

Notice is hereby given that a Meeting of the Limehills/Centre Bush Community Development Area Subcommittee will be held on:

Date: Thursday, 7 July 2016
Time: 7.30pm
Meeting Room: Limehills Community Centre,
Venue: 116 Ayr Street, Limehills

Limehills/Centre Bush Community Development Area Subcommittee Agenda

OPEN

MEMBERSHIP

Chairperson	David Kean
Deputy Chairperson	Garry Cooper
Members	Jonathan Cooney Alistair Henderson Kirsty Rodger Neville Stirling
Councillor	Neil Paterson

IN ATTENDANCE

Community Engineer	Moira Tinnock
Team Leader, Governance	Chris Dolan

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Full agendas are available on Council's Website
www.southlanddc.govt.nz

Terms of Reference for CDAs

This CDA is a subcommittee of Southland District Council and has delegated responsibility.

The CDA members are elected to represent and advocate for their community.

It can make decisions on:

- Managing local halls and cemeteries
- Managing reserves, plantings, drainage, footpaths, street lighting, camping grounds, wharves, jetties, lakeshores and slipways, litter control

It can make recommendations to Council on:

- Priorities for services and development within the community
 - Local rates
 - Spending outside the approved annual budget
-

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UPDATES

8.1 Chairman's Report

The Chairperson, Member Kean, to report on activities with which he has been involved since the CDA's last meeting.

8.2 Councillor's Report

Councillor Paterson to report on activities from the District Council table.

1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of Interest

Committee Members are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a member and any private or other external interest they might have.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

To consider, and if thought fit, to pass a resolution to permit the committee to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) the reason why the item was not on the Agenda, and
- (ii) the reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting, -

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

6 Confirmation of Minutes

- 6.1 Meeting minutes of Limehills/Centre Bush Community Development Area Subcommittee, 03 March 2016

Limehills/Centre Bush Community Development Area Subcommittee

OPEN MINUTES

Minutes of a meeting of Limehills/Centre Bush Community Development Area Subcommittee held in the Limehills Community Centre, 116 Ayr Street, Limehills on Thursday, 3 March 2016 at 7.35pm.

PRESENT

Chairperson	David Kean
Deputy Chairperson	Garry Cooper
Members	Jonathan Cooney Alistair Henderson Kirsty Rodger Neville Stirling
Councillor	Neil Paterson

IN ATTENDANCE

Community Engineer	Moira Tinnock
Team Leader, Governance	Chris Dolan

1 Apologies

There were no apologies received.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

Member Neville Stirling declared an interest on the issue of the project carried out by Neville Stirling Excavating Limited.

4 Public Forum

There were no members of the public seeking speaking rights in the Public Forum section of the meeting.

5 Extraordinary/Urgent Items

Moved Member Stirling, seconded Member Cooper and **resolved:**

That the Limehills Centre Bush Community Development Area Subcommittee consider the following item as a matter of urgent business in order that a decision can be made before the next ordinary meeting, subject to Section 46A of the Local Government Official Information and Meetings Act 1987

Item 1: Limehills School Special Volunteer Army (SVA) Projects Team

6 Confirmation of Minutes

Resolution

Moved Member Stirling, seconded Member Henderson **and resolved:**

That the minutes of Limehills/Centre Bush Community Development Area Subcommittee meeting held on 19 November 2015 be confirmed as a true and correct record.

Reports

7.1 Works and Finance Report to Limehills/Centre Bush Community Development Area Subcommittee for the period ended 31 January 2016

Record No: R/16/2/1640

Works & Finance Report for the Limehills/Centre Bush Community Development Area Subcommittee for the period ended 31 January 2016, was tabled.

The Community Engineer reported to the Subcommittee on the following;

- Limehills memorial restoration has been completed.
- The painter will complete Stage 2 weather and time permitting.
- The Limehills memorial flagpole is broken and has fallen down. The work has been passed onto SouthRoads to programme and complete the repairs.

The Community Engineer reported to the subcommittee that she has received an account from Neville Stirling Excavating Limited showing an amount of \$3,556 to be paid for removal of rubbish from the community centre with the costings overspent by some \$2,900.

The Community Engineer advised that the subcommittee does not have the authority to overspend on any work without the permission of relevant Council staff.

The Community Engineer enquired of the subcommittee of what account is the overspend to be budgeted against.

Following discussion on this issue it was agreed that \$1,900 be charged against reserves for this project.

NOTE: Member Stirling took no part in the discussion on this issue.

Resolution

Moved Cr Kean, seconded Cr Henderson **and resolved:**

That the Limehills/Centre Bush Community Development Area Subcommittee:

- a) **Receives the report titled “Works and Finance Report to Limehills/Centre Bush Community Development Area Subcommittee for the period ended 31 January 2016” dated 18 February 2016.**

Updates

8.1 Chairman's Report

The Chairperson, Member Kean, had nothing to report.

8.2 Councillors Report

Councillor Paterson reported on matters from the District Council table.

This included;

- Attendance at a Health & Safety Seminar in Christchurch
- Round the Mountain Cycle Trail resource consent is currently before the Environment Court

Extraordinary/Urgent Items

9.1 Limehills School Special Volunteer Army (SVA) Projects Team

Communication advising the Projects Team would like a project that would benefit the community, was tabled.

In discussing the letter the subcommittee agreed to the Project Team being involved with finishing off the War Memorial.

Resolution

Moved Member Cooney, seconded Member Cooper **and resolved:**

That the Limehills/Centre Bush Community Development Area Subcommittee:

-
- a) Receives the communication from the Limehills SVA Special Projects Team dated 3 March 2016.
 - b) Agrees for the special projects team be involved in completing the War Memorial with the CDA contributing \$500 towards this project.

The meeting concluded at 8.50pm

CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE
LIMEHILLS/CENTRE BUSH COMMUNITY
DEVELOPMENT AREA SUBCOMMITTEE HELD
ON THURSDAY, 3 MARCH 2016.

DATE:.....

CHAIRPERSON:.....

Works and Finance Report to Limehills/Centre Bush Community Development Area Subcommittee for the period ended 31 May 2016

Record No: R/16/5/7862
 Author: Moira Tinnock, Community Engineer
 Approved by: Ian Marshall, Group Manager Services and Assets

Decision Recommendation Information

Community Engineer's Report

- 1 ANZAC day flags were erected and funded by the Ward.
- 2 Thank you to Kirsty Rodger for organising the children and their helpers from Limehills School to paint the fence at the Limehills Memorial. Materials were funded from the Ward and the school children/helpers provided the labour.
- 3 Operating costs are under budget as the interest on Reserves is calculated and updated at the end of the financial year. Tracking YTD at 29%.
- 4 Operating costs expenditure is over budget due to the Limehills Memorial Restoration. At the end of the financial year the funding for this project that was secured from Southland District Council Initiatives Fund and Southland Regional Heritage Fund in the 14/15 financial year will be allocated to this Business Unit.
- 5 Beautification is overspent due to work completed at the Community Centre.

Water and Waste Engineer's Report

- 6 The monthly operations reports from Downer are provided to the Committee Advisor as they are published. They include data on Downer's district-wide operations activities which are presented on a town by town basis.
- 7 For the year to date, there has been no unplanned expenditure exceeding the \$5,000 threshold.

Project List

- 8 The table below shows all of the projects that are currently planned for 2015/2016:

Activity	Project Name	Type	Year	Budget	Status	Comments
Stormwater	Mechanical cleaning of open drains	O&M	14/15	\$11,695	Deferred	Open channel enhancement continuing by Community Engineer. Delayed to gain more value as Channels were sprayed this financial year.

Financial Considerations

Reserves

- 9 Please find the reserves report attached.

Recommendation

That the Limehills/Centre Bush Community Development Area Subcommittee:

- a) Receives the report titled “Works and Finance Report to Limehills/Centre Bush Community Development Area Subcommittee for the period ended 31 May 2016” dated 22 June 2016.

Attachments

- A Limehills/Centre Bush Financial Reports, 31 May 2016 [View](#)

Limehills Community Financial Report

91.67% Of Year

For the Period Ended May 2016

Income	<u>Annual Budget</u>	<u>Actual Income to Date</u>	<u>Income to Date %</u>	<u>Full Year Projection</u>
24102 Operating Costs - Limehills	672	196	29%	669
24128 Beautification - Limehills	4,795	4,361	91%	4,760
24150 Community Centre - Limehills	11,974	10,025	84%	11,437
Subtotal Local Business Units	17,441	14,581	84%	16,866
24113 Stormwater Drainage -Limehills	7,552	5,192	69%	7,469
Subtotal Water & Waste Business Units	7,552	5,192	69%	7,469
Total	24,993	19,773	79%	24,335
Expenditure	<u>Annual Budget</u>	<u>Actual Spent to Date</u>	<u>Spent to Date %</u>	<u>Full Year Projection</u>
24102 Operating Costs - Limehills	217	5,619	2,589%	5,637
24128 Beautification - Limehills	4,795	6,564	137%	6,902
24150 Community Centre - Limehills	11,522	6,732	58%	7,517
Subtotal Local Business Units	16,534	18,916	114%	20,056
24113 Stormwater Drainage -Limehills	14,450	2,409	17%	3,609
Subtotal Water & Waste Business Units	14,450	2,409	17%	3,609
Total	30,984	21,325	69%	23,665

Limehills Community Financial Report

91.67% Of Year

For the Period Ended May 2016

Capital Expenditure	<u>Annual Budget</u>	<u>Actual Spent to Date</u>	<u>Spent to Date %</u>	<u>Full Year Projection</u>
Subtotal Local Business Units	0	0	0%	0
Total	0	0	0%	0
Funding Adjustments (Contributions, Loans, Provisions, Reserves, Forestry Dividend)	<u>Annual Budget</u>	<u>Actual Adjustments to Date</u>	<u>Adjustments to Date %</u>	<u>Full Year Projection</u>
24102 Operating Costs - Limehills	(455)	0	0%	(38)
24150 Community Centre - Limehills	(452)	0	0%	(38)
Subtotal Local Business Units	(907)	0	0%	(76)
24113 Stormwater Drainage -Limehills	6,898	0	0%	575
Subtotal Water & Waste Business Units	6,898	0	0%	575
Total	5,991	0	0%	499

Reserve Balances - Annual Plan

Limehills	Opening Balance	Current Budget	Forecast Budget	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
Community Centre													
<i>Operating</i>													
Limehills Community Centre	7,654	8,106	8,106	-	184	376	576	784	1,001	1,227	1,463	1,709	1,709
Total Community Centre Operating	<u>7,654</u>	<u>8,106</u>	<u>8,106</u>	<u>-</u>	<u>184</u>	<u>376</u>	<u>576</u>	<u>784</u>	<u>1,001</u>	<u>1,227</u>	<u>1,463</u>	<u>1,709</u>	<u>1,709</u>
Total Community Centre Balance	<u>7,654</u>	<u>8,106</u>	<u>8,106</u>	<u>-</u>	<u>184</u>	<u>376</u>	<u>576</u>	<u>784</u>	<u>1,001</u>	<u>1,227</u>	<u>1,463</u>	<u>1,709</u>	<u>1,709</u>
Local													
<i>Operating</i>													
Limehills General - OPR	15,417	15,872	15,872	7,605	8,099	8,614	9,151	9,710	10,292	10,899	11,531	12,190	12,190
Total Local Operating	<u>15,417</u>	<u>15,872</u>	<u>15,872</u>	<u>7,605</u>	<u>8,099</u>	<u>8,614</u>	<u>9,151</u>	<u>9,710</u>	<u>10,292</u>	<u>10,899</u>	<u>11,531</u>	<u>12,190</u>	<u>12,190</u>
Total Local Balance	<u>15,417</u>	<u>15,872</u>	<u>15,872</u>	<u>7,605</u>	<u>8,099</u>	<u>8,614</u>	<u>9,151</u>	<u>9,710</u>	<u>10,292</u>	<u>10,899</u>	<u>11,531</u>	<u>12,190</u>	<u>12,190</u>
Stormwater													
<i>Operating</i>													
Limehills Stormwater - OPR	54,338	59,135	59,135	52,438	57,646	63,072	54,615	59,914	65,435	71,187	77,180	66,665	66,665
Total Stormwater Operating	<u>54,338</u>	<u>59,135</u>	<u>59,135</u>	<u>52,438</u>	<u>57,646</u>	<u>63,072</u>	<u>54,615</u>	<u>59,914</u>	<u>65,435</u>	<u>71,187</u>	<u>77,180</u>	<u>66,665</u>	<u>66,665</u>
Total Stormwater Balance	<u>54,338</u>	<u>59,135</u>	<u>59,135</u>	<u>52,438</u>	<u>57,646</u>	<u>63,072</u>	<u>54,615</u>	<u>59,914</u>	<u>65,435</u>	<u>71,187</u>	<u>77,180</u>	<u>66,665</u>	<u>66,665</u>
Total Limehills Reserve Balance	<u>77,409</u>	<u>83,113</u>	<u>83,113</u>	<u>60,043</u>	<u>65,929</u>	<u>72,062</u>	<u>64,342</u>	<u>70,408</u>	<u>76,728</u>	<u>83,313</u>	<u>90,174</u>	<u>80,564</u>	<u>80,564</u>

Bylaw Review Process

Record No: R/16/4/5196
 Author: Tamara Dytor, Policy Analyst
 Approved by: Rex Capil, Group Manager Community and Futures

Decision Recommendation Information

Executive Summary

- In 2016, Council will commence a review of the Cemetery Bylaw 2006, the Keeping of Animals, Poultry and Bees Bylaw 2010 and the Control of Advertising Signs Bylaw 2008. This report outlines the approach that will be taken to consultation and review.

Background

- Council will be reviewing three bylaws in 2016. The drivers for each review are outlined below:
 - The Cemetery Bylaw 2006 requires review in 2016 to remain current.
 - A review of the Keeping of Animals, Poultry and Bees Bylaw 2010 is recommended to address local issues. This bylaw was reviewed in 2010 however, since this time additional issues have arisen. The keeping of animals in urban areas has become an area of contention in some communities.
 - A review of the Control of Advertising Signs Bylaw 2008 is recommended to align with the District Plan. This will provide clarity for the public and address issues across the District relating to signage. The proposed bylaw review would address the placement of signs in the road reserve, for example sandwich boards on footpaths. Changes to the bylaw are intended to increase the ease of doing business with Council and provide clarity and consistency.

Timeline

- The timeline below outlines key milestones in the process of review for the Cemetery Bylaw 2006 and the Control of Advertising Signs Bylaw 2008. It also details the approach to public engagement.
- A review of the Keeping of Animals, Poultry and Bees Bylaw 2010 will commence in 2016 but will be undertaken over a longer time period. Updates will be provided once consultation periods have been determined. This is expected to occur in late 2016 or early 2017.

Date	Task
23 May - 13 June	Pre-consultation engagement through 'Community Conversation' sessions.
29 June	Council meeting to endorse draft bylaws for public consultation.
30 June	Notification given to Area Offices, Knowledge Management and customer services. Committee Advisors to liaise with CB and CDAs
30 June	Draft bylaws advertised

30 June – 21 July	Submission period
17 August	Council meeting (Submission Hearings)
7 September	Council meeting (Deliberations)
28 September	Council meeting (Adoption of bylaws)
October	Communication of adopted bylaws.
Nov – Dec	Present report to CBs and CDAs on new bylaws

Consultation and engagement

- 5 Community views will be considered during formal consultation and during pre-consultation engagement. The timeline above details when this will occur.
- 6 Community Boards and Community Development Area Subcommittees are asked to make submissions during the consultation period and individual members can engage during pre-consultation sessions in May.

Recommendation

That the Limehills/Centre Bush Community Development Area Subcommittee:

- a) **Receives the report titled “Bylaw Review Process” dated 2 June 2016.**

Attachments

There are no attachments for this report.

Draft Unmanned Aerial Vehicles Policy

Record No: R/16/4/5648
Author: Tamara Dytor, Policy Analyst
Approved by: Rex Capil, Group Manager Community and Futures

Decision Recommendation Information

Purpose

- 1 This report presents the draft Use of Unmanned Aerial Vehicles Policy. A recommendation is sought from Community Boards and Community Development Area Subcommittees regarding local areas that should be considered for restriction or prohibition of unmanned aerial vehicle use.

Executive Summary

- 2 Under new rules introduced by the Civil Aviation Authority (CAA), Council can grant or decline consent for the use of Unmanned Aerial Vehicles (UAVs) on property that it owns or controls. The draft Unmanned Aerial Vehicle Policy sets a framework to allow Council to do this.
- 3 The draft Use of Unmanned Aerial Vehicle Policy contains broad conditions which would apply throughout the District. Feedback is requested from Community Boards and Community Development Area Subcommittees to determine whether Council should consider prohibition or restriction in specific local areas.

Recommendation

That the Limehills/Centre Bush Community Development Area Subcommittee:

- a) **Receives the report titled “Draft Unmanned Aerial Vehicles Policy” dated 19 April 2016.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Recommend any local areas that should be considered as restricted or prohibited areas for the use of unmanned aerial vehicles.**

Content

Background

- 4 Rules introduced by the Civil Aviation Authority (CAA) came into effect on 1 August 2015. The rules require people to obtain Council approval to operate UAVs on public land.
- 5 The draft Use of Unmanned Aerial Vehicles Policy broadly allows for the use of unmanned aerial vehicles in the District, provided that users comply with conditions within the policy. These conditions exist in addition to those already imposed across New Zealand by the CAA.
- 6 The majority of UAV use is likely to occur in Council's parks, reserves and open spaces.

What is an UAV?

The term UAV covers all electric powered remote controlled model aircraft of the type commonly referred to as "drones" that are capable of vertical take-off and landing and small hand-launched gliders less than a 1.5 metre wing span. It does not cover the following:

- Fixed wing electric-powered model aircraft greater than 1 metre wing span.
- All fixed - winged model aircraft that are internal combustion engine (petrol) powered.
- Gliders greater than a 1.5 metre wing span and bungee-launched gliders.
- Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered.
- Jet powered models.

CAA Regulations

CAA rules apply to all UAV operators throughout New Zealand. CAA rules Part 101 require 12 key things from UAV operators. Operators must:

1. Not operate an UAV 25 kg or larger and always ensure that the UAV is safe to operate;
2. Take all practicable steps to minimise hazards to persons, property and other aircraft;
3. Fly only in daylight;
4. Give way to all crewed aircraft;
5. Be able to see the UAV with their own eyes;
6. Not fly higher than 120 metres (400 feet) (unless certain conditions are met);
7. Have knowledge of airspace restrictions;
8. Not fly closer than four kilometres from any aerodrome (unless certain conditions are met);
9. Obtain an air traffic control clearance issued by Airways (when flying in controlled airspace);
10. Not fly in special use airspace without the permission of the controlling authority of the area (eg, military operating areas, low flying zones, danger areas or restricted areas);
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.
- 7 Rules are enforceable by the CAA and a breach could result in a fine, a written warning, or prosecution.

Issues

Approach taken in the draft Use of Unmanned Aerial Vehicles Policy

- 8 The draft policy nominates some circumstances in which UAV use is not permitted without specific approval from Council. These restrictions apply:
- Over a sports field if in use by others, or within 50 metres of any organised activity taking place in a reserve or Council controlled open space;
 - Over or above Council owned or controlled cemeteries or formed roads;
 - Over or within 50 metres of other users of open spaces;
 - Over or within 50 metres of any building on Council land or any playground equipment, furniture, swimming pool, or track on a reserve;
 - Within 50 metres of livestock, wildlife or sensitive wildlife habitats; and
 - Within 50 metres of a reserve boundary where residential housing or stock farming adjoins.
- 9 In addition to these conditions, Community Boards and Community Area Subcommittees are being asked whether there are any local areas that should be considered for restriction or prohibition.
- 10 Council is keen to ensure that UAV use is appropriate to community needs. There is no benefit in allowing use where it is inappropriate or unsafe. Conversely, there is also no benefit in being unnecessarily restrictive in regards to this recreational activity.
- 11 Since the definition of an UAV includes model airplanes, it is important to consider the impact of this policy on existing clubs and associations.

Current use and incidents

- 12 The extent of UAV use in the Southland District is currently unknown. No complaints to Council regarding the use of UAVs were identified during the development of this report. However, across New Zealand the number of incidents reported to the CAA has grown significantly in recent years. The tables below detail the number of incidents across New Zealand by year and by incident type.

Total incidents annually

Year	Total incidents
2008	1
2009	0
2010	1
2011	4
2012	11
2013	10
2014	33

2015	120
Total	184

Number of incidents by incident type

Incident type*	Total incidents
Aviation-related concern	116
Airspace incident	61
Incident	5
Accident	2
Grand Total	184

***Incident definitions**

Aviation-related concern: these are 'concerns' relating to aviation safety or securing, and include complaints and allegations about suspected rule breaches, etc.

Airspace incident: incidents that involve deviations from airspace rules and procedures (minimum distances for aircraft separation, for example).

Incident: a general incident category that covers situations where there is a risk of harm occurring but this does not eventuate.

- 13 There have been four incidents involving UAVs in the Southland region, one of which was in the Southland District. Three of these were aviation-related concerns, one was an airspace incident. The details of each are in the table below:

Date	Description	Location
30-Oct-13	Concern UAV flying on farms and potentially causing a hazard to other aircraft in the area.	Otama Hill Road, Gore
13-Jun-14	Concern about UAV flying near an airliner and a low flying area. Referred to the Regulatory Investigations Unit.	Invercargill
14-Apr-15	Concern that a UAV was flown in close proximity to the airport.	Invercargill
11-Nov-15	Unauthorised UAV operations 100 metres from the airport. The operators were two foreign nationals.	Milford Sound

- 14 To date, 10 enforcement actions have been undertaken by the CAA's Regulatory Investigations Unit in relation to UAV operations. Five of these have been written warnings, and five have been infringement notices with fines ranging from \$500 to \$3,500.
- 15 At this stage staff have not identified any complaints to Council regarding the use of UAVs in the Southland District. To balance the fact that there is not a current significant issue with UAVs and the likelihood of risks in the future, a moderate and proportionate response to manage this issue would be appropriate. Council also needs to be mindful of existing UAV users such as the Fiordland Cloudbusters Model Aircraft Club, who have operated UAVs to date without any issues.

Enforcement

- 16 The CAA has the power to regulate UAV use through mechanisms ranging from warnings to prosecution, depending on the nature of incidents.
- 17 CAA officers have indicated that if reported issues are of a serious nature involving the endangerment of people or property or reckless use of UAVs, an investigation with a view towards prosecution would be likely to occur. For less serious breaches, warnings or infringements are more likely to be considered.

- 18 In the event of a breach of the policy, Council staff would report any incident to the CAA. The incident would be recorded so that the CAA can gather a realistic picture of issues relating to drones and of any operators who breach the rules on multiple occasions. In the opinion of staff in the CAA investigations team, a Council bylaw would be an unnecessary duplication of existing powers under the CAA Regulatory Enforcement Policy.

Factors to Consider

Legal and Statutory Requirements

- 19 Council is empowered to adopt a position by CAA rules. The CAA has power to enforce its rules (including permission and conditions of land owners) using mechanisms ranging from warnings and infringements to prosecutions.
- 20 Since there is currently insufficient evidence of a serious issue relating to UAV use in the Southland District a bylaw is not a proportionate response. Also, enforcement powers of a bylaw largely duplicate enforcement that could be undertaken through CAA legislation. While Council could state its position through guidelines, staff recommend a policy approach to ensure clarity.

Community Views

- 21 This report is part of the process of gathering community views and forming a policy that meets local needs.

Costs and Funding

- 22 There are no costs associated with implementing an Use of Unmanned Aerial Vehicles Policy, other than those associated with advertising and consultation. This is because any enforcement action would be referred to the CAA.

Policy Implications

- 23 If an Use of Unmanned Aerial Vehicles Policy is adopted, it will be referred to in Council's Reserves Management Policy.

Analysis

Options Considered

- 24 Community Boards and Community Development Area Subcommittees could:
- Option 1: Nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas; or
 - Option 2: Not nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

Analysis of Options

Option 1 – Nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Responds to any circumstances or requirements specific to local 	<ul style="list-style-type: none"> • It is important for recommendations not to be unnecessarily restrictive because Council's general proposed approach is

communities.	broadly permissive.
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Option 2 – Not nominate local areas that should be considered for inclusion in the policy as restricted or prohibited areas.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> Provides a clear, fair and consistent approach across the District. 	<ul style="list-style-type: none"> The broad approach may or may not meet local needs and match local circumstances.

Assessment of Significance

- 25 This issue has not been assessed as significant because at this stage it is not affecting a large number of people or stakeholders or a specific community. Council’s ability to make decisions in relation to UAV use are established by CAA rules and the proposed approach is generally permissive.

Recommended Option

- 26 It is recommended that Community Boards and Community Development Area Subcommittees only propose restricted or prohibited areas for inclusion in the policy if this reflects community needs and local circumstances and if these areas are not already adequately managed through the existing broad conditions within the draft policy.

Next Steps

- 27 Following input from Community Boards and Community Development Area Subcommittees, this policy will be subject to public consultation.

Attachments

- A Draft Use of Unmanned Aerial Vehicles Policy [View](#)

SOUTHLAND DISTRICT COUNCIL

USE OF UNMANNED AERIAL VEHICLES POLICY

This policy applies to:

DOCUMENT CONTROL

Administered by: Strategic Manager (Property)	TRIM reference number: r/15/12/22465	Effective date: «type date»
Approved by: Council	Date approved: «type date»	Next review date: «type date»

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USE OF UNMANNED AERIAL VEHICLES POLICY

1. PURPOSE

This policy sets out the conditions for use of Unmanned Aerial Vehicles (UAVs) on Council owned or controlled land.

2. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Unmanned Aerial Vehicle (UAV)	<p>The term UAV covers all electric powered remote controlled model aircraft, including the type commonly referred to as “drones” that are capable of vertical take-off and landing and small hand-launched gliders less than 1.5 metre wing span.</p> <p>UAVs are also known as drones, Remotely Piloted Aircraft Systems and Unmanned Aerial Systems.</p> <p>The term UAV does not include the following:</p> <ul style="list-style-type: none"> • Fixed wing electric-powered model aircraft greater than 1 metre wing span. • All fixed - winged model aircraft that are internal combustion engine (petrol) powered. • Gliders greater than 1.5 metre wing span and bungee-launched gliders. • Single rotor helicopters that are electric powered or internal combustion engine (petrol) powered. • Jet powered models.
Civil Aviation Authority Rules / CAA rules	<p>Civil Aviation Rules are set by the Minister of Transport. The rules are divided into parts. The two parts relevant to UAVs are:</p> <ul style="list-style-type: none"> • Part 101: <i>Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets - Operating Rules</i>, and • Part 102: <i>Unmanned Aircraft Operator Certification</i>.

3 BACKGROUND

Under rules introduced by the Civil Aviation Authority (CAA) on 1 August 2015, Council can grant or decline consent for the use of UAVs on property that it owns or controls. This policy establishes criteria for UAV use over Council owned and controlled land in the Southland District.

4. POLICY DETAILS

4.1 General Criteria

In addition to CAA rules, the following criteria apply to the use of UAVs over land or property owned or controlled by Southland District Council. They do not apply to the use of UAVs by Southland District Council.

Operators of UAVs must:

- 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 consent.
- Be courteous of other park users, who often are there for the quiet enjoyment of Council's parks, reserves and open spaces.

4.2 Restrictions

Operators must not use UAVs under the following conditions unless specific written approval has been granted by Council:

- If requested to cease by Council officers. Users must land their UAV immediately if requested by Council officers.
- Over a sports field if in use by others, or within 50 metres of any organised activity taking place in a reserve or Council controlled open space.
- Over or above Council owned or controlled cemeteries or formed roads.
- Over or within 50 metres of other users of open spaces. If another open space user moves within this range, the UAV user must immediately land their UAV.
- Over or within 50 metres of any building on Council land or any playground equipment, furniture, swimming pool, or track on a reserve.
- Within 50 metres of livestock, wildlife or sensitive wildlife habitats. If livestock or wildlife move within this range, the UAV user must immediately land their UAV.
- Within 50 metres of a reserve boundary where residential housing or stock farming adjoins.

Written Council approval must also be obtained for any organised event involving the use of UAVs.

Operators of UAVs must comply with any additional conditions of lease holders.

4.3 Prohibited Areas

There are some areas where the use of UAVs is prohibited unless written approval has been granted by Council. These areas are:

- Local areas will be determined by Council following feedback from Community Boards and Community Development Area Subcommittees.

4.4 Reporting incidents and near misses

UAV users must report all incidents and near misses to Southland District Council. This obligation also extends to other reserve users involved in any incident or near miss relating to UAV use.

4.5 Enforcement

Any breach of the above conditions could result in termination of your permission to fly unmanned aircraft over Council land.

Council will report breaches to the Civil Aviation Authority, which may result in infringements or prosecution.

5. ASSOCIATED DOCUMENTS

- Civil Aviation Authority Rules and Guidelines: <http://www.caa.govt.nz/rpas/>
- Southland District Council District Reserves Management Policy

6. REVISION RECORD

Date	Version	Revision Description
«Type Date»	«Version»	«Revision»
«Type Date»	«Version»	«Revision»
«Type Date»	«Version»	«Revision»