

FLYING DRONES (UAVs) OVER HUTT CITY COUNCIL LAND POLICY

Divisions	Parks & Gardens and Road & Traffic
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1. INTRODUCTION

Part 101 of the Civil Aviation Authority (“CAA”) Rules require operators of small remotely piloted aircraft systems (“RPAS”) to obtain the approval of the property owner of the land they are flying over.

This policy covers land owned and managed by Hutt City Council (“Council”) being parks and reserves and public roads.

2. SCOPE

This policy covers all RPAS that weigh less than 25 kilograms.

3. LEGAL ROADS

Council requires operators wishing to fly RPAS over public roads to obtain certification from the Civil Aviation Authority as per Rule Part 102. Refer to www.caa.govt.nz/rpas/#Part102

The reason for this is that Council considers the risks associated with flying drones in the air space above roads to be potentially high and does not have the expertise to individually assess operators.

To obtain a Part 102 certificate, the operator will need to make an application to the Civil Aviation Authority that includes an assessment of the risks, and proposed risk mitigation measures that satisfy the Authority that the operation can be conducted safely, and does not pose undue risk to members of the public and to property.

4. PARKS & GARDENS

Council grants approval to operators flying RPAS for recreational purposes over Hutt City Council owned and managed parks and reserves, with the exception of Taita Cemetery, subject to the conditions set out in section 5 below.

5. CONDITIONS

Operators of RPASs for recreational purposes are permitted to use Council parks and reserves provided they:

- Comply with the [Civil Aviation Authorities \(CAA\) Rules](#)
- Comply with the Hutt City Council [Parks and Reserves Bylaw 2007](#) and [Public Places Bylaw 2006](#)
- Comply with any other applicable laws such as the Privacy Act
- Be courteous towards other park users
- Not operate over a sports field if in use by others
- Not operate over parks where a large group of people are gathered
- Not fly over roads
- Not fly over vehicles, parked or in use

- Not operate within 20 metres of or be flown over other users of the park or livestock
- Not operate within 20 metres of sensitive wildlife habitats
- Not operate within 20 metres of nesting or roosting birds, such as the NZ dotterel
- Not operate within 20 metres of or be flown over a park building
- Not operate during a prohibited fire season over any Hutt City Council bush reserve without the expressed permission of Council's Reserves Asset Manager
- Not overfly adjoining private property
- Be in full view of the operator at all times (e.g. not visible through binoculars, or operated via monitor, or smartphone only)
- Be flown in daylight hours only
- Cease operation if requested by a Council staff member
- Any person proposing to use a UAV for commercial purposes, such as filming, must obtain specific permission from Council.

Any breach of the above conditions could result in termination of the individual's permission to use Council land for the above purposes.

For more information phone 04 570 6666.

6. EXCLUSIONS

This policy does not cover the use of the following types of powered aircraft:

- Fixed wing electric-powered model aircraft greater than 1 metre wing span
- All fixed- winged model aircraft that are internal combustion engine (petrol) powered
- Gliders greater than 1.5 metre wing span and bungee-launched gliders
- Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered
- Jet powered models - This class of model aircraft can only be flown on private property or officially recognised sites under the control of approved operators, such as model aircraft clubs.

For rules governing the use of these types of aircraft please contact the Civil Aviation Authority.