



FLYING DRONES (UAVS) IN GREATER WELLINGTON REGIONAL COUNCIL PARKS

Guidelines for Regional Parks and other areas

Flying UAVs or drones in parks is a popular activity and there are lots of good places to fly in Greater Wellington Regional Council (GWRC) managed parks and reserves. When flying in parks it's important to fly safely and be aware of the rules about flying.

The New Zealand Civil Aviation Authority (CAA) introduced new rules on 1 August 2015 for operators of drones, also called UAVs (unmanned aerial vehicles), RPAS (remotely piloted aircraft systems) and unmanned aircraft. All UAV operators need to be aware of and follow these rules.

There are different rules for UAVs weighing above or below 25kg, but according to the CAA 'All UAV operations, regardless of size, weight or performance, are required to operate in compliance with Civil Aviation Rules'. Details of the rules and other information such as 'frequently asked questions' are found on the CAA website www.caa.govt.nz/rpas.

If you plan to fly a UAV in GWRC managed parks you need to know the 12 key things required under CAA rules Part 101. You must:

1. Not operate an aircraft that is 25 kg or larger and always ensure that it is safe to operate
2. At all times take all practicable steps to minimize hazards to persons, property and other aircraft (i.e., don't do anything hazardous)
3. Fly only in daylight
4. Give way to all crewed aircraft
5. Be able to see the aircraft with your own eyes (e.g., not through binoculars, a monitor, or smartphone) to ensure separation from other aircraft (or use an observer to do this in certain cases)
6. Not fly your aircraft higher than 120 metres (400 feet) above ground level (unless certain conditions are met)
7. Have knowledge of airspace restrictions that apply in the area you want to operate
8. Not fly closer than four kilometres from any aerodrome (unless certain conditions are met)
9. When flying in controlled airspace, obtain an air traffic control clearance issued by Airways (**Note: Wellington Airport Controlled airspace covers some areas of GWRC parks**)
10. Not fly in special use airspace without the permission of the controlling authority of the area (e.g., military operating areas, low flying zones, danger areas or restricted areas). (**Note: there are two areas of special airspace 'danger areas' in GWRC parks**).
11. Have consent from anyone you want to fly above
12. Have the consent of the property owner or person in charge of the area you want to fly above.

For UAVs over 25kg, and for operations that don't comply with Part 101, the operator must be certificated under Rule Part 102.

Refer to the CAA website for full details of the rules Part 101 and 102: www.caa.govt.nz/rpas

Where can I fly a UAV in GWRC-managed parks, and do I need a permit?

CAA rules require UAV operators to have the prior consent of the property owner or person in charge or control of the area you want to fly above.

For an interim period until further decisions are made, UAV **recreational** operators are permitted to operate in many, but not all areas of GWRC parks (and do not need a permit).

Commercial UAV operations in parks require a permit (see details below).

The following guidance is provided for **recreational** operators.



Suggested areas suitable for flying UAVs include:

- ✓ The 'concrete pads' and cliff top area at Whitireia Park near the park entrance, but not within 100 metres of the Radio New Zealand aerial masts and associated infrastructure, or and any paragliders, hang gliders or kite surfers in the park.
- ✓ The 'air strip' area at Battle Hill Farm Forest Park (except during lambing/ calving season)
- ✓ The eastern side of the Wainuiomata River flats at the Baring Head, Coast Road park entrance, East Harbour Regional Park. Areas to the west of the Wainuiomata River are within the controlled airspace of Wellington Airport (and Airways NZ clearance is required before you can fly).
- ✓ Dry Creek area, Belmont Regional Park

It is also advisable to **avoid**:

- Recreation trails when busy. Unless you can obtain 'prior permission of all the park users you wish to fly above' (as per CAA rule).
- Any areas where organised events or gatherings are taking place, unless permission has been obtained for example, as part of an event permit.

UAVs **must not** be flown in the following places:

- ✗ All designated picnic areas. This includes picnic areas in Kaitoke Regional Park, Queen Elizabeth Park, Tunnel Gully Recreation Area, the lower dam area at Wainuiomata Recreation Area, Cannon Point in Akatarawa Forest, Baring Head lighthouse precinct in East Harbour Regional Park, and Onehunga Bay car park and picnic area in Whitireia Park.
- ✗ All designated camping areas. This includes Kaitoke Regional Park and Battle Hill Farm Forest Park.
- ✗ Areas of Battle Hill Farm Forest Park and Belmont Regional Park seasonally closed for lambing and calving
- ✗ All wetland and nesting or roosting bird habitat areas in parks
- ✗ Closer than 30 metres to any vehicles, boats or park buildings or structures (note that Wellington Harbour is all controlled airspace, if you do have permission to fly over the harbour, please stay at least 200 metres away from large commercial shipping).
- ✗ In other locations when asked to cease flying by a Park Ranger or member of the public

Remember it is the responsibility of UAV operators to ensure that flying operations are not hazardous (CAA Rule 101.207 (a) (1)).

Controlled Airspace and Special Use Airspace

Controlled Airspace

Please be aware that some areas of Belmont and East Harbour Regional Parks are within the 'controlled airspace' of Wellington Airport. The CAA rules state that you must obtain air traffic control clearance issued by Airways to fly in a controlled airspace.

Areas of Belmont Regional Park, Whitireia and Queen Elizabeth Parks are within a 4km radius of aerodromes or heliports (refer www.airshare.co.nz/maps). CAA rules state that you can only fly within the 4km radius of aerodromes if certain conditions are met. Refer to the CAA rules for details.

Special Use Airspace

There are two designated special airspace 'danger areas' in GWRC parks:

- Queen Elizabeth Park, Kapiti Aeromodellers Club
- Titahi Bay, Porirua (Whitireia Park) model aircraft area.

Refer www.aip.net.nz ENR 5.1 Prohibited, Restricted and Danger Areas. 3.2.1 "Aircraft are not prohibited from operating within a restricted area, but may only enter an active restricted area with the prior approval of the designated administering authority". See the model aeroplane club section below for contact details.

What are the requirements for commercial UAV operations?

A concession permit or licence is required for commercial activities in parks such as filming, data gathering, surveying or scientific research. Please refer to the 'Greater Wellington Regional Council Parks and Forests Concession Guidelines 2013' on the website: www.gwrc.govt.nz/concessions-and-permits for details about applying for a permit to operate a UAV for commercial purposes in a regional park.

Also refer to CAA rules and advice including:

"If you want to fly your RPA over people or property, you will need consent from them to do so under Part 101. However, flying over a large group of people at a public event is likely to be regarded as a hazardous operation, which is outside the bounds of Part 101. This means certification is required under Part 102".

"The CAA would assess the need to get consent based on the operation, airworthiness of your aircraft, and the experience of the person behind the controls. The CAA may satisfy the requirement for consent by requiring you to erect signs at the entrance to the event. In some cases, the CAA may waive the requirement to gain consent if it determines you are capable of managing the risks effectively" See: www.caa.govt.nz/rpas/rpas_faqs.

What other rules do I need to comply with to operate a UAV in GWRC parks?

As well as the CAA rules UAV operators should be aware of, and comply with other rules and legislation.

GWRC Parks, Forests and Reserves Bylaw 2009

Please note the following GWRC Parks, Forests and Reserves Bylaw 2009 rules about dangerous or distressing activities, and nuisances and behaviour.

No person shall:

3.10 Carry out an activity that is likely to be dangerous or injurious to the health of any person or animal; or

3.2.1 Chase, unlawfully interfere with, or cause distress to any stock or other animal or wildlife; or

3.2.2 Behave in such a way as to cause any nuisance or any obstruction or be offensive, including, but not limited to:

- Acting in a disorderly, intimidating or offensive manner
- Creating in any way any sound or noise that is a nuisance to other persons.

Park Rangers are now closely monitoring UAV use in regional parks, and further restrictions on UAV use and locations for use may be applied if deemed necessary. In the interests of safety and enjoyment of all visitors, please follow all the rules!

Privacy

Be aware of the Privacy Act 2012, and Office of the Privacy Commissioner guidance on preserving peoples' personal privacy by not flying over other people using the park or over adjoining private property.

Frequencies

Remotely piloted aircraft systems (RPAS) must use the right radio frequencies to avoid harmful interference to vital radio systems such as air traffic control, cellular phones, or emergency services. People using the wrong frequencies for their RPAS can be prosecuted under the Radiocommunications Act 1989 and the Radiocommunications Regulations 2001. Refer to: www.rsm.govt.nz/consumers/remotely-piloted-aircraft-systems-drones/

Can I fly a model aeroplane in a park?

CAA rules Part 101 and 102 also apply to 'control line' and 'free flight' model aircraft which are also defined as called 'remotely piloted aircraft' and 'unmanned aircraft' by the CAA.

The new CAA rules do not apply to the following types of unmanned aircraft which can only be flown on private property or at officially recognised sites under the control of approved operators, such as model aircraft clubs:

- Fixed-wing electric-powered model aircraft greater than 1m wing span
- Gliders greater than 1.5m wingspan and bungee-launched gliders
- All internal combustion engine (petrol)-powered aircraft
- All jet-powered models

Model aeroplanes utilising a take-off and landing strip (including the types identified above) should only be flown in areas within parks set aside for this purpose. There are two primary locations for flying model aeroplanes in GWRC managed parks:

Queen Elizabeth Park

The Kapiti Aeromodellers Club is based here. You need to be a member of the club to use the model aeroplane area at the park. Flying here is a good way to gain skills and experience and seek advice about safely flying your UAV from people who are passionate about the activity. Gaining "Wings" certification via a club also enables you to fly on many club sites throughout New Zealand and benefit from club insurance. kapitiaeromodellersclub.wordpress.com

Whitireia Park

There is a mown model aeroplane landing strip on the cliff tops just beyond the concrete pads area not far from the park entrance. You do not be a member of a club and there are no facilities here other than the mown airstrip.

Other locations

See the Wellington Model Aeroplane Club www.wmac.org.nz for more information about flying safely and other places to fly model aircraft or UAVs.

Further information

CAA rules visit: www.caa.govt.nz or email rpas@caa.govt.nz or phone (04) 560 9480.

CAA airspace classifications: www.aip.net.nz

To log flights and check which areas are controlled airspaces near aerodromes: www.airshare.co.nz

Privacy Commissioner Office: www.privacy.org.nz

Model flying: www.nzmaa.org.nz

Greater Wellington Regional Council:

Wellington office
PO Box 11646
Manners Street
Wellington 6142

T 04 384 5708
F 04 385 6960

Upper Hutt office
PO Box 40847
Upper Hutt 5018

T 04 526 4133
F 04 526 4171

QEP Park Ranger's office
Whareroa Road MacKays
Crossing entrance (off SH1)
PO Box 18
Paekakariki 5258
T 04 292 8625
F 04 292 8432
qepranger@gw.govt.nz

Battle Hill office
Paekakariki Hill Rd
Pauatahanui
T 04 526 4133
F 04 526 4171
parks@gw.govt.nz

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