

# A Game of Drones: the advance of remotely piloted aircraft

August 7, 2018

The rapidly increasing use of drone technology means that users and operators must be familiar with the legal framework and its regulations.

The use of remotely piloted aircraft (**RPA**), commonly known as drones, in mainstream recreational and commercial activities has increasingly grown in recent years. Some commercial usages of RPA that are gaining in popularity include photography, mapping and site-surveying. The use of RPA has also seen an increased use in the real estate sector, such as by landlords and property managers for building maintenance and real estate agents for advertising properties.

In future, the use of RPA may possibly extend to mass transport.

The use of RPA in Australia is regulated by the Civil Aviation Safety Authority (**CASA**). CASA's regulations extend to both the pilot (the person manipulating the flight controls of the RPA) and the operator (the person, organisation or enterprise engaged in, or offering to engage in, an aircraft operation).

In addition, local councils may regulate or ban the use of RPA in public areas.

## Licensing and certification

The operation of RPA weighing over 2 kilograms for purposes other than sport or recreation will generally require licensing (in the form of a "Remote Pilot Licence" for the pilot) and certification ("Remotely Piloted Aircraft Operator's Certificate" for the operator) from CASA.

## Use

There are many RPA Standard Operating Conditions imposed by CASA that pilots and operators must be aware of. A few of the more important ones are listed below:

- The RPA must be operated during daytime and by the visual line of sight only.
- The maximum operating height for RPA is 120 metres (400 feet) above ground level in controlled airspace. These restrictions are subject to any permission that has been given by CASA to fly above this height.
- RPA must not be flown over any populous area, which is any area where the failure of the RPA could cause injury to people or property not connected with the operation of the RPA.
- The RPA must not be flown within 30 metres of people. In certain circumstances, CASA's regulations will permit the RPA to be flown within 15 metres of people.

It is important that businesses that intend to or already operate RPA are aware of and familiar with the regulations surrounding the use of this rapidly growing technology.

The rapidly increasing use of drone technology means that users and operators must be familiar with the legal

framework and its regulations.

This article is the first in our drone technology series.

Senior Associate Anson Pang contributed to this article.

## Your Key Contacts



**Sally Tuckfield**

Partner and Head of Office,

Sydney

D +61 2 9931 4906

[sally.tuckfield@dentons.com](mailto:sally.tuckfield@dentons.com)



**Anson Pang**

Senior Associate, Sydney

D +61 2 9035 7279

[anson.pang@dentons.com](mailto:anson.pang@dentons.com)