



DRONE POLICY



Responsibility: Assets

COUNCIL **P O L I C Y**

Adopted: October 2018

Drone Policy



Responsibility:	Group Manager Assets
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Associated documents:	Civil Aviation Authority Rules on Unmanned Aircraft - see www.caa.govt.nz

1. Policy Objective

The purpose of this Policy is to provide guidance on the flying of drones on Council owned or operated land and facilities.

2. Definitions

CAA – means the Civil Aviation Authority of New Zealand

Unmanned aircraft (UA) - means an aircraft designed to operate with no pilot on board and includes unmanned balloons, control line model aircraft, free flight model aircraft and remotely piloted aircraft

Remotely piloted aircraft (RPA) - means an unmanned aircraft that is piloted from a remote station and:

(1) includes radio controlled model aircraft; but

(2) does not include a control line model aircraft or a free flight model aircraft

Drone - means a Remotely Piloted Aircraft (RPA),

Shielded operation - means the operation of a drone within 100m of, and below the top of, a natural or man-made object.

Permit – means a permit granted by the Council's Group Manager Assets to operate a drone on or over Council facilities.

3. Background

3.1 The Civil Aviation Authority (CAA) regulates civil aviation in New Zealand, and sets the rules around the use of Unmanned Aircraft including the operation of Remotely Piloted Aircraft (RPA) also known as Unmanned Aerial Vehicle (UAV), unmanned aerial system (UAS), drone or radio controlled Model Aircraft. If you operate any of these aircraft, it's important that you read the rules and comply with these rules, specifically CAA Rules Part 101. Amongst the other stated requirements these rules require a person using a RPA (drone) to obtain approval from the land owner the occupier of the land you want to fly over. This policy outlines the approach the South Waikato District Council (SWDC) is taking to granting property owner consent.

- 3.2 This policy comes in addition to the existing CAA and Air Traffic Control rules on where and how you can fly unmanned aircraft, and what permissions you need to get before doing so.

4. Policy Statement

- 4.1 Any operation of a drone in or over Council owned or occupied land and facilities requires a permit unless the operation meets the requirements for permit-free use.

- 4.2 The following drones may operate permit-free subject to the conditions listed in 4.5 below:

- (a) Electric powered single or multi rotor vertical take-off and landing drone (RPA) up to 1.5kg loaded weight.
- (b) Electric powered fixed wing model aircraft (RPA) up to 1.5kg loaded weight.
- (c) Electric fan jet powered models (RPA) up to 1.5kg loaded weight.

- 4.3 Permit-free operations may occur in the following locations:

- A.L Mason Reserve
- Tirau Domain
- Glenshea Park
- Totara Park
- Arapuni Village Green
- Little Waipa Reserve
- Jones Landing
- Whakamaru Reserve
- Dunhams Point Reserve

- 4.4 Permit-free operations may occur by those who have a pilot's licence or have been granted their "Wings" badge through Model Flying New Zealand (or directly supervised by a person with "wings"), or in a shielded operation in the following locations:

- Matarawa Park
- Strathmore Park
- Tokoroa Memorial Sports Ground
- Lake Moananui

- 4.5 Drone operations must meet the following conditions at all times during the operation:

- (a) All operations are to be in accordance with CAA Rule Part 101 including:
 - i. In daylight unless conducting a shielded operation
 - ii. The drone must remain within sight of the operator at all times
 - iii. Flight must be no higher than 120m (400ft) above ground level
 - iv. Flight is not permitted over or above people unless they have given their consent
 - v. Flight is not permitted within 4km of an aerodrome unless you have your "wings" or it is flown as a shielded operation
 - vi. The drone must give way to all manned aircraft

- (b) Operation is not permitted:
 - i. On or from Council owned or managed land other than the Council parks, reserves and sports grounds listed in 4.3 and 4.4 above
 - ii. In or over Council cemeteries and roads
 - iii. Over a sports field if it is in use
 - iv. Within 50m of livestock, and nesting or roosting birds.
 - v. Over adjoining non-Council land unless the prior consent of the landowner is obtained.
- (c) All operators must have regard for the peaceful enjoyment of the area by others and operate their drone in a safe, responsible and non-intrusive manner, complying with the Office of the Privacy Commissioner's guidance on preserving people's personal privacy. This includes not filming, following or conducting surveillance on other persons without their agreement.
- (d) Operators must cease operations if requested to do so by Council staff.

5. Complaints about Drones and Drone Operators

If a drone flies above your property without permission or you feel your privacy has been breached, you can make a complaint to the Privacy Commissioner or the Civil Aviation Authority (CAA) on www.caa.govt.nz or 0508 4 SAFETY.

If a drone operator has breached the Drone Policy, phone us on 07 885 1057. A drone operator who breaches the Drone Policy may in future not be permitted to fly drones on Council land.

According to the Public Places Bylaw 2017, "No person shall operate a drone except where drones are permitted to be operated in accordance with the then current South Waikato District Council Drone Policy".

Offenders can be trespassed and/or prosecuted under the Public Places Bylaw 2017 and/or the Property, Nuisance and Maintenance Bylaw 2017. Any breaches of Civil Aviation rules, contact the Civil Aviation Authority (CAA) on www.caa.govt.nz or 0508 4 SAFETY.

If there is an urgent risk to public safety, call the police.

6. Drone Operations requiring permit

The following drone operations require a permit:

- (a) Drones exceeding 1.5kg loaded weight or with a motive power other than electric
- (b) Drone operations outside the permit free locations

Drone operations from Council owned land that require a permit will be considered on a case by case basis. Permits can be applied for from SWDC phone 07 885 1057.

7. References and Relevant Legislation

Civil Aviation Rules Parts 101 and 102

Privacy Act 1993

Public Places Bylaw 2017

Property, Nuisance and Maintenance Bylaw 2017

8. Annotations

Res No	Date	Subject/Description
C18/110	25 October 2018	Revision of Policy