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# Queensland Government Drones Use Policy

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## Queensland Government Drones Use Policy

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## Introduction

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*Queensland Government Drones Use Policy*

Remotely Piloted Aircraft Systems (RPAS) commonly known as drones are being used extensively by the Queensland Government to enhance business activities and service delivery. RPAS are being adapted to undertake a diverse range of applications including infrastructure assessment, survey and mapping, weed and pest management, emergency and disaster management, and law enforcement. Through new and innovative applications of drone technology, opportunities exist for the Queensland Government to maximise delivery of benefits to the community.

Released in 2018, the *Queensland Drones Strategy* (QDS) describes a vision for Queensland to be a world leader in drone technology and application. It is focused on driving the development of Queensland's drone industry, and ensuring that our communities' and individuals' rights are protected as drone technology undergoes exponential growth across Australia and globally.

To support the QDS objectives and deliver on its vision, high standards of drone use within Queensland Government agencies and by their employees will help build community trust in drone technology, its application for official purposes, and enable the Queensland Government to deliver services more efficiently.

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## Policy statement

*The Queensland Government Drones Use Policy (QGDUP) is the government's overarching policy for the use of drones and establishes a framework that guides Queensland Government agencies and employees on the safe, respectful, accountable and innovative use of drones.*

The QGDUP complements higher order state and Commonwealth legislative requirements and regulations and in particular the *Civil Aviation Safety Authority* (CASA) which is responsible for regulating all Australian aviation safety including drones. Part 101 of the Commonwealth *Civil Aviation Safety Regulations 1998* governs all unmanned aeronautical activities, including the use of drones.

### Scope

The QGDUP is the government's overarching policy for the use of RPAS and Unmanned Aircraft Systems (UAS) (which can include remotely piloted and autonomous multi-rotor systems, fixed-wing craft, single-rotor helicopters and hybrids). In line with the QDS, this policy applies to Queensland Government departments and agencies as listed in the current *Administrative Arrangements Order* as published from time to time. For the purposes of this policy the common term 'drone' refers to RPAS and UAS.

Due to the complexity and considerable differences in regulatory and policy environments, the following drone applications are out-of-scope for the QGDUP:

- remotely controlled or autonomous underwater and on-water craft
- unmanned and remotely controlled or automated land vehicles
- non-government aerial passenger and freight drones.

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## Policy purpose

The purpose of the QGDUP is to provide Queensland Government agencies and their employees with a high-level policy framework to guide the basic requirements of drone use including operation, safety, communication of purpose, data collection and security, information management and procurement. In doing so, it fulfils the requirement for a *Queensland Government Drones Use Policy* identified under QDS *Objective 5: Improving government service delivery*.

The QGDUP aims to:

- Provide the overarching policy for guiding drone use by Queensland Government agencies and employees to enhance business activities and services.
- Set out the fundamental principles of Queensland Government drone use to ensure agencies operate as model<sup>1</sup> drone users with high-standards of safety, respect, accountability and innovation.
- Provide a platform for agencies to build a professional and transparent drone use culture that acknowledges the value of drones as a business tool and supports the growing application of drone technology to government service delivery.

The QGDUP, and all relevant and detailed information it identifies, is an overarching guide for use by agencies to inform detailed individual departmental procedures and protocols relating to the operation of drones. Queensland Government agencies should demonstrate a strong alignment with the QGDUP framework and principles across their drone programs and operations.

It should be noted that where drones are being used for a particular purpose e.g. law enforcement, Queensland Government agencies should have regard to any other relevant legislation, policies and procedures.

## Queensland Drones Strategy

Objective 5:

### Improving government service delivery

*Action:*

Develop an internal *Queensland Government Drones Use Policy* that provides information to all Queensland Government agencies regarding the use of drones including requirements such as the operation, safety, security, data collection, information management, and procurement of drones.

This policy, led by the Department of Transport and Main Roads, will be delivered in 2018 and help to ensure the Queensland Government is providing a good example as a model drone user and provide Queensland Government agencies with greater confidence to uptake drones to make services better and more efficient.

<sup>1</sup> In the QGDUP 'model drone user' refers to users who demonstrate high standards of drone operation.

## Policy context

The Queensland Government vision is to be a leader in drone technology and application. Queensland’s drone industry complements and supports broader Queensland Government objectives through strong investment in world-leading research and development capability as well as encouraging highly skilled jobs growth. To maximise these benefits, the QGDUP empowers and guides Queensland Government agencies and employees to be model drone users able to demonstrate a best practice approach to drone use.

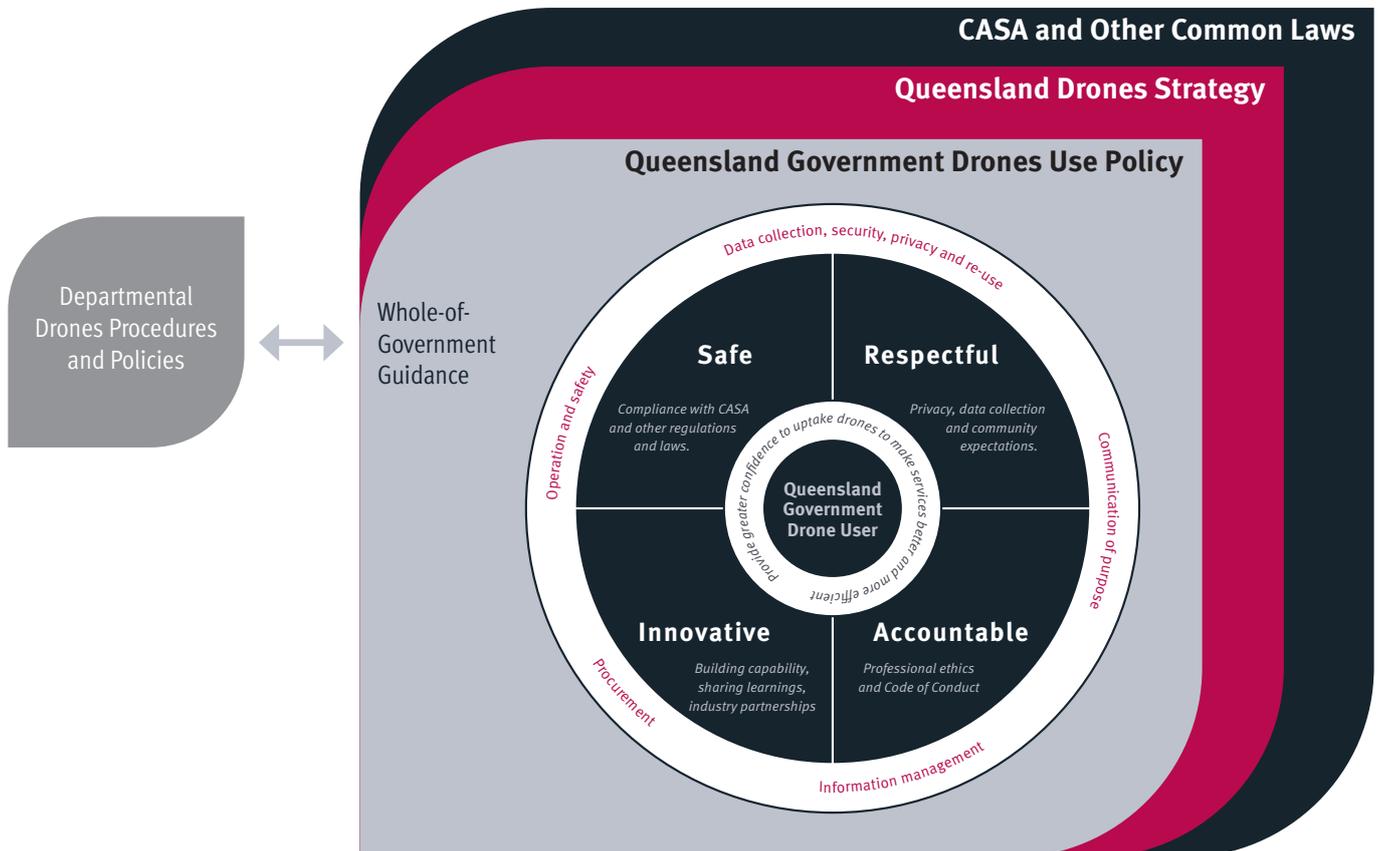
The QGDUP has been developed to support the model user by setting out four fundamental principles of Queensland Government drone use to ensure agencies conduct drone operations with high standards of safety, respect, accountability and innovation.

The consistent use and application of these principles across the Queensland Government will provide a platform for agencies to build a professional and transparent drone use culture. This culture, underpinned by collaboration and partnerships, will drive the growing application of drone technology to government service delivery.

The QGDUP framework and principles, shown in **Fig. 1**, complements the QDS, CASA regulations, other statutory regulations and the common law. It positions the Queensland Government as a model drone user and provides overarching policy guidance to detailed departmental procedures and policies relating to drone use. The QGDUP observes higher order state and Commonwealth policy and legislation.

**Figure 1**

Queensland Government Drones Use Policy Framework and broader policy context.



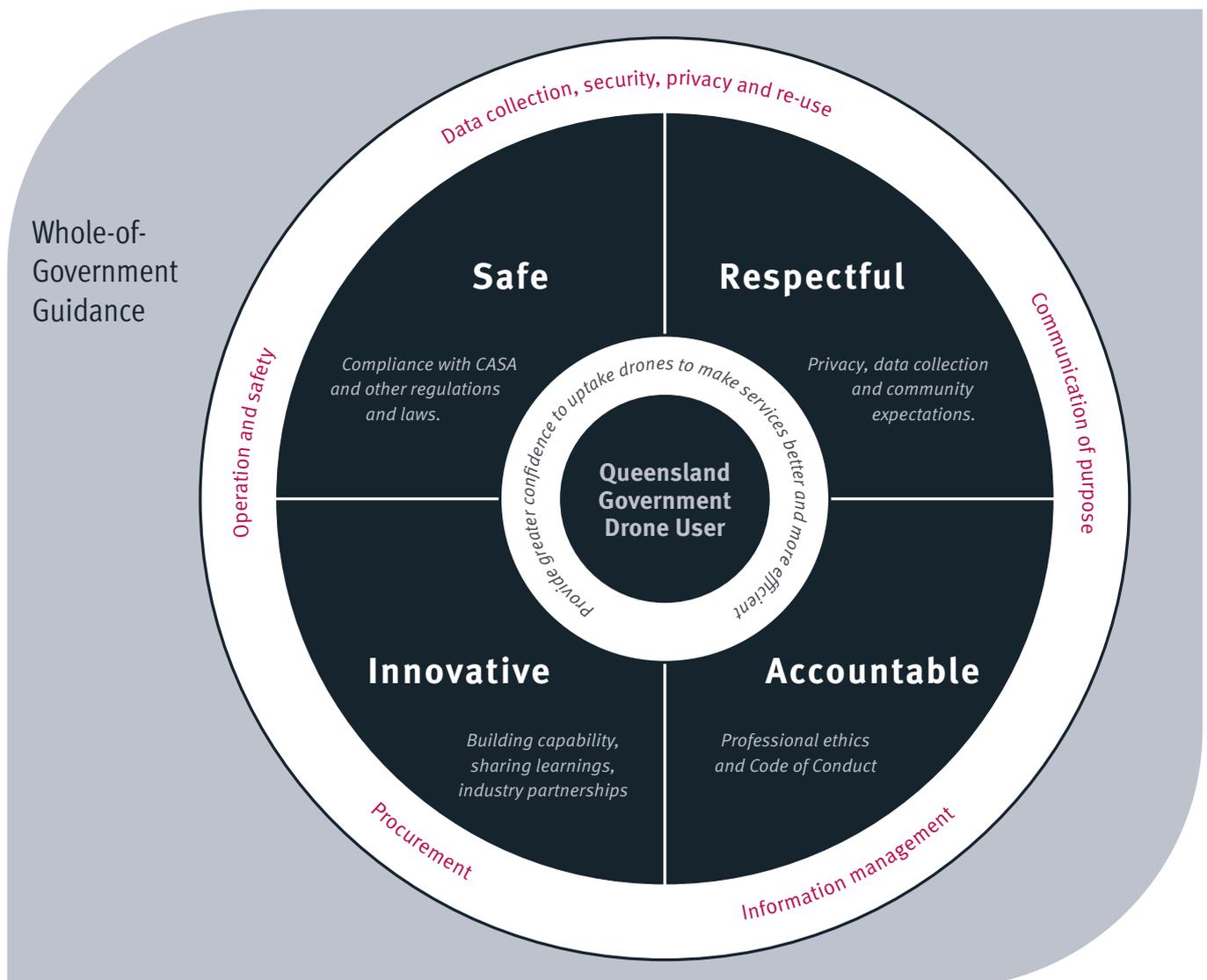
## Policy framework and principles

The QGDUP framework **Fig. 2** provides a platform for agencies to build a professional and transparent drone use culture that acknowledges the value of drones as a business tool and supports the growing application of drone technology to government service delivery.

The framework describes four fundamental principles for the safe, respectful, accountable and innovative use of drones by the Queensland Government. They have been developed from a Queensland Government user's perspective and provide the overarching framework for more specific requirements and considerations for drone use including operation, safety, communication of purpose, data collection and security, information management and procurement.

**Figure 2**

Queensland Government Drones  
Use Policy Framework and Principles.



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Principle 1:  
**The Queensland Government drone user is Safe**

Queensland Government drone users have a core responsibility to conduct drone use and operations in a manner that is inherently safe for the user, agency, Queensland community and environment.

Keeping communities safe by demonstrating a high-level of competence and compliance with the drone rules and regulations set by CASA is mandatory for all Queensland Government drone users and external providers of drone services contracted to agencies.

In addition to CASA rules and regulations, Queensland Government agencies and employees using drones require a strong understanding of Queensland laws that may relate to drones. Similarly, agency specific Work Health and Safety policies and procedures, alongside CASA requirements, are critical considerations for ensuring the safety and wellbeing of Queensland Government employees and the community when undertaking drone-related activities.

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*Role of the Safe user:*

- Understanding, competence and compliance with CASA rules and regulations to ensure that air operations do not pose a ground or air hazard.
- Understanding and compliance with Queensland laws that relate to the use of drones e.g. *Major Events Act 2014 (Qld)*, *Corrective Services Act 2006 (Qld)*, *Agricultural Chemicals Distribution Control Act 1966 (Qld)*.
- High standards of equipment maintenance and record keeping.
- Application of agency Work Health and Safety policies and procedures.



Principle 2:  
**The Queensland Government drone user is Respectful**

Drones have many positive applications and the broad potential to enhance government service delivery. However, the potential benefits of drone technology can be overshadowed by negative public perceptions and valid concerns around personal privacy and safety.

Queensland Government drone users should seek to protect community privacy and property, be respectful of community concerns associated with drones, and manage community perceptions regarding official drone activities. This will assist in protecting the human rights, privacy and safety of all Queenslanders including vulnerable people within the community. Demonstrating respect for Queensland's natural and built environments, including culturally significant and heritage sites located across the state, should also be embedded within agency drone use and operations.

Queensland Government agencies using drones to record images and audio must comply with the legislated privacy obligations. Agencies should enable the community to access information acquired by drone operations unless disclosure is contrary to the public interest. Websites, publications or other means of administrative access may be considered to enable public access to information collected through drone use.

*Role of the Respectful user:*

- Understanding of/and compliance with information access and amendment obligations in *Right to Information Act 2009* and *Information Privacy Act 2009 (Qld)*.
- Understanding of/and compliance with record keeping obligations under the *Public Records Act 2002 (Qld)*.
- Awareness of potential common law actions relating to trespass and nuisance.
- Awareness of relevant offence provisions, including section 227A of the Criminal Code (observations or recordings in breach of privacy) and section 43 of the *Invasion of Privacy Act 1971* (prohibition on use of listening devices).
- Manage community perceptions around Queensland Government drone use by ensuring activities are undertaken with a high level of visibility, consideration and transparency with communities (e.g. Use of signage and high visibility Personal Protective Equipment) unless there is a need for discretion in operations.



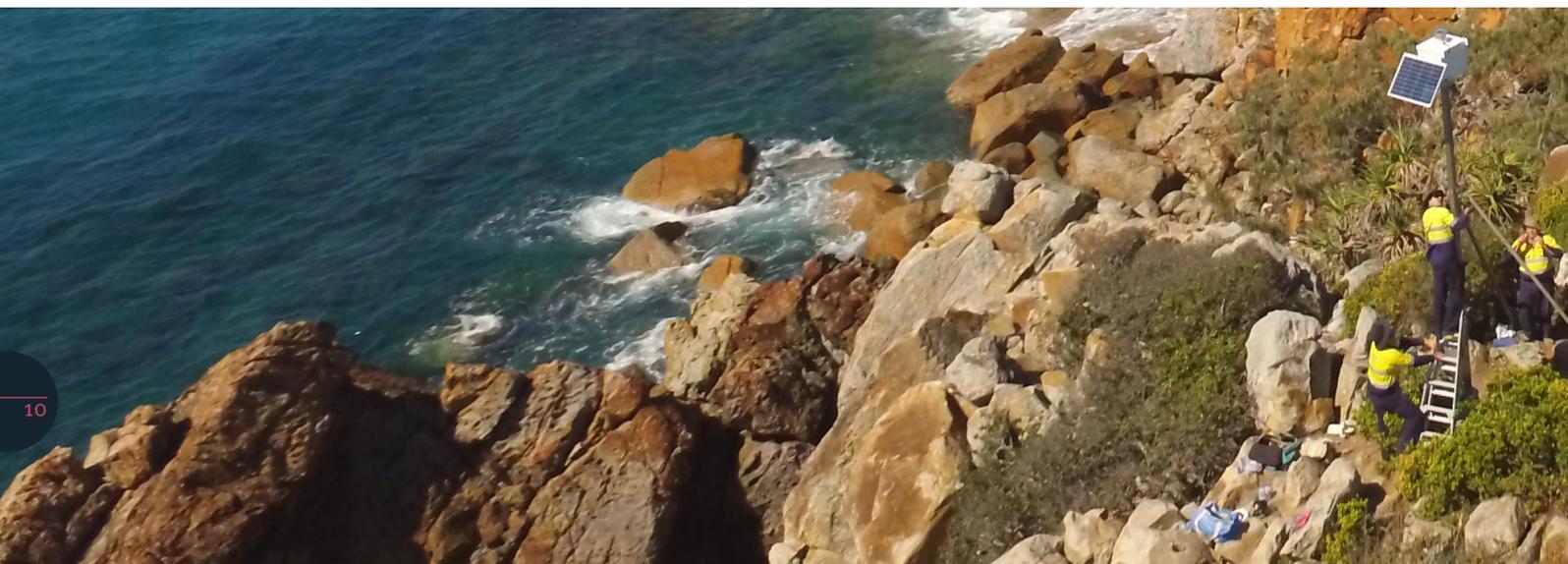
Principle 3:  
**The Queensland Government drone user is Accountable**

Queensland Government drone users must strive to maintain high professional standards of conduct, integrity and accountability when using drones. Drone users must ensure they understand and adhere to CASA's regulatory requirements for operating drones and their own departmental procedures and policies relating to drones. As employees of the Queensland public sector, the community expects that any activity undertaken on their behalf reflects the principles and values of good public administration.

Queensland Government drone users are accountable under the *Public Sector Ethics Act 1994 (Qld)* to use drones in an ethical, effective and transparent manner. Agency consideration should also be given to minimum insurance arrangements for contracted drone operations including professional indemnity and public and product liability to protect Queensland Government drone users and the community. By building community trust through the diligent use of official resources, including drones, the Queensland Government can maximise the benefits of drone technology and deliver new applications in the public interest.

*Role of the Accountable user:*

- Ensure that Queensland Government drone use is conducted in a way that is compatible with public sector obligations under the *Human Rights Act 2019*.
- Maintain high professional standards of conduct, integrity and accountability when using drones in accordance with the *Code of Conduct for the Queensland public service*.
- Ensure that all information collected by drone on behalf of the Queensland Government, including drones used by external providers under contract to government, remains the intellectual property (IP) of the state of Queensland unless otherwise allowed contractually.
- Build community trust through the diligent use of official resources including drones – see Use Requirement 3: Communication of purpose section for more information.



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Principle 4:

**The Queensland Government drone user is Innovative**

Innovation is about doing things differently to achieve better outcomes and to create greater value for our customers. Drones have the potential to drive innovation and enhance the Queensland Government's capability across a range of services. Building capability, sharing learnings and developing mutually beneficial partnerships across government, academia and with industry are key characteristics of agency and employee drone use.

Sharing the discovery of new drone applications to enhance service delivery across government and the community will help to establish broader trust in drone technology and its potential to improve social, health, economic and mobility outcomes in the years to come. In turn, this will support Queensland Government agencies to build a professional and transparent drone use culture and empower workforces to take up this new technology.

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*Role of the Innovative user:*

- New applications of drone technology and successes should be shared across government where possible to build Queensland Government drone capability and deliver strong community outcomes.
- Where applicable, geographic information collected by agencies should meet standards set out in *ANZLIC Metadata Profile Version 1.1* to enable its sharing and reuse across government.
- Drone use culture within agencies and across the Queensland Government is characterised by innovation and collaboration.
- Establish mutually beneficial partnerships with industry and academia are critical for maximising the benefits of drone technology.
- Establish a close working relationship with CASA to enable the development of regulations to support new drone capabilities.



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## Policy implementation: Use requirements

This section provides practical guidance on key use requirements for Queensland Government drone users, focused on the following elements of drone use:

1. *Operation and safety*
2. *Communication of purpose*
3. *Data collection, security, privacy and re-use*
4. *Information management*
5. *Procurement.*

Two levels of guidance are provided for Queensland Government drone users:

- **requirements** – agencies and employees must ensure a high level of compliance or alignment with this advice
- **considerations** – agencies and employees should incorporate this advice into departmental operations or practices.

Each element of drone use is accompanied by a Quick Reference Guide to Commonwealth and state legislation and policy relating to drones. This information has been consolidated in the table at the back of the QGDUP and can be used as a starting point by Queensland Government agencies and employees for understanding the requirements and considerations of model drone use.

### Use Requirement 1: **Operation and safety**

All Queensland Government drone users must operate safely in accordance with relevant Commonwealth, state and local laws. Mandatory requirements for the legal operation of drones in Australia are specified in Part 101 of the *Civil Aviation Safety Regulations 1998* (CASR). The CASR Part 101 provides an overarching regulatory framework for the operation of aerial drones. It defines how operators are certified and licensed as well as when an operation can be excluded from some of these requirements. In addition, it defines the standard operating conditions for Remotely Piloted Aircraft (RPA) operations and areas where an RPA cannot be operated. CASA may use directives to ensure that the regulations are applied effectively.

CASA continually updates its guidelines for RPAS operations to meet the evolving opportunities and challenges presented by drone technology. Following its *Review of aviation safety regulation of remotely piloted aircraft systems* in 2017/2018, CASA has committed to developing a roadmap to provide the iterative steps required to move from the current state of RPAS operations in Australia, to the desired state of safe integration of RPAS into the Australian aviation system.

In April 2019, CASA published the *Manual of Standards for Part 101 Unmanned Aircraft and Rockets*. This details the safety and regulatory oversight of remotely piloted aircraft, sets training and competency standards for remote pilot licences, and prescribes conditions and requirements for certain kinds of operations including near aerodromes and beyond visual line of sight.

## Queensland Government requirements

### Operation and safety

- All Queensland Government drone operations must adhere to the four fundamental principles of the QGDUP.
- All Queensland Government drone operations must conform to Part 101 of the *Civil Aviation Safety Regulations 1998* (CASR), *Manual of Standards 2019* and any CASA issued directives.
- Agencies must plan and assess impacts of operations around or adjacent to significant public buildings, critical infrastructure (such as airports, correctional facilities, military installations) and other vulnerable areas.
- Queensland Government drone operations must not interfere or hinder emergency operations involving Police, Emergency Services and other first responders.
- If contracting external drone suppliers, the Queensland Government must use RPAS contractors with a current CASA-issued Remote Pilots Licence (RePL) and Remote Operators Certificate (ReOC). Agencies must ensure a fully documented risk assessment for the drone operation is provided by the contractor prior to the commencement of operations.

## Other considerations

- Agencies should determine their own requirements and/or policy in relation to excluded operations and pilot competency for operations in this class, in line with CASA rules and agency risk assessment procedures.
- The use of personal or non-government owned RPA by Queensland Government employees for Queensland Government operations should only be permitted where pilot competency with the RPA can be demonstrated to a standard that will satisfy CASA requirements.
- Agencies should consider appropriate levels of resourcing and support for drone programs to ensure effective governance, operations, compliance, training and standards are maintained.
- Agencies should ensure high standards of maintenance including schedules and asset/equipment documentation.
- Agencies should consider the application of whole-of-government and agency Work Health and Safety policies and procedures to drone operations.

## Quick Reference Guide

### Commonwealth

- *Civil Aviation Act 1988*
- *Civil Aviation Safety Regulations 1998 (Part 101)*
- *Part 101 (Unmanned Aircraft and Rockets) Manual of Standards 2019*
- *Transport Safety Investigation Act 2003*
- *Work Health and Safety Act 2011*
- *Damage by Aircraft Act 1999*
- *Air Navigation Act 1920*
- *Radiocommunications Act 1992*

### Queensland

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- *Air Navigation Act 1937*
- *Major Events Act 2014*
- *Corrective Services Act 2006*
- *Corrective Services Regulation 2017*
- *Agricultural Chemicals Distribution Control Act 1966*
- *Human Rights Act 2019*
- *Public Sector Ethics Act 1994*
- *Code of Conduct for the Queensland Public Service*



#### Use Requirement 2:

#### **Data collection, security, privacy and re-use**

Drones collect a variety of data, some of which may become personal information. Data is not information until it is used in a particular context for a particular purpose<sup>2</sup>. Personal information is any information about an individual who is or can reasonably be identified. Even if the information is not directly about an individual, it can still qualify as personal information if it reveals information about an identifiable individual.

Queensland Government agencies should have a clear and specific purpose for drone use and ensure that data collected relates to the performance of lawful agency functions or activities. As far as it is practical during drone use and operations, Queensland Government agencies should collect only the data required to professionally and transparently complete a clearly specified scope of work. Considering the potential value of the data being collected, what information may be derived from it, and what information management protocols may be required, are key characteristics of respectful and accountable drone use.

The Office of the Information Commissioner Queensland (OIC) provides authoritative advice on information and privacy matters. Agencies are encouraged to refer to their own privacy teams and OIC resources for advice in relation to information and privacy matters. The key legislation regarding privacy and information in Queensland is the *Information Privacy Act 2009* (the IP Act), *Right to Information Act 2009 (Qld)* and *Public Records Act 2002 (Qld)*. Any system used by the Queensland Government to collect, store, use or disclose personal information is subject to the privacy principles under the IP Act.

Standards for the quality, completeness, privacy and licensing of drone data are currently under development to ensure imagery captured is suitable for inclusion, where appropriate, in the *State Remote Sensed Image Library*. In planning data collection activities, Queensland Government agencies should consider future utility and accessibility of data captured, as value does not diminish with age, instead increasing as datasets are aggregated into broader collections.

<sup>2</sup> Queensland Government Chief Information Office, *Glossary*, available at [www.qgcio.qld.gov.au/publications/qgcio-glossary/information-definition](http://www.qgcio.qld.gov.au/publications/qgcio-glossary/information-definition), accessed 28 November 2018.

**Queensland Government requirements**

**Data collection, security, privacy and re-use**

- All Queensland Government drone operations must adhere to the four fundamental principles of the QGDUP.
- Agencies must consider human rights and privacy requirements, including Privacy Tips for Drones guidance published by the OIC, in the planning phase of drone operations to ensure risks are adequately assessed and managed.
- Agencies must ensure that the collection, storage, use and disclosure of video and audio recordings captured by drone complies with the privacy obligations in the IP Act, noting offences in the *Invasion of Privacy Act 1971 (Qld)* which may apply to the use of listening devices and audio recordings.
- Agencies must implement adequate safeguards regarding the security of drone equipment and data collected by drones including protections from theft, misuse, loss and unauthorised access, modification and disclosure.
- If there is uncertainty whether drone data collected as part of Queensland Government operations will reasonably identify an individual, agencies must adopt a precautionary approach and treat the data as personal information and manage the data in accordance with relevant IP Act privacy principles and law.
- When personal information is collected through drone operations, even if the collection is inadvertent, agencies must ensure:
  - the collection is for a lawful purpose directly related to a function or activity of the agency
  - the collection is necessary to achieve that purpose
  - the manner in which the collection occurs is not unfair or unlawful
  - the manner in which the collection occurs is not an unreasonable intrusion into an individual’s personal affairs.

**Other considerations**

- Agencies should complete a Privacy Impact Assessment or similar risk assessment prior to undertaking a drone operation to identify and manage potential privacy risks.
- Agencies should consider documenting how drone operations have considered human rights as part of planning activities and processes.
- Agencies should consider that, where practicable, geographic information collected contains suitable metadata details to enable its reuse in relevant geospatial systems and image libraries across government including the *State Remotely Sensed Image Library*.
- Agencies should consider the potential value of drone collected data for other purposes or users (secondary uses) in the planning phase for a drone operation. Considerations should include other uses/users for the data, data formats, suitability of the data as open data, and any legal or privacy implications associated with use of the data.

**Quick Reference Guide**

<b>Commonwealth</b>	<b>Queensland</b>
<ul style="list-style-type: none"> <li>– Privacy Act 1988</li> <li>– Privacy Regulation 2013</li> <li>– Radiocommunications Act 1992</li> <li>– ANZLIC Metadata Profile Version 1.1</li> </ul>	<ul style="list-style-type: none"> <li>– Human Rights Act 2019</li> <li>– Public Sector Ethics Act 1994</li> <li>– Code of Conduct for the Queensland Public Service</li> <li>– Information Privacy Act 2009</li> <li>– Invasion of Privacy Act 1971</li> <li>– Criminal Code, particularly section 227A (observations or recordings in breach of privacy)</li> <li>– Public Records Act 2002</li> <li>– Right to Information Act 2009</li> <li>– Survey and Mapping Infrastructure Act 2003</li> <li>– Queensland Government Records Policy</li> </ul>



Use Requirement 3:

**Communication of purpose**

Drones have the potential to blur the distinction between public and private spaces and the degree to which individuals have control over their personal information.

The real or perceived collection of personal information by drones is an area of significant concern for individuals and communities. As model drone users, Queensland Government agencies must ensure that the potential for negative public perception around the use of drones is minimised through high standards of respect and accountability including information provision and effective communication.

Not all data collected by a drone will qualify as personal information. In many cases drone operations will not collect any personal information (for example when filming in remote areas). However, when an agency does collect personal information – whether deliberately or inadvertently – the agency must take all reasonable steps to provide that individual with advice about the collection.

What constitutes ‘reasonable steps’ will depend on factors such as the nature of the information being collected and how the agency will use and disclose the information.

Wherever practical, Queensland Government agencies are to communicate information about data collection from drone operations through a collection notice (privacy statement) in the vicinity of the operation and/or through an appropriately targeted communication strategy.

A challenge when using drones is how to provide a collection notice when there is often no direct interaction with the individual/s concerned. In these circumstances (or in addition to a collection notice), Queensland Government agencies should consider opportunities to make individuals aware of the collection of personal information by developing an effective and targeted communication strategy.

An effective communication strategy may use various communication channels to ensure individuals whose information may be captured during a drone operation have an opportunity to be made aware of the personal information that may/will be collected.

**Queensland Government requirements**

**Communication of purpose**

- All Queensland Government drone operations must adhere to the four fundamental principles of the QGDUP.
- Where practical, agencies must take all reasonable steps to communicate information about drone operations and collection of personal information through a collection notice (privacy statement) in the vicinity of the operation and/or an appropriately targeted communication strategy.
- This information must be provided at or before the time of data collection or, if that is not practicable, as soon as practicable after.

*Note: there is no requirement to provide a collection notice or communication strategy if no personal information is/will be collected (for example: a drone operation in a remote area).*

**Other considerations**

- Where possible, agencies should share and promote the successes of Queensland Government drone use to demonstrate enhanced service delivery across government and the Queensland community.
- Where practical, agencies should consider use of badging and/or identification markings on government-owned drones to demonstrate its use for official purposes.
- Agencies should ensure drone operators wear high-visibility Personal Protection Equipment (PPE) to readily identify the drone operation as a Queensland Government activity, unless there is a need for the operation to be undertaken discreetly (for example, compliance monitoring).

**Quick Reference Guide**

<b>Commonwealth</b>	<b>Queensland</b>
<ul style="list-style-type: none"> <li>– Privacy Act 1988</li> <li>– Privacy Regulation 2013</li> </ul>	<ul style="list-style-type: none"> <li>– Human Rights Act 2019</li> <li>– Public Sector Ethics Act 1994</li> <li>– Code of Conduct for the Queensland Public Service</li> <li>– Information Privacy Act 2009</li> <li>– Invasion of Privacy Act 1971</li> <li>– Criminal Code, particularly section 227A (observations or recordings in breach of privacy)</li> <li>– Public Records Act 2002</li> <li>– Right to Information Act 2009</li> </ul>

Use Requirement 4:

### Information management

Once data collected by a drone undergoes analysis to create useful information, that information is subject to the same rules and policies as any other Queensland Government information derived from other sources. Should information from drone data identify an individual, privacy obligations under the IP Act need to be considered – see previous section on Data collection, data security and privacy.

The *Public Records Act 2002* (the PR Act) governs recordkeeping for all Queensland public authorities as defined under Schedule 2 of the Act. The PR Act aims to ensure the public records of Queensland are made, managed, kept, and, if appropriate, preserved in a usable form for the benefit of present and future generations.

A public record includes any form of recorded information, created or received by, or created on behalf of a Queensland public authority in the transaction of government business<sup>3</sup>. Ownership of public records is with the State of Queensland or relevant local government. Public authorities are responsible for making, managing, keeping and preserving complete and reliable public records. Public records cannot be disposed of without authorisation.

The Queensland Government Chief Information Office (QGCI) Information Management Policy Framework (IMPF) identifies and defines the various domains which contribute to effective information management across the Queensland Government.

High-level domains of the IMPF include:

- Information governance
- Knowledge management
- Information asset management
- Information access and use management
- Records management
- Data management
- Information security.

Queensland Government drone users should consult their own agency-based information management and data specialists on the application of the IMPF to agency drone programs and operations. In this context, information management protocols and requirements, including current and future access to information, should be considered in the early stages of drone program planning as well as individual drone operations.

Queensland Government drone users should also consider current and future storage requirements for data and information aspects of drone use. As Queensland Government drone use continues to grow, and drone technology becomes more sophisticated, it is likely that the storage capacity requirements across government will grow. Monitoring advice from QGCI and agency information management experts in this regard will assist agencies maintain high standards of drone use.

<sup>3</sup> Queensland Government, *Overview of recordkeeping for public authorities*, available at [www.forgov.qld.gov.au/overview-recordkeeping-public-authorities](http://www.forgov.qld.gov.au/overview-recordkeeping-public-authorities), accessed 16 January 2019

## Information management

### Queensland Government requirements

- All Queensland Government drone operations must adhere to the four fundamental principles of the QGDUP.
- Any Queensland Government business information resulting from drone operation is a public record and is owned by the State of Queensland.
- Agencies must ensure appropriate management of information resulting from drone operations is in accordance with the PR Act and Queensland Government Records Governance Policy.
- Agencies must ensure adequate storage capacity to accommodate the large volumes of data generated through drone operations.

### Other considerations

- Agencies should develop clear policies and procedures to ensure that staff are aware of their obligations and understand how information collected by the drone can be managed.
- Agencies should use established protocols for responding to requests for information.
- Agencies should ensure data captured from drone operations can be redacted to remove personal information (for example: captured images can be pixelated to remove identifiable features including faces, vehicle number plates, or other personal information where the identity of an individual is apparent).

### Quick Reference Guide

#### Commonwealth

- ANZLIC Metadata Profile Version 1.1

#### Queensland

- Human Rights Act 2019
- Public Sector Ethics Act 1994
- Code of Conduct for the Queensland Public Service
- Public Records Act 2002
- Right to Information Act 2009
- Queensland Government Records Policy
- Information Management Policy Framework
- Information Privacy Act 2009
- Invasion of Privacy Act 1971
- Queensland Government Digital Images, Audio and Video Record Keeping Requirements<sup>4</sup>

<sup>4</sup> Queensland Government, *Digital images, audio and video*, available at [www.forgov.qld.gov.au/digital-images-audio-and-video](http://www.forgov.qld.gov.au/digital-images-audio-and-video), accessed 13 March 2019.



Use Requirement 5:

### **Procurement**

The *Queensland Procurement Policy* is the Queensland Government's overarching policy for the procurement of goods and services for agencies, government owned corporations, statutory bodies and for special purpose vehicles.

Drone users should also refer to their own agency purchasing and procurement processes when purchasing drones or engaging the services of third parties drone services.

The QDS positions the Queensland Government as a model purchaser and user of drones to ensure that the community is confident their safety and individual rights will be protected<sup>5</sup>. The QDS has a focus on procuring drone goods and services from local business as a catalyst to help drive local industry development and innovation.

<sup>5</sup> *Queensland Drones Strategy* page 36.

**Queensland Government requirements**

**Procurement**

- All Queensland Government drone operations must adhere to the four fundamental principles of the QGDUP.
- Agencies and employees procuring drone technology and/or external drone operators (contractors) must ensure procurement conforms to relevant requirements and associated standards/arrangements for example: existing Standing Offer Arrangements.
- Agencies must apply the Queensland Procurement Policy when procuring drone goods and/or services. This includes applying a local benefits test for all significant procurements, along with other policy provisions designed to support local jobs and businesses where appropriate.
- Only RPAS contractors with CASA approvals shall be used. External pilots of RPAS shall have a current CASA issued Remote Pilots Licence (RePL) and operate under the authority of their own or their employer’s Remote Operator Certificate (ReOC).
- Contract documentation must limit the liability of the hirer and ensure that all information collected remains the intellectual property of the contracting agency/State of Queensland.
- If an agency will contract a third party to operate a drone or to outsource its management of information collected by a drone, it must take all reasonable steps to ensure that the contracted service provider is contractually bound to comply with the privacy principles within the IP Act.

**Other considerations**

- Agencies should consider appropriate minimum insurance requirements for contracted drone operations (public and professional indemnity).
- Agencies should consider the application of departmental and whole-of-government Work Health and Safety (WHS) and record keeping policies as part of the procurement of external drone services or technology.
- Agencies should consider the final format of data collected from drone operations and ensure all deliverables can be converted to standard data formats without loss of functionality or integrity (e.g. Open Geospatial Consortium compliant for geographic information).

**Quick Reference Guide**

**Commonwealth**

**Queensland**

- Human Rights Act 2019
- Public Sector Ethics Act 1994
- Code of Conduct for the Queensland Public Service
- Information Privacy Act 2009
- Queensland Procurement Policy 2018
- Whole of Government Pre-qualified Supplier Arrangement DNRM 17018 – The Acquisition of Spatial Imagery and Associated Products and Deliverables

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## Agency responsibilities

The QGDUP framework and principles established by the Queensland Government are to be applied by agencies across their individual portfolios. This enables agencies to remain accountable for leading and developing their own drone programs and operations in alignment with the whole-of-government QGDUP framework.

Accountable officers within agencies are responsible for ensuring that the QGDUP use requirements are applied across their drone programs and operations. Existing drone policies and procedures in place or those currently in development should be reviewed for consistency with the QGDUP.

All employees are required to comply with this policy. Queensland Government agencies and employees remain accountable for drone programs and operations undertaken on their behalf by a provider external to their agency including those delivered in partnership with other entities and/or institutions.

The QGDUP should be read alongside all relevant and detailed documents it identifies, in particular CASA laws, regulations and operating standards regarding drones.

In line with the QGDUP Innovation principle, agencies must also strive to share success stories and new drone applications across government where possible.

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## Policy review

In keeping with the agile nature of the QDS and the ongoing evolution of drone technology itself, the QGDUP will be reviewed annually. While the four fundamental principles of drone use will remain unique and enduring to Queensland Government drone use and operations, whole-of-government guidance provided through the QGDUP in response to changes in the policy, regulatory and operational environments will be considered as required.

Where an update is needed outside the annual review process, provision of an addendum or circular with relevant information for agencies will be considered.

Future iterations of the QGDUP may also include a broadening of scope to include maritime drone applications and technology and/or more rigid requirements for agencies about minimum training standards and competency of Queensland Government drone users.

# QGDUP – Quick Reference Guide

This Quick Reference Guide consolidates Commonwealth and state legislation, and policy relating to drone use for Queensland Government agencies and their employees.

Safe Respectful Accountable Innovative

	Operation and safety	Data collection, security, privacy and re-use	Communication of purpose	Information management	Procurement	
Commonwealth	– Civil Aviation Act 1988	•				
	– Civil Aviation Safety Regulations 1998 (Part 101)	•				
	– Part 101 (Unmanned Aircraft and Rockets) Manual of Standards 2019	•				
	– Transport Safety Investigation Act 2003	•				
	– Work Health and Safety Act 2011	•				
	– Damage by Aircraft Act 1999	•				
	– Air Navigation Act 1920	•				
	– Radiocommunications Act 1992	•	•			
	– Privacy Act 1988		•	•		
	– Privacy Regulation 2013		•	•		
	– ANZLIC Metadata Profile Version 1.1		•		•	
Queensland	– Work Health and Safety Act 2011	•				
	– Work Health and Safety Regulation 2011	•				
	– Air Navigation Act 1937	•				
	– Major Events Act 2014	•				
	– Corrective Services Act 2006	•				
	– Corrective Services Regulation 2017	•				
	– Agricultural Chemicals Distribution Control Act 1966	•				
	– Human Rights Act 2019	•	•	•	•	•
	– Public Sector Ethics Act 1994	•	•	•	•	•
	– Code of Conduct for the Queensland Public Service	•	•	•	•	•
	– Information Privacy Act 2009		•	•	•	•
	– Public Records Act 2002		•	•	•	
	– Invasion of Privacy Act 1971		•	•	•	
	– Right to Information Act 2009		•	•	•	
	– Criminal Code, including section 227A (observations or recordings in breach of privacy)		•	•		
	– Queensland Government Records Policy		•	•	•	
	– Information Management Policy Framework			•	•	
	– Queensland Government Digital Images, Audio and Video Record Keeping Requirements				•	
	– Survey and Mapping Infrastructure Act 2003		•			
	– Queensland Procurement Policy 2018					•
– Whole of Government Pre-qualified Supplier Arrangement DNRM 17018 – The Acquisition of Spatial Imagery and Associated Products and Deliverables					•	

