

TITLE:	Remotely Piloted Aircraft Policy		
DIRECTORATE:	Operations and Remote Communities		
ADOPTED BY:	Council Resolution:		
DATE OF ADOPTION:	21 May 2024	DATE OF REVIEW:	21 May 2027
POLICY NUMBER:			
LEGISLATIVE REF:	Information Act 2002 (NT)		

1. Introduction

Remotely Piloted Aircraft (RPA) assist local governments to do jobs that were previously impossible or difficult. They have the potential to offer economic and social benefits and significant safety improvements to a diverse range of local government operations through novel and cost-effective capabilities to the community.

The Civil Aviation Safety Authority (CASA) is the body responsible for regulating RPA. Most RPA are piloted by remote control and often mounted with cameras. CASA specifies a range of restrictions with regards to the operation of RPA. The operation and use of RPA must comply with the *Civil Aviation Act 1988* (Cth) and the *Civil Aviation Safety Regulations 1998* (Cth).

Additionally, the *Information Act 2002* (NT) applies to all Barkly Regional Council entities and is governed by privacy principles. These principles include collection, storage and security, access and amendment and use and disclosure. The use of RPA within council will comply with each council's privacy policy and the *Information Act 2002* (NT) as well as CASA regulations and legislation.

This policy describes a process for the use and operation of RPA that aligns with Barkly Regional Council's strategic vision for the region and compliance with all relevant laws. This policy is supported by an RPA organisational guideline. The guideline sets out the detailed steps to be followed when operating a RPA across the council organisation. The organisational guideline is governed by the requirements of this policy.

This policy relates to excluded Remotely Piloted Aircraft System (RPA). For brevity, this policy will use the term RPA to refer to all types of unmanned aircraft likely to be operated by council.

1.1. Policy purpose

This policy sets the framework for how council uses and operates excluded RPA and to ensure the appropriate rules and legal requirements are applied to RPA usage within the defined geographical boundaries of the council.

1.2. Policy Outcome

Utilizing cutting-edge RPA (Robotic Process Automation) technology, our vision is to transform council operations by seamlessly integrating geospatial mapping, disaster and crisis management, asset inspections, environmental monitoring, pest and plant control, maintenance activities, survey work, and

general aerial photography. This innovative approach aims to enhance service delivery, mitigate risks for council officers, safeguard the environment, bolster community safety, and optimize operational costs, ultimately fostering a technologically advanced and efficient municipal ecosystem.

1.3. Policy Scope

This policy applies to:

- The council employees and contractors operating RPA in any location across the council's area as part of the council's activities
- The purchase of RPA with funding through council
- The hiring for or contracting for any RPA services by council.

2. Policy Statement

Barkly Regional Council is committed to utilising and accessing the latest technology to improve services, reduce risks, protect the environment, enhance community safety and reduce costs.

The use and operation of RPA is regulated by the Commonwealth Civil Aviation Safety Authority (CASA) and relevant state and Commonwealth law.

In addition to the RPA organisational guideline, where necessary council departments will establish departmental operating manuals to ensure:

- Compliance with this policy and associated guideline
- Consistent application of RPA across the council organisation
- Compliance with those legal obligations
- Reduced risks to safety, security and privacy of our community.

2.1. Guiding Principles

The principles that guide the use and operation of RPA as part of SCC operations are:

- Legislative compliance – council will comply with CASA and any other relevant law.
- Privacy - council will collect, use, disclose and store personal information in accordance with the *Information Act 2002* (NT) and council's privacy policy.
- Communication - council will inform the community when RPA are in use.
- Community safety – council will utilise RPA efficiently, safety and in the public interest.
- Work Health and Safety – council will develop and utilise appropriate council work method statements for RPA usage.
- Economic and social benefits – council will consider cost-effective and social benefits when utilising RPA.

3. RPA Technology

Council utilises RPA technology for several purposes to improve services, reduce risks to council officers, protect the environment, enhance community safety and reduce operational costs.

Council may use RPA technology for the following purposes, but not limited to:

- Geospatial mapping
- Disaster and crisis management
- Asset management inspections.
- Environmental management – e.g. documenting permitted bush inspection works, waste management and cleaning investigations.
- Pest and plant control – e.g. feral animal management, mosquito monitoring, detection of invasive plant species.
- Range of maintenance activities – e.g. Conducting regular inspections, identifying defects, prioritizing repairs, and implementing maintenance strategies to ensure the effective upkeep and repair of various assets including buildings, roads, etc.
- Survey work – e.g. waste/quarry site surveys, road surveys etc.
- General aerial photography – e.g. project before and after updates.

4. RPA Management

The use and operation of RPA in council includes the following stages:

- Business case analysis
- Compliance with all relevant law
- Training
- Liability and insurance
- Ongoing operational requirements.

4.1. Business Case Analysis

Operational areas must conduct a business case analysis to determine the appropriateness of utilising RPA technology and ensure the use and operation is consistent with the council's vision and corporate plan strategies.

- The process comprises the following elements:
- Analysis of situation/operation
- Solutions option
- Cost benefit and risk analysis
- Recommendation.

Business cases will be assessed and the appropriate approach signed off by the appropriate director/manager.

5. Compliance with all Relevant Laws

Council operators of excluded RPA must ensure that their activities are compliant with all applicable state and federal laws, such as those in privacy and security legislation.

5.1. CASA Regulations

CASA regulation defines those RPA that do not require a CASA certified pilot to operate. An excluded RPA can be operated without certain licences and permissions in accordance with the CASA regulations Standard Operating Procedures. Excluded RPA must be operated in accordance with CASA regulations. It is important to remember that an excluded RPA is one that may be operated without specific authorisations from CASA.

It is essential that operators and pilots of excluded RPA understand that, despite any privileges available under the regulations, it is a strict liability offence to:

- Operate an unmanned aircraft in a way that creates a hazard to another aircraft, another person, or property.

Operators and pilots should be aware that both the *Civil Aviation Act 1988* (Cth) and the *Aviation Transport Security Act 2004* (Cth) and regulations include criminal offences for interference with the safe conduct of air transport or reckless flying, including up to two years imprisonment.

The operation of an RPA that is not identified as an excluded RPA under the CASA regulations can only be operated by a CASA certified pilot.

Full details on the operation and compliance with excluded RPA and RPA can be found on the CASA website (www.casa.gov.au).

Refer to the RPA organisational guideline for full details on excluded RPA.

5.2. Information Privacy

The collection of data must be in accordance with the *Information Act 2002* (NT) and council's privacy policy.

Information Act 2002 (NT) governs how local governments, collect, use, disclose and store personal information. While in most circumstances RPA will not collect personal information, there may be some instances where personal information is collected during the course of an RPA operation. Personal information collected during the use and operation of RPA will be handled in accordance with the *Information Act 2002* (NT) and council's privacy policy. Council must take reasonable steps to notify the public in circumstances where RPA are in operation across the region.

6. Training

While there are no formal training requirements for excluded RPA, all council officers operating an excluded RPA will obtain training before operating an excluded RPA to ensure they understand the safety rules applying to how to use RPA and its specific weight category.

Further training on the use of excluded RPA can be accessed via an eLearning module which can be found on the CASA website.

Council officers required to operate non-excluded RPA are required to hold a remote pilot's license and RPA operator's certificate from CASA. Training for these licenses is provided by CASA.

7. Liability and Insurance

Council's public liability insurer provide coverage for council employees using RPA in line with CASA requirements. Coverage does not extend to contractors who need to hold their own insurance policy.

Where council contracts out the operation of an RPA, all RPA contractors must provide an indemnity to council that is supported by adequate and appropriate insurance coverage held by the contractor. Additionally, contractors must agree to comply with all relevant commonwealth and state laws, council policies and local laws.

8. Ongoing Operational Requirements

8.1. Monitoring

Council employees must maintain records of use each time RPA are operated. A log of all hours of flight operation is required by the relevant operational areas. Each operational area is responsible for the upkeep and maintenance of this register.

This information will be recorded as evidence to support council's compliance with CASA regulations and privacy legislation.

Further monitoring of all data and information collected will be recorded to ensure the continued use and operation of RPA continues to meet council's strategic objectives and vision.

8.2. Reporting

Reporting of data and information collected during the use of RPA will form part of council's normal operating procedures for reporting on programs and operational activities. It is expected that this reporting will occur in line with our standard reporting requirements (e.g. quarterly reporting, annual reporting).

8.3. Record Keeping and Data Capture

All information and data must be captured in council's record management system. It is vital for authenticity and integrity that all information and data collected by RPA are recorded and readily accessible. Aside from our legal obligations to record and maintain all information, the integrity, accuracy and accessibility of information are vital to any future use. The storage of data captured by the operation of RPA must be in accordance with the policies, guidelines or procedures of the council.

8.4. Asset Management

All RPA purchased by operational areas must be recorded in the council's asset register. The Operations and Remote Communities team in consultation with operational areas will manage the maintenance, repair and replacement of RPA which will be funded through existing budget allocations of the relevant operational area. All RPA will be recorded as an asset with Operations and Remote Communities team.

It is expected over time that Operations and Remote Communities team will manage the purchase of all RPA corporately. Purchase requests for all RPA will be approved by the relevant Departmental Director and Senior Project Manager.

A complete register of all council owned RPA will be made available on council's intranet.

9. Roles and Responsibilities

- Operations and Remote Communities team is responsible the regular review of this policy and the supporting organisational guideline.
- Operations and Remote Communities team, where required, are responsible for the development, monitoring and application of departmental operational manuals regarding the operation of RPA in their departments and reporting any incidents to CASA.
- Operations and Remote Communities team will ensure all purchased RPA are recorded in councils corporate fleet management asset register.
- Operations and Remote Communities team is responsible for the maintenance, repair and replacement of RPA with budget allocations from the relevant operational area.
- Operations and Remote Communities team are responsible for:
 - a) Ensuring RPA operations in their respective areas are consistent with all CASA guidelines, this organisational policy and associated guideline and where applicable their departmental operational manuals regarding the use, management and operations of RPA.
 - b) Maintaining registers of all RPA in their asset registers.
 - c) Updating the council's asset register located on the intranet.
 - d) Ensuring all RPA flight details are logged and recorded in council's record management system.
 - e) Monitoring, maintenance and repairs of all RPA.
 - f) Budget allocations for the purchase, maintenance and replacement of all RPA.
 - g) Ensuring all employees operating RPA are suitably trained by a qualified CASA approved trainer.
- Council officers operating RPA are responsible for:
 - a) Ensuring the use of RPA is conducted as per CASA operating guidelines, all relevant laws, this organisational policy and any related guidelines, manuals or council policies.
 - b) Reporting any incidents related to the use of RPA.

Operations and Remote Communities team will monitor all incidents reported by staff and ensure safety documentation continues to address all safe operating requirements.

10. Measurement of Success

The following measures of success will require the establishment of baseline data:

- Activities undertaken in accordance with CASA requirements.
- Compliance with all relevant laws and Council policies.
- Monitoring the level of reported incidents to CASA as required by operating guidelines.
- Assessment of WHS reporting incidents associated with RPA activities.
- Number of RPA operated by Council and flights associated with each aircraft.
- Departmental RPA guidelines and work method statements developed.

- This policy will be reviewed after two years of the date of its adoption by the chief executive officer to ensure it remains consistent with the strategic and resource priorities of council.

11. Definitions

- CASA:** Means the Civil Aviation Safety Authority (CASA) which is an independent statutory authority. Under section eight of the *Civil Aviation Act 1988*, CASA is a body corporate separate from the commonwealth.
- Council:** Means The Barkly Regional Council
- Excluded RPA:** Unmanned aircraft that may, under certain conditions, be operated without an explicit authorisation from CASA (refer to regulation 101.327).
- RPA:** Means a remotely piloted aircraft, other than a balloon or a kite.
- Personal information:** Means information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion as defined under the *Information Act 2002 (NT)*.
- Unmanned Aerial Vehicle (UAV):** Means a powered, aerial vehicle that does not carry a human operator, uses aerodynamic forces to provide vehicle lift, can fly autonomously or be piloted remotely.

12. Related Policies and Legislation

12.1. Legislation

- *Anti-Discrimination Act 1992(NT)*
- *Disability Discrimination Act 1992 (Cth)*
- *Local Government Act 2019 (NT)*

12.2. Standards

- *Disability (Access to Premises-Buildings) Standards 2010 (Cth)*

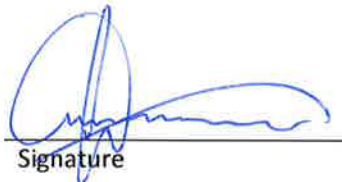
13. Variations, Revocations And/or Changes

Barkly Regional Council's reserves the right to revoke and/or amend this policy from time to time as is considered necessary to better manage its business and/or to comply with any legislative requirements. Employees will be given sufficient notice of any such revocations, amendments, or changes.

14. Approval

This policy is approved

Jeff MacLeod
A/Chief Executive Officer



Signature

22.5.24
Dated

END

