

Pauanui Lakes Resort Resident's Association Inc.

Drone Policy Effective from January 2022

1. INTRODUCTION

Drones - also known as Unmanned Aircraft Systems (UAS), unmanned aerial vehicles (UAVs) or Remotely Piloted Aircraft Systems (RPAS) - are aircraft of any size that operate without a pilot on board. They can be remotely piloted or fly autonomously.

Drones are rapidly gaining in popularity, for both commercial and recreational uses, and are used in a range of ways including scientific research, military training, search and rescue, and filming for movies and television. They are also used in industries such as agriculture, dairy, forestry and tourism. In the future, it is likely that drones will be used for goods delivery and even passenger transport.

This Policy sets out the requirements of the operation of drones on Pauanui Lakes Resort Resident's Association property and how privacy impacts will be minimised. It is in addition to the existing CAA and Air Traffic Control rules on where and how a Drone may fly and what permissions are required before doing so.

2. APPLICATION OF THE POLICY

This Policy applies to all Association members, guests, tenants, employees of its suppliers and contractors and the general public who operates a drone, either for commercial use or recreational use, in or over Association property, or any private property within the boundaries of the Lakes Resort generally.

3. DEFINITIONS

For the purposes of this policy, the following terms have the following meanings:

Association: means the Pauanui Lakes Resort Resident's Association Incorporated.

CAA: means the Civil Aviation Authority of New Zealand

Commercial use: means any use of a drone for commercial gain.

Committee: means the committee members from time to time elected, or appointed, to manage the affairs of the Association pursuant to the Constitution of the Association.

Drone: means an unmanned aircraft that is piloted from a remote station, also known as a Remotely Piloted Aircraft (RPA), Unmanned Aerial System (UAS), or Unmanned Aerial Vehicle (UAV); radio-controlled model aircraft are considered drones by the CAA.

Recreational use: means any use of a drone for non-commercial private use only.

Shielded operation: means the restriction of a drone's flight path to the maximum height of the highest obstacle within 100 metres of the flight zone.

4. DRONE OPERATING PROCEDURES

4.1 General: All operators must:

- (1) have regard for the peaceful enjoyment of the Lakes Resort by others and operate the Drone in a safe, responsible and non-intrusive manner.
- (2) comply with the Office of the Privacy Commissioner's guidance on preserving people's personal privacy, which includes not filming, following, or conducting surveillance on other persons without their agreement.
- (3) cease operation when requested to do so by a member of the Committee or the Secretary Manager.

4.2 Commercial Use: Drone operations must meet the following conditions at all times during the operation:

- (1) All drone operations must comply with Parts 101 and/or 102, as appropriate, of the Civil Aviation Authority (CAA) Rules for using drones in New Zealand. <https://www.aviation.govt.nz/drones/rules-and-regulations-for-drones-in-new-zealand/>
- (2) All commercial use operators must hold the appropriate pilot certificate issued to individuals who meet the CAA knowledge and competency requirements and are deemed competent to operate drones under Parts 101 or 102 of the Civil Aviation Authority (CAA) Rules.
- (3) Safety: All commercial use operators must:
 - (a) have a written safety plan, including emergency response and execution, which must be produced on request by a Committee member or the Secretary / Manager.
 - (b) use appropriate PPE and high visibility clothing.
 - (c) position appropriate barriers and warning signs.
- (4) Consent must be obtained from:
 - (a) the Association prior to any operations being conducted.
 - (b) all property owners or their appointed representative prior to operations over or above the owner's property.

- (5) Drone operation must:
- (a) remain in sight of the operator at all times.
 - (b) be conducted in daylight, unless conducting a shielded operation.
 - (c) be no higher than 120m (400ft) above ground level.
 - (d) give way to all manned aircraft.

4.3 Recreational Use: Drone operations must meet the following conditions at all times during the operation:

- (1) All drone operations must comply with Part 101 of the Civil Aviation Authority (CAA) Rules for using drones in New Zealand.
- (2) Consent must be obtained from all property owners or their appointed representative prior to operations over or above the owner's property.
- (3) Operators under the age of 12 must be actively supervised by an adult at all times.
- (4) Drone operation must:
 - (a) remain in sight of the operator at all times.
 - (b) be conducted in daylight.
 - (c) be no higher than 120m (400ft) above ground level.
 - (d) give way to all manned aircraft.

5. PROHIBITED DRONE OPERATION

5.1 Bird sanctuary: The Lakes Resort is a covenanted bird sanctuary with a number of protected and endangered species inhabiting the area. Flying drones in the vicinity of birds can be highly disturbing for them. Even though a bird might not appear to be disturbed, it could be quite stressed. It is an offence under the Wildlife Act 1953 to disturb or harm protected birds.

To avoid disturbing or harassing birds within the sanctuary, Drone operation must:

- (1) not be conducted within 50m of any protected or endangered bird.
- (2) not be conducted within 50m of any nesting or roosting birds.
- (3) cease immediately and the Drone landed if a bird circles or otherwise interacts with the Drone whilst in flight.
- (4) report any bird strike IMMEDIATELY to the Secretary / Manager of the Association.

5.2 Other prohibited operation: Drone operation is not permitted:

- (1) over any property where specific permission has not been granted by the Association or landowner.
- (2) over any road or parked vehicle within the Lakes Resort.

6. ENQUIRIES AND COMPLAINTS

- (1) Any person, who has queries about this Policy or the operation of Drones, should in the first instance contact the Secretary / Manager of the Association.
- (2) All complaints regarding the operation of Drones should be made to the Secretary / Manager of the Association as soon as practicable.
- (3) If the complaint relates to an issue of privacy, a complaint may also be made to the Privacy Commissioner.
- (4) If there is an urgent risk to public safety, the police should be contacted.

7. REVIEW

The policy will be reviewed:

- (1) at intervals not more than five years, or
- (2) at the request of the Committee.