

Standard terms and conditions for filming in Auckland Council public open spaces.

General

1. Schedule changes

The organiser shall advise Screen Auckland as soon as possible of any proposed change to the nature of the activity, which shall be subject to approval as a variation of the activity permit.

2. Licences

The organiser shall obtain all appropriate licences (e.g. building permits, special effects, temporary structures and marquees) prior to the activity.

3. Parking

The organiser shall obtain any necessary parking permits prior to the activity. In addition, the organiser shall consult with Screen Auckland prior to the activity in relation to any parking restrictions or parking controls for the activity.

4. Consultation

The organiser shall inform residents and businesses in the area affected by the activity at least 48 hours prior to the activity. Providing such information shall, at a minimum, include a flyer delivered to each house or business in the affected area. In accordance with The Auckland Film Protocol 2015 3.1.8. The flyer shall contain the wording, "Auckland Council has requested we inform you" and include the following information:

- the name of the activity
- the name of the organiser
- the general nature of the activity
- the duration of the activity including set up and pack down periods
- the organiser's contact details before and on the day of the film activity (including mobile telephone numbers)
- The relevant contact details for Auckland Council Contact Centre, 09 301 0101.

A draft of the flyer shall be provided to Screen Auckland for approval prior to its distribution.

5. Site plan

The organiser shall provide to Screen Auckland, prior to the activity, a plan of the site or sites including details of all equipment and parking associated with the activity.

6. Insurance

The organiser shall provide to Screen Auckland proof that it holds a suitable public liability insurance policy, including details of the insurer, any relevant exclusions and the amount of insurance cover, prior to the activity.

7. Health & safety

- Under New Zealand's health and safety legislation a PCBU is a person conducting a business or undertaking, whether alone or with others. The organiser/production company is a PCBU. As they have a high degree of influence and control over the activity they will need to take a leading role in health and safety, including working with other PCBUs to meet its obligations under the legislation.
- Film crew are to comply with the Health and Safety at Work Act 2015; Screensafe Health & Safety Guidelines; the Code of Practice for the Engagement of Crew as out lined in The Blue Book.
- The organiser/production must report all serious injuries and notifiable events. Use this form to notify WorkSafe New Zealand of a notifiable event as required by Section 56 of the Health and Safety at Work Act 2015. As defined in the act, a notifiable event means any of the following events that arise from work:
 - a. the death of a person; or
 - b. a notifiable injury or illness; or
 - c. a notifiable incident
- Online form link: <http://forms.worksafe.govt.nz/notifiable-event-notification> and further details and definitions <http://www.worksafe.govt.nz/worksafe/notifications-forms/notifiable-events>
- The organiser/production should inform Screen Auckland in writing immediately on becoming aware of any notifiable health & safety incident on, in or around the location. This obligation is in addition to the duty to inform Worksafe NZ.
- The organiser/production must report particular hazardous work to Worksafe NZ (Notifiable works) prior to the activity see link for the online form : <http://forms.worksafe.govt.nz/hazardous-work-notification>
- Neither the Principal nor Screen Auckland is in any way approving the applicant's Health & Safety procedures. The Production continues to be solely responsible for the accuracy and adequacy of its health & safety procedures.

8. Publicity

Productions which are granted an Auckland Council permit to film in public open spaces must include the Screen Auckland logo and/or title 'Screen Auckland' in the television or feature film credits – if a public space has been used in the final cut. On set still images of public locations may be obtained by Screen Auckland and used for website or other Council publicity. Any images will only be used to promote Auckland as a screen destination or highlight Screen Auckland's achievements, and only after the production is broadcast or screened in New Zealand.

9. Indemnity

In consideration of the grant of approval to use Auckland Council's facilities for the activity, the organiser shall indemnify Auckland Council and its CCOs against all costs, losses, claims, liabilities, proceedings, damages and expenses incurred and any loss or damage suffered by Auckland Council arising by reason of, or in connection with, the organiser's breach or non-performance of any obligations under any of these conditions, or statute or regulation.

10. Contacts

Prior to the activity the organiser shall ensure that they provide to Screen Auckland, the name and mobile phone number of a contact person on-site on the day of the activity.

11. Noise & lighting

Noise and lighting should be kept to a minimum after 10pm and before 7am and must comply with the Auckland Unitary Plan noise levels and the requirements of the noise provisions of the Resource Management Act 1991. Failure to do so will potentially result in the filming activity being shut down or an infringement fine being issued.

12. Electricity

Where electricity is being used for an activity, the organiser shall utilise the services of a registered electrician to undertake the electrical work. All electrical equipment used must be in good and safe working order.

13. Compliance with Council rules and legislation

The film permit provides the organiser with limited permission to occupy public land for the approved purposes. The organiser is responsible for ensuring that all activities comply with the requirements of the Auckland Unitary Plan and various bylaws including, but not limited to the Trading & Events in Public Places Bylaw 2015 and the Public Safety & Nuisance Bylaw 2013

14. Compliance with directions

The organiser shall ensure that all participants immediately comply with any instructions or directions issued by NZ Police, AT, Auckland Council officers or Worksafe NZ officers in the execution of their duties.

15. Access to Properties

The organiser shall ensure that access and egress for residents, businesses and emergency vehicles are available at all times, that the public is not unduly inconvenienced, and that public and private access ways are kept clear at all times.

16. Responsibility for equipment

All equipment and structures used must be in good, safe working order. Following completion of the approved activity, the organiser shall remove all temporary structures, road markings, signs, rubbish bins, toilets, equipment, props or other structures or devices associated with the activity. Removal of such equipment shall take place immediately after the activity.

17. Responsibility for clean up

The organiser shall ensure that any area associated with the activity is left in a clean and tidy condition, including surrounding streets. The removal and disposal of all rubbish in the filming area shall take place immediately after the activity.

18. No damage to property

The organiser shall ensure that all grounds, property, wildlife, stock, vegetation, buildings and other facilities are not damaged or unduly disturbed at any time during the activity or any set up or pack down period associated with it. Rectifying any damage to public property, caused by the approved activity, is payable by the production company. The organiser must employ Council approved contractors to rectify any damage caused and to reinstate any damaged property.

19. No fixtures

The organiser shall ensure that nothing is fixed, hung or otherwise attached to any features of the park, reserve, square, street or facility (e.g. trees, street furniture, lamp-posts, etc.) without the prior consent of Auckland Council.

20. Documentation

The organiser shall ensure that a copy of the film permit is available at all times during the activity and any set up or pack down period associated with it.

21. No identification of location

The organiser shall ensure that filming within a public open space will not identify any Auckland Council locations, including but not limited to signs or logos, nor any uniquely identifiable physical or landscape aspect of the location without prior written consent.

22. Smoke free

Auckland Council adopted a smoke-free policy in 2013 aimed at making public outdoor spaces smoke-free across the Auckland region. A smokefree city is part of the Auckland Plan. It aligns with the government's goal of becoming a smokefree nation by 2025. Further information can be found at <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/Pages/smokefree-policy.aspx>

23. Public artworks

Incidental filming of public artwork is allowed as part of this permit. Interaction with any public art work is not approved with this permit and requires consultation and agreement with the artist.

Streets

24. Road closures or traffic control

The organiser shall apply for any necessary road closure or traffic control authorisations in writing with adequate timeframes as required by the relevant transport authorities (AT & NZTA) prior to the activity taking place.

25. Public transport

If an approved activity involves a Traffic Management Plan and/or the re-routing of buses and/or relocation of bus stops which may affect public transport, the organiser, through Screen Auckland, shall contact and consult with AT and any other relevant stakeholders, with adequate timeframes as required by the relevant transport authorities prior to the activity taking place.

26. Traffic Management Plan

The organiser shall provide to Screen Auckland a Traffic Management Plan with adequate timeframes prior to the activity. The Traffic Management Plan shall include the location of all relevant structures, equipment, facilities, assembly areas, event or filming areas and other facilities, including (without limitation) COPTTM compliant signs and cones, marshals, vehicles, parking restrictions, road closure details and access for the disabled, emergency vehicles and public transport. Auckland Council, AT and the Police may require further details to be included in the Traffic Management Plan. Further details shall be provided as soon as practicable after any such request.

27. Marshals

The organiser shall provide suitably qualified and identifiable marshals to the satisfaction of NZ Police, AT and Auckland Council.

28. Compliance with law and with NZ Police directions

The organiser shall ensure that all participants comply with all traffic laws, regulations and bylaws at all times during the activity and that all participants comply immediately with any instructions issued by the NZ Police, AT or Auckland Council officers in the execution of their duties.

29. Traffic control measures

The organiser shall ensure all appropriate barricades, cones and signs are provided and placed in accordance with the Traffic Management Plan. Such barriers, cones and signs shall be removed immediately after the activity.

30. Vehicle movements

Filming activities fall within the category of specific 'Temporary activities' within the Auckland Unitary Plan 2016 Chapter E, rule E40 The organiser shall ensure that all participants comply with this at all times and in particular (but not exclusively) E40.4.1 (A15) & E40.6.2

31. Visibility

All crew to wear high visibility safety vests at all times around the road corridor.

Signage

32. The organiser is granted exemption to the Signage Bylaw 2015 as part of this permit, as per Part 1.7(a). This will allow the use of directional arrows that can be visible from the street, which may only be displayed with the use of 'Pigtails' or COPTTM compliant cones. These information arrows may only be placed on the footpath/ berm and only used to indicate the direction to your location. This exemption does not permit any attachment of signage to any regulatory signs, nor are the signs to resemble the colour of any regulatory signage. All information arrows are to be no longer than 50cm.

Charges and cancellations

33. Charges

The organiser shall pay to Auckland Council, for the services of the Screen Auckland unit at Auckland Tourism Events and Economic Development

Limited (ATEED), a fee in respect of the activity permit to which these conditions are attached.

34. Other fees and charges

The organiser shall be responsible for any fees or service and supply charges associated with the activity. These fees are payable in respect of any certificate, authority, approval, consent or service given or inspection made by Auckland Council or any department, service, agent or local authority trading enterprise of Auckland Council.

35. Bond

If required, the organiser shall provide to Screen Auckland, a bond prior to the activity. The purpose of the bond shall be to cover the potential costs of any breach of these conditions including the cost of repairing any damage and undertaking any clean up work that the organiser has not done. The bond shall be on terms satisfactory to Auckland Council having regard to the nature of the activity.

36. Road closure advertisements

The organiser shall be liable for the costs of the public notices to advertise any closure of roads associated with the activity.

37. Cancellation fee

Screen Auckland, may charge a cancellation fee if the organiser of the activity cancels a booking prior to the commencement of the activity or if the organiser fails to notify Screen Auckland of any cancellation.

38. Late application fee

Screen Auckland may charge a late application fee if an application is received within 2 working days of the activity. The organiser shall be advised upon application if this fee is to be applied. In some cases late applications will be declined irrespective of fee.

Special Conditions

39. The organiser will be advised of any special conditions associated with the nature of the activity prior to the activity taking place.

40. Drones

Users of UAVs need to follow the Civil Aviation Authority rules on the use of UAVs. UAV operators must comply with the Auckland Council Public Safety and Nuisance Bylaw 2013. In addition to this Bylaw, when flying in a public open space, operators should adhere to the Auckland Council code of conduct which can be found online <http://temp.aucklandcouncil.govt.nz/EN/parksfacilities/sportrecreation/Pages/drones.aspx>

41. Sites of significance

Where proposed activity is near or on sites of historical or archaeological significance including Tupuna Maunga (volcanic cones) The organiser, through Screen Auckland, shall contact and consult with relevant stakeholders on behalf of the production (with adequate timeframes prior to the activity).

42. Closed landfill sites

Auckland Council is responsible for the management of a number of closed landfill and contaminated sites. Legal obligations exist under the Health Act and Local Government Act to minimise the risk to public health and safety. If the filming activity is on one of these sites the organiser shall apply for the necessary authorisations in writing with adequate timeframes prior to the activity taking place.

Note

43. Advice to services

During the consultation process, Screen Auckland will, where applicable, advise the following services: NZ Police, NZ Fire Service, St John Ambulance, relevant transport companies, and AT.

44. After hours contacts

Should you have any concerns or queries on the day of your activity, please contact your Film Facilitator or Auckland Council after hours, phone 09 301 0101. The Auckland Council Call Centre will forward your query to an appropriate officer.

45. Gardens

Please note that Auckland Council staff are unable to guarantee high quality bedding displays in garden areas all year round due to seasonal factors and unforeseen circumstances. Please note that many displays (such as those in the Auckland Domain Winter Gardens and Dove Myer Robinson Park's rose gardens) have a strong seasonal component.

46. Non compliance of permit conditions

Violation/non-compliance of the terms and conditions contained within this permit may result in the suspension or revocation of the permit, accompanied by enforcement through the relevant authorities.