentially large financial liability should something be damaged or someone be injured by an RPA you operate. You should consider obtaining liability insurance for your operations. Also, most landowners and administrators, such as the various state park administrators, will not give a permit to operate an RPA unless they have sighted an insurance certificate.



APPENDICES AND REFERENCES

Appendix A: Aviation charts and publications	40
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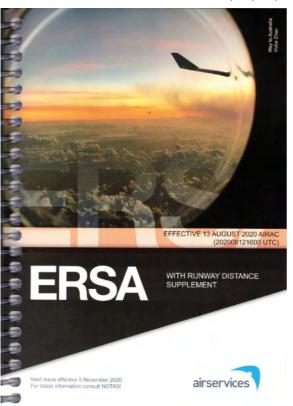


Appendix A: Aviation charts and publications

Airservices Australia is the Commonwealth corporate entity that provides Australia's air navigation services. Airservices Australia publishes aviation maps and other relevant publications. The majority of the publications are available for free from the Airservices website: www.airservicesaustralia.com/ aip/.

En Route Supplement Australia

Refer to: www.airservicesaustralia.com/aip/aip.asp.



ERSA PRD operations

The ERSA is part of the Aeronautical Information Package and contains details of:

- > prohibited, restricted and danger areas including standard activation times, refer to airservicesaustralia.com
- > aerodrome details for all registered and certified aerodromes in Australia, as well as details on many uncertified aerodromes
- > meteorological information service availability.



Times in the ERSA are published in Coordinated Universal Time (UTC), meaning they must be converted to the relevant Australian time zone.

The ERSA PRD extracts show that if you wished to operate in the restricted area designated R430A, categorised RA2, it might be permitted subject to approval by the controlling authority, CSIRO Tidbinbilla, which can be contacted on 02 6201 7940.



Restricted airspace extract from ERSA PRD-5

PRD AREA			0	5 NOV 2020	PRD - 4
IDENT	STAT	USLIMIT	HOUR	AUTHORITY	ACTIVITY
R409B	RA3	3000 - 6000	NOTAM	(112) Rurex Pty Ltd	SURFACE FIRING RANGE
R415	RA3	SFC - 1900	NOTAM	(17) RAAF BCP Wagga	MILITARY NON-FLYING
R420F(NWX)	RA1	FL125 - FL300	NOTAM	(4) FLTCDR 453SQN NOWRA	MILITARY FLYING
R421A(NWX)	RA1	SFC - FL125	NOTAM	(4) FLTCDR 453SQN NOWRA	MILITARY FLYING
R421B(NWX)	RA1	2500 - FL125	NOTAM	(4) FLTCDR 453SQN NOWRA	MILITARY FLYING
R424	RAC	SFC 3500	H24	(8) CRPCU	RADIO TELESCOPE
R430A	RA2	SFC - 3500	H24	(95) CSIRO Tidbinbilla	RADIATION HAZARD
R430B	RAZ	3500 - 4500	H24	(95) CSIRO Tidbiribilla	RADIATION HAZARD

Controlling authority contact detail extract from ERSA PRD-14

(93)	08 8951 2025 or 08 8951 2010 or 0416 266 135 or 08 8951 2000 02 8782 7531
(95)	CSIRO Tidbinbilla Control Room 02 6201 7940
(96) (97)	1300 765 033 07 4844 4000

Visual Terminal Chart

The VTC is an aviation chart that can show airspace and aerodrome information including the location of danger areas, restricted areas, controlled airspace, overlying controlled airspace areas and aeronautical radio frequencies.

VTCs are available for aerodromes listed here:

www.airservicesaustralia.com/aip/aip.asp

In this example, the lower limit of controlled airspace (D) to the north-east of Tamworth is 3500 ft above MSL. Where the underlying terrain is less than 500 ft below this controlled airspace lower limit, it is shown in a purple tint. In fact, in this example, there are two spot heights – 3739 ft and 3674 ft – which are already in class D controlled airspace. At these locations, you may not operate at any height. When operating at altitudes lower than 3500 ft above MSL within the purple zone, you must ensure that a 100 ft buffer is maintained from controlled airspace.



Visual Navigation Chart

The VNC is an aviation chart which shows similar things to the VTC.

VNCs are available for the following aerodromes/ areas:

www.airservicesaustralia.com/aip/aip.asp

AIP

The Aeronautical Information Publication (AIP) has useful information regarding aeronautical radio operation, airspace and meteorology. It can be accessed at: www.airservicesaustralia.com/aip/aip. asp.

AIP Australia



AERONAUTICAL INFORMATION **PUBLICATION AUSTRALIA**

CONSULT NOTAM AND AIP SUPPLEMENT FOR LATEST INFORMATION

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WARNING:

ANY AIP BINDER MAY CONTAIN FERROUS MATERIAL AND CAN CAUSE ERRONEOUS READINGS IF STOWED OR USED ADJACENT TO A MAGNETIC COMPASS

Aerodrome hours of operation

The extracts below are from the ERSA entry for Tamworth (YSTW), which sets out the aerodrome hours of operation.

ATS COMMUNICATIONS FACILITIES

BRISBANE CENTRE
TAMWORTH
TW GROUND/DELIVERY
TAMWORTH TOWER
Phone 6764 5271^.
or Phone 02 6764 5288 (2) (3) (4)

Taxi clearance required on all TWY.

127.1 Circuit Area (Outside TWR HR) 116.0 123.8 (2) 121.9 (3) 118.25 (4) 119.4

13 AUG 2020

FAC YSTW - 3

- TWR HR: 2100-1015 UTC MON-FRI, 2200-0530 UTC SAT-SUN. (1HR earlier during HDS.) Tamworth TWR provides combined TWR and APP CTL services within Class D airspace 4,500FT AMSL and BLW DRG TWR HR. CTC TWR for a clearance. TWR HR may change at short notice, check status of airspace with ATS or Tamworth Class C airspace BLW A085 becomes Class G.

The following is an explanation in plain English. Tamworth tower (TWR) operates between 2100-1015 UTC from Monday to Friday and from 2200-0530 Saturday and Sunday. To obtain local time (in this case Eastern Standard Time, EST), add 10 hrs to the UTC times. This means that only between 0700 and 2115 (EST) Monday to Friday, and between 0830 and 1530 (EST) Saturday and Sunday is Tamworth's aerodrome and airspace controlled. Take careful note that the tower hours of operation (TWR HR) may change at short notice. You should therefore check the status of the aerodrome and its airspace by listening to the Aerodrome Terminal Information Service (ATIS) on the VHF radio frequency 123.8 MHz or by telephoning 02 6764 5288.

See <u>www.airservicesaustralia.com/aip/aip.asp</u>.

Locations of controlled aerodromes

- > All Australian capital city aerodromes are controlled.
- > There are other controlled aerodromes near the larger regional centres, and these can be found by referring to the VTCs and noting the areas marked as CTR (control zones).
- A VTC will also show the lateral and vertical dimensions of a CTR, refer to: www. airservicesaustralia.com/aip/aip.asp.



You should assume an aerodrome is controlled unless you can positively establish otherwise.

Controlled aerodromes operate at specific times. Controlled aerodrome hours of operation are published in the AIP ERSA, refer to Aerodrome hours of operation.

Appendix B: No-fly zones around aerodromes

(CASR 101.075, Part 101 MOS Ch.4 & Ch.9)

Movement area

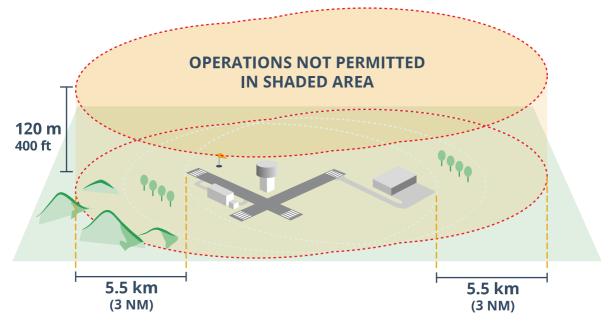
A movement area means that part of an aerodrome used for the surface movement of aircraft, including manoeuvring areas and aprons.

Broadly speaking, this includes the runways, taxiways, engine run-up bays and parking aprons in and around passenger terminals or maintenance facilities. However, movement areas are not easy to determine from aerodrome charts (where they exist). To be conservative, you should assume a movement area may exist at an aerodrome perimeter.

Figure 15: Plan view depicting the area within 5.5 km (3 NM) of a movement area



Figure 16: 3D view of the area within 5.5 km (3 NM) of a movement area



No-fly zone around aerodromes

Departure and approach paths for an aerodrome (see <u>Figure 17</u>) include:

- > the area above the runway or runway strip surfaces to a height of 400 ft, depicted in red
- > the area from surface level up to a height of 400 ft on the departure and approach paths, depicted in red as no-fly, even though it may be more than 3 NM from a movement area
- > the area between a height of 150 ft and 400 ft but within the elliptical area depicted in orange
- > the area between a height of 300 ft to 400 ft between 7 km and 8.5 km from the end of the runway strip, with an initial splay width of 3.85 km and a final splay width of 4.65 km, depicted with crosshatching (for controlled aerodromes only).

Figure 17: Approach and departure paths for an aerodrome

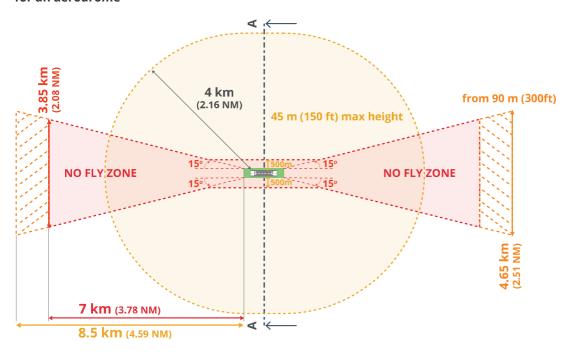


Figure 18: Profile of the no-fly zone through section A-A for excluded category RPA around an aerodrome



Acronyms and initialisms

/ (Crorry	
AIP	Aeronautical Information Publication
ARN	Aviation Reference Number
ATSB	Australian Transport Safety Bureau
CASA	Civil Aviation Safety Authority
CASR	Civil Aviation Safety Regulations 1998
ERSA	En Route Supplement Australia
FPV	First-person view
MOS	Part 101 (Unmanned Aircraft and Rockets) Manual of Standards 2019
MSL	Mean sea level
NOTAM	Notice to airmen
PRD	Prohibited Restricted Danger
RA	Restricted airspace
ReOC	Remotely piloted aircraft operator's certificate
RePL	Remote pilot licence
RPA	Remotely piloted aircraft
TSIA	Transport Safety Investigation Act 2003
UTC	Coordinated Universal Time
VTC	Visual Terminal Chart
VNC	Visual Navigation Chart

Units

ft	feet
g	grams
m	metres
kg	kilograms
km	kilometres
NM	nautical miles

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