



Australian Government

Civil Aviation Safety Authority

Instrument number CASA EX114/16

I, GERARD JOHN CAMPBELL, Safety Assurance Senior Manager, Aviation Group, a delegate of CASA, make this instrument under regulation 11.160 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)*.

[Signed G.J. Campbell]

Gerard J. Campbell
Safety Assurance Senior Manager
Aviation Group

4 August 2016

Exemption — operation of UAV at night (Airview Media Pty. Ltd.)

1 Application

This instrument applies to the operation of a remotely piloted multi-rotor unmanned aerial vehicle (the *UAV*) by Airview Media Pty. Ltd., Aviation Reference Number (*ARN*) 834796 (the *operator*), when used for aerial work.

2 Definitions

(1) In this instrument:

Chief Controller means Jonathan Charles Dowling Whitty, ARN 576619.

UAV Controller means the Chief Controller, or a person authorised by the Chief Controller to operate the UAV in accordance with clauses 1 and 2 of Schedule 1.

(2) In this instrument, the distance from the UAV is measured from a point on the ground vertically below the UAV.

3 Exemption

The operator is exempt from compliance with paragraph 101.095 (1) (b) of CASR 1998 when operating the UAV.

4 Conditions

The exemption is subject to the conditions mentioned in Schedules 1 and 2.

5 Expiry

This instrument is repealed at the end of 26 February 2019.

Schedule 1 General operational conditions

1 The UAV may only be operated by:

- (a) the Chief Controller; or
- (b) a person authorised by the Chief Controller.

- 2 Before authorising a person to operate the UAV, the Chief Controller must be satisfied that the person:
 - (a) has the knowledge and practical abilities to operate the UAV; and
 - (b) has received appropriate training and testing in relation to the operation of the UAV; and
 - (c) has been approved by the operator to operate the UAV in accordance with the operator's operations manual and this instrument.
- 3 The operator's operations manual must include procedures for:
 - (a) appropriate training and testing of each UAV Controller in relation to the operations conducted under this exemption; and
 - (b) recording details of the training and testing undertaken by each UAV Controller; and
 - (c) retention of records relating to training and testing for a period of 2 years.
- 4 CASA may test a UAV Controller on his or her knowledge and practical abilities to operate the UAV in accordance with this instrument.
- 5 Subject to clause 6, the operator must conduct operations in accordance with the operator's operations manual.
- 6 In the event of an inconsistency between a provision of the operator's operations manual and this instrument, this instrument prevails to the extent of the inconsistency.
- 7 Details of this instrument must be included in the operator's operations manual.

Schedule 2 Night operational conditions

- 1 Before any operation under this exemption, a risk assessment must be carried out by the Chief Controller in accordance with the operator's operations manual.
 - 2 Take-off and landing areas must be illuminated, for example, by portable lighting or airfield lighting, so that the position and orientation of the UAV can be established and maintained by the UAV Controller by visual reference.
 - 3 The UAV must be a multi-rotor UAV fitted with all of the following:
 - (a) serviceable equipment for a GPS hold and return to home function;
 - (b) serviceable equipment for a GPS lock with a minimum of 7 GPS satellites.
 - 4 The UAV must be operated with orientation lighting, such as LED lights on the front and rear arms of the UAV.
 - 5 Ground station software must be used to assist in assessing the UAV's position.
 - 6 The UAV Controller must ensure that:
 - (a) visual line of sight contact with the UAV is maintained at all times; and
 - (b) the UAV is only operated in V.M.C.
 - 7 The operator must not operate the UAV outdoors:
 - (a) in rain; or
 - (b) if thunderstorms are observed or reported within 5 kilometres of the location of the proposed operation.
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