



# Filming: RPA/Drone Guidelines

## Guidelines for the use of Remotely Piloted Aircraft Systems (RPAS) within the City of Melbourne

This Guide provides a general overview of the types of issues users might consider does it constitute advice on the use of a drone. You should seek professional advice before relying on the content.

Drones are an emerging technology and the rules are evolving. Refer to [CASA's website](#)<sup>1</sup> for up-to-date information.

### 1. Overview

The Civil Aviation Safety Authority (CASA) provides general regulatory controls for the safety of air navigation throughout Australia. In addition to meeting CASA requirements, operators are also required to obtain permission from the Local Council or Landowner before operating a drone.

A permit is required from the City of Melbourne before any drone activity is permitted to take place within or above the municipality's Public Open Space.

### 2. Laws and restrictions for drones

- Your drone must not exceed 120 metres (400 feet) of altitude.
- You cannot fly your drone within 30 metres of any people, or above people at any height. The only exception is if the other party is helping operate the drone.
- You cannot fly more than one drone at a time.
- You have to keep your drone in your visual line of sight at all times, without using binoculars or a video screen. This means you can only fly in daylight, not in fog or clouds, not behind trees and buildings, etc.
- You cannot fly over or above people, or at events like sporting ovals, music festivals, parks, footpaths, busy roads and populated beaches.
- You cannot fly your drone in a way that presents a hazard to property, another person or another aircraft.

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<sup>1</sup> <https://www.casa.gov.au/>

- You are not allowed to fly your drone near or over an area where emergency operations are going on without prior approval, or in an area that affects public safety. This includes firefighting efforts, car crashes, search and rescues, or police operations.
- You cannot operate your drone near aircraft for emergency services without having prior permission.
- You cannot fly your drone in prohibited or restricted areas.
- If your drone weighs more than 100 grams you:
  - Must keep your drone a minimum of 5.5 km away from controlled aerodromes
  - May fly within 5.5 km of a helicopter landing pad or a non-controlled aerodrome if there are currently no aircraft operating around it
  - Must not operate your drone within a defined airfield without permission
  - Must not operate your drone directly in an aerodrome's departure and approach paths without permission
- Activity will only be permitted in locations that City of Melbourne deems appropriate, during daylight hours.
- The area approved for operation must be clearly signposted and a 30 m exclusion zone established to ensure no members of the public encroach upon the area.
- The majority of the City of Melbourne falls within controlled airspace down to ground level, this means that the Drone Operator must have an appropriate VHF airband radio, be licensed and proficient to use it and maintain an appropriate listening watch on the relevant frequencies.
- The City of Melbourne includes several helicopter landing sites (HLS). No operations should take place within 500 m of a HLS and all operations within 2000 m of a HLS should be limited to not greater than 150' AGL (45 m).
- A [Police Notification Form](#)<sup>2</sup> must be submitted to Victoria Police.
- Stakeholders, including nearby residences and businesses are to be notified of the activity in advance.
- Drone operation that falls outside of these conditions may be considered from time to time with support of specific area approval and/or other permission/exemption from CASA.

Check the [airspace restrictions](#)<sup>3</sup> in your area before you fly.

### 3. Categories of Commercially Operated Drones

CASA recognises two categories of commercially operated drones:

#### 3.1 Under 2kg - Operating in the Excluded Category

If the drone weighs less than 2 kg, you can fly under the 'Sub 2kg' excluded category. Examples of businesses that may fly under this category include photographers and film makers.

#### 3.2 Requirements for sub 2kg drones

- Drone operators need to have an aviation reference number (ARN) issued by CASA
- Inform CASA where they will be flying via the CASA website

<sup>2</sup> <https://content.police.vic.gov.au/sites/default/files/2018-11/Police%20notification%20of%20filming%20event%20form.pdf>

<sup>3</sup> <https://www.casa.gov.au/knownyourdrone/drone-safety-apps>

- The take-off and landing exclusion zone will need to be approved by council or the relevant land manager unless the activity is entirely on private property.
- Operators have to fly within the standard operating conditions at all times.
- In this category operators cannot ask for CASA exemptions such as flying closer than 30 m to people or fly at night

### **3.3 Over 2Kg – Operating with Remote Pilots License & Operator’s Certificate**

- This category applies to CASA licensed pilots and commercial drone operators who hold a Remote Pilots License and are employed by an organisation with an RPA Operator’s Certificate.
- It is illegal to fly for money or reward unless you have a RePL or you're flying under the excluded category ('Sub 2kg' or 'Flying over your own land').
- The pilot will have completed CASA approved training to be able to operate as part of the aviation environment and are responsible to CASA for their activities.
- Only pilots and operators in this category can ask for exemptions or permissions from CASA for flying in restricted airspace such as at night or near airports..
- Aviation specific public liability insurances are required
- Certification for drone types permitted to be used will be listed on the Operators and Pilots certificates.

## **4. Breaches of CASA rules for flying a drone**

Drone operators must follow the CASA rules for flying drones at all times. Any breaches of CASA rules for flying from or over a Council park are enforceable by CASA.

CASA cannot enforce privacy related matters.

Safety breaches can only be investigated where there is sufficient evidence, such as photos or video recordings of the breach and the person controlling the drone at the time.

Unsafe drone use can be reported by calling 131 757 or by contacting [CASA](https://www.casa.gov.au)<sup>4</sup>.

## **5. The permit process**

To obtain a permit for to operate a drone within or above any of the City of Melbourne’s Public Open Space, the requirements listed within this document must be met in addition to any additional general permit requirements.

The following documents are required to be submitted in support of your application/request:

- Remote Pilot License (RePL)
- RPA Operator’s Certificate (ReOC)
- Aeronautical Radio Operator Certificate (AROC) (for all locations within controlled airspace)
- Operators Public Liability Insurance for a minimum sum of \$20 million
- Detailed aircraft operations plan - The plan must indicate:

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<sup>4</sup> <https://www.casa.gov.au/about-us/contact-us>

- Take-off and landing zones (including emergency zones)
  - Proposed flight path
  - Proposed 30m exclusion zone and the use and positioning of signage
  - Location of spotters
- Risk Management Plan – to reference compliance with HLS restrictions where relevant and risks specific to the operation of the RPA.
- Stakeholder notification – Letter to notify residents and businesses in the surrounding area of the intention to operate an RPA.

If you wish to obtain a permit for the operation of a drone within the City of Melbourne please submit an application via our [Filming Portal](#)<sup>5</sup> Should you have any initial queries regarding areas that are appropriate for this type of activity throughout the municipality then please do not hesitate to contact the team on 03 9658 9658 or email [filming@melbourne.vic.gov.au](mailto:filming@melbourne.vic.gov.au).

## 6. Other authorities to consider

### 6.1 [Parks Victoria](#)<sup>6</sup> and Department of Energy, Environment and Climate Action (DEECA)

Only CASA certified operators can apply for a permit to fly from Parks Victoria and DEECA managed land.

All recreational RPAs are prohibited on these properties. Visit the Park Victoria website for more information on the RPA application process.

During fire season no drones are permitted to operate in State and National Parks because of the danger to aircraft operating in fire suppression. All drones are banned at The Twelve Apostles Marine National Park because of the high risk to helicopter joy flights.

All aircraft (including helicopters and [drones](#)<sup>7</sup>) must not approach within 500 vertical metres, within a 500 metre radius, of a whale, dolphin or seal. Using RPAs near these protected species requires a research permit.

### 6.2 VicRoads

VicRoads is a significant manager of state land via its control of declared roads. Only CASA certified operators can apply to fly from VicRoads controlled property. VicRoads will not grant permission for drone operations if the intent is to take footage of private property without written permission of the owner.

VicRoads strongly recommend applying for a road closure or traffic management if the flight of the aircraft and its exclusion zone will be over roadways.

### 6.3 Rail Operations - Metro Trains, V/Line, Yarra Trams and VicTrack

Recreational drone operation is prohibited on/over or immediately adjacent to any public transport infrastructure and services or any PTV or VicTrack owned or managed property because of the potential to disrupt critical transport infrastructure & services.

<sup>5</sup> <http://www.melbourne.vic.gov.au/arts-and-culture/film-music-busking/filming-in-melbourne/filming-permits/Pages/filming-permits.aspx>

<sup>6</sup> <https://www.parks.vic.gov.au/get-into-nature/events-and-filming-permits/rpas-and-drones-filming-and-photography-guidelines>

<sup>7</sup> <https://www.wildlife.vic.gov.au/our-wildlife/whales,-dolphins-and-seals/water-safety-around-marine-mammals>

If authorised to operate a drone on/over or immediately adjacent to any public transport infrastructure and services it is recommended that operators inform the relevant public transport authority/operator in advance via the email contact listed on their respective filming approval webpages.

Authority	Phone	Email	Website
City of Melbourne	(03) 9658 9658	Filming@melbourne.vic.gov.au	<a href="#">Filming within the City of Melbourne</a> <b>Error! Bookmark not defined.</b>
Civil Aviation Safety Authority (CASA)	131 757	applications@casa.gov.au	<a href="#">CASA – RPAs</a> <sup>8</sup> <a href="#">Drone safety apps - OpenSky</a> <sup>9</sup> <a href="#">Civil Aviation Safety Regulations 1998, Part 101</a> <sup>10</sup>
Department of Energy, Environment and Climate Action (DEECA)	13 61 86	No email provided	<a href="#">Filming and photography</a> <sup>11</sup>
VicScreen – Marketing & Screen Production Attraction	(03) 9660 3262	contact@vicscreen.vic.gov.au	<a href="#">Screen Industry Code of Conduct</a> <sup>12</sup>
Metro Trains	(03) 9610 2610	filmandphoto@metrotrains.com.au	<a href="#">Filming and Photography Guidelines</a> <sup>13</sup>
Parks Victoria	13 19 63 or (03) 8627 4699	events@parks.vic.gov.au	<a href="#">RPA and Drone Filming and Photography Permit application guidelines</a> <sup>14</sup>
V/Line	(03) 9619 5955	No email provided	<a href="#">Filming and Photography Application</a> <sup>15</sup>
VicRoads	(03) 9093 1486	vicroadsfilming@roads.vic.gov.au	<a href="#">Event and Filming FAQ</a> <sup>16</sup> <a href="#">Events &amp; filming FAQs</a> <sup>17</sup>
Victoria Police Film & Television Office	(03) 9247 3259	film.tv@police.vic.gov.au	<a href="#">Filming notification</a> <sup>18</sup>
VicTrack	No phone number provided	Communications@victrack.com.au	<a href="#">Filming on VicTrack land</a> <sup>19</sup>
Yarra Trams	(03) 9619 3200	No email provided	<a href="#">Filming and Photography guidelines</a> <sup>20</sup>

<sup>8</sup> <https://www.casa.gov.au/rpa>

<sup>9</sup> <https://www.casa.gov.au/droneapp>

<sup>10</sup> <https://www.legislation.gov.au/Details/F2013C00316>

<sup>11</sup> <https://www.forestsandreserves.vic.gov.au/land-management/managing-crown-land/crown-land-leases-licences-and-permits/filming-and-photography>

<sup>12</sup> [https://vicscreen.vic.gov.au/images/uploads/Victorian\\_Screen\\_Industry\\_Code\\_of\\_Conduct\\_July\\_2019.pdf](https://vicscreen.vic.gov.au/images/uploads/Victorian_Screen_Industry_Code_of_Conduct_July_2019.pdf)

<sup>13</sup> <https://www.metrotrains.com.au/filming-with-metro/>

<sup>14</sup> <https://www.parks.vic.gov.au/get-into-nature/events-and-filming-permits/rpas-and-drones-filming-and-photography-guidelines>

<sup>15</sup> <https://corporate.vline.com.au/Media-centre>

<sup>16</sup> <https://www.vicroads.vic.gov.au/traffic-and-road-use/events-and-filming-on-our-roads/events-and-filming-faqs>

<sup>17</sup> <https://www.vicroads.vic.gov.au/traffic-and-road-use/events-and-filming-on-our-roads>

<sup>18</sup> <https://www.police.vic.gov.au/film-and-tv-services>

<sup>19</sup> <https://www.victrack.com.au/i-want-to/film-on-victrack-land>

<sup>20</sup> <https://yarratrams.com.au/advertising-and-film-information>