

Laws for using a drone

around a whale, dolphin, dugong or seal

What are the laws for launching and flying drones around marine mammals?

There are stiff penalties if you are caught breaking the law with your drone.

In New South Wales, a drone operator must comply with Civil Aviation Safety Authority (CASA) rules and regulations as they apply to drones (remotely piloted aircraft [RPA] or unmanned aerial vehicle [UAV]).

Maps showing areas you can and can't fly are on the CASA website.

Drone operators must seek permission to launch from or fly over a national park.

You must launch at least 30 metres from people, so:

- the flight path is not over or above them at any time or at any height
- the flight path does not create a hazard to another person, aircraft or property
- and the drone is always in visual line of sight, with enough daylight to complete the flight before nightfall.

You must comply with the Biodiversity Conservation Act (2016) and Biodiversity Conservation Regulations (2017).

When launching or flying your drone, have a companion to keep an eye out to avoid shorebirds, seabirds, and birds of prey, while you watch your controls.

Do not disturb nesting birds. These birds are protected by the same law as marine mammals.

If a bird of prey challenges the drone, return to base, and wait 5 minutes. If it continues, abandon the flight. You may choose to launch from another location.

You are not allowed to get any closer than 100 metres from a marine mammal with a drone.

The minimum approach distance is the law. It is to keep you safe and stop our marine mammals from being disturbed and harassed, so they can feed and rest and behave as they are meant to.

You are also not permitted to approach from head on, nor hover over a marine mammal.

More information

- [Biodiversity Conservation Act \(2016\)](#)
- [Biodiversity Conservation Regulations \(2017\)](#)
- [Civil Aviation Safety Authority rules and regulations](#)
- [Drone safety apps](#)