

Question on notice no. 305

Portfolio question number: SQ23-005059

2023-24 Supplementary Budget estimates

**Rural and Regional Affairs and Transport Committee, Infrastructure,
Transport, Regional Development, Communications and the Arts Portfolio**

Senator Bridget McKenzie: asked the Civil Aviation Safety Authority on 2 November 2023—

(1. What is your view of the following drone actions combined in one incident:

- (a) Flying within 5.5km of a controlled airport
- (b) Flying in a No Fly Zone as listed by OpenSkies.
- (c) Flying directly over people not maintaining a 30m horizontal distance
- (d) Flying at Night or reduce visibility
- (e) Possibly Flying over 120m

2. A recent FOI shows that an alleged incident similar to what I described before, was reported to CASA, with video evidence, on two occasions, 18 April 2023 and 27 April 2023 - given your previous answer, would you expect this incident to be investigated by CASA if video evidence from the drone itself was reported and the identity of the person publishing the video is known?

3. Was this incident investigated? At the date of the FOI determination (23 August 2023) it appears no investigation had been undertaken?

4. Is it because it appeared on the account of State Labor Transport Minister, Tom Koutsantonis, the same minister who had a record of 60 speeding fines while he held the portfolio of Road Safety Minister?

5. Will CASA commit to investigate this matter?

6. Have any other incidents from members of the South Australian government been reported to CASA and if so when and what was the outcome?

7. Do you acknowledge that notwithstanding the very detailed and prescriptive nature of laws/regulations pertaining to the drone flight in Australia, these laws/regulations are virtually impossible to police unless you have the good fortune or luck to identify the operator of the drone?

8.

(If yes, aren't these laws/regulations largely unenforceable and thus practically ineffective, and for the most part, impossible to police, which results in Australian citizens and critical Australian infrastructure being afforded no real protection against unlawful drone operation?)

Answer —

Please find answer attached

Rural and Regional Affairs and Transport

QUESTION ON NOTICE

Supplementary Budget Estimates 2023 - 2024

Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Question Number: 305

Departmental Question Number: SQ23-005059

Division/Agency Name: Agency - Civil Aviation Safety Authority

Hansard Reference: Written (02 November 2023)

Topic: CASA - Drone incidents reported to CASA on 18 and 27 April 2023

Senator Bridget McKenzie asked:

1. What is your view of the following drone actions combined in one incident:
 - a) Flying within 5.5km of a controlled airport
 - b) Flying in a No Fly Zone as listed by OpenSkies.
 - c) Flying directly over people not maintaining a 30m horizontal distance
 - d) Flying at Night or reduce visibility
 - e) Possibly Flying over 120m
2. A recent FOI shows that an alleged incident similar to what I described before, was reported to CASA, with video evidence, on two occasions, 18 April 2023 and 27 April 2023 – given your previous answer, would you expect this incident to be investigated by CASA if video evidence from the drone itself was reported and the identity of the person publishing the video is known?
3. Was this incident investigated? At the date of the FOI determination (23 August 2023) it appears no investigation had been undertaken?
4. Is it because it appeared on the account of State Labor Transport Minister, Tom Koutsantonis, the same minister who had a record of 60 speeding fines while he held the portfolio of Road Safety Minister?
5. Will CASA commit to investigate this matter?
6. Have any other incidents from members of the South Australian government been reported to CASA and if so when and what was the outcome?
7. Do you acknowledge that notwithstanding the very detailed and prescriptive nature of laws/regulations pertaining to the drone flight in Australia, these laws/regulations are virtually impossible to police unless you have the good fortune or luck to identify the operator of the drone?
8. (If yes, aren't these laws/regulations largely unenforceable and thus practically ineffective, and for the most part, impossible to police, which results in Australian citizens and critical Australian infrastructure being afforded no real protection against unlawful drone operation?

Answer:

1. Please refer to the response in item 5 to Committee Question Number 304 (SQ23-005058) from the 2023-24 Supplementary Budget Estimates hearing.

2. Safety breaches reported to the Civil Aviation Safety Authority (CASA) are reviewed to determine what enforcement action should be pursued, where there is sufficient evidence of the breach and of the person controlling the drone at the time. CASA has reviewed the alleged incident referred to in the Freedom of Information (FOI) request. There was insufficient evidence to refer this matter for investigation.
3. CASA undertook a review of this complaint but there was insufficient evidence to refer this matter for investigation.
4. No.
5. Refer to answer to Question 3.
6. CASA has not received reports of any incidents from other members of the South Australian government being made.
7. Reports submitted to CASA about alleged breaches of the drone safety rules are just one of the ways CASA identifies and investigates potentially unlawful drone activities.
8. Not applicable.