



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX37/25

I, STEVEN JAMES CAMPBELL, Executive Manager, National Operations and Standards, a delegate of CASA, make this instrument under regulations 11.185 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

[Signed S. Campbell]

Steven Campbell

Executive Manager, National Operations and Standards

3 April 2025

CASA EX37/25 – Queensland Fire Department – Remotely Piloted Aircraft Operation (Disaster Relief) Exemption (No. 2) 2025

1 Name

This instrument is *CASA EX37/25 – Queensland Fire Department – Remotely Piloted Aircraft Operation (Disaster Relief) Exemption (No. 2) 2025*.

2 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 ***dangerous goods***, ***micro RPA***, ***remote pilot licence***, ***RPA*** and ***small RPA***.

In this instrument:

Australian aircraft operator has the meaning given by subregulation 92.010(1) of CASR.

documented practices and procedures has the same meaning as in paragraph 101.335(1)(d) of CASR.

severe weather includes flooding events.

operator remote pilot means a holder of a remote pilot licence who is an employee, or another person acting under the instruction, of Queensland Fire Department.

Queensland Fire Department means Queensland Fire Department, ARN 833659.

relevant aircraft means an RPA operated by Queensland Fire Department under its certification as an RPA operator.

3 Application

This instrument applies in relation to Queensland Fire Department if it operates a relevant aircraft for the purposes of disaster relief in relation to severe weather and the after-effects of severe weather.

4 Exemptions — Queensland Fire Department and operator remote pilot

- (1) Queensland Fire Department is exempt from compliance with the following provisions of CASR:
 - (a) subregulation 92.095(2), to the extent that the subregulation applies to Queensland Fire Department as an Australian aircraft operator in respect of a relevant aircraft;
 - (b) paragraph 101.340(1)(e), to the extent that the paragraph requires Queensland Fire Department to comply with a requirement of its documented practices and procedures that is inconsistent with a requirement under this instrument.
- (2) Queensland Fire Department and the operator remote pilot of the relevant aircraft are exempt from compliance with the following provisions of CASR:
 - (a) subregulation 101.073(1);
 - (b) subregulation 101.090(1);
 - (c) subregulation 101.095(1);
 - (d) subregulation 101.245(1), to the extent that the subregulation requires that a person must not operate a relevant aircraft within 30 metres of a person who is not directly associated with the operation of the relevant aircraft;
 - (e) subregulation 101.250(1).
- (3) The operator remote pilot of the relevant aircraft is exempt from compliance with the following provisions of CASR:
 - (a) paragraph 101.300(4)(b);
 - (b) subregulation 101.300(6), to the extent that the subregulation applies to contravening a condition mentioned in paragraph 101.300(4)(b);
 - (c) regulation 101.370, to the extent that the regulation requires the operator remote pilot to comply with a requirement of the documented practices and procedures of Queensland Fire Department that is inconsistent with a requirement under this instrument.
- (4) The exemptions in this section are subject to the conditions that apply to the persons that are mentioned in sections 5 and 6.

5 Condition — Queensland Fire Department

Queensland Fire Department must ensure that any operation performed under this instrument is for the purposes of disaster relief in relation to severe weather and the after-effects of severe weather.

6 Operational conditions — operator remote pilot

- (1) The operator remote pilot of a relevant aircraft must ensure that:
 - (a) the relevant aircraft is not operated above 400 feet AGL; and
 - (aa) the relevant aircraft is not operated more than 1 km from the remote pilot; and
 - (b) when dropping or discharging cargo from the relevant aircraft near people on the ground, the cargo is dropped or discharged as far from the people as is practical; and
 - (c) the relevant aircraft does not carry any dangerous goods; and

- (d) when selecting an RPA to use as a relevant aircraft for an operation under this instrument, the RPA has the lowest gross weight required to achieve the purpose of the operation; and
- Example*
- If a search operation only requires use of a camera and no dropping of cargo, a very small RPA or micro RPA could be selected as a relevant aircraft.
- (e) the relevant aircraft is operated in such a way as to maintain the following separation distances from other aircraft with people on board:
 - (i) 500 feet vertically;
 - (ii) 1 500 metres horizontally; and
 - (f) the relevant aircraft is not placed in a sustained hover directly over people; and
 - (g) when the relevant aircraft is placed in a sustained hover, the aircraft maintains a separation distance from people, as set out in subsection (2), unless there are circumstances where the operator remote pilot considers that a person may die if the aircraft maintains the separation distance; and
- Example*
- If the relevant aircraft is placed in a sustained hover while attempting to drop a flotation device to a person in flood waters, it may be necessary to hover at a distance that is closer than the separation distance set out in subsection (2).
- (h) the relevant aircraft is operated within any operational limitations set out by the manufacturer of the aircraft; and
 - (i) when operating a relevant aircraft beyond the pilot's visual line of sight:
 - (i) the aircraft is equipped with a camera to monitor the ground while in flight; and
 - (ii) an electronic geofence is in place to restrict the aircraft from exiting the operational area; and
 - (iii) the aircraft is operated in such a way as to avoid coming within close proximity to groups of 5 or more people, as far as is practical; and
 - (j) the relevant aircraft is configured to return to its take-off location in the event that the communication link between the aircraft and the remote pilot is lost; and
 - (k) the relevant aircraft is not engaged in sustained flight over people who are:
 - (i) not within structures; and
 - (ii) not participating in an operation under this instrument; and
 - (l) if the relevant aircraft is operated within 3 nautical miles of an aerodrome, an observer is in place to:
 - (i) maintain visual line of sight of the aircraft; and
 - (ii) assist the operator remote pilot with maintaining the separation distances set out in paragraph (e).
- (2) For the purposes of paragraph 1(g), the separation distance is 2 metres, extending horizontally from a point on the ground directly below the relevant aircraft while hovering.

7 Repeal

This instrument is repealed at the end of 1 May 2025.