

**Remotely Piloted Aircraft Systems
Aviation Safety Advisory Panel Technical Working Group
Tasking Instructions**

The Remotely Piloted Aircraft Systems (RPAS) Technical Working Group is established and operates in accordance with the Terms of Reference of the Aviation Safety Advisory Panel (ASAP) dated June 2025 (or as amended).

Background

CASA is seeking a broad cross section of industry to review and provide subject matter expertise and feedback on proposed RPAS regulatory relief matters over the next 18 months.

The first regulatory relief proposal is the 'Operations Over or Near People (OONP) - Temporary Management Instruction' amendments and supporting policy.

Multiple rules control operations over or near people (OONP):

- Regulation 101.245 of CASR prescribes that a person must not operate an RPA within 30 metres of a person without CASA approval.
- Subregulation 101.280(2) of CASR prescribes that a person must not operate an RPA that is not a certified RPA over a populous area.
- Direction 7 of CASA 20/25 extends and clarifies the requirements in regulations 101.245 and 101.280 of CASR, prescribing that an RPA must not be operated within a person's safety zone, being a cylinder with a 30 metre diameter centred on a person with no limit on height (the "30 metre rule"), unless the person holds an approval from CASA.

Guided by global best practice and in consideration of the nuances of the Australian domestic operational and regulatory environment, CASA formalised its policy on approving operations over or near people in early 2024 and published the *RPA Operations over or near people – Temporary Management Instruction 2024-01* (the 2024 TMI).

The 2024 TMI outlines three pathways for holders of an RPA operator's certificate (ReOC) to be approved for OONP, including specific conditions and criteria. The three pathways are based on three regulatory approaches to assessment: energy-based, consent-based and SORA-based. Operations that meet the requirements of the policy in the 2024 TMI are eligible for the issue of an approval for the purposes of direction 7 of CASA 20/25, regulation 101.245 of CASR, and in most cases, an exemption from regulation 101.280 of CASR.

Whilst the policy and 2024 TMI did not expressly restrict the use of micro RPA, micro RPA were not initially considered within the available pathways. Elsewhere in the world, micro RPA (< 250 g) are treated separately to other RPA, based on weight, not the potential kinetic energy. The 2024 TMI has the same approach and is based on the weight of micro RPA. It was intended that operators could continue to apply for an approval to operate micro RPA near people under the established process that existed prior to the 2024 TMI and under direction 7 of CASA 20/25.

The 2024 TMI was designed to encompass a broad range of OONP operational profiles, however it was identified during its development, some profiles would not be covered. The supporting OONP policy does not restrict OONP approvals within the already established CASA assessment processes; the 2024 TMI was developed to provide instruction to CASA staff on the application process and assessment protocols that fall outside of the already established process.

To improve efficiency for CASA process and alleviate unnecessary approvals, in 2024, CASA issued a general exemption: *CASA EX45/24 – Operation of Remotely Piloted Aircraft Over Populous Areas Exemption 2024*. The exemption exempts a person from the requirement to not operate over a populous area if the person holds an approval issued for the purposes of subregulation 101.245(5) of CASR. The general exemption removed individual exemptions issued by CASA on a case-by-case basis when the operation meets the requirements of the TMI and established policy.

In late 2024 CASA commenced a post implementation review of the OONP TMI and supporting policy in collaboration with the RPAS inspectorate and CASA's Emerging Technologies Airworthiness section within Airworthiness and Engineering branch. Through this review, several changes to the OONP policy and the related TMI have been identified.

It is proposed the 3 pathways in the current 2024 TMI, are revised to clarify the TMI's scope and requirements, and additional pathways be added.

The proposed pathways are as follows:

- Pathway A – Micro RPA operations (new)
- Pathway B – Operations with a parachute system (new)
- Pathway C – Sheltered operations (new)
- Pathway D – SORA-based assessments (formerly Pathway 3)
- Pathway E – Informed consenting active participants (formerly Pathway 1)
- Pathway F – RPA unlikely to cause serious harm upon impact (formerly Pathway 2)
- Pathway G – Low level operations not overflying people (new)

CASA is aware that not every operational profile or use case is covered in the revised 2025/26 TMI; the updated policy and TMI is not intending to restrict OONP approvals to only those in the proposed pathways.

New CASA assessment processes and methodologies specific to the proposed pathways would be introduced for CASA and industry, as well as fulsome industry guidance material and communications published on the CASA web page and newsletters, when the new 2025/26 TMI is released.

Aim

The aim of the TWG is to provide feedback to CASA on the proposed pathways and 2025/26 TMI content, and to:

- Identify unintended consequences of the proposal identify potential issues with the operational implementation of the 2025/26 TMI and associated standards.
- Consider the utility and feasibility of the proposed 2025/26 TMI and underpinning policy for industry.

TWG outcomes

- Identify possible unintended consequences of the proposed 2025/26 OONP policy for CASA review.
- Identify possible issues with the operational implementation of the 2025/26 TMI and associated standards for CASA review.
- Reach a general or full consensus (or otherwise) that the proposed 2025/26 TMI and underpinning policy does not unnecessarily restrict industry and generally represent utility and feasibility for industry, noting that aviation safety is the primary (but not only) consideration for CASA.

A wrap up meeting will be scheduled approximately 2 weeks after the first meeting if the TWG requires it. Or, if the TWG agree a second meeting unnecessary, a closing summary will be shared with the TWG once all feedback has been collated and processed.

Roles and responsibilities

CASA	Technical Working Group Members
<ul style="list-style-type: none"> • Organise meetings and workshops, and produce agendas, papers and supporting materials. • Facilitate meetings and workshops. • Record insights and findings. • Communicate openly and consistently with working group members about project status and issues. • Respect the time of all working group members by minimising work required to achieve outcomes. 	<ul style="list-style-type: none"> • Commit to supporting the project objectives and timeline. • Engage and collaborate constructively at all times. • Endeavour to set aside individual commercial interests to represent the industry. • Prepare for working group activities by reviewing agendas, papers and supporting materials. • Provide timely and considered advice in meetings, and between meetings as required. • Respond to requests for feedback on draft materials within agreed timeframes. • Maintain confidentiality and do not share material or proposals beyond TWG members.

Behaviour

TWG meetings are a place for constructive collaboration. Behaviour likely to disrupt the collaborative nature of the group will not be tolerated. The ASAP secretariat may eject members from the meeting in the event of such behaviour.

Confidentiality

All discussions and materials from TWG meetings are to be treated as confidential. Premature dissemination of information may dilute TWG processes, particularly if discussion points remain unsettled or documents are not ready for public consultation.

Where discussions and materials from TWG meetings (including screen captures of meetings and attendees) are prematurely disseminated, the ASAP secretariat may remove members from the TWG.

Reporting arrangements

At the conclusion of the meeting, or soon thereafter, recommendations and reports of the TWG will be provided to the Chair of the ASAP, through the Secretariat.

Consensus

A key aim of the Technical Working Group is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the Aviation Safety Advisory Panel and CASA.

Consensus is understood to mean agreement by all parties that a specific course of action is acceptable. Achieving consensus may require debate and deliberation.

Membership

Members of the TWG will be appointed by the ASAP Chair, following ASAP processes. Requests for changes to the membership will be made to the Chair of the ASAP, through the Secretariat.

Attendance and travel

Meetings will be facilitated using videoconferencing to allow for increased member attendance at all meetings. This will be coordinated by the ASAP Secretariat or CASA working group lead as required.

TWG decision making

A key aim of the ASAP is that a consensus be reached, wherever possible, in the provision of advice to the CEO/DAS. TWGs will follow the same consensual principles as the ASAP.

Consensus is understood to mean agreement by all parties that a specific course of action is acceptable. Achieving consensus may require debate and deliberation.

Consensus can be unanimous or near unanimous, the Chair will determine how best to proceed and discuss with the CEO on outcomes where divergent views appear. Consensual outcomes include:

- 1) full consensus, where all members agree fully in context and principle and fully support the specific course of action
- 2) general consensus, where they may be disagreement, but the group has heard, recognised and acknowledged and reconciled the concerns or objections to the general acceptance of the majority of the group. Although not every member may fully agree in context and principle, a majority of members support the overall position and agree not to object to the proposed recommendation – any relevant information supporting the differing perspectives will also be presented in the meeting records.
- 3) dissent, where differing views about the preferred course of action are maintained. This occurs when members do not agree with the recommendation or cannot reach agreement on a recommendation.

If necessary, the ASAP and TWGs will determine if consensus is reached by way of voting. Members will also have the opportunity to confirm their views are accurately represented in meeting reports before they are published.

Where there is full consensus, the report, recommendation or advice should expressly state that every ASAP or TWG member was in full agreement with the advice.

Where there is general consensus, the nature and reasons for any concern by members that do not fully agree with the majority recommendation should be included with the advice.

Where there is dissent, the advice should explain the issues and concerns and why an agreement was not reached. If a member does not concur with one or more of the recommendations, that person's dissenting position should be reflected.

When possible, the ASAP or TWGs should be given the opportunity to reconsider the report or advice, including any dissenting views, to see if there might be scope for further reconciliation of any disagreements.