

Drone Policy



Record number	D20/105236
Responsible Manager	Manager Community Safety
Other key internal stakeholders	Director Organisational Services & Excellence Director Community & Cultural Development Manager IT Solutions Manager Customer & Communications
Last reviewed	23 February 2021
Adoption reference	Council
Resolution number	748
Previous review dates	14/5/19
Legal requirement	NA
Due date next review	2024

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1. PURPOSE

The purpose of this policy is to ensure that all legislated and Council requirements for operating a drone on Council Land are adhered to by commercial operators, recreational operators, Council staff and contractors. The intent of these requirements is to protect people, property and other aircraft from injury or damage that could result from a collision. This policy also provides clear guidelines for the internal use of drone technology for Council's operations.

2. POLICY

The operation of drones, also referred to as model aircraft or remotely piloted aircraft (RPA), is governed by the Civil Aviation Safety Authority (CASA) and determined by the Civil Aviation Safety Regulations 101. At all times, use of drone technology by commercial operators, recreational operators, Council staff and contractors, must adhere to the requirements of the Civil Aviation Safety Regulations 101.

All drone operators are required to obtain permission under section 2.22 of Council By-Law No.3 – Local Government Land (refer to Fees and Charges Register for any associated fees that may apply) prior to operating a drone from Council Land. The management of this permission will be via a permit system detailing the relevant conditions that a drone operator must comply with before permission will be granted.

Any permit issued may be cancelled in accordance with Paragraph 5.4 of Council's Permits and Penalties By-law 2015.

2.1 Flying drones from Council Land

An operator using a drone must comply with any relevant CASA requirements and any conditions placed by Council before Council will issue a permit to operate a drone.

Rules for flying recreational or commercial drones are guided by CASA requirements, and differ between the two categories, therefore operators should check the CASA website (<https://www.casa.gov.au/drones>) to ensure compliance.

Council has developed conditions of use which summarise the Council and CASA requirements for the operation of recreational or commercial drones on Local Government Land. The conditions of use are issued with a permit for operating a drone on local government land and accessible via Council's website (<https://www.teatreegully.sa.gov.au>).

A drone operator/permit holder must comply with any reasonable direction of an authorised person of Council regarding the permit holder's access to or use of the local government land subject to a permit, or any adjacent land. Council's Fees and Charges Register details any associated fees that may apply to obtain a permit.

Commercial operators may apply for a 12 month permit, whilst persons who fly a drone for recreational purposes may apply for a 12 month permit.

Commercial operators may operate a drone from any Council Land unless otherwise restricted, and must be able to produce Public Liability Insurance on request which covers the proposed activity being undertaken on Council Land.

Recreational operators are only permitted to operate a drone on selected Council Land, as specified in Council's *Application to operate a drone from Council Land* and accessible via Council's website (<https://www.teatreegully.sa.gov.au>).

Failure to comply with any CASA requirements or Council conditions may result in an expiation being issued to the operator.

2.3 Flying drones at public events from Council Land

Council must authorise use of commercial and recreational drones at Council events in accordance with Council By-Law No.3 – Local Government Land.

2.4 Use of drone technology - Council staff and contractors

The use of drone technology will only be approved when operational efficiencies or benefits are identified and adherence to CASA regulations is demonstrated. Flight path information must be provided and where possible the drone should not operate over private property or alternatively the property owner's consent should be obtained prior to approval.

Approval to use a drone must be authorised in writing by the CEO. Once authorised the proposed drone flight can be lodged with CASA.

2.5 Data collection and management

All data collected or recorded by Council managed drones, including geospatial data, is owned by Council and is subject to Council's Privacy Policy and the State Records Act.

Data is collected only for a specific purpose in support of a Council function.

Data gathered will be stored in Council's Electronic Record Management System, enabling it to be used for operational and/or regulatory purposes.

2.6 Access and complaints

Request by the public to access Council collected drone data will be assessed and managed in line with Council's Privacy Policy and other relevant legislation.

Complaints regarding the use of drones by Council officers or contractors will be managed in accordance with Council's General Complaints Policy.

3. DEFINITIONS

For the purposes of this policy the following definitions apply:

CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully.

Commercial

Refers to the flying drones for money or any form of economic gain.

Recreation

Refers to the flying drones for fun and recreation purposes.

Local Government Land

Has the same meaning as in the *Local Government Act 1999*, but does not include any road.

Council Land

Includes land owned directly by Council and land under its care and control.

4. LEGISLATIVE FRAMEWORK

[Civil Aviation Safety Regulations Part 101 \(Commonwealth\)](#)

Outlines the rules governing all unmanned aeronautical activities into one body of legislation. It prescribes the rules for the use of unmanned moored balloons and kits, unmanned free balloons, unmanned rockets, remoted piloted aircraft, model aircraft and pyrotechnic displays.

[Air Navigation Act 1958 \(Commonwealth\)](#)

Outlines the Law providing for the Application of the Commonwealth Air Regulations to and in relation of Air Navigation within the State of South Australia.

[State Records Act 1997 \(SA\)](#)

The *State Records Act 1997 (SA)* (**the SR Act**) regulates the maintenance of 'official records'.

[By-law No. 3 Local Government Land](#)

Section 2.22 of Council's By-Lay No. 3 Local Government Land states that no person shall without permission on any local government land :

- a. Fly or operate a model aircraft or boat.

4.1 Other references

Council's document including:

- a. Privacy Policy
- b. General Complaints Policy
- c. Fees and Charges Register (where relevant)

External document including:

- a. CASA Operational Procedures
- b. CASA Operations Manual

5. STRATEGIC PLAN/POLICY

5.1 Strategic Plan

The following strategic objectives in Council's Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Economy	
<i>A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors and utilise technology to improve the liveability of our city</i>	This Policy supports the responsible use of drones for both recreational and commercial operators, whilst protecting the safety and security of the surrounding community.
Places	
<i>Streets, paths, open spaces and parks are appealing, safe and accessible</i>	Rules and Conditions of Use for drone operations on Council Land protect the comfort and safety of the public.
Leadership	
<i>Decision making is informed, based on evidence and is consistent</i>	This Policy specifies the actions drone operators must undertake, and those that require Council's permission, in order to operate a drone on Council Land.

5.2 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of organisational excellence. The themes most relevant to this report are: Customer Care; Learning & Growth; Future Capability; Sustainable Operations.

6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.