

FLYING REMOTELY CONTROLLED AIRCRAFT* (DRONES) ON COUNCIL PARKS

*Also known as:

Remotely Piloted Aircraft Systems (RPAS)

Unmanned Aerial Vehicles (UAVs) and Unmanned Aerial Systems (UAS)

1 Introduction

Remotely piloted aircraft, also known as drones, have evolved from model aircraft. These now have the ability to carry cameras and in some cases small payloads. Some of the more technically advanced versions have a number of commercial applications. They are also being increasingly used for recreational flying.

2 Policy Context

There are three potential issues with them: safety, privacy and noise. To address these issues the Civil Aviation Authority (CAA) developed rules for their use which came into effect on 1 August 2015.

A key element of these rules is the requirement to obtain approval of the landowner whose property it is proposed to fly over. There are also restrictions on flying above people, the mass of these aircraft, height of flying and proximity to aerodromes. They can also only be flown on visual line of sight in daylight.

CAA rules require that there is no flying within 4 km of an aerodrome.

3 Policy Objective

This policy is intended to restrict drones to sports fields and domains where there are large areas of land as compared with neighbourhood parks which are smaller and tend to have private houses in close proximity. Neighbourhood parks also tend to have play elements which attract children.

The sports grounds, where traditionally model aircraft have been flown, tend to be used for organised sport and there are often many hours when the grounds are not used. For this reason the Council has granted a blanket consent for flying on sports grounds, noting that it is still the responsibility of the operator of the drone to comply with CAA rules particularly in proximity to people.

4 Policy Statement

4.1 A blanket consent is granted, without the need for individual application, for flying within Sefton Domain, Gladstone Park, Southbrook Park, Maria Andrews Park, Kendal Park, Swannanoa Domain, Ohoka Domain, Waikuku Domain, West Oxford Reserve, Murphy Park and Wylie Park subject to the following conditions:

- 4.1.1 Where the park borders a private residence, flying may not occur closer than 10 metres to that boundary;
- 4.1.2 The flying is carried out in a careful and considerate manner; and
- 4.1.3 Public events and sports will take priority over flying remotely controlled aircraft.

RESERVES

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- 4.2 For other Council controlled land, written application will be needed to the Unit Manager responsible for controlling that land.
- 4.3 Where Council consent is granted the person/s operating the remotely controlled aircraft will still need to comply with the Civil Aviation Authority Rules. Enforcement of the CAA rules is the responsibility of the CAA.

5 Links to legislation, other policies and community outcomes

Civil Aviation Authority Rules (Part 101 and Part 102)

Northern Pegasus Bay Bylaw 2016 (Clauses 13, 13.1 and schedule 5)

13. Restricted and Prohibited Areas For Specified Recreational Activities

13.1 No person shall use a drone or model aircraft or take off or land a microlight or helicopter within the Ashley River/Rakahuri and Saltwater Creek Estuarine areas, as described and set out in schedule 5. Civil Aviation Authority (CAA) rules apply to the use of the air space over the estuary.

Community Outcomes:

Public spaces and facilities are plentiful, accessible and high quality

- There is a wide variety of public places and spaces to meet people's needs*
- There are wide ranging opportunities for people to enjoy the outdoors*
- The range and accessibility of community and recreation facilities meets the changing needs of our community.*

There is a safe environment for all

- Harm to people from natural and man-made hazards is minimised*

6 Adopted

Adopted by Council on 7 March 2017.

7 Review

This policy will be reviewed in three years – March 2020, or sooner on request.