



POLICY – 12.6 – Use of Drones within the Shire of Menzies

Relevant Delegation
N/A

1. Objective

1.1 This Policy provides guidance on the use of drones within the Shire of Menzies, especially on, and above land, and property under the care, control, and maintenance of the Shire of Menzies.

2. Policy Statement

Drones are a major part of modern society, and more people are using them every year.

Drone operators are discovering many new and creative ways to utilise drones for recreational and business purposes including emergency services.

Drone usage is not regulated by Local Governments.

The Civil Aviation Safety Authority (CASA) Australian is the national authority for the regulation of civil aviation - which includes drone regulations and certifications - and can also provide help and assistance to community members concerned about drone use – for more information see

<https://www.casa.gov.au/drones/drone-rules>

The Shire of Menzies is not positioned to enforce laws pertaining to Drone use unless it is being used in a public area where 'remotely controlled aircraft' use is not permitted.

2.1 Recreational Use - Flying in Shire of Menzies Public Space

2.1.1 Drone operators must:

- Be accredited by CASA – see <https://www.casa.gov.au/drones/get-your-operator-credentials/operator-accreditation>
- Only fly one drone at a time.
- Always fly the drone within visual line-of-sight — this means:
 - Flying only during the day.
 - Avoid flying in cloud, fog, or heavy rain.
 - Be able to always see the drone with their own eyes — not by using binoculars or watching a video screen.
 - Ensure the drone is not flying behind trees, buildings, or anything else that stops always seeing the drone.
 - Respect personal privacy. Don't record or photograph people without their consent — this may breach other laws and involve the Police.

2.1.2 Drone operators must not fly a drone:

- Higher than 120 m (400 ft) above ground level — that's about the height of a 35-storey building or length of a football field.
- Closer than 30 m to people — other than those helping to fly or navigate the drone.

- Over or above people at any time or height.
- Over or near an area affecting public safety.
- In a way that creates a hazard to another person, aircraft, or property.
- Near emergency situations. This could include situations such as a car crash, police operations, a fire or firefighting efforts or search and rescue etc.
- In prohibited or restricted airspace.
- Closer than 5.5 km to a controlled aerodrome or airfield (usually those with a control tower), if the drone weighs more than 100 g.
- Operators may operate a drone within 5.5 km of a non-controlled aerodrome or helicopter landing site only if:
 - There are no manned aircraft (one or more people inside) flying to or from the aerodrome.
 - It lands as soon as safely possible if any manned aircraft flying to or from the aerodrome.
 - The operator stays outside the airfield boundary.
 - It does not operate in approach or departure paths

2.1.3 Commercial Use - Flying in Shire of Menzies Public Space

If it is intended to fly a drone for work (commercially), it is important to adhere to the CASA regulations in relation to drones.

If it is contemplated using a park or reserve whilst flying a drone for commercial use, then apply to the Shire.

It is illegal to fly for money or reward unless the operator holds a remote pilot licence (RePL) or is flying in the excluded category (see website above).

2.1.4 Reporting Unsafe Flying

If someone is seen breaking the rules, it should be reported to CASA.

Fines of up to \$1,050 can be issued per offence. If the matter is taken to court, fines of up to \$10,500 can be imposed.

– End of Policy

ADOPTED: 30 MAY 2024