

# Drone Operation and Management Guide

The University uses drones for a number of research and teaching activities including photography, agricultural operations, surveying, environmental assessment, license training and media.

The operations of drones in Australian airspace is regulated by the Civil Aviation Safety Regulations 1998 (**CASR**) which are made under the *Civil Aviation Act 1988* (Cth) and are administered by the Civil Aviation Safety Authority (**CASA**). It is imperative that all operations of drones at the University are compliant with these regulations.

The University risks severe penalties if it does not comply, including heavy fines, Commonwealth prosecution and even jail time.

This Drone Operation and Management Guide (**Guide**) is intended to provide information to help University staff who may be operating drones to understand the relevant rules and regulations. The CASR define what types of flight activities can be conducted, who can conduct them and where and how they can occur. The regulations are complex and technical and vary according to specific circumstances. This Guide is intended to be an overview only.

## What is a drone?

Drones, also known as remotely piloted aircraft (RPA). Within the aviation legislative framework, drones operated for sport and recreation are defined as model aircraft. Drones operated for a purpose other than sport and recreation are defined as RPA. They are regulated to minimise any foreseeable risks to the public and other aircraft.

RPA are classified by size and type categories. The classification helps determine the regulatory requirements for their safe operation.

It is against the law to fly a drone for commercial purposes (money or reward) unless you are flying an excluded category RPA or you hold or are operating under a remotely piloted aircraft operator's certificate (ReOC).

## What is a Remote Operators Certificate (ReOC)?

The University has a Remote Operators Certificate (ReOC). The ReOC allows the University to operate as a drone service provider and to employ Remote Pilot's License (RePL) holders to operate a drone for commercial purposes. Drone flights are restricted by a list of Standard Operating Conditions, however RePL holders can seek permission to temporarily fly outside of these conditions, e.g. flying at night, or in proximity to an airport or airfield.

## Will I need a license to fly a drone for University purposes?

All University use of drones is considered commercial. This means that if you intend to fly your drone for work associated with UTas, you will either need:

- A remote pilot licence (RePL) – the preferred option; or
- To be flying in the excluded category – will be allowed in certain cases in negotiation with the University's Chief Controller for RPA operation.

It is against the law to fly a drone for commercial purposes (that is, for money or reward) unless you're flying an [excluded category RPA](#) or you hold a RePL and operate under a [ReOC](#).

The University strongly encourages all staff and students wishing to operate a drone to obtain a RePL and to operate under the Universities ReOC. We can provide RePL training in house and details of RePL training can be obtained from the University's Chief Controller for RPA operations – [Darren.Turner@utas.edu.au](mailto:Darren.Turner@utas.edu.au)

If you fly in the excluded category you must:

- register your drone; and
- get an RPA operator accreditation (compulsory from 28 January 2021).
- Discuss and get approval for your intended operations with the University's Chief Controller for RPA operations – [Darren.Turner@utas.edu.au](mailto:Darren.Turner@utas.edu.au)

## What is the excluded category?

There are two types of excluded category RPA:

- very small (more than 250 g but no more than 2 kg)
- small (more than 2 kg, but no more than 25 kg), where you only fly it over your own land.

A micro RPA is a drone that weighs 250 g or less that is flown for business or as part of your job.

If you fly a drone, or remotely piloted aircraft (RPA), in any of these categories, you must [register your drone](#) and get an [RPA operator accreditation](#).

Registration and accreditation is now open and it is compulsory from **28 January 2021**.

## How do I get RPA operator accreditation to fly in the excluded category?

Remotely piloted aircraft (RPA) operator accreditation is now open for anyone who intends to fly a drone or RPA for business or as part of your job.

You do not need an RPA operator accreditation if:

- you hold a remote pilot licence (RePL)
- you only fly your drone for sport or recreation, including model aircraft association members flying at CASA-approved model airfields.

Accreditation is:

- free and online
- valid for three years
- compulsory to fly and supervise others from **28 January 2021**.

You must also **register** your drone or RPA if it is flown for business or as part of your job.

## How do I register my drone to fly in the excluded category?

If you fly a drone, or remotely piloted aircraft (RPA), for business or use one as part of your job, you must register it.

Before registering, please discuss your intentions with the University's Chief Controller for RPA operations – [Darren.Turner@utas.edu.au](mailto:Darren.Turner@utas.edu.au)

Like motor vehicles, there is a compulsory registration system for all RPA. Registration is valid for 12 months.

If registering an excluded category drone, you will have to register it against your own name, it will not be registered under the University's ReOC.

You also need to be aware of when to:

- modify your drone
- deregister your drone

## Modifying a registered drone

You may need to modify your existing drone registration where modifications to a drone:

- change the category or [type of drone](#) (e.g. aeroplane to multi-rotor)
- change upwards the classification of the aircraft (e.g. very small to medium); or
- increase the take-off weight by more than 20 per cent (take-off weight includes payload)
- do not contain parts and components from the permit version that are critical to the operations of the drone.

## Deregistering your drone

You must deregister your drone if you:

- lose it
- damage it beyond repair
- sell or dispose of it.

If you sell or transfer ownership of your drone, you must cancel your registration. If you do not, you might be held responsible for any offences committed by the new owner.

## Penalties

From 28 January 2021, you can be fined if you fly an unregistered drone for business or as part of your job. The fine is up to \$11,100.

You can be asked to produce your certificate of registration by an authorised representative of CASA or member of the Australian Federal Police or State and Territory police services.

For more information about drone registration, refer to: [Drone registration | Civil Aviation Safety Authority \(casa.gov.au\)](#)

## **What are the Standard RPA operating conditions?**

If you fly an excluded category RPA, you must follow the excluded RPA safety rules, known as the 'standard operating conditions.

An RPA is operated in standard RPA operating conditions if, at all times during the operation the RPA is:

- operated in Australian territory
- operated within the visual line of sight of the person operating the RPA; and
- operated at or below 400 ft AGL by day; and > not operated within 30 m of a person who is not directly associated with the operation of the RPA; and
- not operated:
  - in a Prohibited area; or
  - in a Restricted area that is classified as RA3; or
  - in a Restricted area that is classified as RA2 or RA1 otherwise than in accordance with regulation 101.065; or
  - over a populous area; or
  - within 3 NM (5.5 km) of the movement area of a controlled aerodrome; and
- not operated over an area where a fire, police or other public safety or emergency operation is being conducted without the approval of a person in charge of the operation, and the person operating the RPA operates only that RPA.

RePL holders can fly outside the standard operating conditions if they seek appropriate permissions.

## **Do drone pilots need to keep any records?**

Small and medium excluded RPA operators must keep an operational log of each flight (CASR Part 101 MOS section 10.10). The operator is required to keep a record of the following:

- the nature and purpose of the operation
- the specific location of the operation and the maximum height at which the RPA was flown
- information identifying the RPA, including the type, model and unique identification mark
- the remote pilot station for the operation
- the dates and times of the operation > the name and aviation reference number (ARN) of the controller
- whether the RPA was serviceable after the final flight of the day and the nature of any unserviceability. An operational record should be created as soon as practicable after each flight and kept for a period of three years after the last time the RPA is operated (by the operator).

## Things to check before each flight

It is important before each drone flight to identify:

- no-fly zones near non-controlled airspace, controlled aerodrome, non-controlled aerodrome
- prescribed areas around aerodromes and non-controlled airspace overlaid with controlled airspace
- restricted and prohibited areas, including those associated with military flight or weapons training
- danger areas, including activities such as parachuting, rifle ranges, flying training amongst others

You can identify no fly zones by using [a verified drone safety app](#).

## During a flight

During a flight you must:

- only fly one RPA at a time
- not operate your RPA in autonomous mode
- remain at or below 120m (400 ft) AGL
- Fly during daylight only
- Fly in good visibility (5 km)
- Fly clear of cloud
- Always keep your drone in sight
- Stay clear of populous areas
- Stay at least 30m (100 ft) clear of people
- Ensure you do not fly over people
- Do not create a hazard to other aircraft persons or property
- Keep clear of public safety operations (firefighting, law enforcement, emergency medical services, search and rescue)
- Operate within the manufacturer's meteorological and other limitations

## Enforcement provisions

Depending on the severity of the contravention, CASA may:

- Issue an infringement notice to pay a penalty
- Take administrative action such as suspending or cancelling your accreditation
- Compel the operator to enter into enforceable voluntary undertakings
- Refer a matter for criminal prosecution

## Privacy

Privacy laws apply to RPA operations. In some cases, an RPA activity may be considered a criminal offence. This can include activities where an RPA is used to record a person conducting a private act without their consent or the RPA is used as a surveillance device.

The *Privacy Act 1988* (Cth) (**Privacy Act**) provides that an organisation or agency must:

- Tell a person that their image may be captured before recording
- Make sure recorded personal information is secure and destroyed or de-identified when it is no longer needed.

Photos and videos of a person are treated as personal information under the Privacy Act if their identity is clear or could reasonably be worked out.

The University is committed to ensuring it complies with its legislative obligations under the *Personal Information Protection Act 2004* (Tas) and the *Privacy Act 1988* (Cth) (**Privacy Act**).

For more information about privacy, please refer to the University's [Privacy Statements](#).

## **Insurance requirements**

There are no aviation rules that require the owner or operator of an RPA to hold public liability insurance. However, an operator may be exposed to potentially large financial liability should something be damaged, or someone be injured by an RPA you operate. You should consider obtaining liability insurance for your operations. Also, most landowners and administrators, such as the various State park administrators, will not give a permit to operate an RPA unless they have sighted an insurance certificate.

## **Who can I contact for more information?**

The legislation and regulations are complex. For more detailed information, please refer to [www.casa.gov.au/drones](http://www.casa.gov.au/drones)

Legal, Risk and Compliance team can provide advice about regulatory compliance: [Catherine.Kaehne@utas.edu.au](mailto:Catherine.Kaehne@utas.edu.au) (Manager Compliance).

The Chief Controller for drone operations: [Darren.turner@utas.edu.au](mailto:Darren.turner@utas.edu.au)