

**CASA's Responses to RRAT Committee's Questions on Notice
RPAS Inquiry Hearing on 29 August 2017**

Page: 29

CHAIR: Can you tell me about the successful prosecution in Townsville? I just want to know how that came about, what was the result? It is not going to make a difference to the report that we write, but it would be interesting to know.

Dr Aleck: My understanding is that matter was initiated under state legislation. I'm not quite sure how far it has progressed. It was not a matter that CASA was dealing with directly, so we will find out what the outcome is. I also understand that because the individual involved was under 18, it may be approached somewhat differently. The whole question of whether matters like this can, should and ought more effectively be dealt with under state legislation is a bit fraught but we are pursuing that one. As soon as we get more information, I'm happy to send it.

Answer:

CASA is aware of the operation of a drone over the Townsville 400 Supercars event on 18 July 2017, however as this incident was dealt with by the Queensland Police Service under Section 29 of the *Major Events Act 2014* and involved a person under the age of 18 years old, CASA is not in a position to be able to respond with details.

Page: 29

CHAIR: On notice, could you forward to me any information about flying drones around Parliament House, and what conditions there are before that is permitted or not permitted?

Mr Carmody: Certainly, Senator.

Answer:

Different rules apply to RPA of a particular size/weight depending on whether the RPA is being operated exclusively for sport or recreational purposes, or for commercial purposes, and subject to certain approvals and authorisations which may be given in respect of particular operations. The following general advice is provided, however it is expected that all aspects of RPAS regulations will be reviewed after the Discussion Paper process and the upcoming Post Implementation Review.

A 'sport or recreational' operator, operating under the categories of *micro* or *very small* or as a model aircraft are encouraged to adhere to the standard operating conditions including flying only by day with the RPAS remaining within sight, not fly within 30m of persons or over a populous area where if the RPAS was to fail, it cannot clear the area or fly above 400ft in controlled airspace. Operations under these categories are also not restricted by location.

A 'commercial operator', operating as an excluded RPA must adhere to the standard operating conditions provided for in Civil Aviation Safety Regulation 101.238. However, aspects of their operations may be restricted further in certain locations.

There is currently no designated airspace for prohibited, restricted or danger areas (as defined in the Airspace Regulations 2007) over or in the vicinity of Parliament House.

Page 30:

Senator FAWCETT: You have. You'll have to take some lessons. CASA has previously expressed some concern about the maturity of technology such as geofencing. I've actually just been going through your submission again, and I thought you'd mentioned something in here that some of those technologies could potentially introduce risks. But we heard a comment before about DJI as an OEM—and I haven't been able to clarify whether this is their intent or whether this is what they are doing now—and that their product off the shelf is limited to a 100-foot bubble around the operator. If that concept is viable and mature enough that an OEM is doing that, why would we not look at a whole-of-government approach where we limited imports and sales to only OEMs that were prepared to take that approach so that we completely avoid the example of the Christmas present with an ill-informed operator who happens to fly it under a helicopter route or near an airport? And if it is true that DJI have put this in place, then it says that it's mature enough that it's commercially viable, therefore it's probably reliable enough that we can actually start limiting the 90 per cent of the unintentional incidents due to lack of knowledge. Why would we not take that as a key approach to the government?

Mr Carmody: Firstly, I'm not sure that it's true. One of my colleagues might know, as we stay as closely as we can to these sorts of developments. If geofencing—and I'll call it 'geofencing' in that context—or limiting a bubble around a drone is technically feasible, does mature and does become that way, that is certainly one of the methods that you could use to control drones and manage some elements of the risk. I'm not certain that it's as mature as advertised as yet. They're a very big marketer of drones—the biggest in the world. They're obviously trying to stay the biggest in the world, or get bigger. I'm not sure how it actually interacts with other technologies as well. So, I think that the jury is out. It sounds logical and sensible, and we will certainly consider it. But in terms of whether it is there yet, I'm not sure.

Senator FAWCETT: Could you undertake to have one of your people contact them, and OEM, and ascertain and come back to the committee with a view on that.

Mr Carmody: Certainly.

Senator FAWCETT: Because, if it's technically feasible and we limit the market to only manufacturers who meet that technical bar, as sure as apples come from trees, other manufacturers will reach that bar if they want to sell into the market. That then gives us a starting point where, over five years, with degrading batteries and all the rest of it, the old fleet will disappear and we'll be in a much better space for those 49,000 recreational users to encourage, through capability, their requirement to increase their level of knowledge before their machine becomes more capable.

Mr Carmody: We certainly will, Senator. We'll certainly take it on notice. We'll ask the question. I was hopeful we might even have the answer, but I assume we don't. We'll ask the question and come back to the committee and let you know what we find. I think, conceptually, in isolation, it sounds like a very positive outcome. I would just like to see how it fits.

Answer:

CASA has had preliminary discussions with a senior DJI representative regarding the potential for DJI to implement the DJI 'Geo System' in Australia. Discussions have also been held with Airservices Australia regarding the datasets that might be required to implement their Geo System in Australia. Further discussions will be held during October 2017 on this matter.

Details about the 'Geo System' is available at <http://www.dji.com/flysafe/geo-system>

Page 32

CHAIR: Alright. We know that on the web you can go to one of the senators—I will say it, Senator Pauline Hanson, the leader of One Nation, has on her website film of Parliament House on a cloudy day from a drone, and then there was a rugby match down here between the pollies who support Queensland and the pollies who support New South Wales. I'm raising with you now, through the Hansard, that I have a real concern. You see, I have to be consistent. It might be a bit of a dribble, but I have to get this out. We cannot have one set of rules for politicians and sets of rules for other Australians, because we are no different. In fact, we should be upholding the rule. How do I put a complaint to CASA that I would like to have this investigated? How do I do that? Do I have to put a letter and get run around by the Privacy Act? What will happen?

Mr Carmody: We will take that request and have it investigated. I was under the impression that we might have already. I'd like to look at it to see whether, in fact, we have, because it was a public event—well, a publicised event, dare I say. I will take it as a formal complaint and request for investigation.

Answer:

This matter is still under investigation by CASA and a response will be provided to the Committee once finalised.