

## **MDC Guidelines on flying unmanned aircraft over Council land**

These guidelines outline where you can and can't fly drones, model aircraft and other unmanned aircraft over Council land. Please refer to the Appendix for further details on Civil Aviation Authority rules for UAVs.

### **Definition**

Remotely Piloted Aircraft Systems (RPAs), Unmanned Aerial Vehicles (UAV), Unmanned Aerial Systems (UAS), Model Aircraft, and Drones are referred to as unmanned aircraft in this document.

### **Introduction**

Property owner consent is required to fly unmanned aircraft over land that is owned, managed or leased by Council.

The Combined South Wairarapa and Masterton District Council Bylaw 2012 Part B Public Places states *inter alia*:

*2.1 Except with the prior permission of Council or an authorised officer a person shall not on any public place:*

*i) fly from or land any aeroplane including model aeroplanes, a hot air balloon or hang glider, parachutes or similar except in an emergency;*

Unmanned aircraft operators are required to seek permission from Masterton District Council to use council parks, and to fly within the 4km airport buffer zone (consent application form attached). All applicants must be aware of and abide by the following conditions:

### **Where can I fly and what permissions do I need?**

All of the urban area of Masterton is within 4km from either Hood Aerodrome, or the helipad at Masterton Hospital. CAA defines four-kilometre zones around all aerodromes, where the use of the airspace is restricted.

You don't need to get a pilot licence or the Airport Manager's authorisation if you're flying as a "shielded operation" which CAA defines as "an operation of an aircraft within 100m of, and below the top of, a natural or man-made object". This means you can fly your unmanned aircraft in the Masterton urban area as long as you keep your aircraft lower than the highest tree / building / ridge within 100m of where you're standing.

But you are still required to have prior permission from the landowner first.

Refer to Appendix 1 for CAA rules for pilots not flying a "shielded operation".

Refer to Appendix 2 for map of local aerodromes.

## **On land owned, managed or leased by Council (including parks and reserves)**

Unmanned aircraft operators are required to seek permission from Masterton District Council to use council owned land, and fly within the 4km airport buffer zone (consent application form attached), with the exception of the following where permission would not normally be given:

- Henley Lake (including shielded operations)
- Queen Elizabeth Park (other than shielded operations)
- Council offices and libraries;
- Council cemeteries;
- any Council land that is leased to another party (e.g. bowling greens, tennis courts, grazing licences); and
- any location on Council land during an organised gathering of people (including sporting events).

where permission will not be granted unless there are specific reason to fly over these areas.

## **Masterton District Council conditions when flying unmanned aircraft over Council land**

If consent is granted by MDC then flyers may be permitted to use council owned land, with the exception of council cemeteries, but are requested to be aware of and abide by the conditions set out below.

- Comply with the Office of the Privacy Commissioner guidance on preserving peoples' personal privacy by not flying over other people or adjoining private property without their prior consent.
- Be courteous of other park users, who often are there for the quiet enjoyment of the park.
- Have parental supervision for children under 16.
- Do not operate over a sports field if in use by others.
- Do not operate within 20 metres of or be flown over other users of a park or livestock.
- Do not operate within 20 metres of sensitive wildlife habitats (such as coastal or river margins).
- Do not operate within 20 metres of, or be flown over, any building on Council land.
- Do not operate during a fire ban period.
- Cease operation if requested by Council staff.

- Any person proposing to use unmanned aircraft for commercial purposes must obtain specific permission from Council and where deemed appropriate, provide a detailed health and safety plan.

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

## **What types of unmanned aircraft can you fly over Council land?**

The rules and permissions set out in this policy cover electric-powered, remote-controlled model aircraft commonly referred to as “drones” that are capable of vertical take-off and landing. They also cover small hand-launched gliders less than 1.5m wing span and low performance electric-powered trainer or park flyer type aircraft with less than 1m wing span.

The rules and permissions set out on this page do not cover the following:

- Fixed-wing electric-powered model aircraft greater than 1m wing span;
- High performance fixed-wing electric-powered model aircraft;
- Gliders greater than 1.5m wingspan and bungee-launched gliders;
- All internal combustion engine (petrol)-powered aircraft; or
- All jet-powered models.
- All control line models.

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