

Thank and end

That's the end of the survey. Thank you for your time and contribution to this research.

10 Interviewer to code: was the interviewee:

- 1 Male
- 2 Female

11 Interviewer to code postcode from sample.

Postcode: _____

That is the last of the questions. Thank you very much for your time.

From: "Hassett, Glen" <Glen.Hassett@act.gov.au>

Sent: 28/09/2018 5:34 AM

To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>; "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>

Cc: "Potter, Chantel" <Chantel.Potter@act.gov.au>; "Chick, Brent" <Brent.Chick@act.gov.au>; "Keogh, Geoff" <Geoff.Keogh@act.gov.au>

Subject: RE: UAV Industry Forum [DLM=For-Official-Use-Only]

Thanks very much Rebecca – nice summary. Yes Adam, Kate is keen to talk to you to ensure that there is good information flow on regulatory frameworks and that the economic development potential of these types of trials is strong part of the narrative.

Have a great long weekend all

G

From: Clark, Rebecca

Sent: Friday, 28 September 2018 3:13 PM

To: Stankevicius, Adam

Cc: Potter, Chantel; Hassett, Glen; Chick, Brent; Keogh, Geoff

Subject: UAV Industry Forum [DLM=For-Official-Use-Only]

Good afternoon Adam

Chantel and I have spoken with Glen Hassett, who advises that he is on leave as of next Tuesday. In his absence he has suggested that we liaise with Brent Chick, who is the team contact for the Canberra Innovation Network.

Similarly, Geoff Keogh is the contact for the Defence Industry Forum. Between the two of them, that should get most of the people in the room that have an interest in drones/drone regulation.

Similarly, the following organisations are peak bodies for the industry (and who CASA consults with):

- Association for Unmanned Vehicle Systems International
- Australian Association for Unmanned Systems
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I would appreciate if you could back of the envelope the scope/format of the Industry Forum to enable forward planning. Also, could you please confirm that between defence industry/innovation network and peak bodies, have I missed anyone?

Glen did suggest the possibility of the Canberra Innovation Network hosting the forum, but timeframes are rather tight for that eventuality.

On a separate note, the ACT Defence Industry Advocate Kate Lundy is keen to meet with you to discuss both the Project Wing project, and the autonomous vehicle trial that Innovation recently held, and learnings from those trials to help inform the regulatory framework (if any).

I will ask Alex to provide me with some suitable dates and times and liaise with Innovation to set up that meeting, unless otherwise directed.

Have a great weekend.

Kind regards

Rebecca Clark | Policy Officer

☎ +61 620 72107 | Email: rebeccam.clark@act.gov.au

Strategic Policy and Cabinet | Chief Minister, Treasury and Economic Development | ACT Government

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



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From: "Chick, Brent" <Brent.Chick@act.gov.au>
Sent: 28/09/2018 5:43 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: UAV Industry Forum [DLM=For-Official-Use-Only]

Hey Bec. What's the timeframes you are working to? Different ways to deal with the engagement via the CBR Innovation Network. You can give them the scope and they can facilitate (host, invite and report on outcomes). Or we can just book the space for the engagement and you facilitate.
Keep me posted on what Adam comes back with.
Have a great weekend.

From: Clark, Rebecca
Sent: Friday, 28 September 2018 3:13 PM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Cc: Potter, Chantel <Chantel.Potter@act.gov.au>; Hassett, Glen <Glen.Hassett@act.gov.au>; Chick, Brent <Brent.Chick@act.gov.au>; Keogh, Geoff <Geoff.Keogh@act.gov.au>
Subject: UAV Industry Forum [DLM=For-Official-Use-Only]

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From: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>
Sent: 02/10/2018 5:03 AM
To: "Hassett, Glen" <Glen.Hassett@act.gov.au>; "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Cc: "Potter, Chantel" <Chantel.Potter@act.gov.au>; "Chick, Brent" <Brent.Chick@act.gov.au>; "Keogh, Geoff" <Geoff.Keogh@act.gov.au>
Subject: RE: UAV Industry Forum [DLM=For-Official-Use-Only]

Thanks Glen, happy to discuss as soon as possible, we're aiming for a discussion paper to go to Economic Development Sub-Committee in November, so that's our timeframe for activity.

Cheers

Adam

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: Hassett, Glen
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From: "Chick, Brent" <Brent.Chick@act.gov.au>
Sent: 03/10/2018 5:01 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Bec to get the ball rolling. Have put a call out will let you know if any more come through.

2.2(a)(ii)

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 10:32 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Great – thanks Brent.

In the meantime, could you provide a list of industry players who you think would want to participate, from the industry side?

I'll contact Geoff separately and find out about defence players.

Kind regards

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From: Chick, Brent
Sent: Wednesday, 3 October 2018 9:58 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Ilsa is away in Europe for a space conference but yeah we would tap into their networks to get defence companies involved. We can head down that path when you know how this will play out.

I have emailed Sharyn with a brief overview to see what appetite they have for submitting a quote. I have also asked for a rough idea of cost to just book their event space. Will let you know where I hear back. I'm guessing they may have a few questions.

Cheers

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 9:45 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Cc: Keogh, Geoff <Geoff.Keogh@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

Hi Brent

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Do you think I need to touch base with Ilsa, or is engaging with Geoff sufficient to pick up the Defence side?

Thanks for offering to chat with CBRIN – whether we go with the full option of having CBRIN host, invite, facilitate and report, or just book the space, we will still need to request a quote, yes?

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From: Wilesmith, Brett

Sent: Friday, 7 September 2018 9:54 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Cc: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>

Subject: FW: Drones

For note.

From: Stankevicius, Adam

Sent: Friday, 7 September 2018 8:36 AM

To: Wilesmith, Brett <Brett.Wilesmith@act.gov.au>

Subject: Fwd: Drones

Sent from my iPhone

Begin forwarded message:

From: "White, Michael" <Michael.White@act.gov.au>

Date: 7 September 2018 at 8:27:51 am AEST

To: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>

Cc: "Pryce, David" <David.Pryce@act.gov.au>

Subject: Drones

Hi Adam,

I just wanted to touch base regarding drones, as the Minister and I have had a few chats on the topic while visiting Land Forces.

In terms of process, before the discussion paper gets too far along, he'd like a brief for approval on the general areas we are scoping for reform. This should just cover what acts and general areas we are looking to consider changing and the general nature of the change.

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As we do this process, he is also keen to ensure we engage with some of the companies who are designing and producing drones in the ACT, to ensure we have a solid understanding of the economic development and business side in this, so we aren't limiting the high end development in the territory as we do this. I am likely going out to meet one of the companies who were out with us at Land Forces in the next week or two, so should get a few contacts, but Ilsa Embleton and her team may have additional contacts.

We should also ensure we reach out to Defence, as a courtesy, if we out together a round table or anything like that, as they no doubt have a number of drones being used in the territory. Ilsa should also likely have a contact.

Cheers

Michael White

Adviser

Office of Gordon Ramsay MLA | Member for Ginninderra

Attorney-General

Minister for the Arts and Cultural Events

Minister for Building Quality Improvement

Minister for Business and Regulatory Services

Minister for Seniors and Veterans

Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

From: "Keogh, Geoff" <Geoff.Keogh@act.gov.au>
Sent: 03/10/2018 5:52 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Cc: "Honeyman, Maryanne" <Maryanne.Honeyman@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Thanks Rebecca

I'm pretty full of meetings tomorrow so in the first instance can you contact Maryanne Honeyman to see what she can find on our defence capability directory. Happy to help if you want to meet on Friday.
Geoff

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 3:17 PM
To: Keogh, Geoff <Geoff.Keogh@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

Hi Geoff

I have been tasked with assisting in getting an industry forum together this month to discuss drones and potential regulation – the email below from the Minister's office should fill you in.

Glen suggested I chat with you to get some of the defence industry players in the room who may be interested – would you like to make a time to discuss with me, or would you prefer to put together half a dozen names of stakeholders. This list I intend to provide to the Minister's office to make sure we have the right people in the room.

I am working with Brent to get non-defence industry players.

Happy to discuss. Sorry for the short timeframe but if you could get back to me soon that would be most appreciated.

Kind regards

Rebecca Clark | Policy Officer

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From: Chick, Brent
Sent: Wednesday, 3 October 2018 10:46 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Will do Bec. One thing CBRIN can help with is reaching out to the innovation community through their weekly newsletter. Once you have settled on your approach we can include a call to industry for interest (including any Eventbrite info etc).

Cheers

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 10:32 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Great – thanks Brent.

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Subject: FW: Drones

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Minister for the Arts and Cultural Events

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Minister for Business and Regulatory Services

Minister for Seniors and Veterans

Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

From: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>
Sent: 04/10/2018 1:10 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Cc: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Subject: RE: Industry Forum [SEC=UNCLASSIFIED]

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Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: Clark, Rebecca
Sent: Thursday, 4 October 2018 10:36 AM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Cc: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: Industry Forum [SEC=UNCLASSIFIED]

Hi Adam

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Sent: 04/10/2018 3:22 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Industry Forum [SEC=UNCLASSIFIED]

OK thanks.

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: Clark, Rebecca
Sent: Thursday, 4 October 2018 1:21 PM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Subject: RE: Industry Forum [SEC=UNCLASSIFIED]

Apologies if I gave you that impression – there is insufficient time to draft after the forum, so whoever drafts the paper will need to get cracking.

Any ideas who that will be yet?

I'll make a start on the brief today.

Kind regards

Rebecca Clark | Policy Officer

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From: Stankevicius, Adam
Sent: Thursday, 4 October 2018 1:08 PM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Cc: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: RE: Industry Forum [SEC=UNCLASSIFIED]

I don't think we have to wait for the Forum, in order to draft the Sub-Ctte paper, as the industry view will be a valuable contribution, but not the entirety of the discussion. We should get to drafting this one as soon as possible and leave space for the industry view to be dropped in after the Forum.

I'll email the working group and ask for industry nominees.

Thanks

Adam

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: Clark, Rebecca
Sent: Thursday, 4 October 2018 11:36 AM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Cc: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: RE: Industry Forum [SEC=UNCLASSIFIED]

That's a great idea – we should consider calling a working group for next week or the week after. I will liaise with SEMB in the meantime, so the WG can act as backup for any participants we may have missed.

Dates of course will depend on when the Forum will be – 3 weeks prior to HSSIC puts us at 18 October – we absolutely cannot go beyond that for a forum date because it will eat into clearance timeframes, assuming the discussion paper will need to be at the Minister's office one week prior to final lodgement.

Proposed approach –

WG meeting – schedule for either Thu 11 or Fri 12 Oct (invites will need to go out today/tomorrow)

Industry Forum – schedule for week beginning 15th Oct

The only problem with that is that there will be little to no time to test the appetite of stakeholders to attend the forum, which will be within the next week.

We could bring the WG forward to the beginning of the week, to provide additional time to get invites out for the forum.

Happy for a steer.

I should hear back from Brent today re CBRIN hosting and I'll pass that info on.

Kind regards

Rebecca Clark | Policy Officer

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 Please consider the environment before printing this email.

From: "Honeyman, Maryanne" <Maryanne.Honeyman@act.gov.au>
Sent: 04/10/2018 12:32 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Rebecca

In light of your tight timeframes I've listed 4 companies below who are clearly interested in UAV/drones etc. I'll do another pass through our lists as there are a couple of other, not so obvious companies who may like to be involved. I'm heading out to an appointment but will follow up after lunch.

Cheers

Maryanne

2.2(a)(ii)



Maryanne Honeyman | Senior Policy Officer
Phone: 02 6205 9973 | Email: maryanne.honeyman@act.gov.au
Innovation, Industry and Investment | Chief Minister, Treasury and Economic Development Directorate | ACT Government
Nara Centre | GPO Box 158 Canberra City ACT 2601 | www.act.gov.au/defence

Please note I do not work Wednesdays.

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 3:56 PM
To: Honeyman, Maryanne <Maryanne.Honeyman@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

Hi Maryanne

As per the email below, would you be able to put together half a dozen names of stakeholders from the defence network who you think would like to be a part of a UAV industry forum? This list I intend to provide to the Minister's office to make sure we have the right people in the room. I am working with Brent to get non-defence industry players.

Working to tight timeframes so at your earliest would be most appreciated.

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Kind regards

Rebecca Clark | Policy Officer

☎ +61 620 72107 | Email: rebeccam.clark@act.gov.au

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 Please consider the environment before printing this email.

From: Keogh, Geoff
Sent: Wednesday, 3 October 2018 3:53 PM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Cc: Honeyman, Maryanne <Maryanne.Honeyman@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Thanks Rebecca

I'm pretty full of meetings tomorrow so in the first instance can you contact Maryanne Honeyman to see what she can find on our defence capability directory. Happy to help if you want to meet on Friday.

Geoff

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 3:17 PM
To: Keogh, Geoff <Geoff.Keogh@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

Hi Geoff


I have been tasked with assisting in getting an industry forum together this month to discuss drones and potential regulation – the email below from the Minister's office should fill you in.

Glen suggested I chat with you to get some of the defence industry players in the room who may be interested – would you like to make a time to discuss with me, or would you prefer to put together half a dozen names of stakeholders. This list I intend to provide to the Minister's office to make sure we have the right people in the room. I am working with Brent to get non-defence industry players.

Happy to discuss. Sorry for the short timeframe but if you could get back to me soon that would be most appreciated.

Kind regards

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 +61 620 72107 | Email: rebeccam.clark@act.gov.au

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From: Chick, Brent
Sent: Wednesday, 3 October 2018 10:46 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Will do Bec. One thing CBRIN can help with is reaching out to the innovation community through their weekly newsletter. Once you have settled on your approach we can include a call to industry for interest (including any Eventbrite info etc).

Cheers

From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 10:32 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]


Great – thanks Brent.

In the meantime, could you provide a list of industry players who you think would want to participate, from the industry side?

I'll contact Geoff separately and find out about defence players.

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Subject: RE: Drones [SEC=UNCLASSIFIED]

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I have emailed Sharyn with a brief overview to see what appetite they have for submitting a quote. I have also asked for a rough idea of cost to just book their event space. Will let you know where I hear back. I'm guessing they may have a few questions.

Cheers

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Cc: Keogh, Geoff <Geoff.Keogh@act.gov.au>

Subject: FW: Drones [SEC=UNCLASSIFIED]

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From: Wilesmith, Brett

Sent: Friday, 7 September 2018 9:54 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Cc: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>

Subject: FW: Drones

For note.

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Sent: Friday, 7 September 2018 8:36 AM

To: Wilesmith, Brett <Brett.Wilesmith@act.gov.au>

Subject: Fwd: Drones

Sent from my iPhone

Begin forwarded message:

From: "White, Michael" <Michael.White@act.gov.au>

Date: 7 September 2018 at 8:27:51 am AEST

To: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>

Cc: "Pryce, David" <David.Pryce@act.gov.au>

Subject: Drones

Hi Adam,

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In terms of process, before the discussion paper gets too far along, he'd like a brief for approval on the general areas we are scoping for reform. This should just cover what acts and general areas we are looking to consider changing and the general nature of the change.

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We should also ensure we reach out to Defence, as a courtesy, if we out together a round table or anything like that, as they no doubt have a number of drones being used in the territory. Ilsa should also likely have a contact.

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Attorney-General

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Minister for Business and Regulatory Services

Minister for Seniors and Veterans

Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

From: "Honeyman, Maryanne" <Maryanne.Honeyman@act.gov.au>
Sent: 04/10/2018 3:19 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Rebecca

A few more for consideration – these are larger organisations so the contacts listed may not be the 'right' person but hopefully will be able to assist.

2.2(a)(ii)

Thanks

Maryanne

Maryanne Honeyman | Senior Policy Officer

Phone: 02 6205 9973 | Email: maryanne.honeyman@act.gov.au

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Nara Centre | GPO Box 158 Canberra City ACT 2601 | www.act.gov.au/defence

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From: Clark, Rebecca
Sent: Thursday, 4 October 2018 10:40 AM
To: Honeyman, Maryanne <Maryanne.Honeyman@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Great – thanks Maryanne.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

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Sent: Thursday, 4 October 2018 10:33 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Rebecca

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2.2(a)(ii)

2.2(a)(ii)

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From: Wilesmith, Brett
Sent: Friday, 7 September 2018 9:54 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Cc: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Subject: FW: Drones

For note.

From: Stankevicius, Adam
Sent: Friday, 7 September 2018 8:36 AM
To: Wilesmith, Brett <Brett.Wilesmith@act.gov.au>
Subject: Fwd: Drones
Sent from my iPhone

Begin forwarded message:

From: "White, Michael" <Michael.White@act.gov.au>
Date: 7 September 2018 at 8:27:51 am AEST
To: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>
Cc: "Pryce, David" <David.Pryce@act.gov.au>
Subject: Drones

Hi Adam,

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Michael White

Adviser

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Attorney-General

Minister for the Arts and Cultural Events

Minister for Building Quality Improvement

Minister for Business and Regulatory Services

Minister for Seniors and Veterans

Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

From: "Stankevicius, Adam" <Adam.Stankevicius@act.gov.au>
Sent: 05/10/2018 1:13 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: FW: UAV Industry Forum stakeholders [SEC=UNCLASSIFIED]

Minister's office would like Dominos (details below) and CASA added to the UAV invite list.

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: Bell, Kevin
Sent: Friday, 5 October 2018 10:21 AM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>; White, Michael <Michael.White@act.gov.au>
Subject: RE: UAV Industry Forum stakeholders [SEC=UNCLASSIFIED]

2.2(a)(ii)

From: Stankevicius, Adam
Sent: Friday, 5 October 2018 10:06 AM
To: White, Michael <Michael.White@act.gov.au>
Cc: ACDLO <ACDLO@act.gov.au>
Subject: RE: UAV Industry Forum stakeholders [SEC=UNCLASSIFIED]

Thanks Michael, will do.

We don't have the Dominos details, so if you could send them over, that would be great.

Thanks

Adam

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

From: White, Michael
Sent: Friday, 5 October 2018 9:44 AM
To: Stankevicius, Adam <Adam.Stankevicius@act.gov.au>
Cc: ACDLO <ACDLO@act.gov.au>
Subject: Re: UAV Industry Forum stakeholders [SEC=UNCLASSIFIED]

Hey Adam,

The CMO has also asked if we can add CASA to the list, just to keep them in the loop.

Once it's all organised, can we also get an invite for it to Matt Mison in the CMO just to sit in, if he's interested?

Cheers

Michael White

Adviser

Office of Gordon Ramsay MLA | Member for Ginninderra

Attorney-General

Minister for the Arts and Cultural Events

Minister for Building Quality Improvement

Minister for Business and Regulatory Services

Minister for Seniors and Veterans

Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

On 4 Oct 2018, at 5:00 pm, Stankevicius, Adam <Adam.Stankevicius@act.gov.au> wrote:

Michael

We've consulted with Economic Development and come up with the attached list of names for a UAV (drones) workshop. Do you have any other who you think should be added to the list?

Happy to discuss

Adam

Adam Stankevicius

Director, Economic and Regional Policy

Policy and Cabinet

Chief Minister, Treasury and Economic Development Directorate | ACT Government

P: 02 6205 0468

<Key Stakeholders - UAV Industry Forum.docx>

From: "Chick, Brent" <Brent.Chick@act.gov.au>
Sent: 04/10/2018 11:42 PM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: drones [SEC=UNCLASSIFIED]

I'm guessing JaCS would have some visibility of any proposed changes to regs at some stage wouldn't they? But yeah defence/enforcement will have crossover.
Another company that has just come through is 2.2(a)(ii)

From: Clark, Rebecca
Sent: Friday, 5 October 2018 9:32 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Subject: RE: drones [SEC=UNCLASSIFIED]
Hi Brent

Thanks – yep Maryanne gave me that one.
I was also thinking, there is a fair bit of crossover with defence and law enforcement, so we're likely to pick the latter up just by including defence. Do you think that's a reasonable presumption?
Kind regards

Rebecca Clark | Policy Officer

☎ +61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

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From: Chick, Brent
Sent: Friday, 5 October 2018 9:30 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: FW: drones [SEC=UNCLASSIFIED]
Hey Bec I'm guessing Maryanne put 2.2(a)(ii) on the list but just in case.

From: McCredie, Andrew
Sent: Friday, 5 October 2018 9:29 AM
To: Chick, Brent <Brent.Chick@act.gov.au>; Holgate, Robert <Robert.Holgate@act.gov.au>; Chan, Daniel <Daniel.Chan@act.gov.au>; Saunderson, David <David.Saunderson@act.gov.au>
Subject: RE: drones [SEC=UNCLASSIFIED]
2.2(a)(ii) \$100m drone deal to give homeland security specialist a bit of security

From: Chick, Brent
Sent: Wednesday, 3 October 2018 10:45 AM
To: McCredie, Andrew <Andrew.McCredie@act.gov.au>; Holgate, Robert <Robert.Holgate@act.gov.au>; Chan, Daniel <Daniel.Chan@act.gov.au>; Saunderson, David <David.Saunderson@act.gov.au>
Subject: drones [SEC=UNCLASSIFIED]

Team,

Our colleagues in Policy and Cabinet are developing a paper on potential regulatory changes to permit commercial drone/UAV use in Canberra – this is off the back of the trial being undertaken in Tuggeranong. I am supporting them in their engagement with CBRIN around a potential workshop but in the mean time they are after some potential industry participants. Geoff will cover the defence angle but feel free to include any you may know.

Hit me with any players in this space team.

To get the ball rolling:

2.2(a)(ii)

Cheers

Brent Chick | A/g Manager

Phone: 6207 7215 | 0431 133 190

Innovation and Entrepreneurship | Innovation, Industry and Investment

Chief Minister, Treasury and Economic Development Directorate

ACT Government

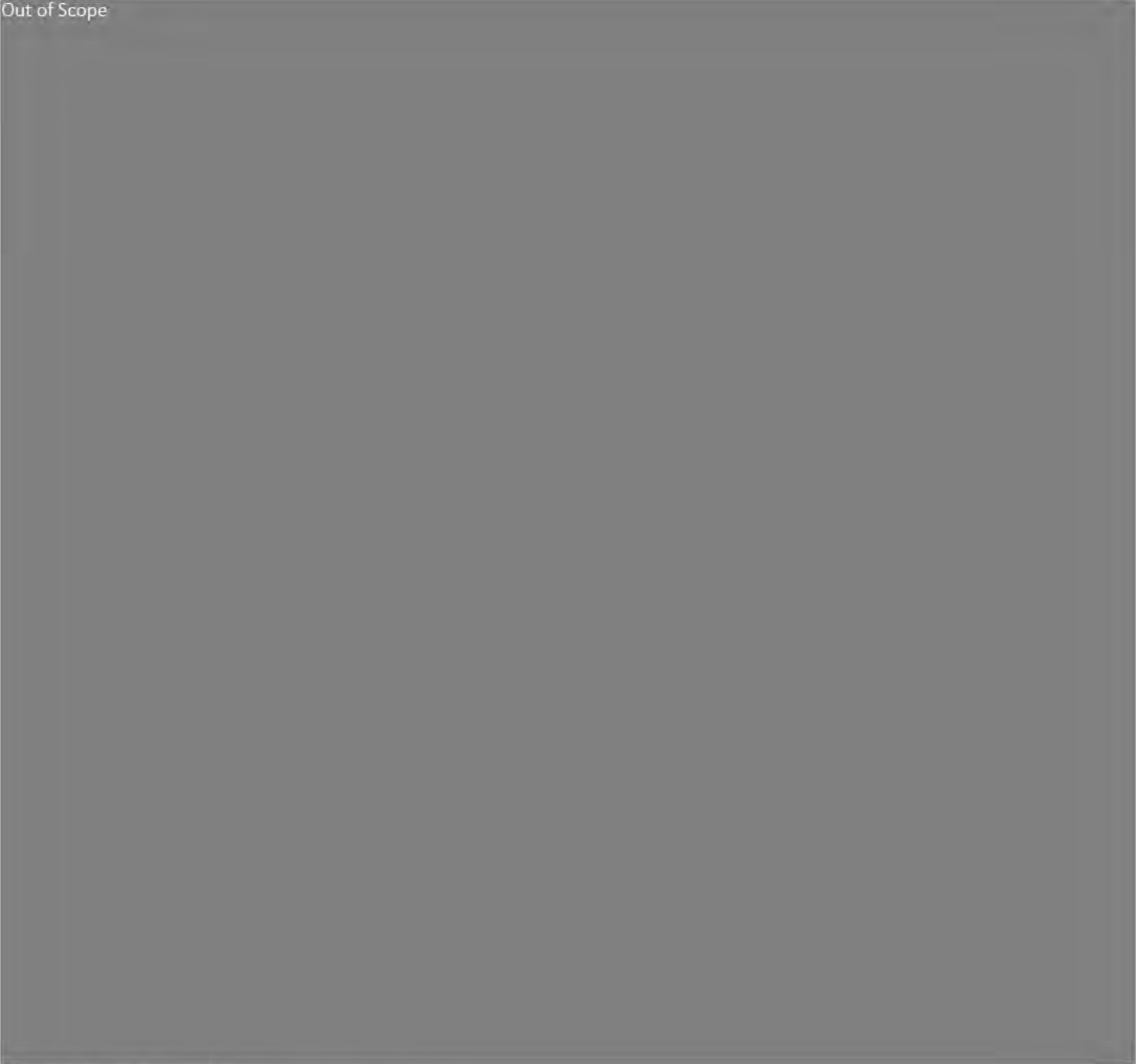
Nara Centre | GPO Box 158 Canberra City ACT 2601 | www.business.act.gov.au



From: "Chick, Brent" <Brent.Chick@act.gov.au>
Sent: 04/10/2018 10:52 PM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

FYI

Out of Scope



From: Clark, Rebecca
Sent: Wednesday, 3 October 2018 9:45 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
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Subject: Drones

Hi Adam,

I just wanted to touch base regarding drones, as the Minister and I have had a few chats on the topic while visiting Land Forces.

In terms of process, before the discussion paper gets too far along, he'd like a brief for approval on the general areas we are scoping for reform. This should just cover what acts and general areas we are looking to consider changing and the general nature of the change.

Once we are much further down the path of scoping, he'd like a more specific brief covering acts and specific changes being suggested. This is one for after the discussion paper, once ED has approved a direction.

As we do this process, he is also keen to ensure we engage with some of the companies who are designing and producing drones in the ACT, to ensure we have a solid understanding of the economic development and business side in this, so we aren't limiting the high end development in the territory as we do this. I am likely going out to meet one of the companies who were out with us at Land Forces in the next week or two, so should get a few contacts, but Ilsa Embleton and her team may have additional contacts.

We should also ensure we reach out to Defence, as a courtesy, if we out together a round table or anything like that, as they no doubt have a number of drones being used in the territory. Ilsa should also likely have a contact.

Cheers

Michael White

Adviser

Office of Gordon Ramsay MLA | Member for Ginninderra

Attorney-General

Minister for the Arts and Cultural Events

Minister for Building Quality Improvement

Minister for Business and Regulatory Services
Minister for Seniors and Veterans
Phone: [6205 7101](tel:62057101) | Email: michael.white@act.gov.au

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

From: "Chick, Brent" <Brent.Chick@act.gov.au>
Sent: 05/10/2018 12:46 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: FW: drones [SEC=UNCLASSIFIED]

Hi Bec another potential to add to the list

From: Saunderson, David
Sent: Friday, 5 October 2018 10:22 AM
To: Chick, Brent <Brent.Chick@act.gov.au>
Subject: FW: drones [SEC=UNCLASSIFIED]

Hey Mate,

Dr Tim Brown at ANU is the man to speak with regarding using drones at the Arboretum.

Email: tim.brown@anu.edu.au

Contact: 2.2(a)(ii)

Cheers

DS

From: McCredie, Andrew
Sent: Friday, 5 October 2018 9:29 AM
To: Chick, Brent <Brent.Chick@act.gov.au>; Holgate, Robert <Robert.Holgate@act.gov.au>; Chan, Daniel <Daniel.Chan@act.gov.au>; Saunderson, David <David.Saunderson@act.gov.au>
Subject: RE: drones [SEC=UNCLASSIFIED]

Include Xtek – see attached Xtek's \$100m drone deal to give homeland security specialist a bit of security

From: Chick, Brent
Sent: Wednesday, 3 October 2018 10:45 AM
To: McCredie, Andrew <Andrew.McCredie@act.gov.au>; Holgate, Robert <Robert.Holgate@act.gov.au>; Chan, Daniel <Daniel.Chan@act.gov.au>; Saunderson, David <David.Saunderson@act.gov.au>
Subject: drones [SEC=UNCLASSIFIED]

Team,

Our colleagues in Policy and Cabinet are developing a paper on potential regulatory changes to permit commercial drone/UAV use in Canberra – this is off the back of the trial being undertaken in Tuggeranong. I am supporting them in their engagement with CBRIN around a potential workshop but in the mean time they are after some potential industry participants. Geoff will cover the defence angle but feel free to include any you may know.

Hit me with any players in this space team.

To get the ball rolling:

2.2(a)(ii)

Cheers

Brent Chick | A/g Manager

Phone: 6207 7215 | 0431 133 190

Innovation and Entrepreneurship | Innovation, Industry and Investment

Chief Minister, Treasury and Economic Development Directorate

ACT Government

Nara Centre | GPO Box 158 Canberra City ACT 2601 | www.business.act.gov.au



From: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Sent: 30/10/2018 11:44 AM
To: "Faerber, Jen" <Jen.Faerber@act.gov.au>
Cc: "Starick, Kate" <Kate.Starick@act.gov.au>; "Potter, Chantel" <Chantel.Potter@act.gov.au>
Subject: RE: Drones working group? [SEC=UNCLASSIFIED]

Hi Jen

Kate Starick is the chair of the working group – I will have yourself and Joanna added.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Please consider the environment before printing this email.

From: Faerber, Jen
Sent: Thursday, 25 October 2018 7:07 PM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Cc: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: Drones working group? [SEC=UNCLASSIFIED]

Hey Rebecca,

I hear Adam had a drones working group. Do you know who is running it now, and if Joanna Le and I could be part of it?

Jen

From: "McCredie, Andrew" <Andrew.McCredie@act.gov.au>

Sent: 03/12/2018 5:40 AM

To: "#CMTEDD, Innovation, Industry and Investment" <#CMTEDDInnovationIndustryandInvestment@act.gov.au>

Cc: "Potter, Chantel" <Chantel.Potter@act.gov.au>; "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>; "Karanfilovski, George" <George.Karanfilovski@act.gov.au>

Subject: Project Wing [SEC=UNCLASSIFIED]

Attachments: 20181203_124211.jpg, 20181203_124158.jpg

Dear Colleagues

Project Wing (Sara Hourigan and Jesse Suskin) briefed today ESA (Rob Kilpatrick) and members of the Drones Taskforce (Chantel Potter, Rebecca Clarke – CMTEDD Policy and Cabinet, George Karanfilovski TCCS and me) about the project and its move to Mitchell. Suburbs it intends to serve will include Palmerston, Crace, Franklin, Gungahlin and Harrison.

Photos of the Drone are attached. Some specs follow: speed 120-130kph, range ~20km roundtrip, 20-30m flight height, 7m delivery height, payload up to 1.2kg, camera – low res, b/w (ie not capable of distinguishing people). The drones are managed by a team of certified pilots (they don't fly the drones but supervise them). If a drone crashes, Project Wing will have a team at the crash site within 5 minutes. No drone operated in CBR has crashed. Docs to gain CASA approval fill a medium sized room.

Most important stat: cost of coffee home delivered: \$4.50 (All deliveries are charged at the standard price in store or on website of the retailer).

Andrew

Andrew McCredie | **Senior Officer, Investment and Enterprise Development**

Phone: +61 2 6205 0464 | Mob: 0408 253 660 | Email: Andrew.McCredie@act.gov.au

Innovate Canberra | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Nara Centre | 1 Constitution Ave, Canberra ACT 2601 | GPO Box 158 Canberra City ACT 2601 | www.business.act.gov.au



From: Andrew McCredie [mailto:[2.2\(a\)\(ii\)](mailto:2.2(a)(ii)@act.gov.au)]

Sent: Monday, 3 December 2018 3:05 PM

To: McCredie, Andrew <Andrew.McCredie@act.gov.au>

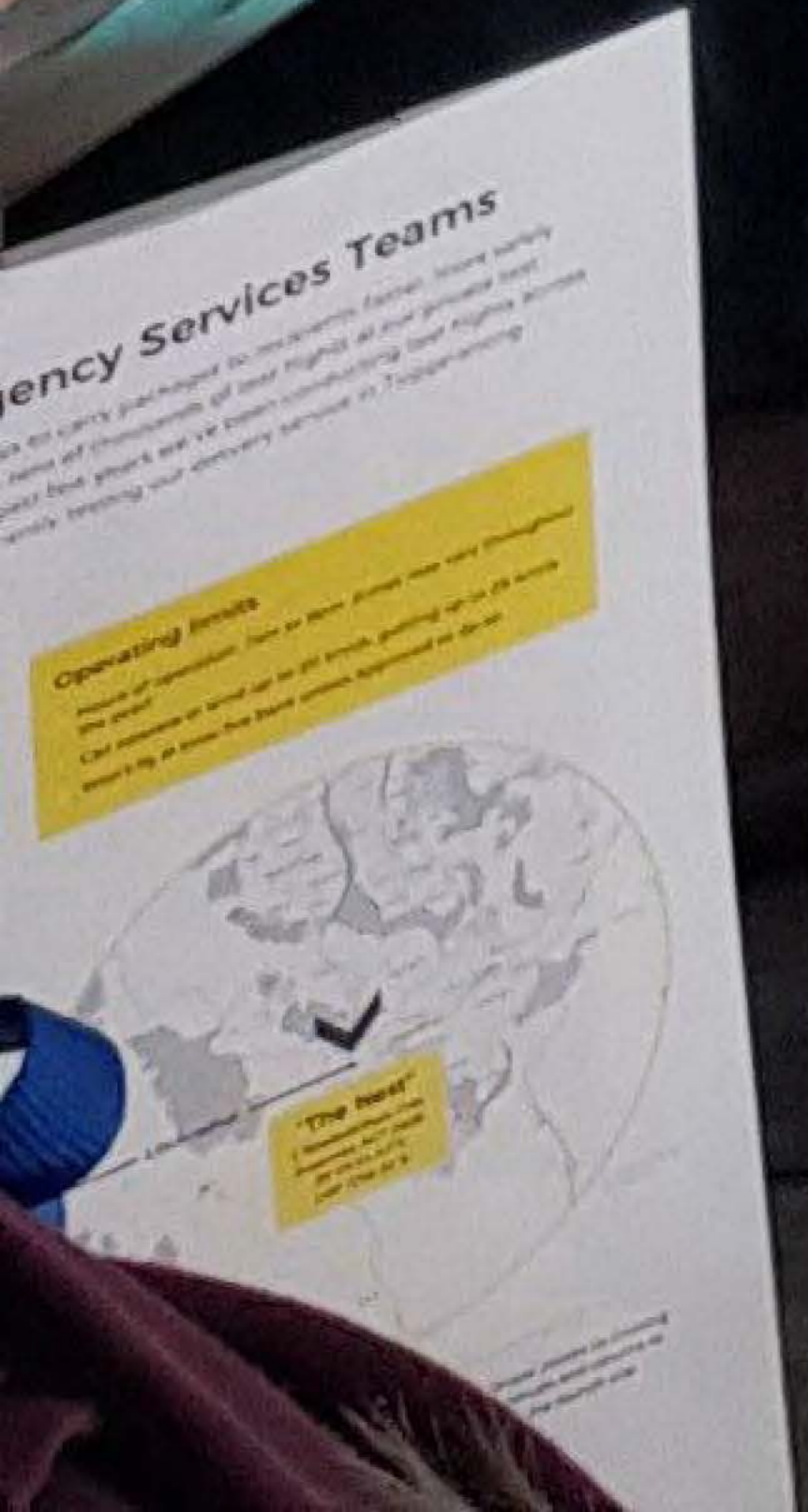
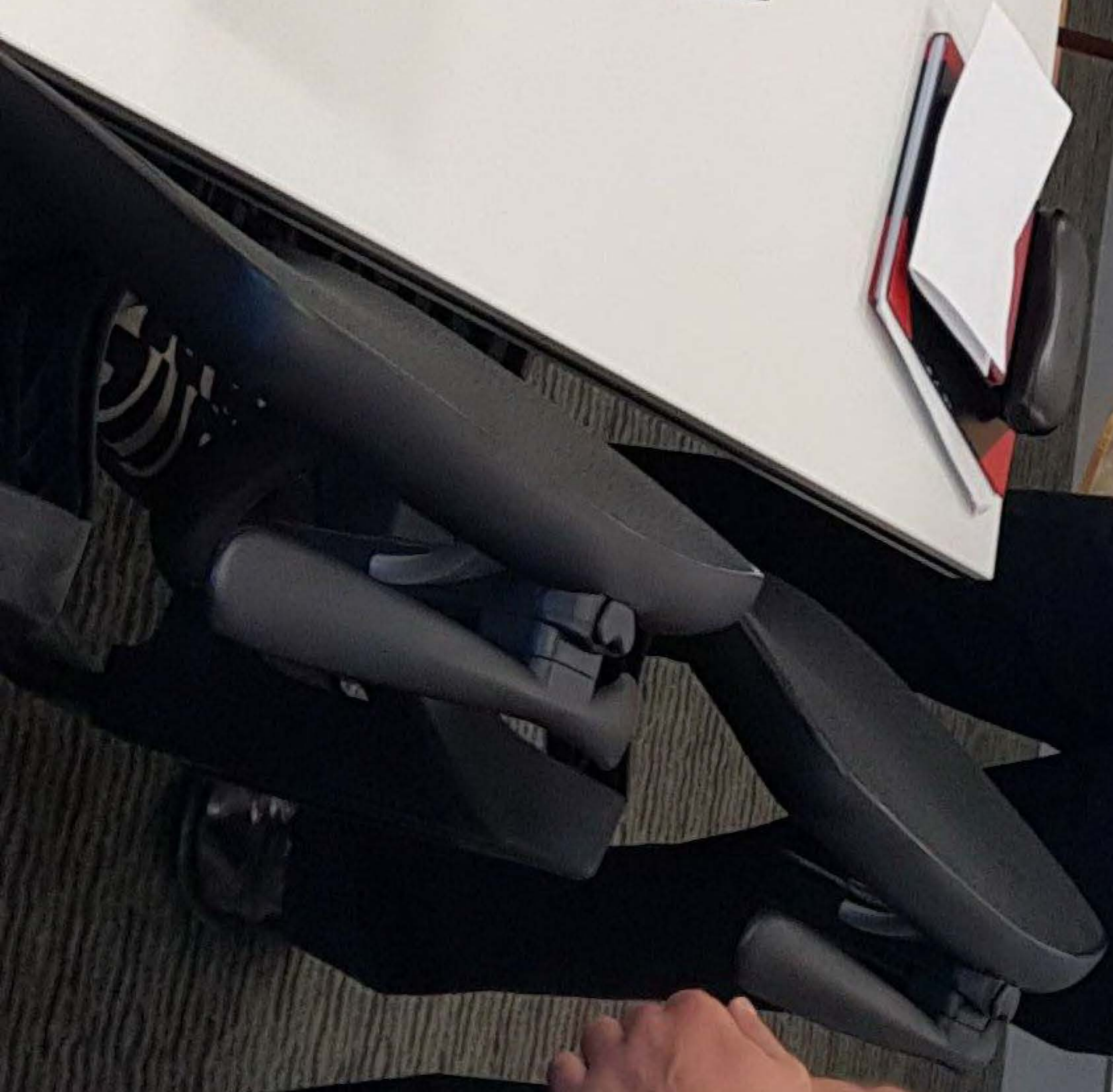
Subject:





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From: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Sent: 05/12/2018 10:30 PM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

From: Starick, Kate
Sent: Tuesday, 4 December 2018 9:40 PM
To: Potter, Chantel <Chantel.Potter@act.gov.au>
Cc: Engele, Sam <Sam.Engele@act.gov.au>; Mehrton, Andrew <Andrew.Mehrton@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Chantel

I know we briefly touched on this earlier today – some thoughts for the meeting below

Will the submission be from Minister Gentleman? And EPSDD are seeking our assistance to pull together the submission to go to Cabinet early Feb, prior to providing to the Standing Committee by 22 Feb?

As I understand it – content would be collated from following Directorates for each of the areas of consideration:

- (a) EPSDD
- (b) CMTEDD Economic Development
- (c) CMTEDD PCD
- (d) EPSDD
- (e) CMTED ED
- (f) All
- (g) JaCS

We discussed this morning that the lead agency could be PCD or EPSDD. Would be good if EPSDD took the lead, but as we've chaired the Drones Group - we could coordinate this then hand over to EPSDD to take the lead for the group if its ongoing??

(1) the Standing Committee on Economic Development and Tourism inquire into and report on drone delivery systems in the ACT, with particular reference to:

- (a) the decision to base the trials of the technology in the ACT and surrounding region;
- (b) the economic impact of drone delivery technology being tested in the ACT including the:
 - (i) investment that has been brought in to the Territory;
 - (ii) number of jobs that have been created as part of the trial; and
 - (iii) extent of collaboration with local industry and academic institutions;
- (c) the extent of regulatory oversight of drone technology at various levels of government including but not limited to:
 - (i) local authorities such as the Environment Protection Authority, Worksafe and Access Canberra; and
 - (ii) Commonwealth agencies such as Air Services Australia and Civil Aviation Safety Authority;
- (d) the extent of any environmental impact as a result of trialling drone delivery technology on:
 - (i) residents within the trial area;
 - (ii) native wildlife;
 - (iii) domestic animals; and
 - (iv) greenhouse gas emissions;
- (e) ways to improve the use of drone delivery technology within the ACT;
- (f) any other relevant matter; and
- (g) information privacy; and

(2) the Committee report to the Assembly on the matter no later than the last sitting week in 2019."

Kate Starick | Ag Executive Director

Policy and Cabinet Division

Ph: +61 2 6205 9828 | M: 0408230214 | Email: kate.starick@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 4 Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Potter, Chantel

Sent: Tuesday, 4 December 2018 5:12 PM

To: Starick, Kate <Kate.Starick@act.gov.au>

Cc: Engele, Sam <Sam.Engele@act.gov.au>; Mehrton, Andrew <Andrew.Mehrton@act.gov.au>

Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Sam/Kate,

Can you please clear the content below to go to Minister for advanced technology as well as Business and Reg Services. See train below for request, possible face-to-face with Minister Gentleman to be requested.

Sam, I've booked a meeting early to sort a plan for the government submission to the inquiry. Relevant emails attached. Steph tells me the advisors tasked Ian Cox with coordinating this with input to be provided by relevant areas. Kieran and Greg have suggested we take more of a lead. Either way I think the plan should be explained (added to) the content below once we have agreement to it. Happy to hear your thoughts.

Thanks,
Chantel

The inter-directorate drones working group was established and held its first meeting on 5 September 2018. The working group members represent Access Canberra, ACT Policing, ACT Corrections, Chief Digital Officer, EPSD, JACS, SEMB and TCCS. The remit of the working group is to scope possible areas for regulatory reform relating to drones in the ACT.

To date, the working group has identified a range of policy issues as they relate to drones.

Earlier this year Regulation and Productivity, Policy and Cabinet Division, CMTEDD, met with Australian Government senior officials in relation to their responsibilities, who indicated at that time that little further action was anticipated at the federal level until the outcome of the Senate inquiry was complete.

The Senate Standing Committee on Rural and Regional Affairs and Transport References Committee Inquiry into current and future regulatory requirements that impact on the safe commercial and recreational use of Remotely Piloted Aircraft Systems (RPAS), Unmanned Aerial Systems (UAS) and associated systems was completed on 31 July 2018. The Commonwealth Government tabled its response in November 2018. Regulation and Productivity intend to review the Government response for its ramifications for drone matters in the ACT.

It is highly likely that the Australian Government will consider drone matters relating to noise, privacy, planning and the security of state/territory facilities as a Territory responsibility and they will not be legislating in these areas. To date, this reflects CASA advice to citizens inquiring about the trial.

Regulation and Productivity has previously sought legal advice from the Government Solicitor's Office. However, in light of further information becoming available including research reports commissioned by X, it is anticipated that

we will be seeking to further refine the scope of that advice in order to best determine the regulatory landscape in the ACT.

X held a briefing at ESA headquarters on 3 December 2018 to speak about the proposed Mitchell expansion, establish a discussion on ways in which drones may assist first responders, and to clarify the need to reappraise established arrangements for instances of a drone making an uncontrolled landing, as at present this would be treated as a plane crash in terms of coding a first response. Regulation and Productivity has commenced engagement with representatives of X, and intend to conduct a site visit of the Bonython test site for members of the working group prior to Christmas shutdown.

From: McMullen, Stephanie **On Behalf Of** CMTEDD, Economic Development DLO
Sent: Monday, 26 November 2018 6:13 PM
To: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Chantel – are you able to provide a short written update (informal via email is fine) that I can provide to the office about where your team is up to in this space? We will then look at adding it as an item to a face to face meeting with Minister Gentleman.

Thanks
Steph

Stephanie McMullen | Directorate Liaison Officer - Economic Development
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of Minister Gentleman
Chief Minister, Treasury and Economic Development Directorate | ACT Government
☎ (02) 6205 4643 | ✉ EcoDevDLO@act.gov.au | ACT Legislative Assembly, 196 London Circuit Canberra City ACT 2601

From: Potter, Chantel
Sent: Friday, 16 November 2018 11:40 AM
To: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Thanks Steph – more an update on the trial/expansion/legal status/discussions of the WhoG working group

From: McMullen, Stephanie **On Behalf Of** CMTEDD, Economic Development DLO
Sent: Friday, 16 November 2018 11:37 AM
To: ACDLO <ACDLO@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>
Cc: EPSDD DLO <EPSDDDLO@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Thanks – I will ask the MO.

Steph

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Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of Minister Gentleman
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From: Bailey, Kim.P **On Behalf Of** ACDLO
Sent: Friday, 16 November 2018 11:35 AM
To: Potter, Chantel <Chantel.Potter@act.gov.au>

Cc: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>; EPSDD DLO <EPSDDDLO@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Chantel,

I might kick you over to the two relevant DLOs for that question. Erica is the DLO for Planning and Steph is the DLO for the Space Industry side.

Erica/Steph – can you answer Chantel’s question on whether Minister Gentleman’s office might like to be briefed on the Reg reform side of drones?

Regards

Kim Bailey
ACDLO - #54007

From: Potter, Chantel
Sent: Friday, 16 November 2018 11:31 AM
To: ACDLO <ACDLO@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Thanks Kim super helpful.

Is Gentleman’s office looking for a briefing given ownership has been split and I’m not sure what he has been provided?

Thanks,
Chantel

From: Bailey, Kim.P On Behalf Of ACDLO
Sent: Friday, 16 November 2018 9:31 AM
To: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: FW: Drones [SEC=UNCLASSIFIED]

FYI

Regards

Kim Bailey
ACDLO - #54007

From: McMullen, Stephanie On Behalf Of CMTEDD, Economic Development DLO
Sent: Wednesday, 14 November 2018 2:24 PM
To: ACDLO <ACDLO@act.gov.au>
Cc: EPSDD DLO <EPSDDDLO@act.gov.au>
Subject: Drones [SEC=UNCLASSIFIED]

Hi Kim

I have been advised that the following was agreed to by CMO:

- Project Wing expansion to Mitchell, to be led by the Minister assisting the Chief Minister in Advanced Technology and Space Industries (Minister Gentleman)
- Bonython Trial, continue to be led by Minister for Planning & Land Management (Minister Gentleman)

Minister Ramsay will still be involved from a regulatory perspective, but the CMO believes this is an entirely separate issue. If there is corro that is specifically about the regulation of drones, this could be responded to by Minister Ramsay, however my understanding is that the consultation etc hasn't started for this yet, so the response would be minimal.

All other corro related to the Mitchell expansion will be responded to by Minister Gentleman, and can be referred to his office.

Happy to discuss further if you need more clarification. Happy for forward the email between advisers if you need.

Steph

**Stephanie McMullen | Directorate Liaison Officer - Economic Development
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of
Minister Gentleman**

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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From: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Sent: 04/12/2018 12:11 AM
To: "CMTEDD, Economic Development DLO" <EcoDevDLO@act.gov.au>
Cc: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Steph, sorry I've just been swamped the last week. I will try to have something with you by COB, will that work?

From: McMullen, Stephanie **On Behalf Of** CMTEDD, Economic Development DLO
Sent: Tuesday, 4 December 2018 11:10 AM
To: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: RE: Drones [SEC=UNCLASSIFIED]

Hi Chantel – just following up to see if the below request is able to be actioned?

Thanks
Steph

Stephanie McMullen | Directorate Liaison Officer - Economic Development
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of Minister Gentleman
Chief Minister, Treasury and Economic Development Directorate | ACT Government
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To: Potter, Chantel <Chantel.Potter@act.gov.au>

Cc: CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>; EPSDD DLO <EPSDDDLO@act.gov.au>

Subject: RE: Drones [SEC=UNCLASSIFIED]

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ACDLO - #54007

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Subject: FW: Drones [SEC=UNCLASSIFIED]

FYI

Regards

Kim Bailey
ACDLO - #54007

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Sent: Wednesday, 14 November 2018 2:24 PM

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Cc: EPSDD DLO <EPSDDDLO@act.gov.au>
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Steph

**Stephanie McMullen | Directorate Liaison Officer - Economic Development
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of
Minister Gentleman**

Chief Minister, Treasury and Economic Development Directorate | ACT Government

☎ (02) 6205 4643 | ✉ EcoDevDLO@act.gov.au | ACT Legislative Assembly, 196 London Circuit Canberra City ACT 2601

From: "Leckenby, Jason" <Jason.Leckenby@act.gov.au>
Sent: 09/01/2019 12:13 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, I believe it was the info relating to the piece of work you'd be working on regarding the federal legislation the ACT falls under and some changes that were being proposed in the new year. I think you were saying that there was some considerations being made, etc, but similarly the current framework the ACT falls under. From memory you had mentioned three activities that fall outside the excluded category (which ordinarily require CASA approval).

In general though, from our discussion it seems that you have done quite a bit of work in this space regarding drones which I think stemmed from the earlier piece of work to do with the use of drones in Bonython and outer regions, which I believe led to further information gathering. So I guess as much general information as you have relating to all that and the findings you had made specific to how the ACT interacts with the Federal Gov.

To get back to basics, ACTIA being the insurer of the ACT Gov. need to be aware of who's using drones and for what purpose. This year we introduced a few questions relating to the use of drones in our insurance questionnaires that we sent to directorates, however any additional information you may have uncovered would also assist us in this space.

Regards,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | **Fax:** +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 3 Canberra Nara Centre 1 Constitution Ave Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/actia

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From: Clark, Rebecca
Sent: Wednesday, 9 January 2019 11:01 AM
To: Leckenby, Jason <Jason.Leckenby@act.gov.au>
Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Jason

Thanks for the reminder – unfortunately between Xmas shutdown and the cabinet submission I have been preparing to lodge by next Monday, I cannot recollect what info specifically that was. Could you remind me specifically pls?

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

 Please consider the environment before printing this email.

From: Leckenby, Jason
Sent: Wednesday, 9 January 2019 9:48 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, just following up on our meeting that we had in December and our discussion on the use of drones.

You indicated at the end of the meeting that you'd be able to send some information to Marion Lynch. Marion and I were going to be meeting today to discuss this further and I asked her if she had received the information from you, however Marion indicated that she hadn't received any information yet.

I can't recall if the information you had was 'at hand' or if this information was contingent upon a further meeting you were to have with stakeholders, however if the former (but in any case) could you please provide a copy of any information you have specific to what we discussed and what is available to you from your own discussions/investigations.

Thanks,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

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Please consider the environment before printing this email. If printing is necessary, print double-sided and black and white

From: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Sent: 10/01/2019 10:29 AM
To: "Leckenby, Jason" <Jason.Leckenby@act.gov.au>
Cc: "Webster, Eddy" <Eddy.Webster@act.gov.au>; "Potter, Chantel" <Chantel.Potter@act.gov.au>
Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Thanks for that Jason.

I am coordinating the drone inquiry submission through Cabinet, working towards the 14th for exposure.

I can say that once we have cleared the submission through the Minister's Office you will be provided a copy.

I have flagged with Chantel that we need to provide you with the working group documents, and anticipate those will go out soon.

I am starting in a new position next week, so please contact Eddy Webster who has been cc'd into this email if we need another reminder.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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From: Leckenby, Jason
Sent: Wednesday, 9 January 2019 11:14 AM
To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>
Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, I believe it was the info relating to the piece of work you'd be working on regarding the federal legislation the ACT falls under and some changes that were being proposed in the new year. I think you were saying that there was some considerations being made, etc, but similarly the current framework the ACT falls under. From memory you had mentioned three activities that fall outside the excluded category (which ordinarily require CASA approval).

In general though, from our discussion it seems that you have done quite a bit of work in this space regarding drones which I think stemmed from the earlier piece of work to do with the use of drones in Bonython and outer regions, which I believe led to further information gathering. So I guess as much general information as you have relating to all that and the findings you had made specific to how the ACT interacts with the Federal Gov.

To get back to basics, ACTIA being the insurer of the ACT Gov. need to be aware of who's using drones and for what purpose. This year we introduced a few questions relating to the use of drones in our insurance questionnaires that we sent to directorates, however any additional information you may have uncovered would also assist us in this space.

Regards,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 3 Canberra Nara Centre 1 Constitution Ave Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/actia

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From: Clark, Rebecca

Sent: Wednesday, 9 January 2019 11:01 AM

To: Leckenby, Jason <Jason.Leckenby@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Jason

Thanks for the reminder – unfortunately between Xmas shutdown and the cabinet submission I have been preparing to lodge by next Monday, I cannot recollect what info specifically that was. Could you remind me specifically pls?

Kind regards

Rebecca Clark | Policy Officer

☎+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

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 *Please consider the environment before printing this email.*

From: Leckenby, Jason

Sent: Wednesday, 9 January 2019 9:48 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Subject: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, just following up on our meeting that we had in December and our discussion on the use of drones.

You indicated at the end of the meeting that you'd be able to send some information to Marion Lynch. Marion and I were going to be meeting today to discuss this further and I asked her if she had received the information from you, however Marion indicated that she hadn't received any information yet.

I can't recall if the information you had was 'at hand' or if this information was contingent upon a further meeting you were to have with stakeholders, however if the former (but in any case) could you please provide a copy of any information you have specific to what we discussed and what is available to you from your own discussions/investigations.

Thanks,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

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From:"Webster, Eddy"

Sent:24/01/2019 7:39 AM

To:"McCredie, Andrew" <Andrew.McCredie@act.gov.au>;"Trevithick, Angela" <Angela.Trevithick@act.gov.au>;"Sunilduth, Ash (Health)" <Ash.Sunilduth@act.gov.au>;"Burkevics, Bren" <Bren.Burkevics@act.gov.au>;"Potter, Chantel" <Chantel.Potter@act.gov.au>;"Foot, David" <David.Foot@act.gov.au>;"Snowden, David" <David.Snowden@act.gov.au>;"Rutledge, Geoffrey" <Geoffrey.Rutledge@act.gov.au>;"Karanfilovski, George" <George.Karanfilovski@act.gov.au>;"Faerber, Jen" <Jen.Faerber@act.gov.au>;"Bauer, Jennifer" <Jennifer.Bauer@act.gov.au>;"Le, Joanna" <Joanna.Le@act.gov.au>;"Starick, Kate" <Kate.Starick@act.gov.au>;"Campbell, Kevin" <Kevin.Campbell@act.gov.au>;"Ives, Kieran" <Kieran.Ives@act.gov.au>;"Lynch, Marion" <Marion.Lynch@act.gov.au>;"Young, Michael" <Michael.Young@act.gov.au>;"Nielsen, Ole" <Ole.Nielsen@act.gov.au>;"Engele, Sam" <Sam.Engele@act.gov.au>;"Srivastava, Sunila" <Sunila.Srivastava@act.gov.au>

Subject:Circulation of Drones material - Part 1 [SEC=UNCLASSIFIED]

Attachments:20181108 - Directorate Issues Table.docx, Drones WG Minutes - 9 November 2018 Meeting.docx, 18-144 Drone Wildlife Review.pdf, ACT Drone report FULL - Web single (2).pdf, 634954 - Advice - Drones - regulatory capacity.pdf

Importance:High

Hi all,

In accordance with the Drones Working Committee Group, attached are the following for your information:

- Drones minutes for the previous Drones Working Committee Group meeting held on 9 November 2018.
- Directorate Drones Issues Table
- The legal advice provided in relation to drones
- Activity reports by project wing **(these will be sent in a Part 2 email due to the large file sizes)**
- Project wing commissioned research reports

Regarding the legal advice provided in the attached documents I am advised to let you know that: **The attached legal advice is confidential and subject to legal professional privilege which belongs to the Territory and has not been waived. You may not waive the privilege attaching to this advice except with express approval of the Attorney-General or Solicitor-General**

Kind regards,

Eddy Webster | Policy Officer

Regulation and Productivity Team | Economic and Regional Policy Branch | Policy and Cabinet Division

Chief Minister, Treasury & Economic Development | ACT Government

Phone: 6207 5975 | Email: eddy.webster@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



ACT
Government

Chief Minister, Treasury and
Economic Development

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DRONE ISSUES [FOR INPUT]

A future ACT regulatory framework covering the operation of commercial drones has multiple directorate concerns relating to the following operational and governance issues:

Issues	Ministerial Office	Directorate	Legislation
<ul style="list-style-type: none"> ○ Technology/innovation initiatives as well as future investment prospects for a drone-delivery market in the Territory. ○ Skills, trade and economic development guidelines. ○ Economic 	Economic Development	Chief Minister, Treasury and Economic Development	
<ul style="list-style-type: none"> ○ Public land and lease regulation. ○ Access Canberra's jurisdiction over fair trading and registration, inspection and regulatory services (including transport regulation and licensing). 	Regulatory Services		
<ul style="list-style-type: none"> ○ Community perceptions (Communications) 			
<ul style="list-style-type: none"> ○ Data to government <ul style="list-style-type: none"> ○ Use – Geospatial (CDO); Transport (TCCS); Land planning ○ Privacy 			Privacy <ul style="list-style-type: none"> ● <i>Human Rights Act 2004</i> - any law that allows data to be gathered/stored/shared must be compatible with the right to privacy (s 17) ● <i>Information Privacy Act 2014</i> – where a drone operated by a public sector agency collects personal information (Territory Privacy Principles #11 is particularly relevant) ● <i>Health Records (Privacy and Access) Act</i> – where a drone collects personal health information

Issues	Ministerial Office	Directorate	Legislation
<ul style="list-style-type: none"> ○ Environmental protection policy <ul style="list-style-type: none"> ○ In relation to public lands ○ Noise (new background) 	Environment and Heritage	Environment, Planning and Sustainable Development	
<ul style="list-style-type: none"> ○ Licencing around planning and development of drone base sites. ○ Strategic land use. <ul style="list-style-type: none"> ○ Prohibited and prescribed areas. ○ Longer term urban planning. 	Planning and Land Management		
<ul style="list-style-type: none"> ○ Transportation reform policy including defining drones as a class of commercial transport and issues relating to safe practice and compliance. ○ Responding to community complaints and concerns (e.g.driver distraction) 	Transport and City Services	Transport Canberra and City Services	
<ul style="list-style-type: none"> ○ Sensitive sites - gaol, schools, monuments, Legislative Assembly. ○ Protection/anti-drone systems –jamming, guns, hawks, fired netting. ○ Incident reporting. ○ Emergencies <ul style="list-style-type: none"> ○ Use of drones by police and emergency services for security or other purposes. ○ Private use of drones during emergency. 	Police and Emergency Services	Justice and Community Safety	<i>Emergencies Act 2004</i> <i>Crimes Act</i>
<ul style="list-style-type: none"> ○ Possible licencing of commercial operations as a business. ○ Policy relating to security and privacy including the Crimes Act and the Invasion of Privacy Amendment 2017. ○ Responding to community complaints and concerns. 	Attorney General		<p>Privacy:</p> <ul style="list-style-type: none"> ● <i>Human Rights Act 2004</i> - any law about drones must be compatible with the right to privacy (s 17) ● <i>Information Privacy Act 2014</i> – where a drone operated by a public sector agency collects personal information (Territory Privacy Principles #3 and #6 are particularly relevant) ● <i>Health Records (Privacy and Access) Act</i> – where a drone collects personal health information

Issues	Ministerial Office	Directorate	Legislation
			<ul style="list-style-type: none"> • <i>Workplace Privacy Act 2011</i> – s 11 would apply to restrict use of drones in workplace investigations • <i>Listening Devices Act 1992</i> – s 4 would restrict use of drones with listening capabilities <p><i>Civil Law (Wrongs) Act 2002</i> – s 141 defence to tort of trespass (if drone flies over private land)</p>
<ul style="list-style-type: none"> ○ ACT legislative boundaries (viz Commonwealth/CASA) 	GSO (Regulatory Reform request)		<p><i>Civil Aviation Act 1988</i> (Cth) - Commonwealth has exclusive power to legislate with respect to safety standards for air navigation and air operations.</p> <p><i>Civilian Aviation Safety Regulations</i>, Part 101 – regulations could be relied upon to report a person to the Commonwealth regulator for a breach, and one could expect that there would be few instances in which noise, privacy, security or safety concerns are likely to arise where a person is operating a drone in accordance with the rules.</p> <p>A drone is considered to be a Commonwealth jurisdiction aircraft.</p> <p>As civil aviation law is concerned with air navigation and safety, laws directed towards unrelated ends such as ensuring privacy or noise abatement may be characterised as laws dealing with topics outside the Commonwealth’s exclusive power. There may be scope for further regulation in these areas if desired. Care should be taken to ensure that any proposed laws do not attempt to achieve those unrelated ends by regulating the operation of drones directly.</p>



Drones Working Group

Meeting Minutes 2/2018

Date: Friday, 9 November 2018
Time: 11am – 12pm
Venue: Level 5 Goodradigbee, Canberra Nara Centre

1. Welcome and apologies

Sam Engele, Executive Director, Policy and Cabinet, CMTEDD, chaired the meeting.

(Attendees and apologies are at the end of these minutes.)

2. Summary of developments

Members discussed the recently referred Legislative Assembly Standing Committee inquiry into drones.

Members discussed recent media reporting on drones and ministerial correspondence relating to drones.

Ms Potter provided an update on the project of scoping the regulatory landscape, including requests from the Minister's office for a brief for options. Further discussed was the existing unique nature of the ACT regulatory landscape through civil claims including human rights claims concerning privacy.

Mr Rutledge providing an update on X's Project Wing drone delivery trial, including activity reports and a research report.

Mr Rutledge provided an update a meeting with an X representative, including X's purchase of a site in Mitchell and its lodgement of a development application to allow it to establish a permanent centre of operations.

Members discussed planning regulations and the Territory's regulatory capacity to respond to noise and privacy complaints.

3. Input on issues table

The directorate issues table was discussed and no further issues raised.

ACTION: Secretariat to distribute Issues table to members.

4. Standing Committee Inquiry into Drones

The Chair discussed the recently referred Legislative Assembly inquiry into drones, including when the Committee is due to report in 2019 and its terms of reference.

Members discussed the risk to government if the Committee recommends heavy handed regulation, and the potential to mitigate that risk by developing a government position in advance of the inquiry.

Members discussed the upcoming Territory Plan review and that it would include reference to drone.

ACTION: Secretariat to distribute inquiry terms of reference

5. GSO Legal Advice

Ms Potter discussed the legal advice received at a high level, noting that the Commonwealth has exclusive jurisdiction to regulate airspace.

Members discussed the levels of community discontent and the potential for community engagement.

Members discussed potential regulatory models including self-regulation and the scope for limiting undesirable behaviour through MOUs.

6. Industry Forum

Ms Potter informed members of the Minister's request to host an industry forum to canvass the views of industry stakeholders, in the interests of having a balanced discussion.

7. Project Wing Licence Scope

Mr Rutledge informed members of the expiration of X's licence as February 2019, noting that the Territory will no longer have a regulatory lever.

8. Potential Government Evaluation

Members discussed the difficulty of engaging with the community in terms of communications regarding a trial with no forward plan to conduct evaluation.

Members discussed the practical difficulties of conducting an evaluation, noting that the Territory's indicators of success are likely to be different to a commercial entity.

Members discussed the potential for engaging the community, including town hall meetings.

9. Formation of Communications Subcommittee

The Chair requested members nominate a representative to the communications subcommittee in order to facilitate a WhOG response to community concerns, and to ensure consistency of messaging going forward.

Next meeting

The next meeting of the Working Group is scheduled for Thursday, 13 December at 2 pm – 3 pm.

Attendees

Sam Engele, CMTEDD
David Snowden (by phone), Access Canberra
Andrew McCredie, Economic Development
Jennifer Bauer, JACS
Claudia McKeogh, JACS
Nathan Greenwood, ACT Policing
Andrew Butters, SEMB
Sunila Srivastava, SEMB
Nick Lhuede, ESA
George Karanfilovski, TCCS
Geoffrey Rutledge, EPSDD
Chantel Potter, CMTEDD
Rebecca Clark, CMTEDD

Apologies

Angela Trevithick, TCCS
David Foot, ESA
Jen Faerber, CMTEDD
Joanna Le, CMTEDD
Kieran Ives, EPSDD
Bren Burkevics, SEMB
Ole Nielsen, OCDO
Kevin Campbell, JACS

CMTEDD secretariat contacts

Rebecca Clark
Policy Officer, Regulation and Productivity
Telephone: 6207 2107
Email: RebeccaM.Clark@act.gov.au

Eddy Webster
Policy Officer, Regulation and Productivity
Telephone: 6207 5975
Email: Eddy.Webster@act.gov.au

From:"Webster, Eddy"
Sent:28/01/2019 10:24 PM
To:"Potter, Chantel" <Chantel.Potter@act.gov.au>
Subject:FW: Drones Working Committee Group Meeting 2019 [SEC=UNCLASSIFIED]

FYI

-----Original Appointment-----

From: Faerber, Jen
Sent: Friday, 25 January 2019 9:03 AM
To: Webster, Eddy
Cc: Le, Joanna
Subject: Accepted: Drones Working Committee Group Meeting 2019
When: Tuesday, 12 February 2019 1:30 PM-2:30 PM (UTC+10:00) Canberra, Melbourne, Sydney.
Where: Nara Level 5 Goodradigbee - 12 People

Hi Eddy,

Thanks for this. I'll be able to attend.

In the comms space, we have had a media enquiry about the proposed service in Mitchell, and a Twitter enquiry from a constituent wanting to know where to lodge their complaints about the trial in Bonython. EPSDD, PCD and Economic Development have worked well together on these things.

I'd say there's some confusion in the community about what is a trial (Bonython only, not Mitchell) and confusion about the extent to which the government is responsible. The Government's submission to the inquiry will help clear this up and could be an opportunity for proactive media stories.

Let me know if you need any more info,
Jen

From: "Burkevics, Bren" <Bren.Burkevics@act.gov.au>
Sent: 29/01/2019 2:20 PM
To: "Bink, Paul" <Paul.Bink@act.gov.au>
Cc: "Webster, Eddy" <Eddy.Webster@act.gov.au>
Subject: RE: For your advice/input by 4 February pls: Use of drones by third parties [SEC=UNCLASSIFIED]

Hi Paul

There is no specific ACT regulation that applies to drone use. However, there is a whole of Government committee that is working on the issue. Eddy Webster from CMTEDD and Jason should definitely link up.

As far as I am aware, it is only CASA regulations/rules that apply:

<https://www.casa.gov.au/aircraft/landing-page/flying-drones-australia>

Don't hesitate to let me know if you need anything further.

Regards

Bren Burkevics | A/Executive Branch Manager
Phone 02 6207 8628 | **Fax** 02 6207 8339 | **Mobile** 0434 564 090
Security and Emergency Management Branch (SEMB) | Justice and Community Safety | ACT Government
Level 9, 12 Moore St Canberra City ACT | GPO Box 158 Canberra ACT 2601
www.justice.act.gov.au

From: Bink, Paul
Sent: Tuesday, 29 January 2019 12:32 PM
To: Burkevics, Bren <Bren.Burkevics@act.gov.au>
Subject: FW: For your advice/input by 4 February pls: Use of drones by third parties [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Bren,

Not sure if you have are the correct person but I am sure you need a licence to fly a drone in a public place? Do we have a WOG Policy on the use of drones commercially?

Regards,

Paul

From: Calder, Robyn
Sent: Tuesday, 29 January 2019 12:23 PM
To: Evans, Jacinta <Jacinta.Evans@act.gov.au>; Khan, Azra <Azra.Khan@act.gov.au>; Bink, Paul <Paul.Bink@act.gov.au>; Loft, Catherine <Catherine.Loft@act.gov.au>
Cc: Williams, Veronica <Veronica.X.Williams@act.gov.au>
Subject: For your advice/input by 4 February pls: Use of drones by third parties [SEC=UNCLASSIFIED]

Hi Jacinta, Azra, Paul, Catherine

Can you consider the highlighted question below, and provide any advice please by 4 February.

Also, please let me know if you think there are others who should be consulted on this issue.

The answer is probably no, however thought it worth asking.

Regards, Robyn

Robyn Calder

Executive Director, Corporate Services
Community Services Directorate, ACT Government
Level 8, 11 Moore Street, Canberra City

P 6205 0688 | M 0438 200 590

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From: Leckenby, Jason **On Behalf Of** ACTIA Insurance & Risk Management

Sent: Monday, 21 January 2019 2:34 PM

Cc: Leckenby, Jason <Jason.Leckenby@act.gov.au>; Lynch, Marion <Marion.Lynch@act.gov.au>

Subject: Use of drones by third parties [SEC=UNCLASSIFIED]

Good afternoon all,

ACTIA is currently investigating the extent of any risk exposure to the Territory arising from the use of drones by parties outside of ACT Government.

As part of this investigation I am writing to ask whether your directorate/business unit has a policy in place regarding the recreational or commercial use of drones at any of your venues or events. If you do have such a policy in place, please can you also let me know if the policy permits the use of drones and if so, under what circumstances and whether any restrictions apply.

Can you please provide a response by 8 February 2019.

Thank you for your assistance.

Regards,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 3 Canberra Nara Centre 1 Constitution Ave Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/actia

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From: "Potter, Chantel" <Chantel.Potter@act.gov.au>

Sent: 07/02/2019 9:48 AM

To: "ACTIA Insurance & Risk Management" <ACTIAInsuranceAndRiskManagement@act.gov.au>; "Webster, Eddy" <Eddy.Webster@act.gov.au>

Cc: "Leckenby, Jason" <Jason.Leckenby@act.gov.au>; "Starick, Kate" <Kate.Starick@act.gov.au>; "Harrison, Craig" <Craig.Harrison@act.gov.au>; "Ives, Kieran" <Kieran.Ives@act.gov.au>; "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Jason,

Thanks for your email. To confirm what we talked about prior to Christmas the work being done between CMTEDD and EPSDD on drones relates to the regulatory landscape as it applies to industry use of drones (which is Commonwealth owned). This has led to a Government submission on the subject of drone delivery for the standing committee inquiry. Rebecca worked on the submission relating to the licencing of Project Wing and the legislative levers available to ACT to provide limits to drone use for delivery. Economic Development and EPSDD also contributed to the submission on the other terms of reference publically available. The submission is with Ministers for their consideration but will be circulated on final exposure shortly.

Unfortunately the work my team has led is not about Government agency use of drones. If you are seeking information about directorate drone use this would be a separate piece of work and not one we keep information about within Policy and Cabinet. I understand that where agencies are deploying use of new work practices such as drones they should be updating their risk register with ACTIA and that obligation would vest with the respective governance teams within agencies. I understood this was the nature of the conversation you had with Rebecca late last year. I am not sure we can be of assistance in assisting you to gather that information. If you think there is a way we can help please let me know.

Thanks,
Chantel

From: Leckenby, Jason **On Behalf Of** ACTIA Insurance & Risk Management

Sent: Thursday, 7 February 2019 9:26 AM

To: Webster, Eddy <Eddy.Webster@act.gov.au>

Cc: Potter, Chantel <Chantel.Potter@act.gov.au>; Leckenby, Jason <Jason.Leckenby@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Eddy, you may recall this communication you were included in from Rebecca Clark regarding the use of drones (RPAS).

Rebecca indicated on the 10th January that she was submitting an inquiry to Cabinet, working towards the 14th. I'm not sure if Rebecca was referring to the 14th January or 14th February, however could you provide an update on this.

To take a step back, the initial enquiry related to the use of RPAS by Directorates and business units within the ACT Government – where they are used, what they are used for, how many, etc, however after meeting with Rebecca and discovering that she had done a considerable amount of work on this, we're interested to hear about the outcome of her findings.

As you may know, ACTIA insures the assets and liabilities of the ACT Government, so we have an interest in this matter especially as the use of RPAS is ever increasing and the risks associated with this use are also increasing. In addition, our insurers/re-insurers are also keen to collect information regarding use of RPAS which they will need for the next policy period – so we're trying to gather as much information as possible.

Regards,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | ACT Government

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From: Clark, Rebecca

Sent: Thursday, 10 January 2019 10:29 AM

To: Leckenby, Jason <Jason.Leckenby@act.gov.au>

Cc: Webster, Eddy <Eddy.Webster@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Thanks for that Jason.

I am coordinating the drone inquiry submission through Cabinet, working towards the 14th for exposure.

I can say that once we have cleared the submission through the Minister's Office you will be provided a copy.

I have flagged with Chantel that we need to provide you with the working group documents, and anticipate those will go out soon.

I am starting in a new position next week, so please contact Eddy Webster who has been cc'd into this email if we need another reminder.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

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Please consider the environment before printing this email.

From: Leckenby, Jason

Sent: Wednesday, 9 January 2019 11:14 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, I believe it was the info relating to the piece of work you'd be working on regarding the federal legislation the ACT falls under and some changes that were being proposed in the new year. I think you were saying that there was some considerations being made, etc, but similarly the current framework the ACT falls under. From memory you had mentioned three activities that fall outside the excluded category (which ordinarily require CASA approval).

In general though, from our discussion it seems that you have done quite a bit of work in this space regarding drones which I think stemmed from the earlier piece of work to do with the use of drones in Bonython and outer regions,

which I believe led to further information gathering. So I guess as much general information as you have relating to all that and the findings you had made specific to how the ACT interacts with the Federal Gov.

To get back to basics, ACTIA being the insurer of the ACT Gov. need to be aware of who's using drones and for what purpose. This year we introduced a few questions relating to the use of drones in our insurance questionnaires that we sent to directorates, however any additional information you may have uncovered would also assist us in this space.

Regards,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

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From: Clark, Rebecca

Sent: Wednesday, 9 January 2019 11:01 AM

To: Leckenby, Jason <Jason.Leckenby@act.gov.au>

Subject: RE: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Jason

Thanks for the reminder – unfortunately between Xmas shutdown and the cabinet submission I have been preparing to lodge by next Monday, I cannot recollect what info specifically that was. Could you remind me specifically pls?

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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From: Leckenby, Jason

Sent: Wednesday, 9 January 2019 9:48 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Subject: Meeting about drones, information [SEC=UNCLASSIFIED]

Hi Rebecca, just following up on our meeting that we had in December and our discussion on the use of drones.

You indicated at the end of the meeting that you'd be able to send some information to Marion Lynch. Marion and I were going to be meeting today to discuss this further and I asked her if she had received the information from you, however Marion indicated that she hadn't received any information yet.

I can't recall if the information you had was 'at hand' or if this information was contingent upon a further meeting you were to have with stakeholders, however if the former (but in any case) could you please provide a copy of any information you have specific to what we discussed and what is available to you from your own discussions/investigations.

Thanks,

Jason Leckenby *DipFS (RM, FP, GI)* | Insurance and Risk Officer |

Phone: +61 2 6207 8931 | Fax: +61 2 6207 0301

ACT Insurance Authority | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 3 Canberra Nara Centre 1 Constitution Ave Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/actia

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Drones Working Group

Meeting Minutes 2/2019

Date: Tuesday, 12 February 2019
Time: 1:30 – 2:30pm
Venue: Level 5 Goodradigbee, Canberra Nara Centre

1. Welcome and apologies

Sam Engele, Executive Director, Policy and Cabinet, CMTEDD, chaired the meeting.

Attendees

Sam Engele, CMTEDD
David Snowden (by phone), Access
Canberra
Andrew McCredie, Economic
Development, CMTEDD
Sunila Srivastava, SEMB
George Karanfilovski, TCCS
Kate Starick, CMTEDD
Chantel Potter, CMTEDD
Eddy Webster, CMTEDD
Jen Faerber, CMTEDD
Tristan Kearns OCDO
Kevin Campbell, JACS
Marion Lynch, ACTIA
Kieran Ives, EPSDD
Claudia McKeough, JACS

Apologies

Geoffrey Rutledge, EPSDD
Angela Trevithick, TCCS
Joanna Le, CMTEDD
Bren Burkevics, SEMB
Michael Young, CMTEDD –
Workplace Safety
David Foot, ESA
Ash Sunilduth, HD
Nathan Greenwood, ACT Policing
Sonia Sawczak, ACT Policing
Jennifer Bauer, CMTEDD
Phillip Crawford, OCDO
Steve Forbes, ESA (Operational due
to Fire Ban)
Nick Lheude, JACS ESA

2. Summary of Trial developments (Dominoes & DA Mitchell)

Members discussed the development application for project wing to operate on the proposed Mitchell site.

Members discussed that the food delivery company Dominoes is interested in having ground based droids as well as aerial drones for drone deliveries within the ACT.

Members noted that the proposed operations of Project Wing in Mitchell is a private lease which is expected to be ongoing.

Members discussed that Project Wing have provided assurances they will not be flying over airports or correctional facilities in the ACT, in response to concerns over incidents that have occurred in other jurisdictions.

3. Standing Committee Inquiry into Drones Update on Submission

Members thanked directorates for developing the submission with content from EPSDD, JACS and CMTEDD Economic Development and Policy and Cabinet.

Portfolio responsibility was also clarified:


- Mick Gentleman MLA; The Minister Assisting the Chief Minister on Advanced Technology and Space Industries and Minister for Planning and Land Management.
- Gordon Ramsay MLA; Minister for Business and Regulatory Services; and
- Andrew Barr MLA; Chief Minister, Minister for Trade, Industry and Investment.

Members discussed that the ACT Government submission to the Inquiry is currently on final lodgement and encouraged final comments and edits from Directorates by 15 of February 2019, as final submission is due to the secretariat by 22 February 2019.

ACTION: All to provide final comments/edits by 15 February 2019

4. GSO Legal Advice

Schedule 1 1.2 Legal Professional Privilege



5. Formation of Communications Subcommittee

All Directorates were requested to nominate officers for the Communications Subcommittee.

Members discussed the purpose of having a communications subcommittee is to ensure there is consistent messaging around drones as well as to have a Whole of Government approach.

ACTION: CMTEDD Strategic Comms will seek EOI from Directorates for nominations for the Communications Subcommittee on drones.

6. Other Business

CASA letter

Correspondence will be sent to CASA offering a meeting to discuss the drone trials within the ACT and an intention of working together with CASA. Further discussed was that drone regulation should include local requirements.

ACTION: CMTEDD, in consultation with other directorates to develop correspondence to be sent to CASA, prior to the public hearings on 6 March 2019, outlining the objective of working together and an update of what the ACT Government has learnt from the trials in the ACT.

National Registration/Certification of Drones

Members the current consultation by CASA on the proposed drone registration and certification scheme commencing in the second half of 2019. Consultation is open until the 22 February 2019.

Members discussed the factors relating to the insurances associated with drones and who or what agency would be responsible and accountable.

ACTION: CMTEDD to communicate with relevant Ministers about the possibility of the ACT Government contributing to the open consultation period of registering/certifying drones.

Transport Strategy

Drones have been raised in the public consultation on the Transport Strategy.

Members spoke about the Household Travel Survey conducted by TCCS and the activity reports provided by Project Wing about the road kilometres saved due to the use of drones in the ACT. The report on the ACT Household Travel Survey is available on the TCCS website.

Members discussed that Project Wing may be better suited in using ACT Government data in order to provide a better picture of how many future kilometres could be saved off ACT roads.

Members agreed that it would be beneficial that Project Wing be invited as a keynote speaker at the Australasian Transport Research Forum. Members mentioned that in conducting this, Project Wing should be the sole spokesperson for the topic of drones at the conference.

Members spoke about drones during the 2018 Multicultural festival in Canberra. Members noted that it may be pertinent to have a consistent approach in receiving and responding to drone complaints. It was recommended that information be sought from Access Canberra complaints team about complaints in relation to drones. Report to be conducted by next week.

Members noted that some venues in the ACT like the National Arboretum have specific policies that exist in regards to the operations.

Members mentioned that the ACT Police do have at their disposal Specific RDF signal jamming technology to disengage and allow drones to land safely.

ACTION: For TCCS to share the ACT Household Travel Survey report available on the TCCS website to members of the Drones Working Group.

Access Canberra to gather information on complaints over the Multicultural Festival.

Members agreed that any future meetings will be triggered by any new and significant issues relating to drones and impacts of the current Inquiry into Drone Delivery Systems in the ACT by the Standing Committee on Economic Development and Tourism.

CMTEDD secretariat contacts

Eddy Webster
Policy Officer, Regulation and Productivity
Telephone: 6207 5975
Email: Eddy.Webster@act.gov.au

From: "Faerber, Jen" <Jen.Faerber@act.gov.au>
Sent: 20/02/2019 2:52 PM
To: "Webster, Eddy" <Eddy.Webster@act.gov.au>
Cc: "Potter, Chantel" <Chantel.Potter@act.gov.au>; "CMTEDDMedia" <CMTEDDMedia@act.gov.au>
Subject: RE: Drones inquiry submission - media story? [SEC=UNCLASSIFIED]

Thanks Eddy, that's really useful info.

I might call Kieran to discuss, and might check in with the Gentleman media adviser to confirm they're comfortable with that approach.

Thanks again,
Jen

From: Webster, Eddy
Sent: Wednesday, 20 February 2019 2:24 PM
To: Faerber, Jen <Jen.Faerber@act.gov.au>
Cc: Potter, Chantel <Chantel.Potter@act.gov.au>
Subject: RE: Drones inquiry submission - media story? [SEC=UNCLASSIFIED]
Importance: High

Hi Jen,

So I've contacted Kieran Ives from EPSDD and he has confirmed that there have been no discussions over releasing any pro-active media stories in relation to the ACT Government providing a submission to the Drones Inquiry. The following reasons were cited as why:

- EPSDD are of the opinion that there is sufficient content available to address any community concerns that may be raised.
- Talking points are currently in the process of being developed for the Minister, which will address any concerns by the community, particularly the DA for the Mitchell site.
- Media releases can be prompted by future media enquiries.
- Kieran did say though if you wanted to speak with him about any options on media going forward.

Also Chantel:

- To note that there was an FOI done by the 2.2(a)(ii) group before Xmas, the first tranche of info was released in early Jan with the second tranche being released tomorrow, (no sensitivities mentioned) The docs were released in tranches due to the large amount of info requested.
- The DA for the Mitchell site is currently in the assessment phase, due to a large backlog of previous DA's at that time. Expected to have a decision in the next two weeks.
- The Chief Minister's talkback brief has been updated and is with you in TRIM now

Kind regards,

Eddy

From: Potter, Chantel
Sent: Wednesday, 20 February 2019 12:55 PM
To: Faerber, Jen <Jen.Faerber@act.gov.au>
Cc: Webster, Eddy <Eddy.Webster@act.gov.au>
Subject: RE: Drones inquiry submission - media story? [SEC=UNCLASSIFIED]

Thanks for the email below Jen, Eddy can you ask Cabinet office to get Jen access? Can you also touch base with Kieran about whether it is all agreed and if there were any conversations about media/comms?

Thanks!!

From: Faerber, Jen

Sent: Wednesday, 20 February 2019 12:51 PM

To: Webster, Eddy <Eddy.Webster@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>

Cc: CMTEDDMedia <CMTEDDMedia@act.gov.au>

Subject: Drones inquiry submission - media story? [SEC=UNCLASSIFIED]

Hi Chantel and Eddy,

Has there been any further discussion in PCD about doing some kind of media release/story on the ACT Government's submission to the drones inquiry?

At the meeting we discussed checking in with Pam, to see when the committee might make our submission public, so we could time any media push accordingly. **Would you like me to check in with Pam?**

Could I also have access in TRIM to the final submission? I'll put together a suggestion of what we COULD put in a proactive media release. Whether we do it will ultimately be a decision for Ministers Gentleman and Ramsay, and for CMO. If we have a clear pitch around what we'd say when, that will help them decide.

The more passive option is to have the submission standing by for the next time that we get media enquiries about drones, which we can draw from in our responses. Eg, "The government recently made a submission to the LA inquiry on drones, saying [address particular issue]".

Thanks!

Jen

From: "Engele, Sam" <Sam.Engele@act.gov.au>
Sent: 14/03/2019 1:24 PM
To: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Cc: "Starick, Kate" <Kate.Starick@act.gov.au>; "Webster, Eddy" <Eddy.Webster@act.gov.au>
Subject: Re: Drones / New ANZCTC Working Group / ACT Nominee [DLM=For-Official-Use-Only]
Attachments: image001.png, image002.jpg, image003.png

Yes I agree with Bren's suggestion. Chantel or Eddy would you mind contacting Supt Heldon with an invitation to become a member.

Sam

Sent from my iPad

On 14 Mar 2019, at 8:39 am, Potter, Chantel <Chantel.Potter@act.gov.au> wrote:

Thanks Kate,

Eddy our ACTP contacts to date were Nathan Green and Sonja Sawczak – next invite can you please call Sonia and put this proposal to her?

Thanks,
Chantel

From: Starick, Kate
Sent: Thursday, 14 March 2019 8:36 AM
To: Potter, Chantel <Chantel.Potter@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>
Cc: Webster, Eddy <Eddy.Webster@act.gov.au>
Subject: FW: Drones / New ANZCTC Working Group / ACT Nominee [DLM=For-Official-Use-Only]

Hi
For your consideration
Kate

Kate Starick | Ag Executive Group Manager
Economic Development
Ph: +61 2 6205 9828 | M: 0408230214 | Email: kate.starick@act.gov.au
Chief Minister, Treasury and Economic Development Directorate | ACT Government
Level 5 Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

<image001.png><image002.jpg><image003.png>

From: Burkevics, Bren
Sent: Wednesday, 13 March 2019 4:55 PM
To: Webster, Eddy <Eddy.Webster@act.gov.au>
Cc: Starick, Kate <Kate.Starick@act.gov.au>; Heldon, Corey <Corey.Heldon@afp.gov.au>; Pryce, David <David.Pryce@act.gov.au>; Srivastava, Sunila <Sunila.Srivastava@act.gov.au>; Walters, Mark

<Mark.Walters@afp.gov.au>

Subject: Drones / New ANZCTC Working Group / ACT Nominee

Hi Eddie

For your awareness, the Australian-New Zealand Counter-Terrorism Committee (ANZCTC) recently agreed to establish a counter-remotely piloted aircraft system (C-RPAS) working group.

Superintendent Corey Heldon from ACT Policing Traffic and Emergency Management & Planning is the ACT's nominee on the committee.

Supt Heldon has advised the first meeting of the C-RPAS working group was held yesterday via teleconference. I understand that the committee discussed the proposed Terms of Reference, CASA/AMSA legislation and exceptions for law enforcement.

Noting the work and focus of the C-RPAS committee, I recommend that the Chair of the ACT Government drones committee consider the benefit of extending membership to include Supt Heldon. This will ensure the ACT has a tied-in approach to the work of both committees.

Please contact me or Supt Heldon (contact details below) if you require further information.

2.2(a)(ii)

Regards

Bren Burkevics | A/Executive Branch Manager

Phone 02 6207 8628 | **Fax** 02 6207 8339 | **Mobile** 0434 564 090

Security and Emergency Management Branch (SEMB) | Justice and Community Safety | ACT Government
Level 9, 12 Moore St Canberra City ACT | GPO Box 158 Canberra ACT 2601

www.justice.act.gov.au

From: ANZCTC Secretariat <ANZCTCSecretariat@homeaffairs.gov.au>

Sent: Thursday, 28 February 2019 10:39 AM

Subject: Call for Nominations – Membership and Deputy Chair of the Counter-Remotely Piloted Aircraft Systems (C-RPAS) Working Group [DLM=For-Official-Use-Only]

For-Official-Use-Only

Dear ANZCTC members, senior advisers and observers,

At the 20 February 2019 ANZCTC meeting, CSG members present agreed to establish a C-RPAS Working Group to lead expedited arrangements to implement the interim regulatory framework to provide law enforcement with authority to support the deployment of C-RPAS capabilities. The AFP-authorized framework will inform the process in which states and territories can apply for a similar authority.

It is proposed the Working Group will be chaired at the Assistant Secretary level by the Department of Home Affairs. Membership of the Working Group shall consist of:

- The Department of Home Affairs, Centre for CT Coordination (Chair)
- The Australian Federal Police (AFP)
- The Department of Communications and the Arts (DOCA)
- The Civil Aviation Safety Authority (CASA)
- The Australian Communications and Media Authority (ACMA)
- Aviation and Maritime Security (AMS)

- The Department of Infrastructure, Regional Development and Cities (DIRDC)
- The Department of Defence
- The Australian Security Intelligence Organisation (ASIO)
- The Defence Science and Technology Group (DSTG)
- The Operational Response Capability Sub-Committee (ORCSC)
- The Australia-New Zealand Emergency Management Committee (ANZEMC)
- One representative from each state and territory law enforcement agency
- The Department of Home Affairs, ANZCTC Coordination (Secretariat)

This email seeks nominations from the agencies identified above for membership of the Working Group. Members should be SES Band 1 level or above and may be accompanied by a Senior Advisor on approval of the Chair.

We also request nominations for the position of Deputy Chair.

In the event of multiple nominations, a consolidated list of nominees will be considered at the first meeting of the Working Group. Please provide nominations to anzctc.coordination@homeaffairs.gov.au by **Tuesday 5 March 2019**.

It is proposed the first meeting be held by video teleconference on the afternoon of 12 March 2019. The agenda will be distributed at least one week prior to the meeting.

If you require further information or advice, please contact Paul Terawsky (Assistant Director, ANZCTC Coordination Section on 2.2(a)(ii)), copying in Gemma Huggins (Director, ANZCTC Coordination Section on 2.2(a)(ii)).

Kind Regards,

ANZCTC Secretariat

Department of Home Affairs

2.2(a)(ii)

E: ANZCTCsecretariat@homeaffairs.gov.au

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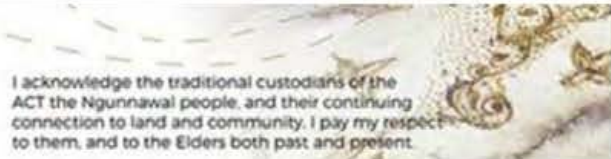
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AFP Web site: <http://www.afp.gov.au>



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.



From: "Karanfilovski, George" <George.Karanfilovski@act.gov.au>

Sent: 20/03/2019 11:19 PM

To: "Webster, Eddy" <Eddy.Webster@act.gov.au>; "Srivastava, Sunila" <Sunila.Srivastava@act.gov.au>; "Forbes, Steve" <Steve.Forbes@act.gov.au>; "Sonia Sawczak" <Sonia.Sawczak@afp.gov.au>; "Engele, Sam" <Sam.Engele@act.gov.au>; "Crawford, Philip" <Philip.Crawford@act.gov.au>; "Lhuede, Nick" <Nick.Lhuede@act.gov.au>; "Nathan Greenwood" <Nathan.Greenwood@afp.gov.au>; "Young, Michael" <Michael.Young@act.gov.au>; "Lynch, Marion" <Marion.Lynch@act.gov.au>; "Ives, Kieran" <Kieran.Ives@act.gov.au>; "Campbell, Kevin" <Kevin.Campbell@act.gov.au>; "Starick, Kate" <Kate.Starick@act.gov.au>; "Le, Joanna" <Joanna.Le@act.gov.au>; "Bauer, Jennifer" <Jennifer.Bauer@act.gov.au>; "Faerber, Jen" <Jen.Faerber@act.gov.au>; "Rutledge, Geoffrey" <Geoffrey.Rutledge@act.gov.au>; "Snowden, David" <David.Snowden@act.gov.au>; "Foot, David" <David.Foot@act.gov.au>; "Corey Heldon" <corey.heldon@afp.gov.au>; "Potter, Chantel" <Chantel.Potter@act.gov.au>; "Burkevics, Bren" <Bren.Burkevics@act.gov.au>; "Sunilduth, Ash (Health)" <Ash.Sunilduth@act.gov.au>; "Trevithick, Angela" <Angela.Trevithick@act.gov.au>; "McCredie, Andrew" <Andrew.McCredie@act.gov.au>

Subject: RE: Drones Working Group 2019 [SEC=UNCLASSIFIED, DLM=Sensitive: Legal]

Morning all,

Thanks for sharing this Eddy, greatly appreciated.

Just an update from my end on a couple of things:

- Wing have confirmed to me late last week that they and AlphaBeta i.e. the consultants who authored "The potential impact of delivery drones in the ACT" are happy to present their findings with interested ACT Government stakeholders. I promised them that I'd come back to them with a few dates. I was thinking mid-next month prior to Easter, but happy to take any suggestions from the group if required.
- Wing have also accepted an invite to present at the [ATRE](#) later this year. When details come to hand with that they'll be presenting, I'll let you all know at the next meeting.

G

From: Webster, Eddy

Sent: Thursday, 21 March 2019 9:56 AM

To: Srivastava, Sunila <Sunila.Srivastava@act.gov.au>; Forbes, Steve <Steve.Forbes@act.gov.au>; Sonia Sawczak <Sonia.Sawczak@afp.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>; Crawford, Philip <Philip.Crawford@act.gov.au>; Lhuede, Nick <Nick.Lhuede@act.gov.au>; Nathan Greenwood <Nathan.Greenwood@afp.gov.au>; Young, Michael <Michael.Young@act.gov.au>; Lynch, Marion <Marion.Lynch@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>; Campbell, Kevin <Kevin.Campbell@act.gov.au>; Starick, Kate <Kate.Starick@act.gov.au>; Le, Joanna <Joanna.Le@act.gov.au>; Bauer, Jennifer <Jennifer.Bauer@act.gov.au>; Faerber, Jen <Jen.Faerber@act.gov.au>; Karanfilovski, George <George.Karanfilovski@act.gov.au>; Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Snowden, David <David.Snowden@act.gov.au>; Foot, David <David.Foot@act.gov.au>; Corey Heldon <corey.heldon@afp.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>; Burkevics, Bren <Bren.Burkevics@act.gov.au>; Sunilduth, Ash (Health) <Ash.Sunilduth@act.gov.au>; Trevithick, Angela <Angela.Trevithick@act.gov.au>; McCredie, Andrew <Andrew.McCredie@act.gov.au>

Subject: Drones Working Group 2019 [SEC=UNCLASSIFIED, DLM=Sensitive: Legal]

Importance: High

Good morning all,

As promised, attached are the Drone Working Group materials for the meeting held on 12 February 2019. This includes the minutes for the meeting and the legal advice of which the following applies:

'The attached legal advice is confidential and subject to legal professional privilege which belongs to the Territory and has not been waived. You may not waive the privilege attaching to this advice except with express approval of the Attorney-General or Solicitor-General'

If you are aware, or become aware of any new developments in the area of Drones within the ACT, please feel free to share with the group in order to ensure that we all have continuity of coverage of what is happening in this space.

Also please welcome our new member in the group: **Superintendent Corey Heldon from ACT Policing**. She is currently also a member of the recently formed **counter-remotely piloted aircraft system (C-RPAS) working group** which was set up by the **Australian-New Zealand Counter-Terrorism Committee (ANZCTC)**. We look forward to her collaboration and valuable input on Drones.

Thanks and Kind regards,

Eddy Webster | Policy Officer

Regulation and Productivity Team | Economic and Regional Policy Branch | Policy and Cabinet Division

Chief Minister, Treasury & Economic Development | ACT Government

Phone: 6207 5975 | Email: eddy.webster@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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From:"Webster, Eddy"

Sent:20/03/2019 10:55 PM

To:"Srivastava, Sunila" <Sunila.Srivastava@act.gov.au>;"Forbes, Steve" <Steve.Forbes@act.gov.au>;"Sonia Sawczak" <Sonia.Sawczak@afp.gov.au>;"Engele, Sam" <Sam.Engele@act.gov.au>;"Crawford, Philip" <Philip.Crawford@act.gov.au>;"Lhuede, Nick" <Nick.Lhuede@act.gov.au>;"Nathan Greenwood" <Nathan.Greenwood@afp.gov.au>;"Michael Young" <Michael.Young@act.gov.au>;"Marion Lynch" <Marion.Lynch@act.gov.au>;"Ives, Kieran" <Kieran.Ives@act.gov.au>;"Campbell, Kevin" <Kevin.Campbell@act.gov.au>;"Starick, Kate" <Kate.Starick@act.gov.au>;"Le, Joanna" <Joanna.Le@act.gov.au>;"Bauer, Jennifer" <Jennifer.Bauer@act.gov.au>;"Faerber, Jen" <Jen.Faerber@act.gov.au>;"Karanfilovski, George" <George.Karanfilovski@act.gov.au>;"Rutledge, Geoffrey" <Geoffrey.Rutledge@act.gov.au>;"Snowden, David" <David.Snowden@act.gov.au>;"Foot, David" <David.Foot@act.gov.au>;"Corey Heldon" <corey.heldon@afp.gov.au>;"Potter, Chantel" <Chantel.Potter@act.gov.au>;"Burkevics, Bren" <Bren.Burkevics@act.gov.au>;"Sunilduth, Ash (Health)" <Ash.Sunilduth@act.gov.au>;"Trevithick, Angela" <Angela.Trevithick@act.gov.au>;"McCredie, Andrew" <Andrew.McCredie@act.gov.au>

Subject:Drones Working Group 2019 [SEC=UNCLASSIFIED, DLM=Sensitive: Legal]

Attachments:Drones WG Meeting Minutes 12 Feb 2019.docx, 634954 - Advice - Drones - Follow up - privacy and regulating delivery.pdf

Importance:High

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Thanks and Kind regards,

Eddy Webster | Policy Officer

Regulation and Productivity Team | Economic and Regional Policy Branch | Policy and Cabinet Division

Chief Minister, Treasury & Economic Development | ACT Government

Phone: 6207 5975 | Email: eddy.webster@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



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Drones Working Group

Meeting Minutes 2/2019

Date: Tuesday, 12 February 2019
Time: 1:30 – 2:30pm
Venue: Level 5 Goodradigbee, Canberra Nara Centre

1. Welcome and apologies

Sam Engele, Executive Director, Policy and Cabinet, CMTEDD, chaired the meeting.

Attendees

Sam Engele, CMTEDD
David Snowden (by phone), Access
Canberra
Andrew McCredie, Economic
Development, CMTEDD
Sunila Srivastava, SEMB
George Karanfilovski, TCCS
Kate Starick, CMTEDD
Chantel Potter, CMTEDD
Eddy Webster, CMTEDD
Jen Faerber, CMTEDD
Tristan Kearns OCDO
Kevin Campbell, JACS
Marion Lynch, ACTIA
Kieran Ives, EPSDD
Claudia McKeough, JACS

Apologies

Geoffrey Rutledge, EPSDD
Angela Trevithick, TCCS
Joanna Le, CMTEDD
Bren Burkevics, SEMB
Michael Young, CMTEDD –
Workplace Safety
David Foot, ESA
Ash Sunilduth, HD
Nathan Greenwood, ACT Policing
Sonia Sawczak, ACT Policing
Jennifer Bauer, CMTEDD
Phillip Crawford, OCDO
Steve Forbes, ESA (Operational due
to Fire Ban)
Nick Lheude, JACS ESA

2. Summary of Trial developments (Dominoes & DA Mitchell)

Members discussed the development application for project wing to operate on the proposed Mitchell site.

Members discussed that the food delivery company Dominoes is interested in having ground based droids as well as aerial drones for drone deliveries within the ACT.

Members noted that the proposed operations of Project Wing in Mitchell is a private lease which is expected to be ongoing.

Members discussed that Project Wing have provided assurances they will not be flying over airports or correctional facilities in the ACT, in response to concerns over incidents that have occurred in other jurisdictions.

3. Standing Committee Inquiry into Drones Update on Submission

Members thanked directorates for developing the submission with content from EPSDD, JACS and CMTEDD Economic Development and Policy and Cabinet.

Portfolio responsibility was also clarified:

- Mick Gentleman MLA; The Minister Assisting the Chief Minister on Advanced Technology and Space Industries and Minister for Planning and Land Management.
- Gordon Ramsay MLA; Minister for Business and Regulatory Services; and
- Andrew Barr MLA; Chief Minister, Minister for Trade, Industry and Investment.

Members discussed that the ACT Government submission to the Inquiry is currently on final lodgement and encouraged final comments and edits from Directorates by 15 of February 2019, as final submission is due to the secretariat by 22 February 2019.

ACTION: All to provide final comments/edits by 15 February 2019

4. GSO Legal Advice

Members provided an overview of the most recent legal advice provided by GSO in January 2019. It was discussed that the Territory may have scope to craft offence provisions pursuant to the delivery aspect of drones, regarding the sale or delivery of certain products or materials such as alcohol, tobacco and certain medicines.

Further discussed was that the Commonwealth legislates postal services of which drone delivery services come under, and that Territory law should work concurrently with Commonwealth law.

ACTION: CMTEDD to share legal advice from GSO. CMTEDD will seek further legal advice in regards to the hot air ballooning incident in NT.

5. Formation of Communications Subcommittee

All Directorates were requested to nominate officers for the Communications Subcommittee.

Members discussed the purpose of having a communications subcommittee is to ensure there is consistent messaging around drones as well as to have a Whole of Government approach.

ACTION: CMTEDD Strategic Comms will seek EOI from Directorates for nominations for the Communications Subcommittee on drones.

6. Other Business

CASA letter

Correspondence will be sent to CASA offering a meeting to discuss the drone trials within the ACT and an intention of working together with CASA. Further discussed was that drone regulation should include local requirements.

ACTION: CMTEDD, in consultation with other directorates to develop correspondence to be sent to CASA, prior to the public hearings on 6 March 2019, outlining the objective of working together and an update of what the ACT Government has learnt from the trials in the ACT.

National Registration/Certification of Drones

Members the current consultation by CASA on the proposed drone registration and certification scheme commencing in the second half of 2019. Consultation is open until the 22 February 2019.

Members discussed the factors relating to the insurances associated with drones and who or what agency would be responsible and accountable.

ACTION: CMTEDD to communicate with relevant Ministers about the possibility of the ACT Government contributing to the open consultation period of registering/certifying drones.

Transport Strategy

Drones have been raised in the public consultation on the Transport Strategy.

Members spoke about the Household Travel Survey conducted by TCCS and the activity reports provided by Project Wing about the road kilometres saved due to the use of drones in the ACT. The report on the ACT Household Travel Survey is available on the TCCS website.

Members discussed that Project Wing may be better suited in using ACT Government data in order to provide a better picture of how many future kilometres could be saved off ACT roads.

Members agreed that it would be beneficial that Project Wing be invited as a keynote speaker at the Australasian Transport Research Forum. Members mentioned that in conducting this, Project Wing should be the sole spokesperson for the topic of drones at the conference.

Members spoke about drones during the 2018 Multicultural festival in Canberra. Members noted that it may be pertinent to have a consistent approach in receiving and responding to drone complaints. It was recommended that information be sought from Access Canberra complaints team about complaints in relation to drones. Report to be conducted by next week.

Members noted that some venues in the ACT like the National Arboretum have specific policies that exist in regards to the operations.

Members mentioned that the ACT Police do have at their disposal Specific RDF signal jamming technology to disengage and allow drones to land safely.

ACTION: For TCCS to share the ACT Household Travel Survey report available on the TCCS website to members of the Drones Working Group.

Access Canberra to gather information on complaints over the Multicultural Festival.

Members agreed that any future meetings will be triggered by any new and significant issues relating to drones and impacts of the current Inquiry into Drone Delivery Systems in the ACT by the Standing Committee on Economic Development and Tourism.

CMTEDD secretariat contacts

Eddy Webster
Policy Officer, Regulation and Productivity
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**Chief Minister, Treasury and Economic
Development Directorate**

UNCLASSIFIED

To: Minister for Regulatory Services

Tracking No.: [Click here to enter text.](#)

Date: 20 February 2018

CC: [Click here to enter text.](#)

From: Director, Government and Regulatory Reform

Subject: Project Wing – program background and regulatory status

Critical Date: [Click here to enter text.](#)

Critical Reason: [Click here to enter text.](#)

Purpose

To inform you on the current regulatory status of Project Wing’s autonomous drone delivery trials and seek your consideration as to whether greater regulatory action for commercial drone operations in the ACT is necessary moving forward.

Recommendations

That you:

1. **Note** the information contained in this brief and consider whether a specific regulatory framework is required for commercial drone activity in the ACT or whether the current planning network is sufficient to regulate such activity.

Noted / Please Discuss

MLA/...../.....

Minister’s Office Feedback

UNCLASSIFIED

Background

1. As of July 2017, Project Wing – a sister company of Google – began testing an autonomous drone delivery system in the Googong area, adjacent to the ACT border. The program was a trial that lasted approximately 2-3 weeks and serviced Fernleigh Park, delivering food parcels to residents from a drone “airport” that was set up by Project Wing in the area.
2. A second series of trials, based in the ACT, were undertaken in October 2017 across the Royalla estate and a new set of trials are set to begin in March 2018 in Bonython. Both sets of trails have been subject to regulation by the Civil Aviation Safety Authority (CASA) working alongside EPSDD.
3. For the latest trials, CASA has issued approval for Project Wing to deliver to only a limited geographical area within the suburb of Bonython and will only progressively relax their approval after Project Wing continues to demonstrate their safety.
4. Based on EPSDD’s Section 303 unleased-land licence framework, GSO have prepared a one month custom-purpose ‘no-flying’ licence for block 16 Section 43 Greenway. This allows Project Wing to set up a base site but not to fly any drones until the trials begin in March.
5. The trials have drawn a mixed response from the community with some concerned about the environmental and noise impacts of the drones.

Issues

6. As it stands, the nature of these trials as a ‘world-first’ means that autonomous drone delivery remains largely unregulated and outside the parameters of existing legislation. Furthermore, such regulation does not clearly fall under the remit of a specific Ministerial office. See **Attachment A**:
7. EPSDD are still scoping the regulatory framework moving forward, but have settled on a temporary operational agreement with Project Wing that imposes certain geographical flying restrictions, namely around gaols, remand centres and embassies.
8. Both the EPSDD and Project Wing have expressed concerns that the temporary flying and land-use licences are an insufficient regulatory basis for the operation of future commercial drone activity in the Territory. Project Wing have also advocated that any regulatory reform by the ACT government should be part of a policy process that deals with all drone operators evenly, rather than on a contractual basis.
9. Geographical/delivery restrictions, and other concerns around commercial drones will likely need to form part of a long-term policy development that is produced in consultation with the ACT community.
10. EPSDD have noted that the Planning Authority is not the best equipped to provide a comprehensive regulatory framework moving forward.
11. Sections of the community variously support or oppose the drone delivery system. Community concerns relating to Project Wing’s drone testing have included:
 - a. noise complaints, specifically the effect of noise on the health of nearby residents;
 - b. adequate notification about upcoming trials;
 - c. environmental impacts, e.g. disturbance of local animals.

Financial Implications

12. Nil

Consultation

Internal

Nil

Cross Directorate

13. Alex Konovalov – Senior Manager, Land Release and Economics, EPSDD

Benefits/Sensitivities

- 14. The development of a more specific regulatory framework will need to be assessed alongside the issues of commercial viability for drone operating businesses as well the ACT's reputation as a jurisdiction that welcomes innovation and technological pioneering.
- 15. A long-term regulatory framework will need to consider, among others, the issues of:
 - a. Noise and visual pollution;
 - b. Privacy concerns;
 - c. Impacts on domestic and wild animals;
 - d. Cyber security;
 - e. Geographical sensitivity;
 - f. Safety;
 - g. Land use concerns;
 - h. Operational actions that would violate existing ACT legislation. For example, the delivery of junk food to schools could contravene the ACT's healthy food policy.
- 16. It is the recommendation of the EPSDD that any long-term regulatory policy be considered after Project Wing have concluded their latest tests. The purpose of these tests are to reveal any community or operational issues with the delivery system and to prematurely recommend regulatory measures, particularly in the public domain, could negate the trial's effectiveness.

Media Implications

- 17. Project Wing held a media event on 22 February 2018 to "educate the media to report in an informed way for testing to come". This is to be followed by a larger unveiling event in March once Project Wing begins their trials. They are currently in talks with the Chief Minister's Office as to whether he will attend the March event.

Signatory Name:

Phone:

Action Officer:

Phone:

Attachments

Attachment	Title
Attachment A	Directorate Responsibilities

Directorate Responsibilities

A future regulatory framework covering the operation of commercial drones has multiple directorate concerns relating to the following operational and governance issues:

	Ministerial Office	Directorate
<ul style="list-style-type: none"> ○ Technology/innovation initiatives as well as future investment prospects for a drone-delivery market in the Territory. ○ Skills, trade and economic development guidelines. 	Economic Development	Chief Minister, Treasury and Economic Development
<ul style="list-style-type: none"> ○ Public land and lease regulation. ○ Access Canberra's jurisdiction over fair trading and registration, inspection and regulatory services (including transport regulation and licensing). 	Regulatory Services	
<ul style="list-style-type: none"> ○ Environmental protection policy in relation to public lands. 	Environment and Heritage	Environment, Planning and Sustainable Development
<ul style="list-style-type: none"> ○ Licencing around planning and development of drone base sites. ○ Strategic land use. 	Planning and Land Management	
<ul style="list-style-type: none"> ○ Transportation reform policy including defining drones as a class of commercial transport and issues relating to safe practice and compliance. ○ Responding to community complaints and concerns. 	Transport and City Services	Transport Canberra and City Services
<ul style="list-style-type: none"> ○ Incident reporting. ○ Possible future use of drones by police and emergency services for security or emergency purposes. 	Police and Emergency Services	Justice and Community Safety
<ul style="list-style-type: none"> ○ Policy relating to security and privacy including the Crimes Act and the Invasion of Privacy Amendment 2017. ○ Responding to community complaints and concerns. 	Attorney General	



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ECONOMIC DEVELOPMENT AND TOURISM
Mr Jeremy Hanson MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Mr Michael Pettersson MLA

Submission Cover Sheet

Inquiry into drone delivery systems in the ACT

Submission Number: 083

Date Authorised for Publication: 27 February 2019

ACT Government Submission

Standing Committee on Economic Development and Tourism **Inquiry into Drone Delivery Systems in the ACT**

February 2019

Presented by Minister Mick Gentleman

**Minister for Planning and Land
Management**

**Minister assisting the Chief Minister on
Advanced Technology and Space
Industries**

Introduction

The ACT Government welcomes the opportunity to provide a submission to the Committee on the implications of drone delivery technology for the ACT.¹

The ACT Government has been engaging with the opportunities and challenges presented by drone delivery technology through detailed policy consideration, and its response to the arrival to Canberra of Wing Australia (Wing), a drone delivery service and initiative of Alphabet. Wing was developed through the Alphabet research and development program “X”, and graduated the program to become an independent Alphabet business as of July 2018.

The ACT Government’s response to Wing and the drone delivery services industry’s presence in the ACT is a continuation of the Government’s commitment to adopting a smart and innovative city mindset and engaging with emerging industries. This approach delivers competitive advantages, better outcomes and new opportunities for ACT businesses and the community, including business investment, more efficient business models and employment opportunities. When responding to new technology, the ACT Government encourages innovators to engage appropriately with community concerns and when appropriate, work with government to get the regulation right. The ACT’s engaged community and agile regulatory environment are key factors that attract innovative businesses to trial and establish their services in the ACT.

Other recent examples of projects that also reflect the ACT Government’s engagement with emerging industries include the development of the world’s largest virtual power plant, the regulation and introduction of rideshare and the CANdrive automated vehicle trial.

The ACT Government’s commitment to innovation and advanced technologies is also seen through support of the CBR Innovation Network, the Renewables Hub as well as highlighting advanced technology industry capability to domestic and international audiences.

These initiatives are demonstrating the benefits of being a trial site for innovative technologies and the advantages of the ACT Government’s approach to working collaboratively with the public, private and not-for-profit sectors more effectively to solving Canberra’s current and future challenges.

The decision to base the trials of the technology in the ACT and surrounding region

Wing approached the ACT Government on two technology trials seeking business support in the form of temporary licences to access unleased land. These licences have provided an opportunity for the ACT Government to learn from the development of an emerging global industry in an ACT context. To date, the ACT Government considers its association with Wing to be productive and constructive for this purpose.

¹ Trials of autonomous ground based delivery vehicles (commonly referred to as droids) have occurred in other jurisdictions to deliver packages. No droid delivery trials have occurred in the ACT. There are unique challenges in relation to droid technologies (including their use of footpaths, roads and other public land) that is not elaborated on in this submission as droids are not the subject of the Committee’s inquiry.

The first technology trial involved the delivery of small packages to the rural residents of Royalla (NSW) from a site adjacent to the Guises Creek Rural Fire Brigade, on the ACT side of the ACT/NSW border (Block 1553 Tuggeranong). Wing was issued a temporary licence from the ACT Government under Section 303 of the *Planning and Development Act 2007* (PD Act) to use this land from 21 September 2017 to 31 March 2018. Wing paid a commercial rate for this licence service.

The second trial involved the delivery of packages to some suburban residents of Bonython from a site in Greenway (part Block 18 Section 46 Greenway). Wing was issued two licences and a licence extension under Section 303 of the PD Act to use this land between 25 January 2018 and 15 February 2019, however this trial only operated from July 2018 to February 2019 as Wing were awaiting approval to operate from CASA. Wing also paid a commercial rate for these licence services.

In November 2018, Wing announced it would be taking steps to establish its first delivery facility in Mitchell during 2019 to service suburbs in the Gungahlin area. Wing has made commercial arrangements for a facility in Mitchell. The ACT Government has not been involved with this process.

For Wing, the move to Mitchell is the culmination of nearly a decade of technical development in Australia and globally and close to two years of trialling the customer experience of drone delivery with residents in the ACT and NSW. Wing estimates it has invested over \$5 million in the ACT in support of the trial to the end of 2018. The ACT Government welcomes Wing's past and future business investment in the ACT and region.

Considerations in the issuing of licences to use Territory unleased land

For the most part, Wing's Section 303 licences reflect standard licences issued to businesses which only apply for the temporary use of unleased Territory land (often issued for grazing or other temporary uses). Wing's licences do include a number of agreed additional requirements relevant to issues, risks and mitigation measures identified by the ACT Government, CASA and Wing. These Licences also reflect the regulatory framework that already exists and impact on Wing and would not apply for other land use models. Notwithstanding this, Wing's approach to the ACT Government to seek assistance, involved an assessment by them, of the opportunities for the ACT community, site requirements and service risks and mitigation measures.

Following Wing's initial approach, the ACT Government identified a number of opportunities that can be developed through the provision of the requested business support that include:

- fostering innovation and new business models in the ACT that would contribute to the innovation ecosystem in the ACT;
- promoting new business investment in Canberra;
- enhancing government consideration of the implications of a drone delivery industry in Canberra;
- further exploring the wide range of situations and application for the technology including in the context of Emergency Services;
- further engaging with innovators and regulators including Wing and the Civil Aviation Safety Authority (CASA);

- engagement with technologies that can reduce: transport carbon dioxide emissions, road infrastructure use and traffic congestion; and increase the access to services and independence for some members of the community and region (noting Royalla was the first trial area); and
- the reputational advantages that come from being a city that engages productively with innovation and research.

These trials also provide an opportunity for the ACT Government and national regulators (including CASA) to learn about challenges and opportunities presented by emerging delivery drone technology, including community concerns about noise, privacy and safety.

In reviewing Wing's site requirements, the ACT Government considered the locations of temporary infrastructure, impact on surrounding land users, parking locations, hours of operation and provision of services including water and electricity. For the Guises Creek Rural Fire Brigade site, EPSDD and Emergency Services Agency (ESA) also ensured that Wing's business model would have minimal impact on the operation of the ESA.

Both licences issued to Wing recognised that CASA has exclusive regulatory responsibility for the safe operation of all commercial and recreational drones throughout Australia. A requirement of each of the Section 303 licences issued by the ACT Government to Wing is compliance with the aviation safety frameworks established by CASA. Wing has demonstrated its capacity to achieve CASA accreditation and operate within the relevant frameworks.

In addition, both licences require Wing to comply the requirements of the Commonwealth Government *Privacy Act 1988* (Privacy Act) which contains a number of privacy protections for the Australian public, and sets out principles for how organisations use information. These are requirements placed on most Australian Government agencies and some private sector, not-for-profit organisations, and some small businesses. Under the Privacy Act, the Commonwealth Office of the Australian Information Commissioner (OAIC) responds to complaints about the handling of personal information.

In issuing the licences, EPSDD also considered Wing's proposed business model against ACT noise limits detailed in Schedule 2 of the *Environment Protection Regulation 2005* and contemporary research on the potential impacts of drone use on wildlife. This assessment led to the inclusion of a licence requirement that limits Wing's activities to between 7am-8pm Monday to Saturday and 8am-8pm Sunday and Public Holidays, and contributed to Wing commissioning research to identify appropriate mitigation measures to reduce potential impacts of drone use on wildlife.

The ACT Government has also leveraged these licence agreements with Wing as an opportunity to be engaged with the new technology and an emerging industry. For example the licences provided for Wing to conduct a demonstration of drone delivery capability and facilitate a discussion with ESA and Rural Fire Service personnel on scenarios where the technology could support operations.

Wing has complied with all licence conditions to date (noting this submission has been developed prior to the conclusion of Wing's Bonython trial).

The economic impact of drone delivery technology being tested in the ACT

There is value to the ACT community in the ACT being a trial site for leading technologies. Wing estimates it has invested over \$5 million in the ACT in support of the trial to date. Beyond this direct investment, it provides high value employment opportunities in the ACT. Wing has engaged with the Canberra innovation ecosystem, particularly through CBR Innovation Network and seeks to work in partnership with universities and the CIT. The ACT Government appreciates that new technologies pose challenges and raise new community concerns and getting regulation right is something the ACT community and businesses expect. Wing has stated that the high international reputation of the CASA is a major reason for undertaking this trial in Australia and Canberra. Canberra is also the highest ranking city in Australia on digital capability and use, and this combined with education, income and dual working families puts Canberra at the forefront of digital adoption.

Enhancing ACT businesses

It is anticipated that parcel delivery by drone will become a component in a network of delivery modes in the coming decades. Businesses can use drones as an inexpensive alternative to road delivery vehicles or cyclist delivery services for small packages. At \$1-2 per trip, drones could be up to 89 per cent cheaper than current instant delivery.² In addition, Wing has demonstrated drones can reliably deliver perishable products like hot food and drinks in a timely manner and good condition. Drone delivery models have the potential to expand the capacity of ACT business to deliver their products to more customers. These efficiencies can help make ACT business more competitive and successful.

Canberra citizens and businesses are being provided, through the trials and Wing's investment, an early opportunity to understand and take advantage of this new technology. Canberra based companies engaged with the trial include: Guzman y Gomez, Chemist Warehouse, Bunnings, Jasper + Myrtle Chocolates and Kickstart Espresso.

Innovation and the CBR brand

Canberra is the only location in Australia where delivery trials are taking place, and one of the few places anywhere in the world. The more than 2500 parcels delivered by Wing in Canberra during 2018 is the largest commercial trial of drone parcel delivery to consumers, worldwide. Wing's proposed Mitchell operations and facility, providing delivery services to the Gungahlin district, is expected to keep Canberra in the lead in consumer delivery by drone during 2019.

The Wing drone delivery trial has generated international media interest raising Canberra's profile as a city of innovation and early technology adoption. This reporting has resulted in Canberra coming to the attention of other companies with interests in city based technology trials. Reporting on experiences of community members has been balanced and engaged with the challenges and benefits of this new delivery method. One example is the recent report in the Wall Street Journal of 26 December 2018³. The high profile nature of this trial, along with other trials such as the Seeing Machines CANdrive trial, means that Canberra has

² *Faster, Greener and Less Expressive: The Potential Impact of Delivery Drones in the Australian Capital Territory*, November 2018 Prepared by AlphaBeta for Wing

³ The Wall Street Journal article *Delivery Drones Cheer Shoppers, Annoy Neighbors, Scare Dogs* can be accessed at: <https://www.wsj.com/articles/delivery-drones-cheer-shoppers-annoy-neighbors-scare-dogs-11545843552>

real credentials as an avant-garde technology city, with sophisticated ways of handling complex regulatory and community engagement issues associated with the trials. This helps raise the value of the CBR brand and encourages further technology investment in Canberra.

Increased independence, participation and inclusion

Drone delivery systems are also an opportunity to improve the independence and access to services for some members of the Canberra community. While delivery services does not replace the need for more inclusive services and public spaces, fast and reliable drone delivery services to residential homes can remove barriers for people with disabilities that impair their capacity to travel to purchase products. For example, errands like visiting the chemist for over the counter pharmaceuticals or getting something for lunch, can present significant access challenges. In this way this service increases inclusion and participation in the economy.

The extent of regulatory oversight of drone technology at various levels of government including but not limited to:

(i) local authorities such as the Environment Protection Authority, Worksafe and Access Canberra; and

(ii) Commonwealth agencies such as Air Services Australia and Civil Aviation Safety Authority;

The role for local authorities and the Commonwealth Government regulating for drone delivery

The Commonwealth Government has exclusive power to regulate drones. It also has exclusive power to regulate activity associated with postal delivery services. Where a Commonwealth law is identified as presenting a complete statement of the law, sometimes expressed as 'covering the field', the power to legislate is the exclusive power of the Commonwealth with respect to that topic. This means that ACT laws must be capable of operating alongside any relevant Commonwealth law to have legal effect, and must not seek to legislate on an area which the Constitution provides as a head of legislative power for the Australian Parliament.

Some areas of ACT law apply to drone delivery, as they would apply to any other activity in the ACT, these include: aspects of workplace safety law, fair trading, criminal law, and tort law. The ACT Legislative Assembly does not have the legal ability to provide a comprehensive, targeted regulatory response to drone delivery.

The relevant aspects of the current regulatory landscape, and the responsibility in reference to local and national authority, are explained below.

Regulation applicable to drone operation and registration

Commonwealth civil aviation law provides a comprehensive national approach to the standard and enforcement of the safety, regularity and efficiency of air navigation. The Commonwealth has exclusive power to legislate with respect to any *in flight* measures pertaining to safety. The principle Act is the *Civil Aviation Act 1988* (Cth), which gives effect to Australia's obligations under the *Convention on International Civil Aviation* (Chicago

Convention). These obligations require the Commonwealth to prescribe and enforce national and uniform civil aviation safety standards. A suite of subordinate legislation provides a detailed regime regulating air operations throughout Australia. Drones are covered by the regime, terms used for drones include: Remotely Piloted Aircraft Systems (RPAS) and Unmanned Aerial Systems (UAS).

The *Civilian Aviation Safety Regulations*, Part 101 consolidate the rules governing all unmanned aeronautical activities into one body of legislation. The operation of large and small drones for purposes other than sport or recreation is covered in these regulations and supported by advisory circulars. The circulars provide guidance to controllers and manufacturers of drones in their operation and construction, and detail where they may be safely and legally operated within Australian airspace.

Commonwealth civil aviation law provides a scheme for drone licencing, certification of aircraft operators, and compliance centred on safety and efficiency of air navigation. Commonwealth law sets requirements based on drone aircraft weight limits and purposes of the flight activity. In relation to drone flight operations, regulations prohibit a range of activities. These include:

- operating a drone in a way which creates a hazard to another aircraft, person, or property;
- flying within 30 metres of another person;
- flying beyond the pilot's line of sight, flying over a populous area at a height less than that from which, if any of the aircraft's components failed it would be unable to clear the area;
- flying over an area where an emergency operation is being conducted; and
- causing a thing to be dropped or discharged from a drone in a way that creates a hazard to another aircraft, person or property.

If an operator is piloting a drone in accordance with the regulations there are unlikely to be noise, privacy, security or safety concerns given these safeguards.

CASA is the agency that bears responsibility for enforcement of these regulations and reports of breaches are dealt with through their website. CASA is also authorised to grant exemptions or bespoke licence conditions to drone operators for regulated requirements if CASA is satisfied that risks to safety and or hazards relating to air navigation have been adequately addressed. ACT agencies do not have a role in managing or enforcing these requirements.

Relevant to drone delivery operations, CASA have signalled a willingness towards a more permissive approach to regulation through its use of bespoke licensing and exemptions. Variation from the standard legal requirements for drone delivery systems is central to their ability to operate efficiently and cost effectively. The change in requirements is necessary due to aspects such as the automation of piloting systems, the speed at which delivery drones need to travel, and the need to fly over populated areas.

Regulation applicable to delivery of items by drone technology: trade and commerce and postal services

The Commonwealth has exclusive authority to legislate for matters regarding civil aviation that relate to interstate trade and commerce or implementing obligations under the international obligations contained in the Chicago Convention. In relation to cross border drone activity with NSW, laws that seek to restrict the commercial transaction aspects of drones, would likely be incompatible with this covering of the field. Additionally, the *Australian Capital Territory (Self- Government) Act 1988* (Cth) requires that trade, commerce and intercourse between Australian jurisdictions be absolutely free, in the sense that there are no unjustifiable discriminatory burdens of a protectionist kind burdening the capacity of other states or territories to trade with the ACT.

With respect to other aspects of delivery of items, the Commonwealth has constitutional power to make laws to the exclusion of state and territories regarding "postal, telegraphic, telephonic, and other like services." Drone delivery activity could reasonably be characterised as mirroring traditional postal transmission of items. The description for "postal or similar service" includes "a packet or parcel carrying service, to the extent to which the service is a postal or other like service", within the meaning of paragraph 51(v) of the Constitution.

In reliance on this power, the Commonwealth has enacted a number of offence provisions dealing with "postal services" into the *Criminal Code Act 1995* (Cth) with offences relating to use of "postal or similar services", including activities that are likely to capture drone delivery. These offences include causing a dangerous article, explosive, or harmful substance to be carried by post or like service.

Regulation applicable to activity in ACT

Drone operators are not exempt from a range of existing laws which apply in the ACT. This includes for example; planning and land use laws, criminal law and tort law. Persons would be liable under ACT criminal law if a drone is used in the commission of a criminal offence, including for example personal violence offences. Similarly, the common law tortious actions of trespass or nuisance apply to drone usage on premises in the ACT. Legal remedies may be sought in relation to such drone use within existing mechanisms through the courts, or in civil claims, negotiated between the relevant parties.

The *Work Health and Safety Act 2011* (the WHS Act) provides a framework to protect the health, safety and welfare of all workers at work. It also protects the health and safety of all other people who might be affected by the work.

All workers are protected by the WHS Act, including employees, contractors, subcontractors, apprentices and trainees, work experience students and volunteers. The WHS Act also provides protection for the general public so that their health and safety is not placed at risk by work activities.

The WHS Act places the primary health and safety duty on a person conducting a business or undertaking. The health and safety of workers at the workplace must be ensured, so far as is reasonably practicable. Duties are also placed on workers and other persons at a workplace.

A Territory law which intends to govern some aspect of a subject matter exclusively regulated by the Commonwealth cannot operate concurrently with the Commonwealth law. Where those boundaries are with respect to air navigation safety is currently before the High Court in the case of *Work Health Authority v Outback Ballooning Pty Ltd & Anor* (D4 of 2018).

In that case, the question for the court is whether Territory law under the *Work Health and Safety (National Uniform Legislation) Act* (NT) is inoperative because it is inconsistent with Commonwealth civil aviation law. The resolution of that issue primarily depends on the extent of the field covered by Commonwealth civil aviation law, and will likely clarify whether the field the Commonwealth had claimed exclusively for itself is one of civil aviation safety in flight, or a broader view.

With regard to aircraft noise, the current drafting of the *Environment Protection Act 2005* excludes the application of its noise limits and standards applying to Commonwealth jurisdiction aircraft, including drones, as aircraft noise is regulated under the Commonwealth *Air Navigation Act 1920*. Generally civil aircraft operating in Australia must comply with the *Airports Act* and meet noise standards specified in the regulations. Concerns about aircraft noise are lodged with Airservices Australia.

The *Air Navigation (Aircraft Noise) Regulations 2018* (Cth) requires noise certification for certain aircraft. For those aircraft not specified in the Schedule, if standards for aircraft noise for aircraft of that class exist in the Annex (Annex 16) to the Chicago Convention, they would also require a certificate. Unmanned aerial vehicles do not seem to be captured by the Schedule or the Annex.

However, the CASA Advisory Circular of July 2018 states that “RPA operators are subject to applicable local noise abatement requirements—such as operating hour limitations and flight path/altitude restrictions—in the area of operation. Details of noise abatement procedures, including 'Fly Neighbourly' areas, are published in ERSAs (En Route Supplement Australia).”

The Territory Plan does not specifically contemplate drone delivery however all land use and planning laws apply to drone delivery companies in the same way they apply to other companies operating in the ACT.

Industry imperative to respond to risks and concerns

Drone delivery is an emerging global industry with dozens of businesses undertaking trials around the world. Within this context there is a significant reputational imperative for innovators to respond to risks and concerns identified by community, industry and government. For example, should safety, privacy, public opinion or environmental risks be left unmitigated by an innovator, this could prejudice future potential services uses from using their service or product and governments from taking a more permissive approaches to regulating their business model (both locally and internationally). These implications, in turn, impact on the viability of the innovator’s business model.

By way of example, this submission provides a detailed understanding of how Wing has responded and mitigated the risks and concerns identified by CASA, ACT Government and the community in relation to their business model.

Regulation of ACT drone delivery trials

Wing in partnership with the Queensland based company Unmanned Systems Australia Pty. Ltd. have conducted two temporary drone delivery trials in the ACT. CASA issued licences for Wing to conduct their drone delivery operation for both of these trials.

Both these trials involved the use of unleased land, which allowed the ACT Government to issue land use requirements through a temporary licence under Section 303 of the *Planning and Development Act 2007* (PD Act). The terms of this licence related to the use of land for the purposes of conducting these trials and set specific operational limitations. These include the obligation to ensure that the operation of drones is conducted: with all relevant laws and all necessary approvals, licenses, policies, procedures, conditions and permissions from all relevant authorities; in accordance with any plans approved or endorsed by CASA, or required by CASA to be complied with; and with operating time restrictions and within the area identified. It also imposed the condition of complying with Commonwealth Privacy Legislation.

CASA issued Unmanned Systems Australia Pty. Ltd. a range of exemptions from the Commonwealth regulations. The CASA licence exempts Unmanned Systems Australia Pty. Ltd. from the requirement to not operate a drone within 30 metres of a person, and to not operate a drone over populous areas. The ACT Government has no role in deciding exemptions provided to an operator, they are assessed by CASA and involve a detailed consideration of technical aspects of the operational design and system performance to a proven safety standard.

Future regulation: a national approach

Drone technology presents a number of complexities and challenges for civil aviation regulation. The most significant of these matters involve issues of safety, and the management of risks for other airspace users as well as people and property on the ground. CASA acknowledge in their *2018 Review of Aviation Safety Regulation of Remotely Piloted Aircraft Systems* that these critical considerations objectively, and in most instances exclusively, fall within the regulatory remit of the Commonwealth.

In July 2018 the Senate Standing Committee on Rural and Regional Affairs and Transport References Committee completed its inquiry into current and future regulatory requirements that affect the safe commercial and recreational use of Remotely Piloted Aircraft Systems (RPAS), Unmanned Aerial Systems (UAS) and associated systems. The Commonwealth Government tabled its response in November 2018 committing to further work in support of many of the recommendations. In its response the Commonwealth indicated support for the development of a National policy for remotely piloted aircraft safety in Australia, and the establishment of appropriate coordination and implementation mechanisms with relevant departments and agencies to implement the policy and the adoption of the measures above.

The ACT Government supports a national approach to future drone delivery regulation. A national approach is the most effective means of regulating owing to the nature of the exclusive power of the Commonwealth to legislate on significant aspects including drone flights and postal services.

The ACT Government acknowledges the potential benefits to economic growth, environmental green-house emission reduction, and timely supply of critical items in emergency or crisis situations warrant a balanced approach to regulatory compliance and the safe operation of drone services. This is consistent with the Commonwealth

Government response to the July 2018 Australian Senate Standing Committee on Rural and Regional Affairs and Transport References Committee.

The Commonwealth Government's position is that the regulatory approach to drones must be proportionate to risk.

The ACT Government supports the development of nationally consistent regulatory measures. Measures proposed by the Commonwealth, include;

- development and administration of new regulatory initiatives for remotely piloted aircraft systems,
- a mandatory registration regime and education program and
- increased delegated powers which may allow on-the-spot fines; and
- CASA, Australian Federal Police, and relevant authorities prohibit the use of remotely piloted aircraft systems in airspace above significant public buildings, critical infrastructure, and other vulnerable areas.

The ACT Government is a human rights jurisdiction and takes its obligations to protect the right to privacy of ACT citizens seriously. The implementation of the recommendation to establish a comprehensive research and data gathering regime by the Commonwealth should be the least restrictive of the right to privacy. The ACT Government considers that collating and centralising information containing RPAS registrations, operations, trends and incidents, for the purposes of assessing the efficacy of regulations, and to inform the future regulations is a legitimate purpose and can be done in a way that does not limit the right to privacy.

The extent of any environmental impact as a result of trialling drone delivery technology on:

(i) residents within the trial area;

(ii) native wildlife;

(iii) domestic animals; and

(iv) greenhouse gas emissions

Residents

The ACT Government notes that some residents in the Bonython area have raised concerns about the distinctive sound of Wing's drones and the origin of the sound (e.g. neighbours' backyards and open space beyond their boundary fences rather than street facing aspects of their home).

The noise generated by the small electric engines that power drones is distinctive. However, Wing advises that drones used during both the Royalla and Bonython trials are equivalent to or quieter than other activities that create noise that are part of the urban/suburban soundscape, including idling trucks (70dB at 15 meters), lawnmowers (70dB at 15 meters) and other garden maintenance equipment (75dB at 15 meters). The Environmental

Protection Regulation 2005, allows for these equivalent activities between 7am-8pm Monday to Saturday 8am-8pm Sunday and Public Holidays.⁴

Wing has responded to the concerns of community members on these issues and has commenced testing lower pitched and quieter drones. Wing has also sought to reduce the impact of their service on individuals by slowing their drone vehicles down and modifying flight paths so they don't fly over the same areas repeatedly.

Wildlife and birds

In relation to drone use generally, there are only a few studies that have been undertaken worldwide seeking to assess the level of disturbance for wildlife, with research only just beginning to explore this matter more fully.

The research that has been undertaken and the trials are assisting to increase the understanding of potential impacts of drone delivery services on native wildlife, particularly birds, in urban landscapes in the ACT. This understanding has been informing the operations of Wing at Bonython and proposed operations in Mitchell.

The impact on native birds was identified by EPSDD as a potential risk early in the development of a Section 303 licence to use land in Greenway. As part of licence negotiation, Wing agreed to engage a local consultant (NGH Environmental) to undertake research into the potential impact of their services and identify strategies to mitigate that impact. Wing has shared this research with the ACT Government and EPSDD ecologists have provided comment on this analysis.

The ACT Government understands that Wing has engaged local ornithologist specialists as part of establishing their new service in Mitchell. This approach will support ongoing analysis on the business model's implication for native species and the development of appropriate mitigation measures.

It is important that government and business work collaboratively to understand the implication of this type of service. The ACT Government is pleased Wing has undertaken to contribute to the development of research that contributes to a growing body of knowledge on implications of drone technology.

Domestic animals

The ACT Government notes that there had been some initial concern from dog owners within the Bonython trial area. However, the experiences of Wing with animal owners in Royalla and Bonython suggest drone use is not significantly different to other activities that take place in urban/suburban environments (e.g. the post-bikes or garden maintenance activities).

Greenhouse gas emissions

The ACT Government notes that most contemporary drones are powered by batteries and electric engines. Given the ACT will access 100 per cent renewable electricity by 2020, drone

⁴ The Access Canberra Snapshot: *Noise in residential areas*, provides more information about the Environmental Protection Regulation 2005 at: <https://www.accesscanberra.act.gov.au/ci/fattach/get/237258/1535950331/redirect/1/filename/Snapshot+Noise+in+Residential+Areas.pdf>

technology charged from mains power will be powered by renewable energy. The service could reduce annual carbon dioxide emissions by 8,000 tonnes due to fewer road vehicle deliveries, according to AlphaBeta research prepared for Wing. This emissions reduction will provide an opportunity to reduce the ACT's transport emissions and assist in meeting the legislated net zero emissions target by 2045.

Further, Wing's service is likely to incentivise a new relationship with delivery services for businesses and residents. Similar to food delivery services (like Uber Eats or Deliveroo) the model will increase the reach of some businesses by reducing barriers to trade (parking, traffic, retail floor space for restaurants, and delivery times). This may see that mode shift from other delivery methods is not fully realised, but rather delivery services become more accessible and their utilisation increases. A similar phenomenon was observed following the introduction of ride share and its implications for the taxi industry in the ACT.

Ways to improve the use of drone delivery technology within the ACT

The ACT Government would like to acknowledge Wing's ongoing refinement of both their technology and business model in response to issues and concerns raised by service users, community members, businesses and Commonwealth and ACT government agencies.

Wing has demonstrated a conservative approach to growth, working with CASA and the ACT Government to identify and respond to risks, testing and evaluating mitigation approaches, and engaging community on what value they see from their service.

The ACT Government considers Wing's approach to date to be a responsible, collaborative and constructive approach to improving the use of drone delivery technology in the ACT. The ACT Government encourages other innovators that wish to establish a presence in Canberra to adopt a similar approach to the development of their services or technology.

Information privacy

As established in this submission, drone deliveries operating in the ACT are conducted by the private sector. No ACT public sector agency is engaged in drone deliveries, nor is there a future intention to trial this technology for deliveries by Government. This distinction determines which information privacy laws apply. The *Information Privacy Act 2014 (ACT)* and *Human Rights Act 2004 (ACT)* both provide privacy protections which only apply to ACT Government agencies.

The Australian Privacy Principles (APPs), which are contained in schedule 1 of *the Privacy Act 1988 (Privacy Act)*, outline how most Australian Government agencies and some private sector, not-for-profit organisations, and some small businesses (collectively called 'APP entities') must handle, use and manage personal information. The Privacy Act contains a number of privacy protections for the Australian public, and sets out thirteen principles which govern how organisations should collect, store, and disclose information. As a term of the ACT land use licence Unmanned Systems Australia Pty. Ltd. agreed to follow the requirements of the Privacy Act.

The Commonwealth privacy framework applies to private sector entities and small businesses with an annual turnover of more than \$3 million. However, a range of exceptions can apply. A small business which is operating drone deliveries with an annual turnover of \$3 million or less will have to comply with the Privacy Act if it is, for example, dealing in sensitive information such as health information, trading in personal information, a Commonwealth contractor, a business “related” to a business that is covered by the Privacy Act, or it has “opted in” to be covered by the Privacy Act.

The Australian Privacy Principles focus on transparency in the way personal information is collected. The privacy principles are designed to be technology-neutral – they can apply equally across traditional styles of collection of information, such as paper files, through to storing information on computer databases. This is crucial as it relates to drone delivery systems, as the operational requirements of drones for the purposes of delivery systems require the automatic collection and storage of certain types of information in server logs. This information includes but is not limited to credit card information, street addresses internet protocol addresses and other geolocation data, cookies, and images, used to assist in the delivery process and in analysing issues and improving flight control and guidance systems.

Irrespective of its annual turnover, or whether or not it is “related” to a larger organisation, the current trial operator Wing is bound by the terms of the section 303 licence to comply with the provisions of the Privacy Act. As such, any individual affected by Wing or any other APP entity may contact the federal Office of the Australian Information Commissioner (OAIC) if they seek to make a complaint about the handling of their personal information. The OAIC can make determinations on privacy complaints where conciliation has not resolved the matter or in relation to Commissioner Initiated investigations (CII).

The ACT Government also notes Wing’s advice regarding the technical specification and use of on-board drone cameras for navigation purposes. Wing indicate that these cameras are deliberately low resolution, not monitored in real time and do not collect personal information.



Australian Government

Australian Government response to the
Senate Standing Committee on Rural and
Regional Affairs and Transport report:

*Regulatory requirements that impact on the safe use of
Remotely Piloted Aircraft Systems, Unmanned Aerial Systems
and associated systems.*

NOVEMBER 2018

Executive Summary

Like elsewhere in the world, Australia has experienced rapid growth in commercial and recreational Remotely Piloted Aircraft Systems (RPAS) use in recent years. The potential of RPAS to change the way in which Australians approach everyday tasks is significant, as they can reduce the cost and risk associated with hazardous, difficult or time-consuming work. There has already been a significant uptake in industries such as the media, emergency services, agriculture, mining and scientific research.

The Government recognises the importance of regulating the RPAS industry to ensure the safety of the public, RPAS pilots and other airspace users. However, this regulatory approach must be proportionate to risk and encourage growth in the sector now and into the future. If regulated appropriately, the emerging RPAS sector will contribute significant productivity and efficiency gains to the Australian economy.

On 31 July 2018, the Senate Rural and Regional Affairs and Transport References Committee (the Committee) tabled the Report into the *Current and future regulatory requirements that impact on the safe commercial and recreational use of RPAS, Unmanned Aerial Systems and associated systems* (the Report).

The Government notes Recommendations 1, 3 and 5, and will review its position on these matters as RPAS technologies advance.

The Government agrees with Recommendations 2 and 10, and has identified measures by which the recommendations can be put into action.

The Government agrees in principle with Recommendations 4, 6, 8 and 9, and will progress work relating to these recommendations as identified.

The Government does not agree with Recommendation 7, specifically the need to develop import controls for Remotely Piloted Aircraft Systems.

The Civil Aviation Safety Authority (CASA) is responsible for implementing Recommendations 1, 2, 3, 5, 6 and 10.

Airservices Australia (Airservices) is responsible for working with CASA, the Australian Transport Safety Bureau (ATSB) and the Bureau of Infrastructure, Transport and Regional Economics (BITRE) to implement Recommendation 9.

The Department of Home Affairs is responsible for Recommendation 7.

The Australian Federal Police, in concert with CASA, is responsible for Recommendation 4.

The Department of Infrastructure, Regional Development and Cities is responsible for Recommendation 8 relating to the whole of government policy coordination mechanisms.

The Attorney-General's Department (AGD) and the Department of Infrastructure, Regional Development and Cities are responsible for the privacy related aspects of Recommendation 8.

Recommendation 1

The committee recommends that the Civil Aviation Safety Authority draw on the growing body of international empirical research and collision testing on remotely piloted aircraft systems below 2kg to immediately reform Part 101 of the Civil Aviation Safety Regulations 1998.

The Government **notes** this recommendation.

CASA continues to draw on international research to develop and refine the regulations relating to RPAS.

At this stage, the Government does not consider that the current international research supports the need for an immediate redraft of the Civil Aviation Safety Regulations Part 101 relating to RPAS below 2kg. The introduction of CASA's legislative instrument (*Direction – operation of certain unmanned aircraft*) in October 2017 has already provided stronger, clearer and tightened safety rules for recreational RPAS users. The new rules include a requirement that operators must not fly their RPAS over or near areas affecting public safety or where emergency operations are underway, and not within 5.5 kilometres of a controlled aerodrome.

All RPAS users, unless approved otherwise, must adhere to the prescribed standard operating conditions, including not flying above 400 feet, not flying within 30 metres of people and operating within line of sight to the RPAS. For those operating in the 'excluded category' (commercial operations under 2kgs), they must notify CASA five days before they fly and operate within the rules applicable to the excluded category.

The Government notes that despite the proliferation of RPAS, the ATSB have no confirmed reports of a collision between RPAS and conventionally piloted aircraft in Australia.

The Government supports CASA's continued monitoring of RPAS operations below 2kg, set to be bolstered by the Government's RPAS policy and data frameworks to be established in response to Recommendations 8 and 9 (refer). CASA will continue to follow international developments in RPAS regulatory frameworks and will amend Part 101 if appropriate.

Recommendation 2

The committee recommends that the Australian Government introduce a mandatory registration regime for all remotely piloted aircraft systems (RPAS) weighing more than 250 grams. As part of registration requirements, RPAS operators should be required to successfully complete a basic competence test regarding the safe use of RPAS, and demonstrate an understanding of the penalties for non-compliance with the rules.

The Government **agrees** with this recommendation.

This recommendation is consistent with the views reflected in the CASA's *Review of aviation safety regulation of remotely piloted aircraft systems* (CASA's Review), published May 2018.

The Government supports the implementation of an appropriate mandatory testing regime as part of the registration process, under which recreational and other drone users in the excluded category must successfully demonstrate an understanding of the safe and lawful use of RPAS.

CASA has begun to develop options for an effective and efficient registration scheme. The scope and form of that scheme will have regard to the Committee's concern that any such scheme should be both cost-effective and sustainable.

Recommendation 3

The committee recommends that the Australian Government develop a tiered education program whereby remotely piloted aircraft system (RPAS) users progressively unlock RPAS capabilities upon completion of each level of training. Three tiers are proposed as follows:

- purchase of the RPAS – mandatory registration requires user to demonstrate knowledge of the basic rules for flying RPAS, and the penalties for non-compliance (as described in Recommendation 2);
- recreational use of RPAS – second tier requires user to demonstrate an advanced understanding of aviation rules and safety before unlocking additional capabilities; and
- commercial use of RPAS – final tier requires user to demonstrate comprehensive aviation knowledge before obtaining commercial operator licence and unlocking full RPAS capability.

The Government **notes** this recommendation.

The Government supports a broader education scheme and mandatory registration and CASA, as the aviation safety education provider, will progress implementation.

CASA is developing an appropriate education package for the safe use of RPAS across the usage tiers. In developing an education program, the Government would involve appropriate law enforcement agencies, to ensure that knowledge of compliance requirements is not limited to safety issues alone, but also includes threats to national security.

CASA will work carefully to ensure that any changes to RPAS education do not impose unnecessary requirements that discourage participation from RPAS users and manufacturers, are cost effective and sustainable.

The full implementation of this recommendation would require technological capabilities to be implemented by all RPAS manufacturers. While the technology to limit or restrict operations is advancing, linking this to completion of training is currently not feasible given the breadth of sources from which RPAS can be acquired.

Recommendation 4

The committee recommends that the Civil Aviation Safety Authority, in cooperation with the Australian Federal Police and other relevant authorities, prohibit the use of remotely piloted aircraft systems in the airspace above significant public buildings, critical infrastructure and other vulnerable areas.

The Government **agrees in principle** with this recommendation.

CASA will continue to work with the Australian Federal Police (AFP), state and territory law enforcement authorities and other agencies of federal, state and territory governments to develop advanced processes to limit and restrict the operation of drones in certain locations. The Government expects security agencies to continue to assess the threat concerning significant public buildings, critical infrastructure and other vulnerable areas and advise on any necessary restrictions utilising CASA's existing regulatory powers.

Mechanisms are already in place for an appropriate security agency to request CASA's Office of Airspace Regulation to designate certain airspace as prohibited, restricted or danger areas. However, each category of designation requires CASA to be satisfied of particular criteria and would be difficult to limit to RPAS without inadvertently affecting other airspace users.

There are other options available to restrict the use of RPAS in certain areas that may be more feasible. These include increased enforcement of the RPAS regulations, or states and territories could use the capability in their own legislation to enact restrictions and further consideration of utilising geo-fencing once that technology has advanced.

Recommendation 5

The committee recommends that the Department of Infrastructure, Regional Development and Cities, in cooperation with the Civil Aviation Safety Authority, work with manufacturers of remotely piloted aircraft systems (RPAS) to develop future solutions to RPAS safety, including the implementation of technical restrictions on altitude and distance for 'off-the-shelf' RPAS.

The Government **notes** this recommendation.

CASA will continue to support manufacturer's efforts to utilise geo-fencing technology to prevent RPAS operations in areas where operations are not permitted, including at or near major airports and certain classes of restricted airspace.

CASA will continue to participate in relevant international forums to stay abreast of global trends and participate in trials of new technology, where feasible.

There are a multitude of RPAS manufacturers, predominantly based overseas, and hence achieving consistent technical restrictions would likely be unfeasible.

Recommendation 6

The committee recommends that the Department of Infrastructure, Regional Development and Cities, in cooperation with the Civil Aviation Safety Authority, develop appropriate airworthiness standards for remotely piloted aircraft of all sizes and operations. At a minimum, fail-safe functions such as 'return to home' and safe landing functionality, and forced flight termination, should be mandated.

The Government **agrees in principle** with this recommendation.

While CASA sets aviation airworthiness standards, including those applicable to RPAS in Australia, it does not establish airworthiness standards for foreign aircraft. Instead, Australia holds technical arrangements reciprocating airworthiness certifications with certain international civil aviation safety regulators, which could be explored as a future option for RPAS airworthiness.

CASA is currently developing a long term strategy for safe RPAS operations in Australia, including the examination of airspace integration, risk and safety management, unmanned traffic management, operations near and to/from aerodromes and initial and continuing airworthiness and certification standards. This work will also assist in informing the work of the future whole of government RPAS policy, as outlined in the response to Recommendation 8.

CASA is actively engaged with the International Civil Aviation Organization body, the Joint Authorities for Rulemaking on Unmanned Systems, to develop an appropriate international airworthiness standard framework for RPAS.

The Government notes that adopting appropriate airworthiness standards is a long-term matter to allow for appropriate consideration for integration into Australian airspace.

Recommendation 7

The committee recommends that the Australian Government develop import controls to enforce airworthiness standards for foreign manufactured remotely piloted aircraft systems.

The Government **does not agree** with this recommendation.

An import control to enforce airworthiness standards for foreign manufactured remotely piloted aircraft systems would be difficult to establish and impractical to enforce. The Australian Border Force does not have the technical capability or the capacity to test, assess or determine airworthiness standards of foreign manufactured remotely piloted aircraft systems at the border. This recommendation, if adopted, would have a significant impact on the ABF's resources and ability to enforce other border controls, including the detection and interception of illicit firearms, weapons and drugs.

The Government, instead, supports CASA's participation in the Joint Authorities for Rulemaking on Unmanned Systems, to develop appropriate international airworthiness standards for all RPAS.

Recommendation 8

The committee recommends that the Department of Infrastructure, Regional Development and Cities, in collaboration with the Civil Aviation Safety Authority, develop a whole of government policy for remotely piloted aircraft safety in Australia, and establish appropriate coordination and implementation mechanisms with relevant departments and agencies to implement the policy.

As part of a whole of government policy approach, the committee further recommends that the Australian Government explore cost-effective models to develop and administer new regulatory initiatives for remotely piloted aircraft systems, including a mandatory registration regime and tiered education program. The harmonisation of state and territory privacy laws should also be considered.

The Government **agrees in principle** with this recommendation.

In March 2018, the Department of Infrastructure, Regional Development and Cities (DIRDC) established the RPAS Network to coordinate policy work on RPAS. As at October 2018, the RPAS Network comprised of representatives from fifteen Portfolios with varied interests in RPAS. In some instances, these members also represent the many agencies within their own Portfolios who engage with RPAS technology either directly or from a policy perspective.

DIRDC will continue to work closely with CASA and other relevant departments and agencies on a coordinated whole of government approach to ensure the appropriate operation of RPAS in Australia.

The Civil Aviation Safety Authority is responsible for determining funding arrangements for the RPAS safety regulatory framework and is currently considering new initiatives. With regards to a mandatory registration system and a tiered education program, refer respectively to the Government response to Recommendations 2 and 3.

The Government notes the Committee's recommendation that the harmonisation of state and territory privacy laws should be considered. State and territory privacy laws are a matter for state and territory Governments. The Government, via the Attorney-General's Department and the Department of Infrastructure, Regional Development and Cities, will engage with state and territory governments to consider national harmonisation of privacy laws as they apply to RPAS operators.

Recommendation 9

The committee recommends that, as part of a whole of government approach to remotely piloted aircraft systems (RPAS) safety, the Civil Aviation Safety Authority work with Airservices Australia and other relevant agencies to implement a comprehensive research and data gathering regime. Information should be collated and centralised in a way that allows for the examination of RPAS registrations, operations, trends and incidents, to provide an evidence base on which to assess the efficacy of current regulations, and to inform the development of future policy and regulations.

The Government **agrees in principle** with this recommendation.

Airservices collaborates with industry to collect data of sightings of authorised and unauthorised RPAS. This information is shared with CASA and the ATSB enabling further analysis of the evolving operations of RPAS. Airservices also periodically examines this data to determine a risk picture for the organisation.

Airservices is in discussions with several providers who have RPAS detection solutions. These products may provide real-time statistical activity information in and around airports, supplementing Airservices current reporting capabilities. Airservices intends to conduct a trial with a provider during the 2018-19 financial year, with an aim to gather data and develop knowledge on how this technology might be integrated and to better understand the current limitations of the technology. The outcomes of the trial are expected to align with the intent of Recommendation 9 while providing Airservices with a better understanding of current capabilities.

It is also useful to note that for manned aviation undertaken in Australian registered aircraft, BITRE currently compiles statistics on the hours flown by aircraft and the associated number of landings, classified by the type of activity being undertaken, the type of aircraft being flown and the state or territory where the aircraft are based.

BITRE will now undertake a similar arrangement to compile statistics for RPAS, noting however that a complete list of all RPAS owners or operators would need to exist in order to identify participants in any future survey. For this reason, the implementation of Recommendation 2 (mandatory registration of RPAS) is an important prerequisite before BITRE can undertake this work.

Recommendation 10

The committee recommends that, following the development of a whole of government policy approach to RPAS safety, including the establishment of a national registration system, the Civil Aviation Safety Authority (CASA) work with state and territory enforcement bodies to implement a nationally consistent enforcement regime for remotely piloted aircraft systems. Under this regime, enforcement bodies would be delegated powers to provide on-the-spot fines and report infringements of the regulations directly to CASA.

The Government **agrees** with this recommendation.

CASA continues to engage regularly and constructively with federal, state and territory law enforcement authorities, with a view to enhancing the enforcement of rules governing the safe and lawful use of drones.

In the development of the whole of Government policy on drones, the Government will consider and address the most appropriate regulatory regime for RPAS noting the need for greater responsiveness to drone issues and the management of state and territory based issues, including privacy, environmental concerns and public safety.

From: "Potter, Chantel" <Chantel.Potter@act.gov.au>

Sent: 06/12/2018 12:15 AM

To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Did you ask?

Fear they want to smash through this quickly due to the building quality issue parked while this happens. Worth asking, just wonder on who's authority. Can you raise this at the meeting at this afternoon?

From: Clark, Rebecca

Sent: Wednesday, 5 December 2018 9:59 AM

To: Potter, Chantel <Chantel.Potter@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi

The below dates conform to Cabinet processes – anything outside those timeframes will require approval.

Cabinet date	Final lodgement	Minister's Office	Exposure circulation	Remaining work days til exposure
5 Feb	29 Jan	22 Jan	8 Jan	17
11 Feb	4 Feb	28 Jan	14 Jan	21
18 Feb	11 Feb	4 Feb	21 Jan	26

I agree the timeframe is not ideal to prepare a submission, and concur that an extension should be sought from the Committee. I would start by asking the ED DLO to test the Minister's appetite to seek an extension – it will be easier to get an extension than a waiver of cabinet process, it would be prudent to action the extension request today.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

 *Please consider the environment before printing this email.*

From: Potter, Chantel

Sent: Wednesday, 5 December 2018 9:23 AM

To: Hassett, Glen <Glen.Hassett@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>; Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>

Cc: Cox, Ian <Ian.Cox@act.gov.au>; Maher, Ellis <Ellis.Maher@act.gov.au>; McCredie, Andrew <Andrew.McCredie@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi Glen, Sam and I caught up about it this morning. We will arrange for a plan to go forward today.

From: Hassett, Glen

Sent: Wednesday, 5 December 2018 9:18 AM

To: Ives, Kieran <Kieran.Ives@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>; Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>

Cc: Cox, Ian <Ian.Cox@act.gov.au>; Maher, Ellis <Ellis.Maher@act.gov.au>; McCredie, Andrew <Andrew.McCredie@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Sam, Rebecca, Chantel – can some or all of us talk about this today or tomorrow afternoon please?

Thanks

Glen

From: Hassett, Glen

Sent: Wednesday, 28 November 2018 5:01 PM

To: Ives, Kieran; Potter, Chantel; Clark, Rebecca; Engele, Sam

Cc: Cox, Ian; Maher, Ellis

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Thanks Kieran – Hi Sam, Chantel, Rebecca – What’s your view on who should have coordinating carriage of this? Ill has had minimal connection to the Wing project or the processes and decision paths for the trial to proceed. The inquiry seeks in the main to unpack the decision paths to the trial and whether a regulatory or other framework around drone delivery systems should be pursued. We can easily provide content on the economic development opportunities that emerge with new technologies and concepts around the city as a lab but that is not the main piece of work for this. Can we discuss ASAP?

Glen

Glen Hassett | A/g Director, Innovation, Industry and Investment
Phone: (02) 6205 5346 | Fax: (02) 6207 0033 | Mobile: 0408 201 267
Chief Minister, Treasury and Economic Development Directorate
Nara Centre | GPO Box 158 Canberra ACT 2601

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From: Ives, Kieran

Sent: Wednesday, 28 November 2018 2:21 PM

To: Maher, Ellis; Hassett, Glen; Cox, Ian; Campbell, Morgan; Potter, Chantel

Cc: CMTEDD, Innovate Canberra Government Relations; CMTEDD, Economic Development; CMTEDD, Economic Development DLO

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi Ellis – as discussed, I don't share your concerns as long as Cabinet timeframes can accommodate consideration of the submission in early feb we should be able to provide advice on the matters of interest to the inquiry.

CMTEDD, regulation reform have been chairing the drone working groups. Chantel Potter and Rebecca Clark support this working group and Sam Engele has been chairing it. This is probably the best group of people to consult with on the development of a submission.

Kind regards

Kieran

Kieran Ives | Executive Officer to Deputy Directors-General

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au

Level 3 Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT | GPO Box 158, Canberra 2601

From: Maher, Ellis

Sent: Wednesday, 28 November 2018 2:02 PM

To: Hassett, Glen <Glen.Hassett@act.gov.au>; Cox, Ian <Ian.Cox@act.gov.au>; Campbell, Morgan <Morgan.Campbell@act.gov.au>

Cc: CMTEDD, Innovate Canberra Government Relations <InnovateGovernmentRelations@act.gov.au>; CMTEDD, Economic Development <ecodev@act.gov.au>; CMTEDD, Economic Development DLO <EcoDevDLO@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>

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Subject: RE: TRIM to III: Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT [SEC=UNCLASSIFIED]

Cabinet dates are out and in the CM's calendar....Cabinet Office should have the the full schedule for you.

However - Looks like first Cabinet meetings are 5, 11 and 18 Feb, or ED Sub Committee is 7 Feb

S

Stephanie McMullen | Directorate Liaison Officer - Economic Development
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office of Minister Berry | Office of Minister Gentleman
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☎ (02) 6205 4643 | ✉ EcoDevDLO@act.gov.au | ACT Legislative Assembly, 196 London Circuit Canberra City ACT 2601

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Cc: CMTEDD, Innovate Canberra Government Relations <InnovateGovernmentRelations@act.gov.au>; Campbell, Morgan <Morgan.Campbell@act.gov.au>; Maher, Ellis <Ellis.Maher@act.gov.au>; CMTEDD, Economic Development <ecodev@act.gov.au>
Subject: TRIM to III: Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT [SEC=UNCLASSIFIED]

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Due: 11 February 2019

Morgan/Brooke – Please advise if there is enough time for this to go through Cabinet before it is submitted, noting the final submission must be lodged with the Committee by 22 Feb.

Thanks
Steph

**Stephanie McMullen | Directorate Liaison Officer - Economic Development
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Minister Gentleman**

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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From: "Potter, Chantel" <Chantel.Potter@act.gov.au>

Sent: 06/12/2018 12:20 AM

To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Great, hopefully it is resolved this arvo. If I'll lead the response it should be them asking the office for the extension right?

From: Clark, Rebecca

Sent: Thursday, 6 December 2018 11:20 AM

To: Potter, Chantel <Chantel.Potter@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Ask the ED DLO about Minister's appetite to seek extension? No – I just asked Government and Assembly Coordination what the process was, that was Georgia's advice.

Kind regards

Rebecca Clark | Policy Officer

☎ +61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

 *Please consider the environment before printing this email.*

From: Potter, Chantel

Sent: Thursday, 6 December 2018 11:16 AM

To: Clark, Rebecca <RebeccaM.Clark@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Did you ask?

Fear they want to smash through this quickly due to the building quality issue parked while this happens. Worth asking, just wonder on who's authority. Can you raise this at the meeting at this afternoon?

From: Clark, Rebecca

Sent: Wednesday, 5 December 2018 9:59 AM

To: Potter, Chantel <Chantel.Potter@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi

The below dates conform to Cabinet processes – anything outside those timeframes will require approval.

Cabinet date	Final lodgement	Minister's Office	Exposure circulation	Remaining work days til exposure
5 Feb	29 Jan	22 Jan	8 Jan	17
11 Feb	4 Feb	28 Jan	14 Jan	21
18 Feb	11 Feb	4 Feb	21 Jan	26

I agree the timeframe is not ideal to prepare a submission, and concur that an extension should be sought from the Committee. I would start by asking the ED DLO to test the Minister's appetite to seek an extension – it will be easier to get an extension than a waiver of cabinet process, it would be prudent to action the extension request today.

Kind regards

Rebecca Clark | Policy Officer

+61 620 72107 | Email: rebeccam.clark@act.gov.au

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From: Potter, Chantel

Sent: Wednesday, 5 December 2018 9:23 AM

To: Hassett, Glen <Glen.Hassett@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>; Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>

Cc: Cox, Ian <Ian.Cox@act.gov.au>; Maher, Ellis <Ellis.Maher@act.gov.au>; McCredie, Andrew <Andrew.McCredie@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi Glen, Sam and I caught up about it this morning. We will arrange for a plan to go forward today.

From: Hassett, Glen

Sent: Wednesday, 5 December 2018 9:18 AM

To: Ives, Kieran <Kieran.Ives@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>; Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>

Cc: Cox, Ian <Ian.Cox@act.gov.au>; Maher, Ellis <Ellis.Maher@act.gov.au>; McCredie, Andrew <Andrew.McCredie@act.gov.au>

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Sam, Rebecca, Chantel – can some or all of us talk about this today or tomorrow afternoon please?

Thanks

Glen

From: Hassett, Glen

Sent: Wednesday, 28 November 2018 5:01 PM

To: Ives, Kieran; Potter, Chantel; Clark, Rebecca; Engele, Sam

Cc: Cox, Ian; Maher, Ellis

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Thanks Kieran – Hi Sam, Chantel, Rebecca – What’s your view on who should have coordinating carriage of this? Ill has had minimal connection to the Wing project or the processes and decision paths for the trial to proceed. The inquiry seeks in the main to unpack the decision paths to the trial and whether a regulatory or other framework around drone delivery systems should be pursued. We can easily provide content on the economic development opportunities that emerge with new technologies and concepts around the city as a lab but that is not the main piece of work for this. Can we discuss ASAP?

Glen

Glen Hassett | A/g Director, Innovation, Industry and Investment

Phone: (02) 6205 5346 | Fax: (02) 6207 0033 | Mobile: 0408 201 267

Chief Minister, Treasury and Economic Development Directorate

Nara Centre | GPO Box 158 Canberra ACT 2601

Follow me on [Twitter](#)

[Website](#) | [Twitter](#) | [Facebook](#) | [Blog](#)



From: Ives, Kieran

Sent: Wednesday, 28 November 2018 2:21 PM

To: Maher, Ellis; Hassett, Glen; Cox, Ian; Campbell, Morgan; Potter, Chantel

Cc: CMTEDD, Innovate Canberra Government Relations; CMTEDD, Economic Development; CMTEDD, Economic Development DLO

Subject: RE: CMTEDD2018/6639 - Correspondence from Jeremy Hanson MLA - Inquiry into Drone Delivery Systems in the ACT - due very early Feb 2019 [SEC=UNCLASSIFIED]

Hi Ellis – as discussed, I don’t share your concerns as long as Cabinet timeframes can accommodate consideration of the submission in early feb we should be able to provide advice on the matters of interest to the inquiry.

CMTEDD, regulation reform have been chairing the drone working groups. Chantel Potter and Rebecca Clark support this working group and Sam Engele has been chairing it. This is probably the best group of people to consult with on the development of a submission.

Kind regards

Kieran

Kieran Ives | Executive Officer to Deputy Directors-General

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au

From: Maher, Ellis

Sent: Wednesday, 28 November 2018 2:02 PM

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From: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Sent: 04/01/2019 9:12 AM
To: "Starick, Kate" <Kate.Starick@act.gov.au>
Cc: "Webster, Eddy" <Eddy.Webster@act.gov.au>; "Watson, Richard" <Richard.Watson@act.gov.au>
Subject: RE: Taxis [SEC=UNCLASSIFIED]
Attachments: Brief to MBRS on content for submission to Standing Committee on Drone D....docx

Thanks, copy – will do.

You were going to confirm with Michael the intention for the regulatory aspects of the Govt submission on Drones to the standing committee. The cover brief for the submission is attached to this email (draft form) the issues section covers the content in very high level terms. The content is planned to follow the line of logic as follows:

- 1) What regulation exists? Commonwealth Primacy of legislation setting framework and exemptions through CASA etc focus on air safety and navigation
- 2) What commentary is there on the adequacy of this regulatory framework? Summary of Senate Committee Report and Government Response on relevant items citing foremost the intention of the Commonwealth to work nationally to have a consistent harmonised approach (inadequate in some areas, recommendations agreed to by Cth).
- 3) What regulatory options are there available distinctly for the ACT under self-government? Limited options due to the status of the current body of law covered by the Commonwealth. This leads to the concluded ACT position that it will work with the Commonwealth and other States and Territories on those recommendations committed to in the Cth Government response to the Senate Committee Report, noting that the response was only tabled in November 2018 and to raise any additional items which the government agrees need addressing in relation to Drone Delivery. Cooperation in this body of work will be informed by the report of the ACT Standing Committee, with no commitment pre-empting the outcomes and the governments views on them.

Separate is the question of Information Privacy, which I think should be pretty simple. I just need the legal advice content from GSO but at the subject is 'Drone Delivery' specifically, no ACT Government agencies are making drone deliveries so this will be limited to consideration of the rules government private sector entities in the ACT in relation to what they collect, store, transfer and use and we are covered by the Commonwealth Privacy Commissioner in terms of complaints and compliance so I that will be uncontroversial.

Thanks,
Chantel

From: Starick, Kate
Sent: Friday, 4 January 2019 8:44 AM
To: Potter, Chantel <Chantel.Potter@act.gov.au>
Cc: Webster, Eddy <Eddy.Webster@act.gov.au>; Watson, Richard <Richard.Watson@act.gov.au>
Subject: RE: Taxis [SEC=UNCLASSIFIED]

Hi Chantel

Thanks for this update.

Re comms. This is a good approach – can we circulate a drop copy of the brief to Ministers to the working group, prior to going to Ministers please? With the expectations they use this material to brief DGs DDGs and for use in their Min briefing meetings.

Working Group – this would be good – thank you

WAT – Yes. I'll call this afternoon. What else was I talking about with michael?

Kate Starick | Ag Executive Director

Policy and Cabinet Division

Ph: +61 2 6205 9828 | M: 0408230214 | Email: kate.starick@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | ACT Government

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I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

Out of Scope

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Sent: 09/01/2019 5:12 AM
To: "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Privacy [DLM=For-Official-Use-Only]

What about this:

As established in this submission, drone deliveries operating in the ACT are conducted by the private sector. No ACT public sector agency is engaged in drone deliveries, nor is there a future intention to trial this technology for deliveries by Government. This distinction is important to considering the relevant regulatory laws which apply to information privacy. The *Information Privacy Act 2014 (ACT)* and *Human Rights Act 2004 (ACT)* both provide privacy protections which replicate or exceed those applicable to private sector agencies however these provisions only apply to ACT Government agencies.

The Australian Privacy Principles (APPs), which are contained in schedule 1 of *the Privacy Act 1988 (Privacy Act)*, outline how most Australian Government agencies and some private sector, not-for-profit organisations, and some small businesses (collectively called 'APP entities') must handle, use and manage personal information. This Act number of privacy protections to the Australian public, and sets out thirteen principles which govern how organisations should collect, store, and disclose information. As a term of the ACT land use licence Unmanned Systems Australia Pty. Ltd. agreed to follow the requirements of the Privacy Act.

Generally speaking, the Commonwealth privacy framework applies to private sector entities and small businesses with an annual turnover of more than \$3 million. However, a range of exceptions apply to this general rule. A small business which is operating drone deliveries with an annual turnover of \$3 million or less will have to comply with the Privacy Act if it is, for example, dealing in sensitive information such as health information, trading in personal information, a Commonwealth contractor, a business "related" to a business that is covered by the Privacy Act, or it has "opted in" to be covered by the Privacy Act.

The main principles inherent in the Privacy Act focus on transparency in the way personal information is collected. These principles are grouped thematically to cover the consideration of types of data which invoke personal information privacy, how data is collected and dealt with and accessed, and the integrity and correction of personal information. The privacy principles are designed to be technology-neutral – they can apply equally across traditional styles of collection of information, such as paper files, through to storing information on computer databases. This is crucial as it relates to drone delivery systems, as the operational requirements of drones for the purposes of delivery systems require the automatic collection and storage of certain types of information in server logs. This information includes but is not limited to credit card information, street addresses internet protocol addresses and other geolocation data, cookies, and images, used to assist in the delivery process and in analysing issues and improving flight control and guidance systems.

Irrespective of its annual turnover, or whether or not it is "related" to a larger organisation, the current trial operator Wing is bound by the terms of the section 303 licence to comply with the provisions of the Privacy Act. As such, any individual affected by Wing or any other APP entity may contact the federal Office of the Australian Information Commissioner (OAIC) if they seek to make a complaint about the handling of their personal information. The OAIC can make determinations on privacy complaints where conciliation has not resolved the matter or in relation to Commissioner initiated investigations (CII).

From: Clark, Rebecca
Sent: Wednesday, 9 January 2019 2:37 PM

To: Potter, Chantel <Chantel.Potter@act.gov.au>

Subject: Privacy [DLM=For-Official-Use-Only]

The Australian Privacy Principles (APPs), which are contained in schedule 1 of the *Privacy Act 1988* (Privacy Act), outline how most Australian and Norfolk Island Government agencies and some private sector, not-for-profit organisations, and some small businesses (collectively called 'APP entities') must handle, use and manage personal information.

The main principles inherent in the Privacy Act focus on transparency in the way personal information is collected. These principles are grouped thematically to cover the consideration of personal information privacy (APPs 1 and 2), collection (APPs 3, 4 and 5), dealing with (APPs 6, 7, 8 and 9), integrity (APPs 10 and 11) and access to, and correction of, personal information (APPs 12 and 13).

Generally speaking, the Commonwealth privacy framework applies to private sector entities and small businesses with an annual turnover of more than \$3 million. However, a range of exceptions apply to this general rule. A small business with an annual turnover of \$3 million or less will have to comply with the Privacy Act if it is, for example, dealing in sensitive information such as health information, trading in personal information, a Commonwealth contractor, a business "related" to a business that is covered by the Privacy Act, or it has "opted in" to be covered by the Privacy Act.

The privacy principles are designed to be technology-neutral – they can apply equally across traditional styles of collection of information, such as paper files, through to storing information on computer databases. This is crucial as it relates to drone delivery systems, as the operational requirements of drones for the purposes of delivery systems require the automatic collection and storage of certain types of information in server logs. This information includes but is not limited to credit card information, street addresses internet protocol addresses and other geolocation data, cookies, and images, used to assist in the delivery process and in analysing issues and improving flight control and guidance systems.

Irrespective of its annual turnover, or whether or not it is "related" to a larger organisation, Wing is bound by the terms of the section 303 licence to comply with the provisions of the Privacy Act. As such, any individual affected by Wing or any other APP entity may make a complaint to the federal Office of the Australian Information Commissioner (OAIC) about the handling of their personal information. The OAIC can, under s 52 of the Privacy Act make determinations on privacy complaints where conciliation has not resolved the matter or in relation to Commissioner initiated investigations (CII).

An individual may also apply to the Federal Court of Australia or the Federal Circuit Court for review of a decision of determination of the OAIC, pursuant to the *Administrative Decisions (Judicial Review) Act 1977*.

Further, the Australian Information Commissioner (Information Commissioner) can accept an enforceable undertaking from an entity under s 33E of the Privacy Act, or a person under s 94 of the *Personally Controlled Electronic Health Records Act 2012*, where the Information Commissioner considers there is a reasonable basis to suggest that the person or entity has interfered with the privacy of an individual.

The Information Commissioner will generally accept an enforceable undertaking where the respondent has co-operated with a Commissioner initiated investigation, an enquiry into a data breach incident or a Privacy Complaint investigation conducted by the OAIC, and the Information Commissioner has formed the view that accepting an enforceable undertaking would provide an appropriate regulatory outcome to the matter.

Kind regards

Rebecca Clark | Policy Officer

☎+61 620 72107 | Email: rebeccam.clark@act.gov.au

Regulation and Productivity | Strategic Policy and Cabinet

Chief Minister, Treasury and Economic Development | ACT Government

Level 5, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au

I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

 *Please consider the environment before printing this email.*

From: "Potter, Chantel" <Chantel.Potter@act.gov.au>
Sent: 11/01/2019 1:11 AM
To: "Starick, Kate" <Kate.Starick@act.gov.au>; "Clark, Rebecca" <RebeccaM.Clark@act.gov.au>
Subject: RE: Inquiry Submission Content DRAFT [DLM=Sensitive]

Bek, can you please put back in the para about ACT law deferring to Cth law on noise, it will be in an earlier TRIM revision, probably only 5 saves ago maybe 6 saves ago (I took it out but we did have it).

Can you also pepper the content with "airborne drone" or alternatively put a framing sentence at the start of the submission content to indicate that the discussion is limited to airborne drones? Might work better as a framing for the whole sub and not just the regulatory aspect, can you check with Kieran what approach you recommend?

Kate, I intentionally didn't put in work health and safety as this is a legal question before the High Court in terms of the limits of the application of that area of law and it would be almost impossible to accurately represent the legal position without half a page of text, which would be a disproportionate level of attention to give that area of law in relation to the submission as a whole. The High Court ruling will come down in the coming months and set the limits of this application. Can you ask Michael if he really wants the issue fleshed out or whether we can remain silent given its lack of relevance to the sub taken as a whole with the TORs.

From: White, Michael
Sent: Friday, 11 January 2019 12:04 PM
To: Starick, Kate <Kate.Starick@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>
Cc: Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>
Subject: RE: Inquiry Submission Content DRAFT [DLM=Sensitive]

Hey Kate,

The input looks good. I think there are just a few extra things we should add in if we can.

I imagine the EPA reference in the TOR is in regards to noise. If we have anything definitive we can say (such as aircraft noise is already an occupied space and Airservices is the responsible regulator, if that's true) then we should.

We should also clarify that the WHS act applies to any work site, and so general Worksafe requirements around limiting risk and appropriate controls and the like should be mentioned. That will need to be cleared by the Stephen Smith office though. I am happy to facilitate that.

Finally, if we haven't already put this in the submission somewhere, we should just clarify that all of this refers to airborne drones, and doesn't contemplate those travelling on land or on/in water. I know Dominoes has a land based drone delivery service being trialled, so we should just ensure we have the right caveats up front.

Happy to chat further, feel free to give me a buzz.

Cheers,

Michael White
Adviser
Office of Gordon Ramsay MLA | Member for Ginninderra
Attorney-General
Minister for the Arts and Cultural Events
Minister for Building Quality Improvement
Minister for Business and Regulatory Services
Minister for Seniors and Veterans
Phone: 6205 7101 | Email: michael.white@act.gov.au



From: Starick, Kate

Sent: Friday, 11 January 2019 9:30 AM

To: White, Michael <Michael.White@act.gov.au>; Potter, Chantel <Chantel.Potter@act.gov.au>

Cc: Clark, Rebecca <RebeccaM.Clark@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>

Subject: Inquiry Submission Content DRAFT [DLM=Sensitive]

Hi Michael

Please find attached draft regulation and privacy content for the submission to the Standing Committee on Economic Development and Tourism.

Following our conversation yesterday, I can confirm that Cabinet is being asked to agree to provide the ACT Government Submission to the inquiry into drone delivery systems in the ACT by way of a joint submission between Minister Ramsay as Minister for Business and Regulatory Services, and Mick Gentleman MLA as the Minister assisting the Chief Minister in Advanced Technology and Space Industries.

The Submission is scheduled for Cabinet on 11 February 2019 – and goes on exposure on Monday 11 January. The final response is due to the Standing Committee on Economic Development and Tourism (the Committee) by 22 February. The Committee is to report on drone delivery systems in the ACT by the last sitting week in 2019.

Given the response is due to Committee by 22 February, would you still like me to seek an extension ?

The attached document addresses the TORs items in bold

(1) the Standing Committee on Economic Development and Tourism inquire into and report on drone delivery systems in the ACT, with particular reference to:

- (a) the decision to base the trials of the technology in the ACT and surrounding region;
- (b) the economic impact of drone delivery technology being tested in the ACT including the:
 - (i) investment that has been brought in to the Territory;
 - (ii) number of jobs that have been created as part of the trial; and
 - (iii) extent of collaboration with local industry and academic institutions;
- (c) the extent of regulatory oversight of drone technology at various levels of government including but not limited to:**
 - (i) local authorities such as the Environment Protection Authority, Worksafe and Access Canberra; and**
 - (ii) Commonwealth agencies such as Air Services Australia and Civil Aviation Safety Authority;**
- (d) the extent of any environmental impact as a result of trialling drone delivery technology on:
 - (i) residents within the trial area;
 - (ii) native wildlife;
 - (iii) domestic animals; and
 - (iv) greenhouse gas emissions;
- (e) ways to improve the use of drone delivery technology within the ACT;
- (f) any other relevant matter; and
- (g) information privacy; and**

(2) the Committee report to the Assembly on the matter no later than the last sitting week in 2019.

Economic Development advised that the following was previously agreed to by Chief Minister's Office:

- i. Project Wing expansion to be led by the Minister assisting the Chief Minister in Advanced Technology and Space Industries;
- ii. Bonython trial to be continued to be led by Minister for Planning and Land Management; and
- iii. Regulation and regulatory perspective to be led by the Minister for Business and Regulatory Services.

I am happy to talk through the information in the Submission. In addition we are still resolving some aspects with EPSDD which may need further consideration. It would be good to flag these with you as well if you have time.

Thanks

Kate

From: "Ives, Kieran"

Sent: 07/03/2019 2:15 AM

To: "Marcantonio, Laura" <Laura.Marcantonio@act.gov.au>; "Vest, Petra" <Petra.Vest@act.gov.au>

Subject: FW: QTB on Drones Submission to the Inquiry [SEC=UNCLASSIFIED]

Attachments: WIRE - CM19-138983 QTB Drones Submission to Inquiry.DOCX, 083-ACT-Government-web.pdf

Importance: High

UNCLASSIFIED

Hi Laura and Petra – papers to support Ben next Wednesday at the drone enquiry.

Kind regards

kieran

From: Ives, Kieran

Sent: Thursday, 7 March 2019 13:05

To: EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Cc: Hartwig, Anastasia <Anastasia.Hartwig@act.gov.au>

Subject: FW: QTB on Drones Submission to the Inquiry [SEC=UNCLASSIFIED]

Importance: High

UNCLASSIFIED

Hi gov services – this is the QTB prepared to support minister and executives at Wednesday's hearing. I have also attached the ACT Government submission publishing on the committee website.

Kind regards

Kieran

Kieran Ives | Executive Officer to Deputy Directors-General

Environment, Planning and Sustainable Development Directorate | ACT Government

Phone: (02) 6205 9095 | Email: kieran.ives@act.gov.au

Level 3 Dame Pattie Menzies House, 16 Challis Street, Dickson, ACT | GPO Box 158, Canberra 2601

From: Webster, Eddy

Sent: Thursday, 7 March 2019 12:20

To: Ives, Kieran <kieran.ives@act.gov.au>

Subject: QTB on Drones Submission to the Inquiry [SEC=UNCLASSIFIED]

Importance: High

Hi Kieran,

Thanks for the call. Attached is the latest version of the QTB addressing the ACT Submission to the Inquiry into drone delivery systems in the ACT.

Kind regards,

Eddy Webster | Policy Officer

Regulation and Productivity Team | Economic and Regional Policy Branch | Policy and Cabinet Division

Chief Minister, Treasury & Economic Development | ACT Government

Phone: 6207 5975 | Email: eddy.webster@act.gov.au

Level 4, Canberra Nara Centre | GPO Box 158 CANBERRA ACT 2601 | www.act.gov.au



ACT
Government

Chief Minister, Treasury and
Economic Development

I acknowledge the Ngunnawal nation as traditional custodians of the ACT and honour the Elders both past and present. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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Portfolios:

Chief Minister
Advanced Technology and Space Industries
Business and Regulatory Services

ISSUE: DRONES SUBMISSION TO THE INQUIRY

Talking points:

- In February 2019, the ACT Government made a submission to the Standing Committee on Economic Development and Tourism inquiry into drone delivery systems in the ACT.
- The Government recognises that drone delivery is an entirely new business model and there are divergent views within the community about how drones are operating.

Regulation

- The ACT Government Submission is supportive of a national approach to the regulation of drone delivery services. Like all states and territories, the ACT has no power to regulate drone flights or postal services, which fall exclusively under Commonwealth law.
- CASA has exclusive regulatory responsibility for the safe operation of all commercial and recreational drones throughout Australia. CASA is responsible for granting drone licences, sometimes including bespoke conditions, and is responsible for enforcing regulations and responding to any breaches. ACT agencies do not have a role in managing or enforcing these requirements.
- The ACT Government submission also notes measures proposed by the Federal Government at the conclusion of a Senate Inquiry last year, including:
 - development and administration of new regulatory initiatives for remotely piloted aircraft systems;
 - a mandatory registration regime and education program and;
 - increased delegated powers which may allow on-the-spot fines and;
 - CASA, Australian Federal Police, and relevant authorities enforcing prohibition of the use of remotely piloted aircraft systems in airspace above significant public buildings, critical infrastructure, and other vulnerable areas.
- ACT laws relating to some aspects of workplace safety, fair trading and criminal law do apply to drone delivery services. The ACT Legislative Assembly does not have the legal ability to provide a comprehensive, targeted regulatory response to emerging drone delivery business models.

Smart and innovative city mindset

- Our approach to drone delivery services in the ACT aligns with this Government's commitment to adopting a smart and innovative city mindset, and engaging with emerging industries.

Cleared as complete and accurate: 07/03/2019
Cleared by: Executive Director Ext: 50230
Contact Officer name: Eddy Webster Ext: 75975
Lead Directorate: Chief Minister, Treasury and
Economic Development