

30.5 Film Friendly Policy

Source: Council 23/11/05

1. That Council accepts the Film Friendly Policy.
2. That Council approves the appointment of a Film Co-ordinator to instigate and maintain our status as a film-friendly council.
3. That Council adopts a no fees policy for filming permits.

Filming in Council Controlled Areas

Introduction

Because of the economic, tourism/promotion and employment benefits that the film industry can bring to a region, Council is keen to encourage the use of its area as a film location. However, it is also recognised that filming as an unconstrained activity has the potential to cause significant damage to facilities, landscapes and communities. Therefore, Council will regulate filming activities through a permit system.

Definition of Filming

Because filming also involves purely local and informal activities such as family snapshots and wedding videos, it is important that filming be defined in its commercial context.

General

Organisers are required to guarantee that the filming organisation will conform to the requirements and practices of the *Film and Video Production Industry – Code of Practice for Safety and Health in New Zealand*.

The other requirements specific to the Buller District Council are as follows.

Changes to the Permit: The organiser shall advise the Buller District Council as soon as possible of any proposed change to the nature of the activity. This will cause the permit to be re-evaluated by Council.

Licences: The organiser shall obtain all appropriate licences (eg alcohol, food, structures) before a Filming Permit will be issued. These licences are obtained at the expense of the organiser.

Insurance: The organiser shall provide proof that suitable public-liability insurance has been obtained, including details of the insurance, any relevant exclusions and the amount of insurance cover before a Filming Permit will be issued.

OSH: The organiser shall provide a health and safety plan which complies with the Health and Safety in Employment Act 1992 and its Amendment Act 2002.

Notification: The organiser shall inform residents and businesses in the area directly affected by the activity at least three days before filming begins. A copy of the flier, newspaper advertisement or

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selected medium must be included with the application.

Indemnity: As a condition of receiving the Permit, the organiser shall indemnify the Buller District Council against all costs, losses, claims, liabilities, proceedings, damages and expenses incurred, and any loss suffered by the Buller District arising because of, or in connection with, the organiser's breach of non-performance of any obligations under these conditions.

Contact details: The name and mobile phone number of a contact person who will be onsite throughout the filming period must be provided.

Noise: The organiser must ensure that the operation remains within the decibel levels and hours set out in the Buller District Plan. The name and mobile phone number of a contact person who will be on site throughout the filming and who has the authority to control the level of noise must be provided.

Electricity: The organiser shall use a registered electrician for all electrical work on the site.

Co-operation with authorities: The organiser shall ensure that all people on site comply immediately with any instructions or directions issued by the Police or other authorities in the execution of their duties.

Access to properties: Access and egress routes for residents, businesses and emergency services must be kept clear at all times and the public must not be unduly inconvenienced. Responsibility for access lies with the organiser.

Clearing the site: The organiser shall provide, erect and remove all temporary structures, road markings and all other structures and devices associated with the activity immediately after it ceases on the site.

Clean up: The organiser shall ensure that all areas associated with the activity are left clean and tidy. All rubbish must be removed from the site immediately after the activity ceases there.

Damage and disturbance: The organiser shall ensure that animals, vegetation, buildings and other facilities or parties are not unduly disturbed or damaged at any time during use of the site. There must be no damage to the area from the use of vehicles.

Restoration: Landforms and vegetation must be left as they existed before the occurrence of the filming activities.

Emergency Services: It is the responsibility of the organiser to advise emergency services of activities as required.

Hours: Filming activities shall occur only between the hours of 6.30am and 10.00pm.

Bonds: A bond may or may not be required, at the discretion of the Buller District Council, to cover the potential costs associated with any breach of the conditions of the Permit.

Parks and Reserves

Liaison with Council: The organiser shall liaise with the Buller District Council on the availability of the area and booking procedures. An approved Traffic Management Plan must be included with the

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Permit application. The organiser shall be liable for the costs of public notices to advertise road closures associated with the activity.

Air Activities

Civil Aviation requirements: The organiser must get permission for any relevant activities from Civil Aviation and evidence of this must accompany the Permit application.

Notices of Traffic to Air Mariners: The organiser must obtain any necessary Notices of Traffic to Air Mariners (NOTAM) where there is any possibility of aircraft flying low. This must be obtained 90 days prior to the activity through Civil Aviation and the NZ Police.

Landing sites: The organiser shall ensure that any landing sites and their surrounding areas are cleared and secured for safety purposes for the arrival, departure or operation of aircraft, helicopters, parachutes, balloons or any other aerial activity.

Should any of the above conditions related to Council regulations be likely to be breached, a resource consent will be required.

Should any of the conditions be breached, the Filming Permit will be immediately revoked and any bond money may be used in restitution.

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