



## Rules and regulations when using drones

In recent times, local community forums have expressed outrage over drone users flying over private property.



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In particular, members of the Okuku and Lobburn, Ohoka, and Ashley Community Facebook groups have accused drone users of scoping properties for theft and illegal actions. Such comments have promoted Helmore Stewart to inform the wider community of the rights and obligations of both Drone users and members of the public.

Drones are aircraft that operate without a pilot on board and can be flown autonomously or remotely. Drones are gaining in popularity for both commercial and recreational uses. They are often used in industries such as agriculture and tourism as a means to save time and cost. The rapid growth in popularity for drones has understandably sparked considerable public concern about privacy and safety.

Contrary to popular belief, you cannot shoot down a drone that is flying over your property. Shooting down a drone could constitute any number of offences under the Summary Offences Act 1981, the Crimes Act 1961 and the Arms Act 1983.

Although you do not need a licence to operate a drone within New Zealand, a drone user must adhere to the relevant rules for flying uncertified aircraft.

These rules can be found under the Civil Aviation Authority, Part 101 and are summarised as follows:

- Do not operate an aircraft that is 25kg or larger and always ensure that it is safe to operate
- At all times take practical steps to minimize hazards to persons, property and other aircraft
- Fly only in daylight
- Give way to crewed aircraft
- Be able to see the aircraft with your own eyes (not through binoculars, a monitor or smartphone) to ensure separation from other aircraft
- Do not fly an aircraft higher than 120 metres above ground level (unless certain other conditions are met)
- Have knowledge of airspace restrictions that apply in the area that you want to operate in
- Do not fly closer than four kilometres from any aerodrome (unless certain conditions are met)
- When flying in a controlled airspace,



obtain an air traffic control clearance issued by airways

- Do not fly in special use airspace without permission
- Obtain the consent of anyone who you want to fly above
- Obtain the consent of the property owner or the person in charge of the area you are wanting to fly above

A complaint regarding drone operation safety or a breach of the above mentioned

rules should be addressed to the Privacy Commission of the Civil Aviation Authority or in circumstances where there are immediate concerns for public safety, the Police. For more information you can visit the Civil Aviation Authority Website.

If you have concerns regarding a possible breach of privacy or you believe a Drone has trespassed, please contact Helmore Stewart to discuss the specific details of the action in question.

