

# Chapter 5

## Enforcement measures

5.1 Not only are RPAS capable of congesting busy airspace and breaching privacy barriers; the technology can also cause disruptions to important emergency operations and health services. Beyond this, RPAS in the hands of non-state actors may even pose a threat to the national security of significant public buildings and critical infrastructure.

5.2 This chapter details incidents and occasions where RPAS are increasingly used inappropriately, and explores how the restriction or prohibition on the use of RPAS in certain airspace could assist in enforcing the safe and lawful use of RPAS within the national aviation system. The role of local government and police is also discussed.

### Vulnerable airspace

5.3 Submitters highlighted a number of vulnerable areas that would benefit from more stringent RPAS-use restrictions and greater enforcement, including helicopter landing sites, busy airspace, and emergency and safety operation areas.

#### *Helicopter landing sites*

5.4 NSW Ambulance informed the committee that helicopter landing sites at hospitals are vulnerable to RPAS incidents due to having busy low-flying zones. It noted that NSW Local Health Districts have 172 helicopter landing sites (HLS) that are used in a retrieval and inter-hospital transfer capacity, while NSW Ambulance Helicopter Emergency Medical Services aircraft regularly use sporting fields and public ovals to access pre-hospital accident sites. Yet, it recognised that RPAS operators would most often not be aware of hospital HLS around the country, and specifically the approach and departure paths to these HLS.<sup>1</sup>

5.5 As ambulance helicopters fly at lower levels than along coastal corridors, a collision with RPAS could have 'catastrophic consequences'. NSW Ambulance explained the context:

...in the most vulnerable stage of flight, the landing, pilots will be fully focussed on handling the aircraft, configuring the aircraft for landing, and ensuring the flight path and landing area are clear of fixed obstructions. Detecting UAV will be difficult and will be complicated further by the existing visibility at the HLS or landing area.<sup>2</sup>

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1 NSW Ambulance, *Submission 48*, p. 2.

2 NSW Ambulance, *Submission 48*, p. 4.

5.6 Both Captain Phillip Stevens and Captain David Booth informed the committee that the risk of catastrophe in such a scenario is heightened by the fragility of the helicopter tail rotor.<sup>3</sup> According to Captain Booth:

The risk to tail rotor is significant. It is a very fragile part of the helicopter. We have had many longstanding pilots tell us that a two-kilo strike to a tail rotor, from their experience seeing tail rotor damage in their careers, would almost certainly lead to an autorotation or a loss of control...we think the helicopter end of the industry is really the most vulnerable to these events.<sup>4</sup>

5.7 In December 2017, Queensland Health noted a rise in the number of RPAS sightings reported by aeromedical crews whilst on mission. In some instances, crews had taken additional measures to avoid RPAS hovering near helicopter landing pads. In response to the growing concerns, Queensland Health launched a digital campaign to remind families that all hospitals in the state were 'drone free' zones. Noting that as many as 500 patients arrive at hospitals by helicopter over the holiday period in Queensland, the campaign sought to remind RPAS operators not to fly within a 5km radius of any Queensland hospital.<sup>5</sup>

#### *Busy airspace*

5.8 Civil Air Australia explained that the busy airspace around major cities is the most likely to see RPAS collide with manned aircraft.<sup>6</sup> As such, RPAS users that may not be familiar with controlled airspace boundaries or airspace restrictions, are in danger of causing a serious incident.

5.9 CASA's aviation magazine, Flight Safety Australia, recently identified a number of hotspots where the potential for an RPAS collision with light aircraft, helicopter and regular public transport (RPT) aircraft has increased.<sup>7</sup> Included in the list were Sydney Harbour, Melbourne Docklands, Brisbane Southbank, the Gold Coast and Cairns.<sup>8</sup>

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3 Captain Phillip Stevens, *Submission 87*, [p. 1]; Captain David Booth, Australian Airline Pilots' Association, *Committee Hansard*, 26 June 2017, p. 16; Captain Philip Stevens, Private capacity, *Committee Hansard*, 28 June 2017, p. 45.

4 Captain David Booth, Australian Airline Pilots' Association, *Committee Hansard*, 26 June 2017, p. 16.

5 Queensland Minister for Health and Minister for Ambulance Services the Hon Steven Miles, 'Game over: hospitals a NO DRONE zone', *Media Statement*, 13 December 2017, <http://statements.qld.gov.au/Statement/2017/12/13/game-over-hospitals-a-no-drone-zone> (accessed 31 January 2018).

6 Civil Air Operations Officers Association of Australia, *Submission 21*, p. 2.

7 Craig Newlyn, 'Drone hotspots', *Flight Safety Australia*, 22 January 2018, <https://www.flightsafetyaustralia.com/2018/01/drone-hotspots/> (accessed 2 February 2018).

8 Craig Newlyn, 'Drone hotspots', *Flight Safety Australia*, 22 January 2018 accessed (2 February 2018).

5.10 In line with this advice, the ATSB informed the committee that approximately 40 per cent of reported occurrences between July 2016 and June 2017 took place in the Sydney basin.<sup>9</sup> In January 2018 alone, there were 11 RPA near-encounters with manned aircraft, six of which occurred within 20 nautical miles of Sydney Airport.<sup>10</sup> Anecdotal evidence also shows a large number of RPAS flying within the flight path of the Gold Coast International Airport.<sup>11</sup>

5.11 Airline Rex expressed its concern about collisions near airports around the country:

The area in which Rex views as the greatest threat to commercial airline operations is in the area of small unmanned aircraft operating in the vicinity of airports. Rex has had reports from its pilots, and persons on the ground, of illegal operations in the vicinity of airports, and on flight approach and departure areas.<sup>12</sup>

5.12 VIPA added:

Launching a drone close to an airport, particularly in proximity to an uncontrolled aerodrome exposes aircraft (which are often jet powered) to the risk of collision which could result in substantial damage, loss of control and potentially, loss of life.<sup>13</sup>

5.13 Many aviation industry stakeholders echoed these concerns.<sup>14</sup> Captain Murray Butt of AusALPA revealed that:

There is not a professional pilot in Australia who does not harbour some degree of concern about the risks posed by unmanned aerial systems and how these risks are being managed.<sup>15</sup>

5.14 The increased number of RPAS operating in busy airspace has heightened the risk of an accident or incident. Whilst the absolute prohibition of RPAS in these areas may be unrealistic, Civil Air Australia suggested that RPAS operations in such airspace could be limited to commercial RPAS users.<sup>16</sup>

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9 Australian Transport Safety Bureau, *Submission 62 – Supplementary Submission*, p. 2.

10 Civil Aviation Safety Authority, *Review of aviation safety regulation of remotely piloted aircraft systems*, May 2018, p. 19.

11 Mr Michael Manning, Drone Solutions Pty Ltd, *Committee Hansard*, 28 June 2017, p. 37.

12 Regional Express, *Submission 70*, p. 2.

13 Virgin Independent Pilots Association, *Submission 11*, [p. 3].

14 See, for example: Qantas Group, *Submission 34*, p. 1; Australian Airports Association, *Submission 12*, pp. 1–2; Professor Des Butler, *Submission 18*, pp. 4–7; Australian Airline Pilots' Association, *Submission 39*, p. 3.

15 Captain Murray Butt, Australian Airline Pilots' Association, *Committee Hansard*, 26 June 2017, p. 7.

16 Civil Air Australia, *Submission 21*, pp. 2–3.

*Emergency and safety operation areas*

5.15 Many witnesses argued that the regulator should take stronger preventative action to ensure that RPAS remain clear of public safety operations. At a public hearing in Brisbane, Mr Michael Manning of Drone Solutions told the committee:

Last year in July [at Burleigh Heads on the Gold Coast] a Westpac rescue helicopter had a near miss with a drone. It was all over the news and the pilot described how close he came to a collision. I think he said 50 metres or thereabouts...

Why are we waiting for the first fatality before we take strong action to prevent this type of activity? When the drone incident happened at last year's Winter Olympics, many European countries, including Slovenia, closed down all drone activities almost overnight. We want to prevent this from happening in Australia but we need to urgently fix what is now broken.<sup>17</sup>

5.16 The Victorian Department of Environment, Land, Water and Planning informed the committee of four instances during a single season where hobbyist RPAS operators had caused a nuisance during fire suppression operations. Mr Brendan Zwanikken, Manager of Aviation Services Unit at the department reported:

Firefighting aircraft, when they are conducting bombing operations in particular, fly below 400 feet. They are getting down to 100 or 200 feet, which is where CASA currently allows unrestricted [RPAS] operations... Victoria has had four incidents in the autumn burn season where RPAS have been flying over planned burns. Luckily, those planned burns were ground ignition, not aerial ignition. However, we have seen that there is a real threat, should we be doing aerial ignition from helicopters, in that environment... However, New South Wales did have an incident in October last year where, during fire suppression operations, the RPAS were flying over the fire line and bombing aircraft had to climb suddenly to avoid it.<sup>18</sup>

5.17 Mr Zwanikken went on to explain the impact of RPAS on emergency operations:

Currently, the way we deal with unauthorised RPAS flying over emergency areas is that we will ground the aerial fleet. If we are bombing in a fire suppression operation and someone detects a RPAS, we will stop all aerial bombing, or flights, until the pilot for that RPAS is found.<sup>19</sup>

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17 Mr Michael Manning, Drone Solutions Pty Ltd, *Committee Hansard*, 28 June 2017, p. 37. Following the 2014 Sochi Winter Olympics, skier Marcel Hirscher was on his second run in a World Cup slalom race when an RPAS with a mounted camera crashed inches behind him.

18 Mr Brendan Zwanikken, Victorian Department of Environment, Land, Water and Planning, *Committee Hansard*, 16 June 2017, pp. 29–30.

19 Mr Brendan Zwanikken, Victorian Department of Environment, Land, Water and Planning, *Committee Hansard*, 16 June 2017, pp. 29–30.

5.18 The grounding of emergency aircraft and cessation of operations in emergency situations in order to avoid a collision with an RPAS adversely impacts both the emergency operation itself and public safety more generally.<sup>20</sup> The NSW Government and NSW Ambulance expressed concern that, not only are aircrew, medical crew and patients at risk when operating in uncontrolled environments, but the unauthorised use of RPAS also 'increases the potential of shutting down aerial firefighting operations'.<sup>21</sup>

5.19 The point was made that, while the regulations prescribe that RPAS should not be operated in a manner that causes a hazard to people or aircraft, and the standard operating conditions require that all RPAS remain clear of public safety operations, many such operators are 'not necessarily aware of the regulations', whilst others will 'flaunt them'.<sup>22</sup> General Manager of the National Aerial Firefighting Centre, Mr Richard Alder, told the committee that the 'risk is likely to significantly increase, not only as drones proliferate, but as their capabilities increase as well'.<sup>23</sup>

### **Airspace around public buildings**

5.20 In addition to the airspace over major cities, emergency operations sites, and HLS, the committee considered that RPAS operating over significant public buildings may also be a cause for concern.

### ***Airspace restrictions in the United States***

5.21 In the US, the National Capital Region, where the Capitol and the White House are located, is classed as a Special Flight Rules Area, meaning that additional flight restrictions apply to the airspace. The rules were put in place after the 9/11 attacks, and limit aircraft operations to those with FAA and Transportation Security Administration approval. Violators found to breach these rules are subject to stiff fines and criminal penalties.<sup>24</sup>

5.22 The airspace around Washington D.C. is more restricted than in any other part of the US. However, in 2017, similar restrictions were imposed by the FAA over a number of other public buildings. On 5 October 2017, at the request of security and law enforcement agencies, the FAA used its authority to restrict RPAS flights up to 400 feet within the lateral boundaries of 10 Department of Interior sites, including the

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20 Mr Richard Alder, National Aerial Firefighting Centre, *Committee Hansard*, 16 June 2017, p. 30.

21 NSW Government, *Submission 69*, [p. 3]. Also see: NSW Ambulance, *Submission 48*, p. 5.

22 Mr Richard Alder, National Aerial Firefighting Centre, *Committee Hansard*, 16 June 2017, p. 31.

23 Mr Richard Alder, National Aerial Firefighting Centre, *Committee Hansard*, 16 June 2017, p. 31.

24 Federal Aviation Administration (US), *No Drone Zone*, 11 July 2017, [https://www.faa.gov/uas/where\\_to\\_fly/no\\_drone\\_zone/](https://www.faa.gov/uas/where_to_fly/no_drone_zone/) (accessed 18 January 2018).

Statue of Liberty and Mount Rushmore.<sup>25</sup> In December 2017, further restrictions were issued over several Department of Energy facilities in a number of states. The FAA is also considering requests from other federal security agencies to implement additional restrictions.<sup>26</sup>

5.23 Drawing on the US experience, the committee turned its mind to the imposition of RPAS flight restrictions around significant public buildings in Australia.

### ***Airspace restrictions in Australia***

5.24 Noting the stringent restrictions in place in Washington D.C., the committee was alarmed to hear from CASA that '[t]he airspace over or in the vicinity of Parliament House is not declared as a prohibited area'.<sup>27</sup> CASA stated that:

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.<sup>28</sup>

5.25 Instead, as Parliament House falls within the control zone of Canberra Airport, it is 'not appropriate' to fly an RPAS within its precinct.<sup>29</sup>

5.26 The fact that Parliament House is not recognised as a prohibited area raised questions for the committee, particularly in light of an incident in June 2017 when an RPAS was reported to have flown over Parliament House, and a nearby sports oval, without authorisation.<sup>30</sup> In addition to flying the RPAS over a public building, this action appeared to be in breach of the RPA standard operating procedures, including flight over a populous area, and within 30 metres of people.

5.27 However, CASA responded by stating that recreational RPAS operators are simply 'encouraged to adhere to the standard operating conditions'. It noted that

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25 Federal Aviation Administration, 'FAA Restricts Drones over Statue of Liberty, Other Landmarks', *News*, 28 September 2017, [https://www.faa.gov/news/updates/?newsId=88811&omniRss=news\\_updatesAoc&cid=101\\_N\\_U](https://www.faa.gov/news/updates/?newsId=88811&omniRss=news_updatesAoc&cid=101_N_U) (accessed 5 October 2017).

26 Miram McNabb, 'FAA Restricts Drone Operations Over 7 Department of Energy Facilities', *Dronelife.com*, 19 December 2017, <https://dronelife.com/2017/12/19/faa-restricts-drone-operations-7-department-energy-facilities/> (accessed 8 January 2018).

27 Civil Aviation Safety Authority, answers to questions on notice, 19 September 2017, p. 3 (received 3 October 2017).

28 Civil Aviation Safety Authority, answers to questions on notice, 29 August 2017, p. 2 (received 14 September 2017).

29 Dr Jonathan Aleck, Civil Aviation Safety Authority, *Committee Hansard*, 29 August 2017, p. 32.

30 James Elton-Pym, 'Regulator promises to investigate 'illegal' One Nation drone flight over Parliament House', *SBS*, 29 August 2017, <http://www.sbs.com.au/news/article/2017/08/29/regulator-promises-investigate-illegal-one-nation-drone-flight-over-parliament> (accessed 20 November 2017).

operations under the excluded category of the regulations 'are also not restricted by location'.<sup>31</sup> As such, there is no distinction between the airspace over public buildings, schools, parks, and other public spaces, unless distinguished by 'a significant density of population' to be deemed a 'populous area' under the standard operating conditions.<sup>32</sup>

5.28 The committee considered that the seemingly unregulated airspace above Parliament House raises serious questions about the security of critical infrastructure in Australia. The lack of clear restrictions appears to be inconsistent with aviation safety principles and national security standards. The committee therefore sought to understand the process by which certain airspace can be prohibited from RPAS operations. Whilst airspace restriction is not the only measure highlighted in evidence to effectively regulate safe RPAS use, clearly defined prohibitions could act as a disincentive for oblivious operators who may otherwise be unaware of the dangers posed by their device.

### ***Process for prohibiting RPAS in certain airspace***

5.29 The committee was informed that CASA is the agency responsible for exercising the powers provided under the *Airspace Act 2007* and Airspace Regulations 2007. The CASA Office of Airspace Regulation regulates and administers all Australian airspace, including prohibited, restricted and danger areas where certain types of activities take place that may present a risk to aviation activities.<sup>33</sup>

5.30 CASA stated that, according to Regulation 6 of the Airspace Regulations 2007, it 'must not declare an area to be a prohibited area unless...it is necessary for reason of military necessity to prohibit the flight of aircraft over the area'.<sup>34</sup>

5.31 CASA CEO, Mr Shane Carmody went on to explain:

I'm the safety regulator, so my remit is around safety. We are able to make declarations on airspace, if someone puts something to us, but we have no expertise on security in Parliament House.

...I would expect a formal request from a security agency, the Federal Police, a privacy organisation or the Attorney-General to make a declaration on airspace about declaring airspace at a particular time.<sup>35</sup>

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31 Civil Aviation Safety Authority, answers to questions on notice, 29 August 2017, p. 2.

32 Civil Aviation Safety Regulations 1998, reg. 101.025.

33 Department of Defence, answers to written questions on notice, 22 March 2018, p. 3 (received 24 April 2018).

34 Civil Aviation Safety Authority, answers to questions on notice, 19 September 2017, p. 3.

35 Mr Shane Carmody, Civil Aviation Safety Authority, *Supplementary Estimates Hansard*, 27 October 2017, pp. 23–24.

5.32 The Department of Defence (Defence) added that applications for airspace restriction are subject to submission of an Airspace Change Proposal that would include consultation and development of a safety case to justify such declarations by CASA.<sup>36</sup>

5.33 The IALPG cautioned that, in the absence of an appropriate regulatory solution to enforce safe RPAS operation and effectively restrict airspace, anti-drone technologies are likely to flourish, leading to the commercialisation of security and a loss of control on the part of aviation regulators.<sup>37</sup>

5.34 This was supported by evidence of the thriving counter-drone industry, notably led by an Australian defence company called DroneShield. The committee heard that, whilst airspace restrictions were imposed for the 2018 Commonwealth Games in the Gold Coast,<sup>38</sup> the Queensland Police were also equipped with an 'arsenal' of drone guns, designed to emit a jamming signal to cause RPAS to go into emergency mode and either land in a designated area or return to their starting point.<sup>39</sup>

5.35 The importance of employing complementary technological solutions for RPAS regulation was a consistent theme throughout the inquiry. Technology-based compliance measures are discussed further in Chapter 6.

### **Local government initiatives**

5.36 In response to growing safety and privacy concerns, local governments have become increasingly active in restricting and banning RPAS operations in public spaces.

5.37 In 2015, Leichhardt Council in Sydney became the first council in Australia to ban RPAS in parks and public spaces, including playgrounds, to protect children's

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36 Department of Defence, answers to written questions on notice, 22 March 2018, p. 3.

37 International Aerospace Law & Policy Group, *Submission 19*, p. 19. Also see: Robert Wall, 'Next Step For Drones: Defending Against Them', *The Wall Street Journal*, 23 July 2015, <https://www.wsj.com/articles/next-step-for-drones-defending-against-them-1437645600> (accessed 9 November 2017).

38 Author unknown, 'Commonwealth Games temporary restrictions: what you need to know', Flight Safety Australia, 9 February 2018, <http://www.flightsafetyaustralia.com/2018/02/commonwealth-games-temporary-restrictions-what-you-need-to-know/> (accessed 13 February 2018).

39 Yolanda Redrup, 'Drone guns key part of Comm Games security', *Australian Financial Review Weekend*, 7 April 2018, p. 3. Also see: Melissa Yeo, 'Queensland Police will use anti-drone guns at the 2018 Commonwealth Games', *Business Insider Australia*, 28 February 2018, <https://www.businessinsider.com.au/droneshield-anti-drone-guns-commonwealth-games-2018-2> (accessed 6 March 2018).

safety and privacy.<sup>40</sup> A number of councils across Australia now have by-laws in place to restrict RPAS use on local government land including public reserves, parks and foreshore areas.<sup>41</sup>

5.38 IALPG was of the view that local councils can and should be integral in shaping the culture of RPAS operations, stating:

...the regulation of drone activity at a local level sends a powerful message to users about potential dangers of misuse, the level of responsibility such users would have to those they accidentally injure, and help train community members to understand the power of and maturity required to safely and responsibly operate when the possibility exists to come into accidental contact with people, vehicles, wildlife, or infrastructure.<sup>42</sup>

5.39 During discussions on the importance of signage and public information, representatives from the Australian Airports Association acknowledged that there was scope for local airports to also do more. Mr Simon Bourke, Policy Director, drew the committee's attention to jurisdictions that have begun to engage in restricting areas for RPAS use:

I know Cairns Airport identified some parkland and got in touch with local council and put in a no-fly-zone for drones and some signage to that effect. There are several airports that have done that based on their own risk assessments, the terrain around the airport and the prevalence of usage around that. So it is being looked at.<sup>43</sup>

## Delegation of enforcement powers

5.40 The primary challenge before local councils and airports, and indeed at a national level, is that of enforcing compliant RPAS operations. As a case in point, while bans on launching an RPAS within the perimeter of a park can be policed by a

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40 Deborah FitzGerald, 'Leichhardt Council is the first in Australia to ban drones in parks and public spaces amid fears for children's safety and privacy', *Daily Telegraph*, 1 December 2015, <https://www.dailytelegraph.com.au/newslocal/inner-west/leichhardt-council-is-the-first-in-australia-to-ban-drones-in-parks-and-public-spaces-amid-fears-for-childrens-safety-and-privacy/news-story/6b98ae38b3c5cead24b18a7dcfbabdc5> (accessed 31 January 2018).

41 Brett Williamson, 'Flyers beware: Councils clamp down on use of drones and model planes in public places', *ABC News*, 20 March 2017, <http://www.abc.net.au/news/2017-03-20/councils-clamp-down-on-use-of-drones-in-public/8369020> (accessed 31 January 2018); Liam Croy, 'Perth council clamps down on public drone use', *Perth Now*, 29 December 2016, <https://www.perthnow.com.au/news/wa/perth-council-clamps-down-on-public-drone-use-ng-49d76a0d66aecfdd353853c8e71bac95> (accessed 31 January 2018).

42 International Aerospace Law & Policy Group, *Submission 19*, pp. 19–20.

43 Mr Simon Bourke, Australian Airports Association, *Committee Hansard*, 29 August 2017, p. 8.

council official, there is little that officers can do when an RPAS is launched outside of a park.<sup>44</sup>

5.41 While CASA emphasised that there are rules already in place, including the 30 metre rule and a direction not to fly over crowds or groups, it also recognised that it would be difficult to find and charge the offender if there was a breach. As Mr Peter Gibson, a CASA spokesperson, noted in 2015:

If people are concerned about breaches of privacy they can report it to the police but you still have the problem of identifying who was operating the drone.<sup>45</sup>

5.42 One solution already discussed in Chapter 4 is the establishment of a registration system that would allow the operator of the RPAS to be traced and penalised. In addition to a system of registration, a number of submitters supported the provision of additional powers to local authorities.

5.43 The Australian Certified UAV Operators suggested that local authorities be granted additional powers to impose and enforce RPAS regulation, including the examination and investigation of breaches; confiscation of equipment; and the issuing of on-the-spot fines if necessary.<sup>46</sup> This recommendation was also supported by the Regional Aviation Association of Australia, which expressed the view that federal and state police are 'best placed to deter, detect, investigate and...pursue' unsafe or unlawful RPAS operations.<sup>47</sup>

5.44 Defence added:

It would be useful from a legislative/regulative perspective to positively authorise electronic, physical or other measures to stop, disrupt, bring down or prevent UAS from being utilised unlawfully. Such a law could be extended to other Government authorities such as Defence or Border Force to support the police and provide protection to other sensitive Government or agency sites.<sup>48</sup>

5.45 In the US, new laws passed on 7 June 2017 allowing authorised agencies and agency representatives to 'use reasonable force to disable, disrupt, damage or destroy a

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44 Dr Jonathan Aleck, Civil Aviation Safety Authority, *Budget Estimates Hansard*, 23 May 2017, pp. 108–109; NSW Farmers, *Submission 45*, pp. 5–7.

45 Deborah FitzGerald, 'Leichhardt Council is the first in Australia to ban drones in parks and public spaces amid fears for children's safety and privacy', *Daily Telegraph*, 1 December 2015 (accessed 31 January 2018).

46 Mr Bradley Mason, Australian Certified UAV Operators, *Committee Hansard*, 28 June 2017, pp. 15–16.

47 Regional Aviation Association of Australia, *Submission 58*, [p. 1]. Also see: Unmanned Research Aircraft Facility, University of Adelaide, *Submission 43*, p. 5; Australian Miniature Aerospots Society Inc., *Submission 71*, p. 3.

48 Department of Defence, answers to written questions on notice, 22 March 2018, p. 4.

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UAS that poses a threat to safety or security'. This includes detecting and monitoring RPAS that are suspicious.<sup>49</sup>

5.46 The UK has put in place similar measures, with the Department of Transport and the Civil Aviation Authority recently announcing a proposal to increase police powers to allow officers to investigate RPAS misuse.<sup>50</sup> For the purposes of safety and security, the new rules will permit police to order RPAS operators to ground their devices, and demand registration documentation or RPAS parts if suspected to have been used to commit an offence.<sup>51</sup>

5.47 CASA told the committee that it is aware of evolving enforcement actions being taken by local and state government agencies to limit or prohibit the use of RPAS in particular areas. It expressed support for local efforts, and stated:

...local law enforcement authorities are generally in a better position than CASA's operational and investigative officers to respond in a timely way to actual, apparent and alleged contraventions of the safety regulations.<sup>52</sup>

5.48 To this end, CASA highlighted to the committee a forum that it facilitated in November 2017 with state, territory and federal law enforcement agencies. The aim of the forum was to discuss the development of a standardised approach to instances and/or reports of local RPAS-related breaches. This approach may include the issuance of aviation infringement notices, and criminal prosecutions.<sup>53</sup> According to CASA, the progression of this work 'is ongoing and is strongly supported by participating law enforcement authorities'.<sup>54</sup>

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49 Meenal Dhande, 'Changing drone laws and policies in the US', *Geospatial World*, 11 June 2017, <https://www.geospatialworld.net/blogs/uav-registration-us-drone-surveillance-policy/> (accessed 11 December 2017).

50 The Rt Hon John Hayes CBE MP, UK Minister of State at the Department for Transport, 'Drones update, 27 November 2017', *Written statement*, 27 November 2017; UK Government, *New powers for police to address illegal and unsafe use of drones*, <https://www.gov.uk/government/news/new-powers-for-police-to-address-illegal-and-unsafe-use-of-drones> (accessed 28 November 2017).

51 Malek Murison, 'Incoming UK Drone Laws: What You Need To Know', *Dronelife*, 27 November 2017, <https://dronelife.com/2017/11/27/incoming-uk-drone-laws/> (accessed 11 December 2017).

52 Civil Aviation Safety Authority, *Submission 17*, pp. 13–14.

53 Civil Aviation Safety Authority, *Submission 17*, pp. 13–14.

54 Civil Aviation Safety Authority, *Review of aviation safety regulation of remotely piloted aircrafts systems*, May 2018, p. 20.

