



Unmanned Aerial Vehicle (UAV) Policy

Effective from 1 March 2024





Unmanned Aerial Vehicle (UAV) Policy

Introduction

The Civil Aviation Authority (CAA) is the primary regulator of New Zealand Aviation according to the legal standards set by the Minister of Transport. Unmanned Aerial Vehicles (UAV) are part of New Zealand Aviation and are regulated by Civil Aviation Rules formulated under the Civil Aviation Act 1990.

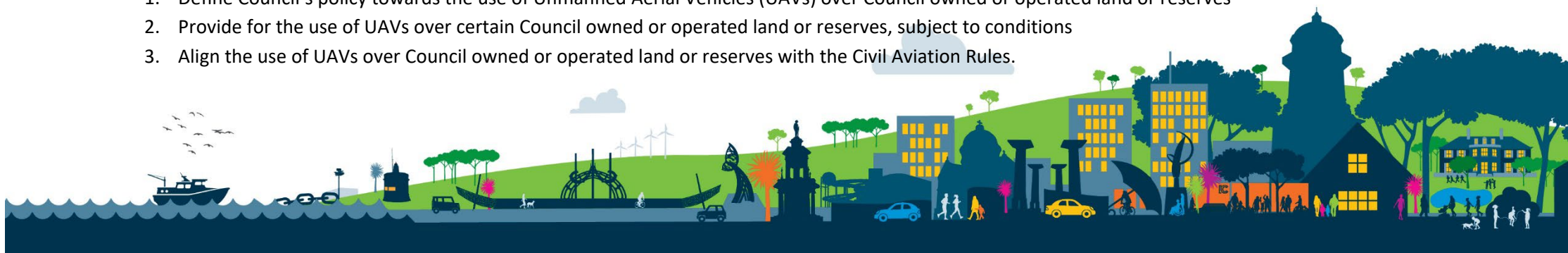
Due to the increased presence of UAVs, the CAA requires all UAV operators to gain consent from landowners before UAVs are operated over their land. This means Council's UAV consent is required to operate UAVs over Council owned or operated land or reserves. Council's UAV consent is in addition to the Civil Aviation Rules and Air Traffic Control requirements which establish the conditions for UAV operations.

All UAV operations over Council owned or operated land or reserves should adhere to this Unmanned Aerial Vehicle (UAV) Policy, the Civil Aviation Rules and the Air Traffic Control requirements.

Purpose

The purpose of this policy is to:

1. Define Council's policy towards the use of Unmanned Aerial Vehicles (UAVs) over Council owned or operated land or reserves
2. Provide for the use of UAVs over certain Council owned or operated land or reserves, subject to conditions
3. Align the use of UAVs over Council owned or operated land or reserves with the Civil Aviation Rules.



Scope

This policy covers all UAVs as defined by the CAA. It does not cover the following:

1. Fixed-wing electric-powered model aircraft greater than 1 metre wing span.
2. All fixed-winged model aircraft that are internal combustion engine (petrol) powered.
3. Gliders greater than 1.5 metre wing span and bungee-launched gliders.
4. Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered.
5. Jet powered models.

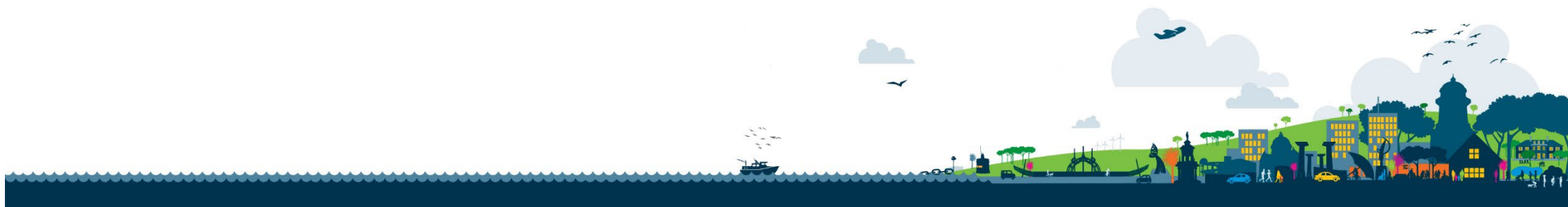
This last class of model aircraft can only be flown on private property or officially recognised sites under the control of approved operators, such as model aircraft clubs.

The scope of this policy allows New Zealand Police and New Zealand Emergency Management Agency to operate UAVs over Council owned or operated land or reserve to conduct their duties without triggering the need for Council's UAV consent and booking for areas provided in Schedule 1 via Council's booking system.

Objectives

Council wishes to achieve the following objectives through this policy:

1. to minimise the potential for negative effects such as obstruction of air traffic, excessive noise, or injury to individuals, on neighbouring properties through the use of UAVs,
2. to limit or prohibit the use of model aircraft and UAVs on certain Council owned or operated land or reserves, and
3. to protect the privacy of the natural person.



Definitions

Aerodromes: the areas defined in Appendices 1, 2 and 3.

Aerodrome Operator: Invercargill Airport Ltd.

Air Traffic Control Areas: the areas defined in Appendices 1 and 2. These areas may have additional restrictions and will require advice from Invercargill Airport ATC for UAV operations.

CAA: the Civil Aviation Authority of New Zealand.

Civil Aviation Rules: the rules set under the Civil Aviation Act 1990.

Control Zones: the zone defined in Appendices 1 and 2. This zone is managed by Invercargill Airport ATC and extends down to ground level.

Council: Invercargill City Council.

Council owned or operated land or reserves: any land or reserve owned, managed, leased or under the control of Council and includes the road corridor.

Emergency: a serious, unexpected, and often dangerous situation requiring immediate action to avoid injury, loss of life and damage to property.

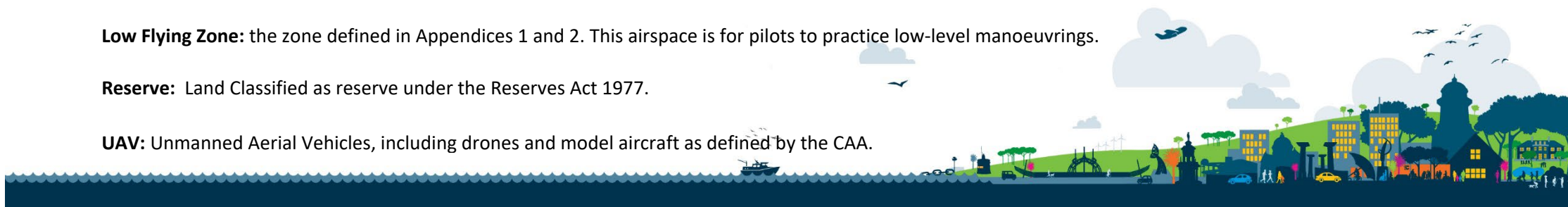
Invercargill Airport ATC: Invercargill Airport Air Traffic Control. Operating hours are from 15 minutes prior to first Air New Zealand flight of the day until 15 minutes after last flight. Outside of these hours the aerodrome is unattended.

Invercargill City District aerospace designations: all the airspace defined in Appendices 1, 2 and 3. These are areas where UAV operations are subjected to and must adhere to various conditions under the Civil Aviation Rules.

Low Flying Zone: the zone defined in Appendices 1 and 2. This airspace is for pilots to practice low-level manoeuvres.

Reserve: Land Classified as reserve under the Reserves Act 1977.

UAV: Unmanned Aerial Vehicles, including drones and model aircraft as defined by the CAA.



Invercargill City District airspace designations

All UAV operations over Council owned or operated land or reserves within the airspace designations defined in Appendices 1, 2 and 3 must adhere to this policy and the Civil Aviation Rules. UAV operators must check with Invercargill Airport ATC before using their devices.

The air space designations over Invercargill City District defined in Appendices 1, 2 and 3 encompass the following:

- 1. Control Zone:** UAV operators require and should adhere to the authorisation from Invercargill Airport ATC before operating a UAV within a Control Zone as defined in Appendices 1 and 2. All UAV operations within a Control Zone over Council owned or operated land or reserve will require Council's UAV consent, except for the areas defined in Schedule 1 under the appropriate condition provided in Schedule 1.
- 2. Aerodrome (4km zone):** UAV operations within the 4 km radius zone of an Aerodrome will be subjected to the following conditions:
 - a) If the UAV operation is within a Control Zone and 4 km of an Aerodrome, authorisation from Invercargill Airport ATC will be required before the operation, and the UAV must be operated in accordance with the authorisation provided by Invercargill Airport ATC. If the UAV operation is outside Invercargill Airport ATC's operating hours then permission from Aerodrome operator will be required. Council's UAV consent will be required if the operation is over any Council owned or operated land or reserve within this airspace designation.
 - b) If the UAV operation is outside the Control Zones but within 4km of an Aerodrome, permission from the Aerodrome Operator will be required and UAV operation must be undertaken in accordance with the authorisation provided by the Aerodrome Operator. Council's UAV consent will be required if the operation is over any Council owned or operated land or reserve within this airspace designation.
- 3. Air Traffic Control areas:** UAV operation within Air Traffic Control areas as defined in Appendices 1 and 2 have additional restrictions and will require advice from Invercargill ATC. All UAV operations over Council owned or operated land or reserve within Air Traffic Control areas will also require Council's UAV consent.
- 4. Low Flying Zones:** UAVs are not permitted to fly over a low flying zone, unless provided otherwise.



Requirements for UAV operation over Council owned or operated land or reserves where a UAV consent is not required

Permission to operate a UAV is granted, without the need for an individual UAV consent application, in the following circumstances:

- Where the operation of a UAV is to occur within an area defined in Schedule 1 under the appropriate condition provided in Schedule 1.

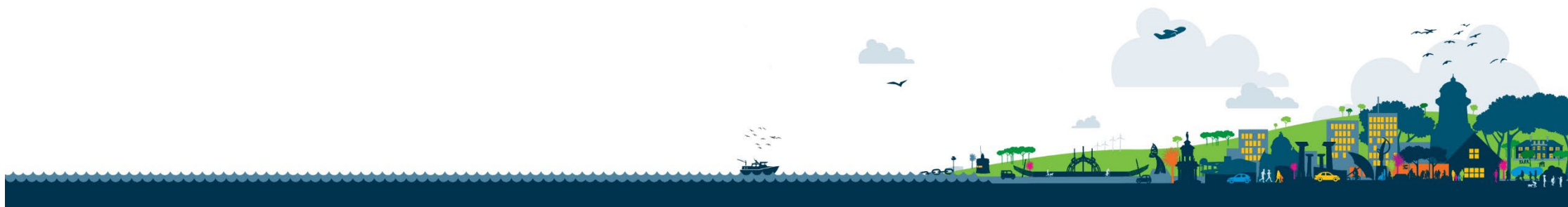
Permission to operate within these the areas defined in Schedule 1 are subject to:

- Compliance with all Civil Aviation Rules and Invercargill ATC requirements;
- No other recreational activity being undertaken in the area at the time;
- Adherence to the privacy matters provided in the Privacy Act 2020, the Privacy Commissioner's CCTV Guidelines, the Summary Offences Act 1981 and the Crimes Act 1961;
- Operation only being undertaken between the hours of dawn to dusk, and the UAV being within visible sight lines of the operator at all times.

Requirements for UAV operations over Council owned or operated land or reserves where a UAV consent is required

For all other Council owned or operated land or reserves, consent may be granted to operate a UAV for a specific purpose and timeframe, at Council's discretion. An application must be made to Council on the prescribed form, available on Council's website. Any application must include the applicant's:

1. Name
2. Phone number
3. Email address



4. Declaration that they will comply with CAA rules.
5. Declaration that they will comply with the Privacy Act 2020, the Privacy and CCTV Guidelines of the Privacy Commissioner, the Summary Offences Act 1981 and the Crimes Act 1961.
6. Declaration that the applicant is over 16 years old, and if they will be supervising someone under 16 years old.

Any application must also include:

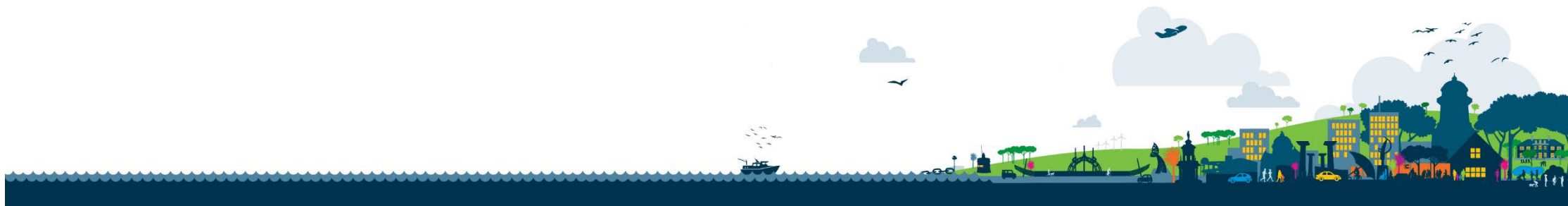
1. Details of the location of the planned UAV operation.
2. Details of the date/s of the planned UAV operation.
3. Details of the start and finish times of the planned UAV operation.
4. Reason for using the UAV.

An application for consent may be granted or refused by Council and may be subject to any conditions that Council deems necessary to ensure public safety and the prevention of nuisance. Consent may be granted on an ongoing basis or may be granted for a single event.

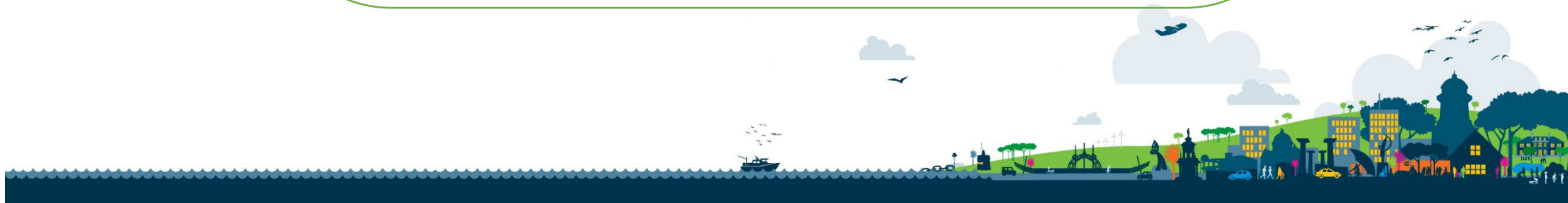
UAV operations over waterways in Council owned or controlled land or reserves will require approval from the Harbour Master- Environment Southland and if UAV operation is over or crosses over to footpaths and roads then approval from Council's Road Safety and Network Manager will be required.

Penalties

UAV operations in breach of this policy or the Civil Aviation Rules could lead to a fine, a written warning, or prosecution by the CAA. Council will receive complaints on matters arising from the use of UAVs (e.g., noise, privacy, etc.) over Council owned or operated land or reserves, and will refer the complainant to the Civil Aviation Authority.



Revision History:	December 2015
Effective Date:	1 March 2024
Review Period:	This policy will be reviewed every six (6) years unless an earlier review is required due to legislative change, or is warranted by another reason requested by Council. The new Civil Aviation Rules will come into force on April 2025 references to the old Rules will be updated at that point.
New Review Date:	1 March 2030
Associated Documents / References:	Civil Aviation Rules Privacy and CCTV Guidelines - Office of the Privacy Commissioner-“ Office of the Privacy Commissioner Privacy and CCTV ”, Drone regulation Guidelines for Invercargill.
Supersedes:	Unmanned Aerial Vehicle Policy 2015
Reference Number:	A5099142
Policy Owner:	Manager- Parks and Recreation
Relevant roles:	TBC





Schedule 1

Council require a booking to be made for the use of Council owned or operated Parks or Reserves for particular recreation or events, this means that all the areas defined in Schedule 1 will need to be booked under Council's Booking system for it to be used for recreation or events involving the use of UAVs.

All UAV operators are advised to seek authorisation from Invercargill ATC before operating their UAVs over the areas listed in Schedule 1 as they are located within a Control Zone as provided in Appendices 1 and 2.

Reserve plans

- Donovan Park,
- Makarewa Domain,
- Myross Bush Domain,
- Waikiwi Domain, and
- Kennington Recreation Reserve.

Key:



Define area within reserve permitted for Use of UAV without need for Council's UAV consent



Donovan Park



Makarewa Domain



Myross Bush Domain



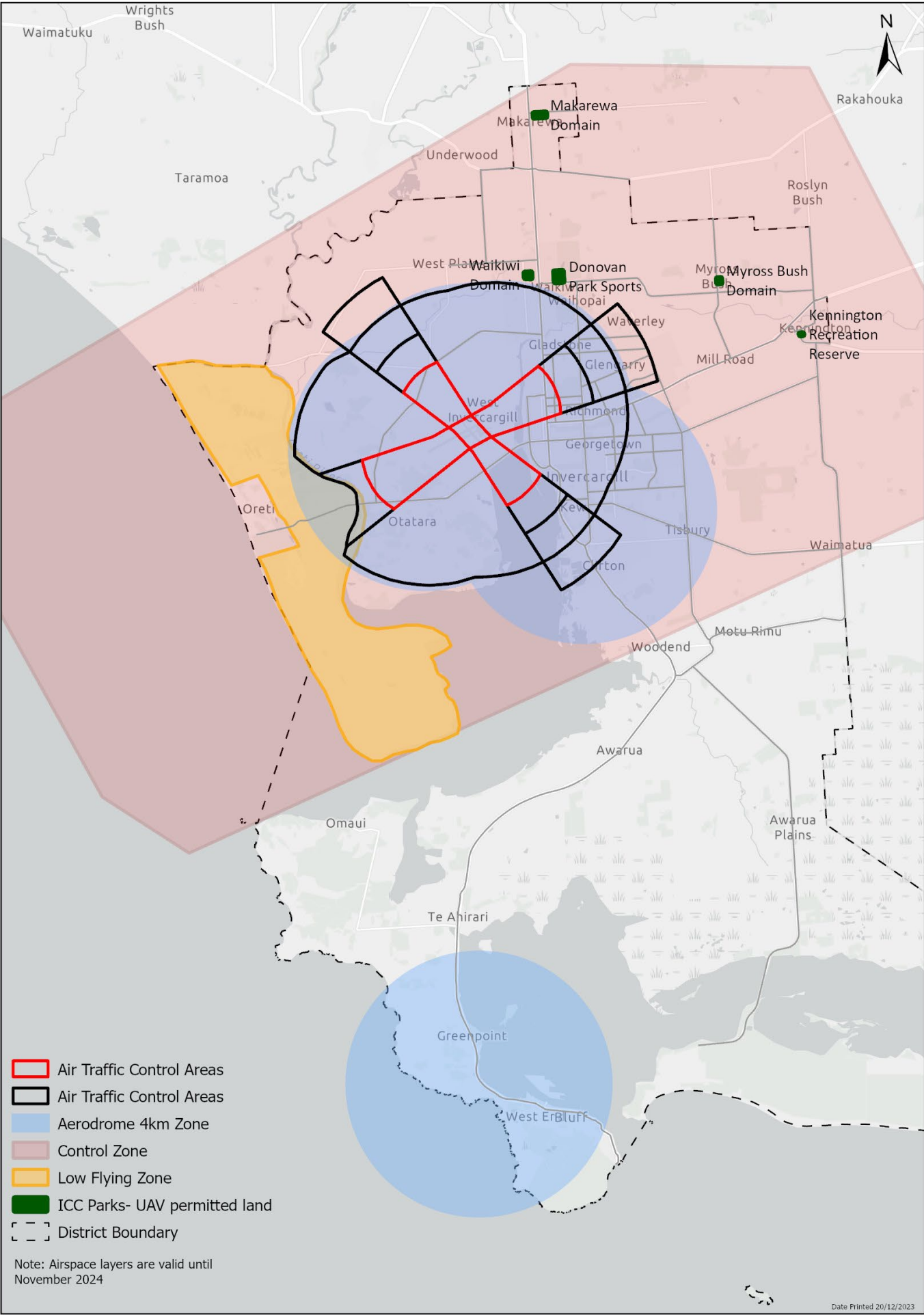
Waikiwi Domain



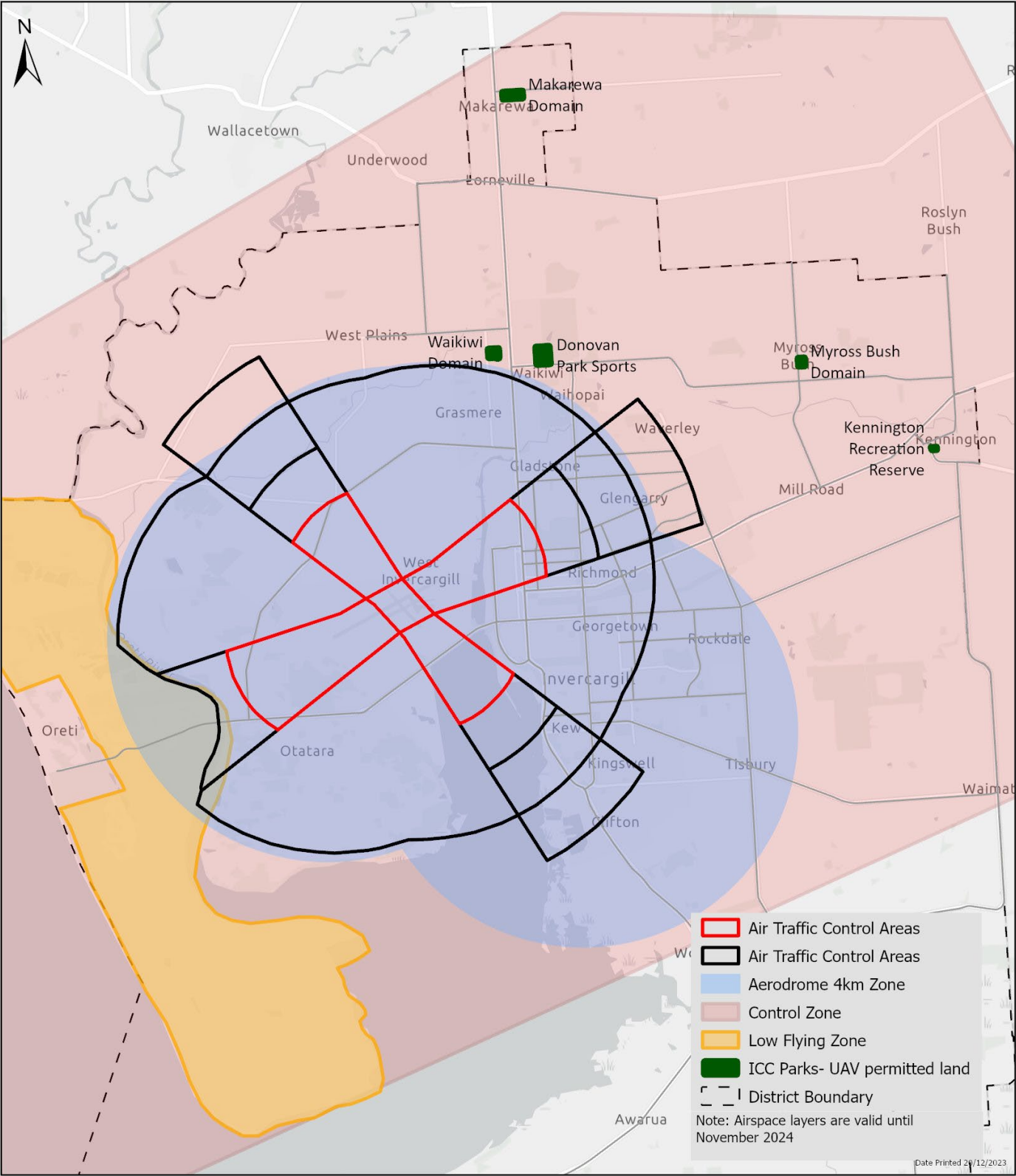
Kennington Recreational Reserve



Appendix 1- Air Space Designations over Invercargill City District



Appendix 2- Air Space Designations over Invercargill City



Appendix 3- Air Space Designations over Bluff

