

## Section 32 Evaluation Report: Temporary Activities

### 1. Strategic Context

Council is preparing a new District Plan under Section 74 of the Resource Management Act 1991(RMA or the Act). Section 74(1) of the RMA sets out matters which are to be considered by territorial authorities when preparing or changing district plans. That section states that any change to district plans must be in accordance with the functions for territorial authorities set out in section 31, the provisions of Part 2, the duties under section 32, and any regulations.

Section 74(2) of the Act requires that when preparing or changing a district plan, a territorial shall have regard to:

- (a) any –
  - (i) *Proposed regional policy statement; or*
  - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
- (b) any-
  - (i) *Management plans and strategies prepared under other Acts; and*
  - (ii) *Repealed*
  - (iia) *Relevant entry [on the New Zealand Heritage List/Rarangi Korero required by the Heritage New Zealand Pouhere Taonga Act 2014]; and*
  - (iii) *Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),— to the extent that their content has a bearing on resource management issues of the district; and*
- (c) *The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*

Section 74(2A) requires that when preparing or changing a district plan a territorial authority must take into account:

*Any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.*

Section 75 of the Act details the requirements for the content of district plans. Section 75 of the Act states that:

- (3) *A district plan must give effect to –*
  - (a) *any national policy statement; and*
  - (b) *any New Zealand coastal policy statement; and*
  - (c) *any regional policy statement.*
- (4) *A district plan must not be inconsistent with -*
  - (a) *a water conservation order; or*
  - (b) *a regional plan for any matter specified in section 30(1).*

Consideration has been given to the matters detailed in sections 74 and 75 of the Act, as outlined in Sections 2 to 5 below.

## 2. National Planning Documents

### National Policy Statements

There are currently four operative national policy statements which the District Plan must give effect to. These include:

- The New Zealand Coastal Policy Statement 2010
- The National Policy Statement for Renewable Electricity Generation 2011
- The National Policy Statement for Freshwater Management 2011
- The National Policy Statement for Electricity Transmission 2008

It has been determined that none of these policy statements are relevant to the proposed Temporary Activities chapter.

### National Environmental Standards

National environmental standards are regulations made under section 43 of the RMA. They can prescribe technical standards, methods or other requirements for environmental matters. In some circumstances, local authorities can impose stricter standards. There are currently five National Environmental Standards in effect:

- Air quality
- Sources of human drinking water
- Telecommunications facilities
- Electricity transmission
- Assessing and managing contaminants in soil to protect human health

It has been determined that none of these national environmental statements are relevant to the proposed Temporary Activities chapter.

## 3. Regional Planning Documents

### Regional Policy Statement

Otago's Regional Policy Statement ("RPS") promotes the sustainable management of natural and physical resources by giving an overview of the resource management issues facing Otago, and by setting policies and methods to manage Otago's natural and physical resources. The RPS is currently under Review itself, and may be further advanced in that process by the time the District Plan Review is notified. Amendments to this evaluation may be required to accommodate that change. The District Plan must *give effect* to the Operative RPS and must *have regard to* the Proposed RPS.

For the purposes of this section 32 report the RPS for Otago has been reviewed. In general the RPS contains only very general policy guidance that would not have any direct bearing on the existing and proposed temporary activities. However the RPS does contain objectives and policies in relation to waste minimisation and recycling (objectives 13.4 and policies 13.5), which can have a bearing on the management of temporary activities.

### Regional Plans

There are four operative regional plans within the Otago Region relating to air, water, coast and waste. The purpose of the Otago Regional Plan: Air is to promote the sustainable management of the air resource in the Otago region. The Otago Regional Plan: Water is for the use, development and protection of Otago's rivers, lakes, aquifers and wetlands. The Otago Regional Plan: Coast is relevant to the coastal marine area. The Otago Regional Plan: Waste applies to solid waste management, including waste minimisation. This chapter does not seek to address any matters that are managed under the Otago Regional Plans for Air, Water and the Coast. The minimisation of waste is addressed in proposed provisions, therefore the Regional Plan: Waste is relevant to this chapter. The provisions aim to minimise waste generated at source, and maximise the opportunities for reuse, recycling, and recovery of waste materials.

## 4. Iwi Management Plans

## **Kai Tahu Ki Otago Resource Management Plan**

The Kai Tahu Ki Otago Resource Management Plan (2005) (NRMP) is the principal planning document for Kai Tahu Ki Otago (KTKO) ((KTKO is used to describe the four Papatipu Runanga and associated whanau and ropu of the Otago Region). Chapter 5 of the NRMP identifies issues, objectives and policies for the Otago Region as a whole, and includes the following objectives:

- i. The rakātirataka and kaitiakitaka of Kāi Tahu ki Otago is recognised and supported.*
- ii. Ki Uta Ki Tai management of natural resources is adopted within the Otago region.*
- iii. The mana of Kāi Tahu ki Otago is upheld through the management of natural, physical and historic resources in the Otago Region.*
- iv. Kāi Tahu ki Otago have effective participation in all resource management activities within the Otago Region.*
- v. The respective roles and responsibilities of Manawhenua within the Otago Region are recognised and provided for through the other objectives and policies of the Plan.*

Chapter 10 of this plan sets out objectives and policies as they are relevant to the Clutha/Mata-au Catchment, which the District is contained. No objectives or policies within the NRMP are directly relevant to the temporary activities chapter.

## **Ngai Tahu Ki Murihiku Natural Resource and Environmental Iwi Management Plan (2008)**

The Ngai Tahu Ki Murihiku Natural Resources and Environmental Iwi Management Plan (Murihiku Plan) was issued in 2008 and consolidates Ngai Tahuki Murihiku values, knowledge and perspectives on natural resources and environmental management issues. The Murihiku Plan identifies kaitiakitanga, environmental and social, economic, health and wellbeing outcomes that need to be recognised when considering the proposed chapter. The proposed chapter will not offend any of the relevant objectives and policies.

## **5. Section 32 Evaluation**

All District Plan changes must be evaluated as directed by section 32 of the RMA. Section 32(1) and (2) specifies what the evaluation must examine.

- (1) An evaluation report required under this Act must—*
  - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
  - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
    - (i) identifying other reasonably practicable options for achieving the objectives; and*
    - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
    - (iii) summarising the reasons for deciding on the provisions; and*
  - (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) An assessment under subsection (1)(b)(ii) must—*
  - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) economic growth that are anticipated to be provided or reduced; and*
    - (ii) employment that are anticipated to be provided or reduced; and*
  - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

Section 32(3) relates to “amending proposals”. As Council is issuing a new proposed District Plan, this section is not considered relevant.

## **6. Resource Management Issues**

This review seeks to address a number of key issues (detailed below), to enable a more permissive approach to temporary activities with an acceptable level of effects, to avoid duplication of regulatory processes (both within Council and Crown entities), to clarify and strengthen existing provisions by providing clear objectives and policies, and to make the Plan easier to understand and administer.

The resource management issues set out in this section have been identified from the following sources:

- Monitoring Report for Section 19 of the operative District Plan (January 2012)
- Consultation brochure on temporary activities (excluding temporary events) sent to persons identified as being involved in temporary activities.
- Consultation brochure on temporary events sent to known event organisers
- Summary of feedback received from consultation brochures
- Research Report titled ‘Queenstown Lakes District Council Management of Informal Airports’ April 2012. Prepared by Southern Planning Group Ltd.
- Simpson Grierson legal check / review of Report titled ‘Queenstown Lakes District Council Management of Informal Airports’ April 2012. Prepared by Southern Planning Group Ltd.
- The Auckland Film Protocol (draft)
- Comparison with numerous other District Plan provisions elsewhere in New Zealand
- Safety Planning Guideline for Events December 2003. Prepared by NZ Police, St John, NZ Fire Service, and Ministry of Civil Defence and Emergency Management.
- Zero Waste Events – Zero Waste Guide for Events. Prepared by the Queenstown Lakes District Council
- Zero Waste Production – A Green Screen Guide & Directory for Film Production
- Queenstown Lakes District Council Events Strategy 2013 - 2017
- Consultation with QLDC Event Facilitators, QLDC Property Manager APL Property, QLDC Resource Consenting Planners, QLDC Reserves Department, The Department of Conservation, NZTA, and the Film Otago/Southland Executive Manager

The key resource management issues include:

- The location of the ‘relocated buildings’ provisions in a chapter that is otherwise restricted to ‘temporary activities’. Relocated buildings are often permanent additions. This location in the Plan has led to confusion and poor legibility.
- The single objective and two policies are not well suited to the six diverse types of temporary activities covered under the existing section 19, nor the additional temporary activity proposed (for example, temporary use of a site as an airport for community events). The two policies are ineffective due to their generality and the fact that they were directed at the Council as plan writer, rather than providing guidance for the consenting process.
- Temporary events and temporary filming on public conservation land requires a concession from the Department of Conservation. It has been viewed as a double up that Council can sometimes also require resource consent for temporary events and temporary filming, when the landowner and manager of the Conservation Estate has already given permission.
- Temporary events are often held on Council-owned and managed recreation land and require numerous approvals from different Council departments. This has led to the impression of over-regulation whereby there is a requirement seek a resource consent from one Council department, despite the event having been approved and encouraged by another department.
- An issue is the number of persons permitted at outdoor events (<200) before a resource consent is required, as the limits are quite low and adverse effects do not appear to arise at this number.



- An issue is with regard to the permitted duration of temporary events (currently up to 7 days) and the use of a cap on the total number of events on a site (currently due to interpretation issues it is difficult to know if there is a cap on the total number of temporary events a site may be used for).
- In terms of the rules relating to licensed events, an issue is whether having a blanket discretionary activity status for any event that involves the sale of alcohol is necessary, given that the sale of alcohol is regulated under the Sale and Supply of Alcohol Act 2012.
- An issue is the use of zone-based noise limits for managing noise from temporary events. Providing specific noise limits for temporary events and temporary filming, rather than the zone noise limits (which will almost always be breached).
- In terms of the site standards for temporary events, the reference to Clause G1 of the Building Code is incorrect and needs to be replaced with an appropriate system for determining the number of toilets required at an event.
- In terms of the rule relating to temporary events, monitoring indicated the effectiveness of the existing rule would be enhanced by stating that tents and marquee's are not deemed to be 'indoor' venues.
- For the rules relating to activities associated with construction activity, consideration could be given to removing the 50m<sup>2</sup> and twelve month time limit and providing for them to remain for the duration of the construction project. This is because temporary buildings associated with construction activity are an anticipated part of a construction site.
- Large-scale construction projects are often located in areas not serviced by permanent retail activity to provide for the food/drink needs of construction workers. This is likely to have resulted in unnecessary trip generation for construction workers.
- In terms of the rule relating to temporary storage, the rule is very broad, only excluding farming purposes. Section 19 of the District Plan lacks a statement directing a reader to the activity status of a proposal that breaches this rule, or the site standards, and requires a statement directing them to the relevant zone rules. A similar issue arises with the temporary utilities rule, which is that temporary utilities are subject to the utilities chapter if the temporary utilities rule cannot be complied with.
- An issue is the large amount of assessment matters contained within the chapter, often duplicating requirements of other legislation, for example *'compliance with food hygiene standards and regulations.'*

## 7. Purpose and Options

The Relocated Buildings, Temporary Buildings & Temporary Activities chapter does not contain one over-arching purpose, but individually refer to providing for relocated buildings and to enable flexibility for temporary activities within the District that are limited in either scale or duration and have no more than minor adverse effects.

The proposed chapter will focus solely on temporary activities by excluding provisions for relocated buildings (which will be addressed elsewhere in the District Plan). The proposed chapter recognises that temporary events and filming are important to the economic, social, and cultural vitality of the District, and are therefore encouraged.

The proposed chapter will both provide for temporary activities currently permitted, and adopt a more permissive approach where, on balance, the outcome sought is considered to outweigh adverse effects.

The following sections of this report (Sections 8 to 13) have been provided in order to fulfil the statutory requirements of section 32 of the RMA.

## 8. Evaluation of proposed Objectives - Section 32 (1) (a)

Section 32(1)(a) of the RMA requires the evaluation to examine the extent that a new objective is the most appropriate way to achieve the purpose of the Act. Five new objectives are proposed as part of this proposed chapter. This section of the report considers the new objectives in the context of the purpose of the Act.

The purpose of the Act demands an integrated planning approach and direction:

### **Section 5 Purpose**

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
  - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The remaining provisions in Part 2 of the Act, particularly section 7, provide a framework within which objectives are required to achieve the purpose of the Act and provisions are required to achieve the relevant objectives. Section 7 (abbreviated below) is particularly relevant to this proposed chapter:

### **Section 7 Other Matters**

*In achieving the purpose of this Act, all persons exercising functions and power under it, in relation to managing the use, development, and protecting of natural and physical resources, shall have particular regard to –*

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (f) *maintenance and enhancement of the quality of the environment:*

The following objectives serve to address the Temporary Activities issues identified in Section 6 of this report.

<b>Proposed Objective</b>	<b>Appropriateness</b>
<b>45.3.1 Objective 1</b>  <b>Temporary Events and Filming are encouraged and are undertaken in a manner that ensures the activity is managed to minimise adverse effects.</b>	<p>This objective acknowledges the significant benefits that temporary events and filming provide communities within the District. This objective also acknowledges that without adequate management, temporary events and filming can result in substantial adverse effects.</p> <p>The Queenstown Lakes District Council Events Strategy 2013 - 2017 (refer to <b>Attachment 1</b>) has been designed to guide the growth, development and delivery of events in the District over the next 10 years (2013-2023), with the specific goal of extending the flow of economic and social benefits of events. The strategy identifies four main benefit streams associated with events:</p>

	<ul style="list-style-type: none"> <li>• Economic benefits</li> </ul> <p>Direct economic benefits to the District result from increased visitor spending with a higher than average spend, and event income sourced from outside the region.</p> <ul style="list-style-type: none"> <li>• Branding and exposure</li> </ul> <p>Large-scale events are a cost effective means of promotion.</p> <ul style="list-style-type: none"> <li>• Social well-being</li> </ul> <p>A balanced event portfolio makes for a more vibrant and interesting place to live.</p> <ul style="list-style-type: none"> <li>• Legacy benefits</li> </ul> <p>Events can position a town or district on the global stage and act as a catalyst for change. Long terms legacy benefits can also result including infrastructure, local knowledge, resources, and business/trade benefits.</p> <p>With respect to economic benefits, major events such as Warbirds Over Wanaka and Winterfest have been estimated to result in an overall economic impact of \$21.6 million<sup>1</sup> and \$57 million<sup>2</sup>, however smaller events can too provide substantial economic benefits.</p> <p>The NZ Local Government Filming Protocol (refer to <b>Attachment 2</b>) identifies the economic benefits associated with filming, including job creation, support for local businesses, and support for maintaining places of scenic and heritage value.</p> <p>However both temporary events and filming can and will result in adverse effects including nuisance, disruption, restriction to public access, waste and infrastructure demands, and displacement to other visitors. However these adverse effects are, in isolation, generally temporary. Overall the positive effects are considered to outweigh adverse effects when carefully managed.</p> <p>The operative objective relating to temporary activities does not seek to directly encourage temporary events/filming, but takes an approach of accepting these activities will happen, subject to minimising any adverse effects on the environment.</p> <p>This lead objective is therefore considered to be consistent with Section 5 of the Act in that it will allow for the communities in our District to provide for their social, economic, and cultural well-being while avoiding, remedying, or mitigating any adverse effects of activities on the environment.</p> <p>Given that events and filming is generally of a temporary nature, Objective 1 will not be inconsistent with any of the matters within Section 6, or other matters outlined in Section 7.</p> <p>Objective 1 will align with Strategic Objective 5 of the draft Strategic Directions Chapter, being the enhancement of the social, cultural, and economic wellbeing of the District.</p> <p>Objective 1 is not directly relevant to the objectives and policies of the</p>
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<sup>1</sup> See Reference 1

<sup>2</sup> See Reference 2

	Otago Regional Policy Statement.
<p><b>45.3.2 Objective 2</b></p> <p><b>Temporary activities necessary to complete building and construction work are provided for.</b></p>	<p>Activities necessary to complete building and construction work are an anticipated part of any construction project. The operative provisions do provide for construction-related temporary activities. Examples including permitting the use of temporary buildings and structures used for construction, whereby these would otherwise often require a resource consent.</p> <p>Development (and therefore the need for associated building/construction work) is governed in other parts of the District Plan. Objective 2 seeks to continue to enable the continued use of these temporary activities to enable completion of construction and building projects.</p> <p>Objective 2 specifically relates to these activities whereby under the operative provisions, these activities are incorporated into a single objective that addresses all temporary activities. This objective will provide clarity that this set of activities is distinctly different from other temporary activities.</p> <p>In relation to Section 5 of the Act, Objective 2 will enable the management of natural and physical resources to enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety.</p> <p>Objective 2 will not be inconsistent with any of the matters outlined in Sections 6 or 7, as the activity is directly associated with development governed under other District Plan provisions.</p> <p>Objective 2 will align with Strategic Objective 5 of the draft Strategic Directions Chapter, being the enhancement of the social, cultural, and economic wellbeing of the District.</p> <p>Objective 2 is not directly relevant to the objectives and policies of the Otago Regional Policy Statement.</p>
<p><b>45.3.3 Objective 3</b></p> <p><b>Temporary Military Training is provided for to meet the needs of the New Zealand Defence Force.</b></p>	<p>Objective 3 has been designed to provide flexibility to the New Zealand Defence Force to undertake military training to suit their needs.</p> <p>The operative provisions do provide for temporary military training. However similar to temporary construction-related activities, there is no clear and specific objective to provide for this activity.</p> <p>In relation to Section 5 of the Act, Objective 3 will enable the management of natural and physical resources to enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety.</p> <p>Objective 3 will align with Strategic Objective 5 of the draft Strategic Directions Chapter, being the enhancement of the social, cultural, and economic wellbeing of the District.</p> <p>Objective 3 will not be inconsistent with any of the matters of national importance within Section 6, or other matters outlined in Section 7.</p> <p>Objective 3 is not directly relevant to the objectives and policies of the Otago Regional Policy Statement.</p>

<p><b>45.3.4 Objective 4</b></p> <p><b>Temporary Utilities needed for other temporary activities or for emergencies are provided for.</b></p>	<p>Temporary activities (events and filming in particular) require temporary utilities (including lighting, electricity generation, water storage etc). Objective 4 is intended to continue to provide for these utilities, whereby they would otherwise require a resource consent under the utilities rules of the District Plan.</p> <p>Temporary utilities are also required in an emergency situation, as evidenced by the recent Canterbury Earthquakes. Given the hazard-prone nature of the District, retaining provision for these utilities is important to achieve the purpose of the Act.</p> <p>Objective 4 will align with Strategic Objective 5 of the draft Strategic Directions Chapter, being the protection of the health and wellbeing of the community.</p> <p>Objective 4 will not be inconsistent with any of the matters of national importance within Section 6, or other matters outlined in Section 7.</p> <p>Objective 4 is relevant in respect to Policy 11.5.2 of the RPS, being the ability to take action to mitigate adverse effects of natural hazards, and the response to natural hazards on human life, infrastructure, and property.</p>
<p><b>45.3.5 Objective 5</b></p> <p><b>Temporary Storage for non-farming activities is provided for on a short-term basis.</b></p>	<p>Temporary storage is often required in various situations and is therefore provided for under the operative provisions. Objective 5 is intended to retain provision for this storage, while specifically differentiating between regular storage of goods and materials and those associated with farming.</p> <p>Storage associated with farming activities are generally located within rural areas and are more readily anticipated than storage in other areas.</p> <p>Objective 5 will align with Objectives 2 and 5 of the draft Strategic Directions Chapter, being the protection of landscape and amenity values and the enhancement of the social, cultural, and economic wellbeing of the District.</p> <p>Objective 5 will not be inconsistent with any of the matters of national importance within Section 6, or other matters outlined in Section 7.</p> <p>Objective 5 is not directly relevant to the objectives and policies of the Otago Regional Policy Statement.</p>

The above objectives have been considered against Part 2 of the Act, the RPS, and the draft Strategic Directions chapter of the proposed plan. When compared against the objectives of the operative District Plan, the proposed objectives are considered the most appropriate method of achieving the purpose of the Act. They will enable the communities within the District to provide for their social, economic, and cultural well-being and for their health and safety while avoiding, remedying, or mitigating any adverse effects of the activities on the environment.

## **9. Evaluation of broad options for achieving Objectives Section 32 (1) (b)(i)**

As required by section 32(1)(b)(i) RMA, the following section considers various broad options to address the issues identified in Section 6 of this report, in order to determine if they are therefore the most appropriate way of achieving the new objectives. Recommendations are made as to the most appropriate course of action in each case. For the purposes of this assessment, the issues have been broadly grouped into the following categories:

*Issue 1: Encouraging Temporary Events and Filming to be undertaken within the District*

In addressing Issue 1, Option 1 generally seeks to retain the operative District Plan provisions as they stand. Option 2 seeks to amend and improve the operative provisions to encourage temporary events and filming, where appropriate, while managing adverse effects. Option 3 would be a comprehensive review to the operative provisions whereby minimal or no regulation would be imposed on these activities.

*Issue 2: Enabling activities associated with construction and building work to be successfully undertaken while minimising adverse effects.*

In addressing Issue 2, Option 1 again seeks to retain the operative District Plan provisions as they stand. Option 2 seeks to amend and improve the operative provisions by better tailoring the provisions to the reality of building and construction activities. Option 3 seeks to provide for a comprehensive change to the existing provisions to enable unrestricted building and construction work.

*Issue 3: Meeting the needs of the New Zealand Defence Force within the District.*

In addressing Issue 3, Option 1 again seeks to retain the operative District Plan provisions as they stand. Option 2 seeks to amend and improve the operative provisions by better tailoring the current provisions to meet the needs of the New Zealand Defence Force, and Option 3 seeks a comprehensive review by specifically prescribing standards for the activities of the Defence Force.

*Issue 4: Ensuring temporary utilities are specifically enabled when associated with all temporary activities and emergencies.*

In addressing Issue 4, Option 1 again seeks to retain the operative District Plan provisions as they stand. Option 2 seeks to amend and improve the operative provisions by addressing areas of the existing provisions that are seen as either deficient, or overly-restrictive when compared to their adverse effects. Option 3 seeks a comprehensive review of the regulatory management of temporary utilities.

*Issue 5: Enabling short-term storage of goods and materials*

In addressing Issue 5, Option 1 again seeks to retain the operative District Plan provisions as they stand. Option 2 seeks to amend and improve the operative provisions by providing greater control over temporary storage. Option 3 seeks a comprehensive review of the management of temporary storage, including reviewing provision for farming-related storage.

**Broad options considered for achieving the objectives (Section 32(1)(b)(i))**

Issue 1: Temporary Events and Filming are encouraged and are undertaken in a manner that ensures the activity is managed to minimise adverse effects (Objective 45.3.1)

Option 1: Retain the provisions of the operative District Plan.

Option 2: Amend and improve the operative provisions, where appropriate, to encourage temporary events and filming while at the same time avoiding adverse effects.

Option 3: Comprehensive review of the operative provisions whereby providing for minimal or no regulation for these activities to encourage temporary events and filming.

	<b>Option 1:</b>  <b>Status quo/ No change</b>	<b>Option 2:</b>  <b>Amend operative provisions, where appropriate, to encourage temporary events and filming while at the same time avoiding adverse effects.</b>	<b>Option 3:</b>  <b>Comprehensive review to the operative provisions whereby minimal or no regulation would be imposed on these activities.</b>
<b>Cons</b>	<ul style="list-style-type: none"> <li>• The current District Plan rules relating to temporary events and filming are complex and difficult to navigate - a key issue as identified in the Council's own Events Strategy.</li> <li>• The current provisions result in regulatory duplication between different departments of the Council, and the Department of Conservation.</li> <li>• The current thresholds for the need to obtain a resource consent for a temporary event are too low and often not associated with substantial adverse effects.</li> <li>• The current provisions are outdated and refer incorrectly to other legislation (Building Act and Sale and Supply of Liquor Act).</li> </ul>	<ul style="list-style-type: none"> <li>• Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>• A degree of regulation designed to avoid adverse effects will always have associated costs and regulatory chill to discourage temporary events and filming.</li> </ul>	<ul style="list-style-type: none"> <li>• Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>• Temporary activities and filming can and do result a wide scope of adverse effects. Removing the ability for the Council to retain general control over events and filming will not be a responsible action from the Council where the community will be subject to these effects.</li> <li>• A high cost to the Council dealing with the adverse effects of unrestricted activities in future.</li> </ul>

	<ul style="list-style-type: none"> <li>Zone based noise limits are an impractical approach to managing the effects of temporary events and filming, where public tolerance of these activities is greater.</li> </ul>		
<b>Pros</b>	<ul style="list-style-type: none"> <li>Retains the established approach which the public, film organisers, and event organisers are familiar with.</li> <li>Ensures that most medium-sized events are assessed in detail through the resource consent process with better ability to micro-manage adverse effects.</li> <li>Low cost for Council.</li> </ul>	<ul style="list-style-type: none"> <li>Generally retains the established approach which the public, film organisers, and event organisers are familiar with. Enquiries with the Council are likely to still occur, helping to encourage a relationship between these parties and the Council.</li> <li>Ability to enhance the existing provisions by providing greater flexibility for the ability of temporary events and filming to be undertaken, with less of these activities requiring a resource consent.</li> <li>Monitoring and consultation with relevant parties has identified key areas where targeted changes can be made to result in substantial, balanced progress toward resolving the issue.</li> </ul>	<ul style="list-style-type: none"> <li>Will provide for near-unrestricted ability to undertake temporary events and filming and therefore much more likely to attract these activities to the District.</li> <li>Little need for pre-planning of events in conjunction with the Council ensures less work for event and filming organisers.</li> </ul>
<b>Ranking</b>	<b>3</b>	<b>1</b>	<b>2</b>

Option 1 would generally allow the familiarity of users of the Temporary Activities provisions to remain but would not address the resource management issues identified in Section 6.

Option 2 recognises that some of the existing provisions of the operative District Plan are effective, however there are significant amendments which could further improve their effectiveness. Option 2 is therefore the most reasonably practicable option for achieving the objectives and addressing the resource management issues identified in Section 6.

Option 3 would most significantly depart from the operative provisions. While a high level of flexibility would be afforded to event and filming activities, the adverse effects resulting from this flexibility would likely result in new significant issues and effects that do not arise with the current provisions.

Option 2 is considered the most reasonably practicable option for achieving the objective of the proposed chapter.



Issue 2: Enabling construction and building work to be successfully undertaken while minimising adverse effects (Objective 45.3.2)

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Amend and improve the operative provisions by better tailoring the provisions to the reality of building and construction activities.

Option 3: Comprehensive change to the existing provisions to enable unrestricted building and construction work.

	<b>Option 1:</b> <b>Status quo/ No change</b>	<b>Option 2:</b> <b>Amend and improve existing provisions to better tailor the provisions to reflect the reality of building and construction work</b>	<b>Option 3:</b> <b>Comprehensive change to allow for unrestricted activities associated with building and construction work</b>
<b>Cons</b>	<ul style="list-style-type: none"><li>• The operative provisions impose arbitrary limits on certain construction activities, despite these limits not being necessarily related to adverse effects.</li><li>• The current provisions fail to adequately meet the needs of building and construction workers.</li></ul>	<ul style="list-style-type: none"><li>• Has costs associated with going through the District Plan Review process (but this is required by legislation).</li><li>• Would result in a change from the status quo – Plan users would need to become familiar with new provisions.</li><li>• Amendments would be based on the current nature of the building and construction industries and these industries may change in future</li></ul>	<ul style="list-style-type: none"><li>• Has costs associated with going through the District Plan Review process (but this is required by legislation).</li><li>• Opens up a part of the plan which is currently settled.</li><li>• Would remove the ability for the Council to manage construction activity where adverse effects are resulting over extended periods.</li></ul>

<b>Pros</b>	<ul style="list-style-type: none"> <li>• Maintains the established approach which parties are familiar with.</li> <li>• Low cost for Council.</li> <li>• Some provisions of the operative District Plan are working well.</li> </ul>	<ul style="list-style-type: none"> <li>• Some provisions of the operative District Plan are working well, but could be improved with further minor amendments.</li> <li>• These minor amendments would bring the District Plan provisions into line with the realities of building and construction industries, especially given the wide nature and variety of construction projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Avoids the need for an additional resource consent process whereby many, but not all, developments are already subject to this process.</li> <li>• A small encouragement to construction and building activity - commonly recognised to stimulate economic growth.</li> </ul>
<b>Ranking</b>	<b>2</b>	<b>1</b>	<b>3</b>

Option 1 would generally allow the familiarity of users of the provisions to remain but would not address the resource management issues identified in Section 6.

Option 2 is recognises that some of the existing provisions are effective, however further amendments to these provisions to enable a more responsive form of management of effects is likely to result in more effective sustainable management.

Option 3 does not recognise that activities associated with construction and building activity can have adverse effects over the long term. Removing the current regulatory control in this regard would not promote sustainable management.

Option 2 is considered the most reasonably practicable option for achieving the objective of the proposed chapter.

Issue 3: Meeting the needs of the New Zealand Defence Force within the District (Objective 45.3.3).

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Tailor the current provisions to meet the specific needs of the New Zealand Defence Force.

Option 3: Comprehensive review by specifically prescribing standards for the activities of the Defence Force.

	<b>Option 1:</b> <b>Status quo/ No change</b>	<b>Option 2:</b> <b>Tailoring the current provisions to meet the specific needs of the New Zealand Defence Force.</b>	<b>Option 3:</b> <b>Comprehensive review by specifically prescribing standards for the activities of the Defence Force.</b>
<b>Cons</b>	<ul style="list-style-type: none"> <li>The operative provisions provide little ability for the Council to control the activities of the New Zealand Defence Force.</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>Would likely result in additional restriction to the activities of the Defence Force as the operative provisions are permissive.</li> <li>May require resource consents to be obtained for activities needed to benefit the wider good.</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>Would likely result in additional restriction to the activities of the Defence Force as the operative provisions are permissive.</li> <li>May require resource consents to be obtained for activities needed to benefit the wider good.</li> </ul>
<b>Pros</b>	<ul style="list-style-type: none"> <li>Maintains the established approach which parties are familiar with.</li> <li>Low cost for Council.</li> <li>The relevant provisions of the operative District Plan are working well.</li> <li>No apparent issues have arisen with the current provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Would provide more certainty for the Council and communities within the District as to what activities may be undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Would provide more certainty for the Council and communities within the District as to what activities may be undertaken.</li> </ul>
<b>Ranking</b>	<b>1</b>	<b>2</b>	<b>3</b>

Option 1 is considered to be appropriate as there were no resource management issues relating to Temporary Military Training in Section 6.

Options 2 and 3 would provide further certainty to the Council and communities as to what Military Training activities could be undertaken. However this will be in detriment of the wider good and will result in additional restrictions to the activities of the Defence Force.

Option 1 is considered the most reasonably practicable option for achieving the objectives of the proposed chapter.

Issue 4: Ensuring temporary utilities are specifically enabled when associated with all temporary activities and emergencies (Objective 45.3.4).

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Amend and improve the operative provisions that are either deficient, or overly-restrictive when compared to their adverse effects.

Option 3: Comprehensive review of the regulatory management of temporary utilities.

	<b>Option 1:</b>  <b>Status quo/ No change.</b>	<b>Option 2:</b>  <b>Amend and improve the operative provisions that are either deficient, or overly-restrictive when compared to their adverse effects.</b>	<b>Option 3:</b>  <b>Comprehensive review of the regulatory management of temporary utilities</b>
<b>Cons</b>	<ul style="list-style-type: none"> <li>The operative provisions impose arbitrary limits on certain temporary utilities that are not directly associated with adverse effects.</li> <li>Specific limits on the use of a temporary utility associated with an emergency are not the most appropriate method to achieve sustainable management.</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>The relevant provisions of the operative District Plan are working well and minor changes could resolve the existing issues.</li> </ul>
<b>Pros</b>	<ul style="list-style-type: none"> <li>Maintains the established approach which parties are familiar with.</li> <li>Low cost for Council.</li> <li>The relevant provisions of the operative District Plan are working relatively well.</li> <li>No significant issues have arisen with the current provisions; however this may be a result of a lack of monitoring, the temporary nature of the activity, and lack of large-scale emergencies.</li> </ul>	<ul style="list-style-type: none"> <li>This approach would allow for minor 'tweaking' of provisions to ensure that the intent of the objective is being addressed while retaining elements of the provisions that are working well.</li> </ul>	<ul style="list-style-type: none"> <li>Would provide more certainty for the Council and communities within the District as to what activities may be undertaken.</li> </ul>
<b>Ranking</b>	<b>2</b>	<b>1</b>	<b>3</b>

Option 1 is an option worthy of consideration, however would not address the minor issues identified with the operative provisions.

Option 2 would largely retain the provisions that are working well, and correct those that could be further refined.

Option 3 would impose an unnecessary obligation on the Council to reformulate policy that, in general, is working well.

Option 1 is considered the most reasonably practicable option for achieving the objective.

Issue 5: Enabling short-term storage of goods and materials (Objective 45.3.5).

Option 1: Retain the provisions of the Operative District Plan.

Option 2: Amend and improve the operative provisions by providing greater control over temporary storage.

Option 3: Comprehensive review of the management of temporary storage, including reviewing provision for farming-related storage.

	<b>Option 1:</b> <b>Status quo/ No change.</b>	<b>Option 2:</b> <b>Amend and improve the operative provisions by providing greater control over temporary storage.</b>	<b>Option 3:</b> <b>Comprehensive review of the management of temporary storage, including reviewing provision for farming-related storage</b>
<b>Cons</b>	<ul style="list-style-type: none"> <li>Would not provide the opportunity for a more detailed review of the operative provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>The relevant provisions of the operative District Plan are working well and changes could result in unanticipated issues.</li> </ul>	<ul style="list-style-type: none"> <li>Has costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>The relevant provisions of the operative District Plan are working well and changes could result in unanticipated issues.</li> </ul>
<b>Pros</b>	<ul style="list-style-type: none"> <li>Maintains the established approach which parties are familiar with.</li> <li>Low cost for Council.</li> <li>The relevant provisions of the operative District Plan are working relatively well.</li> <li>No significant issues have been identified with the current provisions.</li> </ul>	<ul style="list-style-type: none"> <li>This approach would allow for minor 'tweaking' of provisions to ensure that the intent of the objective is being addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Would provide more certainty for the Council and communities within the District as to what storage may be undertaken.</li> </ul>
<b>Ranking</b>	<b>1</b>	<b>2</b>	<b>3</b>

Option 1 would retain provisions that are considered to be working well.

Option 2 would amend provisions to provide greater control over temporary storage. However this is not considered to be necessary given that the operative provisions have been determined to be working well.

Option 3 would impose an unnecessary obligation on the Council to reformulate policy that, in general, is working well.

Option 1 is considered the most reasonably practicable option for achieving the objectives of the proposed



## 10. Scale and Significance Evaluation – Section 32(1)(c)

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provision for Temporary Activities in the District Plan. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Result in a significant variance from the existing baseline (Section 32(3)).
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g., Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

## 11. Evaluation of the proposed provisions Section 32 (1)(b)(ii)

Under section 32 (2)(a) an assessment under section 32(2)(1)(b)(ii) must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for —

- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced (section 32(2)(a)).*

With respect to this proposed chapter the following assessments have been commissioned for other elements of the District Plan review, but are relevant for the proposed chapter:

- Research Report titled 'Queenstown Lakes District Council Management of Informal Airports' April 2012. Prepared by Southern Planning Group Ltd. (refer **Attachment 3**);

The necessary assessment of the proposed policies, rules and other methods under sections 32(1)(b)(ii) and (2)(a), is provided below. The policies, rules and other methods that are specific to Temporary Activities have been assessed for their appropriateness in achieving the proposed objectives for the zone and the overarching Strategic Directions chapter of the proposed plan.

The proposed new policies and methods outlined in this section seek to replace and improve on the operative policies of the District Plan. It is again clarified that the provisions relating to relocated buildings will be positioned elsewhere in the District Plan, and therefore are not addressed as part of this s32 report.

*(See also Table detailing broad options considered in Section 6, above)*

**Issue 1: Encouraging Temporary Events and Filming to be undertaken within the District**

**Proposed Objective 45.3.1** Temporary Events and Filming are encouraged and are undertaken in a manner that ensures the activity is managed to minimise adverse effects

**Summary of proposed provisions that give effect to these objectives:**

- Temporary events and filming (including the associated use of the land for helicopter landings) are a permitted activity on conservation land where a valid concession is held for the event.
- Temporary events held within certain purpose-built event facilities are a permitted activity.
- Temporary events held on Council owned recreation land are a permitted activity, except for noise events outside of daytime hours.
- Greater provision for temporary events on private land, being a permitted activity (up to 500 people) with controls on the hours and duration of these events.
- Allowing limited provision for helicopter landings when used for community events in which the general public is able to attend.
- Greater provision for temporary filming in rural areas, subject to controls on the scale and duration of the activity.
- Excluding temporary events and filming from the noise limits of the District Plan, with excessive noise to be dealt with under s16 of the RMA.

**Issue 2: Enabling activities associated with construction and building work to be successfully undertaken while minimising adverse effects.**

**Proposed Objective 45.3.2:** Temporary activities necessary to complete building and construction work are provided for.

**Summary of proposed provisions that give effect to these objectives:**

- Temporary construction-related activities, including limited retail activity to serve the needs of construction workers, is a permitted activity provided the activity is limited to the duration of the active construction project.

**Issue 3: Meeting the needs of the New Zealand Defence Force within the District.**

**Proposed Objective 45.3.3:** Temporary Military Training is provided for to meet the needs of the New Zealand Defence Force.

**Summary of proposed provisions that give effect to these objectives:**

- Temporary military training activities (including temporary buildings) are a permitted activity provided the activity is removed from the site upon completion of the training.

**Issue 4: Ensuring temporary utilities are specifically enabled when associated with all temporary activities and emergencies.**

**Proposed Objective 45.3.4:** Temporary Utilities needed for other temporary activities or for emergencies are provided for.

**Summary of proposed provisions that give effect to these objectives:**

- Temporary utilities that are required for another permitted temporary activity or an emergency service are a permitted activity.

**Issue 5: Enabling short-term storage of goods and materials**

**Proposed Objective 45.3.5:** Temporary Storage for non-farming activities is provided for on a short-term basis.

**Summary of proposed provisions that give effect to these objectives:**

- Small-scale temporary storage or stacking of goods or materials (not related to farming) is a permitted activity.

<b><i>Proposed provisions</i></b>	<b><i>Environmental, Economic, Social and Cultural Costs</i></b>	<b><i>Environmental, Economic, Social and Cultural Benefits</i></b>	<b><i>Effectiveness, Efficiency &amp; Appropriateness</i></b>
<b>Policy</b> <b>45.3.1.1</b> <i>Recognise and encourage the contribution that temporary events and filming make to the social, economic and cultural wellbeing of the</i>	<p>Potential for temporary events and filming to be given priority over activities within the District. However given the significant benefits associated with temporary events and filming, this cost is considered to be small.</p> <p>Temporary events and filming do result in adverse effects. This policy will see the Council adopting the approach of accepting these effects on the</p>	<p>Temporary events and filming are commonly recognised to result in significant economic, social, and cultural benefits.</p> <p>The Council's Events Strategy (refer <b>Attachment 1</b> - page 1) has identified the key benefits which events bring to the District. The strategy also identifies action points, including:</p> <ul style="list-style-type: none"> <li>• Developing the District as an event-friendly destination.</li> </ul>	<p>This policy is considered to be highly effective in achieving Objective 45.3.1 as it sets a framework whereby the benefits of these activities are encouraged. This is a change from the operative policies that take a precautionary, restrictive approach.</p> <p>This policy is efficient and appropriate as it provides a clear intent of what it is trying to achieve with little ambiguity.</p>

<p><i>District's people and communities.</i></p>	<p>community as appropriate, given the significant benefits that these activities bring to the District. However there will be a proportion of the community that does not value these benefits. Therefore this policy will disadvantage this proportion.</p> <p>These activities do generate a number of environmental costs, for example waste and pollution. Encouraging these activities will inherently result in an increase to these costs if not managed correctly.</p>	<ul style="list-style-type: none"> <li>• Maximise and measure the economic benefits that events bring to the District.</li> <li>• Enhancing the District's reputation as a leading events destination</li> <li>• Minimising barriers to events in the District.</li> </ul> <p>This policy will be consistent with the Events Strategy and seek to encourage these benefits.</p>	
<p><b>Policy</b></p> <p><b>45.3.1.2</b></p> <p><i>Permit small and medium-scale events during daytime hours, subject to controls on event duration, frequency and hours of operation.</i></p>	<p>As identified above, temporary events do result in adverse effects. Therefore permitting small and medium-scale events, despite controls on duration, frequency, and hours of operation, will restrict the Council's ability to manage and minimise these adverse effects.</p> <p>However the operative provisions currently allow for these costs. The policy will permit these costs for small and medium-scale events, and therefore the Council will retain the ability to control the costs of large-scale events.</p>	<p>This policy represents that balance between encouraging these events and managing adverse effects. Large-scale events result in greater adverse effects (traffic management, noise, and nuisance) and require more careful management.</p> <p>This policy will also reduce the need for event organisers to apply for a resource consent (average cost of \$1400) for many events, particularly community events, whereby these costs are often funded by the ratepayer through the Council's In-Kind sponsorship fund.</p>	<p>This policy is considered effective to achieve the balance of encouraging temporary events while at the same time detailing the key controls that are needed to ensure adverse effects are managed.</p> <p>One limitation to the efficiency of this policy is the reference to daytime hours - whereby the hours of daylight in our District greatly vary and in the middle of summer extend after 10pm. This policy can be seen to be ambiguous in this regard, however can be clarified by relevant methods.</p> <p>Overall this policy is considered to be an appropriate mechanism to encourage events that generally result in little adverse effects.</p>
<p><b>Policy</b></p>	<p>Purpose-built event facilities may be designed to cater for a specific kind of event (i.e. conferences) but not an event</p>	<p>This policy will assist in encouraging the widespread benefits of temporary events</p>	<p>This policy will be effective and efficient in recognising that certain purpose-built event facilities are generally designed</p>

<p><b>45.3.1.3</b></p> <p><i>Recognise that purpose-built event facilities are designed to cater for the activity.</i></p>	<p>that will result in very different adverse effects (a large rock concert). This may result in environmental and social costs to nearby residents of the facility.</p>	<p>previously identified.</p> <p>New event facilities and significant changes to existing facilities are generally subject to the resource consent process. Removing a second layer of regulatory processes will result in an economic benefit for the event organiser/facility owner.</p>	<p>to manage the adverse effects associated with events.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.1.4</b></p> <p><i>Recognise that for public spaces, temporary events are anticipated as part of the civic life of the District.</i></p>	<p>Public spaces vary in nature, size, setting, and location. Temporary events are anticipated in some of these locations more than others (i.e. Earnslaw/Pembroke Parks in comparison to a small residential 'pocket parks'). Therefore the costs associated with this policy will vary depending on the particular public place; however costs include a greater and more sustained impact on neighbouring/nearby residents.</p> <p>However it is the responsibility of the Council to manage and administer these public spaces (outside of District Plan processes).</p>	<p>Public activity in civic places directly contributes toward the social, economic, and cultural wellbeing of the communities within the District.</p> <p>This policy sets a clear direction that temporary events are to be encouraged in public places. A potential benefit is that temporary events may be more likely to use public spaces as opposed to private spaces. Event activity in public spaces is generally more anticipated by the community.</p>	<p>This policy will be effective and efficient as it clearly outlines that event activity is to be encouraged in civic spaces.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.1.5</b></p> <p><i>Require adequate infrastructure, waste minimisation, traffic management, emergency management, security, and sanitation facilities to</i></p>	<p>No significant costs have been identified with this policy. This policy will ensure adverse effects of events and filming are managed and minimised in order to ensure the wider costs are reduced.</p>	<p>This policy will have significant benefits by minimising the environmental, social, economic, and cultural costs of temporary events and filming.</p> <p>The operative provisions seek to ensure the adverse effects on the environment from temporary events are minimised. This policy will provide further guidance to the public as to the kind of mitigation measures needed to ensure the costs of the activity are reduced</p>	<p>This policy has been designed to replace a large amount of assessment matters in the operative provisions and will be efficient and logical to administer.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>

<i>be available to cater for anticipated attendants at large-scale temporary events and filming.</i>		to an acceptable level.	
<b>Policy</b> <b>45.3.1.6</b> <i>Ensure temporary activities do not place an undue restriction to public access.</i>	<p>No significant costs have been identified with this policy. Public access is widely accepted to be important, however will sometimes be restricted during temporary activities.</p> <p>One cost of this policy is that it may discourage temporary events and filming in areas where there is a high level of public movement, however this is considered to be counter-balanced by the word 'undue'.</p>	<p>This policy will direct attention to the need to ensure public access is not unduly restricted as a result of temporary activities.</p> <p>Therefore it will enable communities not involved in the activity to provide for their environmental, economic, social, and cultural wellbeing which is considered to be a significant benefit.</p>	<p>This policy will be effective in ensuring consideration is given to retaining public access at larger-scale events, filming, and construction activity.</p> <p>It is appropriate to recognise public access as important to the wellbeing of the community and will contribute toward managing and minimising the overall adverse effects of the activity.</p> <p>The word 'undue' provides for a degree of restriction to public access, where considered appropriate, in order to ensure this policy will not undermine the objective of encouraging temporary events and filming.</p>
<b>Policy</b> <b>45.3.1.7</b> <i>Recognise that noise is an anticipated component of temporary events and filming, while protecting residential amenity from undue noise during night-time hours.</i>	<p>Noise is almost always a component of temporary events and filming, with the nature and intensity of noise varying widely with each particular occurrence of the activity.</p> <p>This policy seeks to set a clear direction that noise associated with temporary events and filming needs to be afforded a lower level of scrutiny, given the temporary nature of the activity.</p> <p>This will inherently result in a cost to the wellbeing of residents not partaking in the activity. However the policy mitigates the</p>	<p>The operative provisions seek to ensure noise conforms to the relevant 'regular' noise rules of the District Plan, despite public tolerance for irregular noise associated with events being greater than a sustained noise over an extended period, particularly during daytime hours.</p> <p>The relevant noise limits of the District Plan are measured at either the notional or physical boundaries of the site. Any form of significant non-residential noise near these boundaries may break the noise limits, despite often resulting in very little effects. The operative provisions require a temporary</p>	<p>The policy will be effective in recognising that one of the current constraints to the encouragement of events and filming is the actual or perceived incompatibility of the activity with residential amenity.</p> <p>The policy is considered to be efficient in addressing the most significant effects associated with noise - being a conflict with night-time residential amenity.</p> <p>The proposed policy has been assessed the most appropriate way of</p>

	<p>most significant part of this cost - being undue noise during night-time hours.</p>	<p>event/filming activity to be in compliance with the noise limits in order to be a permitted activity.</p> <p>This policy will have a significant benefit in reducing the need for event/filming organisers to obtain expert acoustic assessment in many circumstances; however will retain a level of protection for residential amenity.</p>	<p>achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.1.8</b></p> <p><i>Enable the operation of informal airports in association with temporary community events and filming, subject to minimising adverse effects on adjacent landowners.</i></p>	<p>The use of land as an informal airport for helicopter landings is a core component of many temporary filming and event activities.</p> <p>However it is recognised that the operation of these airports will result in social and cultural costs to the nearby residents who are not partaking in the activity.</p> <p>These costs are counterbalanced by the policies ability to minimise adverse effects on these parties.</p>	<p>Enabling the use of the site as an informal airport will provide significant benefits by creating provision for a component of the activity that is often necessary to achieve the desired environmental, economic, social and cultural outcomes.</p> <p>The policy seeks to ensure that informal airports are only a part of community events whereby the costs of the activity are outweighed by the benefit of the wider good.</p> <p>Given the remote and mountain nature of the District, the use of helicopters associated with filming is necessary and often results in very little adverse effects.</p>	<p>The proposed policy will be effective and efficient in providing for those circumstances where the use of helicopters associated with temporary events and filming is desirable, and will benefit the wider good.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.1.9</b></p> <p><i>Require all structures associated with temporary events and filming to be removed at the completion of the</i></p>	<p>The only identified cost for this policy is the economic cost to event and filming organisers being required to restore the site at the cessation of their activity.</p> <p>However it is considered unlikely that this cost would represent a barrier to achieving the objective of encouraging temporary events and filming.</p>	<p>This policy would result in significant benefits by providing direction that that the effects of a temporary activity are to remain 'temporary'.</p> <p>Temporary events and filming often require a considerable amount of temporary structures. These structures will result in adverse visual, amenity, and potentially safety effects if abandoned on site upon</p>	<p>This policy is considered to be effective and efficient as it will provide direction that the clean-up and restoration of a site is the responsibility of the filming/event organiser.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>

<i>activity.</i>		completion of the activity.	
<b>Policy</b> <b>45.3.2.1</b> <i>Ensure temporary activities related to building and construction work are carried out with minimal disturbance to adjoining properties and on visual amenity values.</i>	<p>This policy may potentially result in a cost to the efficient and timely delivery of subdivisions, housing, and other projects. However this cost is not considered to be significant and is in line with good construction management practice.</p>	<p>This policy will result in significant environmental, economic and social benefits by ensuring that construction activities do not create excessive adverse effects on both neighbouring properties and the wider communities.</p>	<p>This policy is generally consistent with the operative provisions and is considered to be an efficient and effective means to give effect to the objective.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<b>Policy</b> <b>45.3.2.2</b> <i>Provide for small-scale retail activity to serve the needs of building and construction workers.</i>	<p>The proposed policy would provide for small-scale retail activity to resolve the needs of construction workers (i.e. lunches, coffee).</p> <p>This policy would result in an economic cost to other businesses. However this cost is considered to be small (given the temporary nature of construction) and will likely be driven by the market.</p>	<p>This policy will result in significant social and environmental benefits by creating the possibility for on-site retail activity for construction workers, whereby these workers would currently be required to drive several kilometres to the nearest zoned retail land.</p> <p>Recent examples of where this provision would be of benefit are the development of large-scale, remote subdivisions at Shotover Country and Jacks Point.</p> <p>The policy would represent a benefit by reducing the social, economic, and environmental effects of trip generation.</p>	<p>This policy is considered to be effective and efficient in providing for the needs of building and construction workers and reduce some of the current social and environmental costs associated with construction.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<b>Policy</b> <b>45.3.2.3</b> <i>Require temporary activities related to</i>	<p>The only identified cost for this policy is the economic cost to the property developer/owner being required to remediate the site of construction-related activities at the cessation of construction</p>	<p>This policy would result in benefits to the wider community, being that the effects of construction are removed from the site upon completion of the project; therefore removing the associated social and economic costs.</p>	<p>This policy is considered to be effective and efficient in that it will ensure temporary construction-related activities remain 'temporary'.</p>



<i>building and construction to be removed from the site following the completion of construction.</i>	<p>activity.</p> <p>However it is considered unlikely that this cost would represent a barrier to building or construction projects.</p>		The proposed policy has been assessed the most appropriate way of achieving the objective.
<p><b>Policy</b></p> <p><b>45.3.3.1</b></p> <p><i>Enable temporary military training to be undertaken within the District.</i></p>	<p>No significant costs have been identified as this policy will not change the operative provisions. Monitoring has not identified any issues with the operative provisions in this regard.</p>	<p>This policy would provide benefits for the New Zealand Defence Force. The ability for the Defence Force to undertake their activities in the District without undue regulation through the District Plan will in turn result in benefits for the wider community.</p>	<p>This policy is considered to be effective and efficient in that it clearly sets out that the activities of the New Zealand Defence Force are not to be overly regulated through the District Plan.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.4.1</b></p> <p><i>Enable short-term use of temporary utilities needed for other temporary activities or for emergency purposes.</i></p>	<p>No significant costs have been identified in relation to this policy given that the use of utilities associated with other permitted temporary activities are largely perceived to be part-and-parcel of the wider activity.</p> <p>The use of temporary utilities during an emergency are likely to be critical in ensuring the emergency can be responded to and therefore are unlikely to have associated costs in the context of the wider emergency situation.</p>	<p>This policy would provide benefits to those undertaking a permitted temporary activity by ensuring that one component of the wider activity is not subject to separate regulation.</p> <p>Providing for the express use of temporary utilities during an emergency situation will result in significant environmental, economic, social and cultural benefits by assisting the community toward a resolution of the situation.</p>	<p>This policy is considered to be effective and efficient in that it clearly provides for temporary utilities in appropriate situations and avoids a conflict with the provisions of the utilities chapter of the District Plan.</p> <p>The proposed policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Policy</b></p> <p><b>45.3.5.1</b></p> <p><i>Permit temporary storage related to farming activity.</i></p>	<p>No significant costs have been identified as the policy will provide for an activity already permitted by the operative provisions.</p>	<p>This policy recognises that temporary storage relating to farming activity has long been a core component of the rural pastoral context. This policy will retain the current benefits provided by the District Plan to those associated with farming activity.</p>	<p>This policy is considered to be effective and efficient in that it clearly identifies that temporary storage related to farming activity is an anticipated part of the rural environment. The policy has been assessed the most appropriate way of achieving the objective.</p>

<p><b>Policy</b></p> <p><b>45.3.5.1</b></p> <p><i>Ensure temporary storage not required for farming purposes is of short duration and size to protect the visual amenity values of the area in which it is located.</i></p>	<p>No significant costs have been identified as the policy will provide for an activity already permitted by the operative provisions.</p>	<p>This policy will retain the current benefits to the community, being that there is limited provision for temporary storage not related to farming activities.</p> <p>The policy will also seek to provide social, cultural, and environmental benefits by ensuring that temporary storage will not result in long-term costs.</p>	<p>This policy is considered to be effective and efficient as it clearly sets out the context in which non-farming related temporary storage is appropriate. The policy has been assessed the most appropriate way of achieving the objective.</p>
<p><b>Rules</b></p> <p><b>45.4.2.1 &amp; 45.4.2.7</b></p> <p>Permitting temporary events and filming (including the use of helicopters) held on public conservation land where a valid concession is held</p>	<p>Small risk of an event/filming activity which has a valid concession from the Department of Conservation (DoC) giving rise to adverse effects on the environment and not adequately assessed when granting a concession. The Council can no longer manage this activity under the District Plan.</p>	<p>Will avoid duplication of consent processes under the Conservation Act and the Resource Management Act.</p> <p>Will remove the need for a resource consent (average cost of \$1400) where the landowner and manager of the conservation estate deem an event to be acceptable and appropriate.</p>	<p>It is both effective and efficient to avoid duplication with consenting processes under the Conservation Act. If the Department of Conservation has issued a concession for an event on the conservation estate, there is no need to duplicate this through the resource consent process. It is extremely unlikely Council would decline consent if the landowner (DOC) who is responsible for managing the conservation estate had granted a concession.</p>
<p><b>Rule</b></p> <p><b>45.4.2.2</b></p> <p>Permitting temporary events in certain purpose-built facilities</p>	<p>Small risk of an event within a purpose-built facility resulting in greater adverse effects than were originally considered when the facility was established.</p>	<p>Will provide benefits by removing the need for a resource consent to be obtained for a specific event where such events are generally anticipated.</p>	<p>It is both effective and efficient to recognise that purpose built event facilities are designed to cater for the activity and it is inefficient to require additional resource consent processes in this regard. The certain 'purpose built facilities' selected are those either generally in Council ownership, or large-scale complexes. This will be effective in preventing significant adverse effects resulting from owners</p>

			of other facilities (i.e. café's, wool sheds) submitting that their facility is 'purpose built'.
<p><b>Rule</b></p> <p><b>45.4.2.3</b></p> <p>Permitting temporary events held within Council-owned reserve land, (except night-time noise events) and excluding temporary activities from the noise limits of the District Plan.</p>	<p>This rule would effectively permit the majority of events held on Council-owned recreation land, thereby not requiring any resource consent.</p> <p>The Council currently has several departments involved in the management of temporary events on Council land (Events Office, Operations Department, Planning Department, Building Department, and Regulatory Department). There is potential for significant environmental, economic, social and cultural costs should these events not be adequately managed by these departments, in absence of the resource consent process.</p> <p>The noise limits of the zone do not apply to these events; however the Council will retain its power under sections 16 - 17 and 326 – 328 of the Resource Management Act to control unreasonable and excessive noise. Significant costs could result should this not be administered effectively, and the determination of what is 'excessive' and 'unreasonable' is open to interpretation and provides less certainty for event operators.</p>	<p>This rule would result significant benefits toward the objective of encouraging temporary events within the District.</p> <p>This rule would remove the cost of the resource consent process (often funded by the Council via the In-Kind fund), and importantly, the time taken for an event application to progress through the approval process.</p> <p>Discussions with the QLDC Event Office has uncovered that the presence of the resource consent process is a detriment to encouraging events, as the process is seen as another hurdle to pass before an event can commence. The proposed method will address this.</p> <p>As there will be no specified noise limits, the rule avoids the need for an expert acoustic report to be submitted with consent applications for events that breach the zone noise limits (technically every event within a residential area, town centre or in close proximity to a dwelling would breach the zone based noise limits).</p> <p>Allows for easier enforcement. Complainants about noise can simply call the Council and a noise control officer can investigate the noise source and determine whether it is unreasonable / excessive. This is considered as a benefit over having granted a resource consent to breach a</p>	<p>The removal of the resource consent process to assess and manage these events on Council land would require changes to internal Council processes to ensure matters currently assessed by the Planning Department (for example, the provision of toilets) is managed by these other departments.</p> <p>Discussion with staff in the Council's Events Office, APL Property (who manage several Council reserves), and the General Manager of Operations have led to the determination that this form of management would be achievable.</p> <p>With respect to noise, the method of using the relevant provisions of the Act to control excessive noise is considered to be effective, whereby a responsive nature of noise management is more appropriate in day time hours.</p> <p>The use of zone-based noise limits does not reflect the nature of temporary events, which are typically louder than the zone noise limits, but of short duration. Furthermore louder noise is generally an anticipated part of a temporary event, and people are generally more tolerant of louder noise if it is of short duration.</p> <p>It is considered more efficient to</p>

		<p>noise limit, and then receiving a complaint, and actually determining whether the consent is being complied with through a monitoring device, which can be difficult.</p> <p>Council-owned recreation land forms a component of the civic fabric of the communities within the District and additional noise from these areas is not considered to be unanticipated, particularly during daytime hours.</p> <p>Requiring a resource consent for noise events during night time hours will have the benefit in proving Council Planners with the ability to assess the wellbeing of neighbouring/nearby residents during these activities.</p> <p>An additional benefit is that there would be greater provision for enabling events on New Year's Eve, whereby very different effects occur into the early hours of the morning in comparison to any other day of the year.</p>	<p>recognise temporary events can be loud but are generally of a shorter duration, and use the sections 16 – 17 and 326 – 328 of the RMA to control noise. Under these provisions anyone making unreasonable or excessive noise can be fined up to \$10,000. If excessive noise is not reduced to a reasonable level straight away, following the issue of an excessive noise direction, a noise control officer accompanied by a Police officer may enter the premises and:</p> <ul style="list-style-type: none"> <li>• remove whatever is causing the noise, or</li> <li>• render the equipment inoperable, or</li> <li>• lock away or seal whatever is causing the noise, or</li> <li>• take any other steps needed to reduce the noise.</li> </ul> <p>A fine of up to \$10,000 can also be issued if for failure to comply with a direction to reduce the noise to a reasonable level.</p> <p>It is considered both effective and efficient to use sections 16 and 17 and the excessive noise provisions (s326-328) to manage temporary event noise for events.</p>
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<p><b>Rule</b></p> <p><b>45.4.2.4</b></p> <p>Increase in number of participants for outdoor events from 200 to 500, increase the permitted occurrence of events within a 12-month period, removing the distinction between indoor and outdoor events, removing the relevant noise standards of the Zone in relation to the event, and removing any reference to the Sale of Liquor.</p>	<p>Events that have people attending of between 200 and 500 will no longer be managed through a resource consent process, but will need to meet conditions of the permitted activity rule and site standards, including waste management and provision for toilet facilities.</p> <p>For events that have between 200 and 500 people attending, the Council will no longer have the ability to require waste management, will likely lead to less waste from events being recycled. However as the Council owns most of the sites where events are commonly held, it can still require this as landowner.</p> <p>For events that have between 200 and 500 people attending, the Council will no longer have the ability to put a traffic management plan in place; however any road closures, delays, or diversions will still require a traffic management plan to be approved by the Council's Road Corridor Engineer. The Council's Road Corridor Engineer has not raised concerns with the effects of a 500 person event on the road network.</p> <p>The duration of a particular event will be reduced from 7 days (under the operative provisions), to 3 consecutive days, which will restrict the ability for longer events to be undertaken without a resource consent.</p> <p>The Council will no longer to have the ability to directly control noise associated with events through a specific rule, as</p>	<p>Will remove the need for a resource consent for small and medium sized events held between 0800 and 2100 which are unlikely to generate significant adverse effects on the environment. Large events (deemed as being more than 500 people) will still need resource consent. The rule will also mean a single threshold for both indoor and outdoor events.</p> <p>Most small-medium scale events are not greater than 3 consecutive days, and the proposed rule will overall provide for a greater number of events that can be undertaken within a 12-month period.</p> <p>The proposed cap on temporary events (to an average of one temporary event on a site per month) ensures adverse effects on amenity values are intermittent rather than continuous. Provides certainty as to the total number of temporary events that can be held on a private site over a 12 month period.</p> <p>The average cost of a resource consent for a temporary event is \$1400. Events with between 200 and 500 persons will no longer face this cost.</p> <p>Will make it easier to hold a small to medium sized event, and therefore make the Queenstown Lakes District more events friendly.</p> <p>Will enable the community to provide for their social and economic well being without causing significant adverse effects on the environment.</p>	<p>Feedback and monitoring indicated that the 200 person threshold at which a resource consent was required to hold an outdoor event was considered too low. Adverse effects were not necessarily arising at the 200 person threshold that justified the need for a resource consent. Almost all consent applications for events were granted on a non-notified basis raising the issue of whether consent is always needed at the 200 person threshold. It is considered more efficient (and effective in terms of targeting actual adverse effects) to increase the threshold to 500 persons. Advice received from people involved in the event industry suggested that 500 persons is a more appropriate limit at which management through the resource consent process may be required.</p> <p>The increase in the threshold to 500 persons before consent is required is considered more efficient because the cost associated with the resource consent process (\$1400) was putting people off holding small and medium sized events.</p> <p>The increase in the threshold to 500 persons before consent is required is considered more effective because adverse effects were not necessarily arising with just 200 people. Raising the threshold to 500 means consent is required when adverse effects are likely to arise.</p>
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	<p>has been described in the assessment for Rule 45.4.2.3.</p> <p>No costs have been identified with respect to removing the need for consent to sell or supply liquor as part of an event. This process is managed by the Council's Liquor Licencing Department via a Special Licence Application under the Sale and Supply of Alcohol Act 2012.</p>	<p>As described in the assessment for Rule 45.4.2.3, the removal of prescribed noise limits relating to temporary activities will result in a number of benefits toward achieving the objective of encouraging events while managing their effects.</p> <p>Removing the requirement for a resource consent to be obtained for the sale and supply of liquor at an event will avoid regulatory duplication with the Sale and Supply of Alcohol Act 2012, as assessed by the Council's Liquor Licencing Department.</p>	<p>It is considered both effective and efficient to remove the distinction in participant numbers between indoor and outdoor events, and have a single threshold in terms of participant numbers when resource consent is required.</p> <p>The increase of the number of permitted events within a 12-month period to one per month is a much more effective mechanism than the operative provisions.</p> <p>It is considered both effective and efficient to use sections 16 and 17 and the excessive noise provisions (s326-328) to manage temporary event noise for events.</p> <p>It is considered effective and efficient to leave the assessment of alcohol at events to the Council's Liquor Department.</p>
<p><b>Rule</b></p> <p><b>45.4.2.5</b></p> <p>Provision for the use of helicopters associated with community events</p>	<p>Could cause disruption to residential amenity values.</p>	<p>Enables flights in association with temporary community events, subject to strict controls on hours of operation, occurrence, and notice being given the Council.</p> <p>Avoids the need for a resource consent application and associated costs.</p> <p>Ensures these adverse effects associated with helicopter movements are a result of events that benefit the wider good (community events) and not specific private interests.</p>	<p>Temporary community events occasionally include use of land as an airport, almost always for a helicopter take-off and landing. For example, the New Zealand Golf Open held at The Hills featured Sir Bob Charles arriving by helicopter to present the winner's trophy.</p> <p>It is considered both effective and efficient to enable a number of flights in association with temporary events, subject to strict controls on hours of operation and notice being given to the</p>

		Disruptions to residential amenity values can be minimised through controls on hours of operation and occurrence of flights	Council. The small number of flights, the one occurrence per month limit, and the fact that the site is already being used for a temporary event, means significant adverse effects are unlikely to arise.
<b>Rule</b> <b>45.4.2.5</b> Provision for limited temporary filming	<p>The proposed rule provides for a greater duration of temporary filming that can be undertaken without a resource consent in comparison to the operative rule.</p> <p>The maximum permitted number of people partaking in the activity will remain the same as the operative provisions, and therefore no significant costs have been identified.</p> <p>Costs include the extended duration of filming and helicopter landings in the Rural General Zone (30 days per 12-month period) adversely affecting rural amenity, farming practices, and traffic noise effects.</p> <p>Cost of the overall filming activity in all other zones (being extended to 30 days within a 12-month period), with the maximum 'shooting days' remaining at 7 per year. Costs include effects on residential amenity during the set-down/pack-up times, and general disruption.</p> <p>Costs associated with having no prescribed noise limits and using sections 16-17 and 362-328 of the RMA to control noise, similar to that explained</p>	<p>Discussion with Kevin Jennings (Executive Manager: Film/Otago Southland) has uncovered that the increase to the maximum permitted duration of filming activity will result in significant social, economic, and cultural benefits for the filming industry. Mr Jennings has advised that the vast majority of productions do not exceed a total of 30 days filming (including set-up and pack down).</p> <p>A more permissive rule than the operative provisions will ensure less resource consents are needed, but more importantly, less demand on time to gain the necessary approvals.</p> <p>Mr Jennings has advised that the majority of effects associated with filming occur during 'shooting', therefore retaining a 7 day limit for 'shooting' in all other zones will help to protect residential amenity and disruption.</p> <p>Enabling the provision for helicopter landings as part of filming activities will assist in encouraging and implementing filming activities in the District.</p> <p>Significant benefits associated with having no prescribed noise limits and using sections 16-17 and 362-328 of the RMA to control unreasonable noise, similar to that explained</p>	<p>It is considered both effective and efficient to enable a more permissive method to controlling temporary filming activities through the District Plan, in order to achieve the objective.</p> <p>It has been identified that the Rural General Zone, with generally large site sizes, is the most capable of accommodating an increase. The majority of filming is undertaken within the Rural General Zone, and therefore targeting these areas to encourage filming is considered to be the most efficient.</p> <p>Enabling the use of helicopters associated with filming is considered efficient as they are often used. Ensuring these helicopter movements are restricted to the Rural General Zone will protect residential amenity.</p> <p>It is considered effective and efficient to enable the limited expansion of filming activity in other zones, however to retain the current limit on the period of filming which generates the most adverse effects (shooting). This provision will enable sufficient time for set-up and pack-down which is likely to result in less costs, and is therefore</p>

	for Rule 45.2.3.	for Rule 45.2.3.	appropriate.
<p><b>Rules</b></p> <p><b>45.4.2.6 &amp; 45.4.2.9</b></p> <p>Maintaining full discretionary activity status should permitted activity standards for Temporary Events and Filming not be met.</p>	<p>No costs identified as there is no change from the operative provisions in this regard.</p>	<p>By nature temporary events and filming involve a large number of unique characteristics and therefore a large variety of potential adverse effects. Maintaining the current discretionary regime will provide the Council with the ability to assess all relevant effects and implement any required mitigation measures as part of the resource consent process.</p>	<p>It is considered effective and efficient to retain the operative discretionary regime in order to create a legible and succinct chapter. To propose a controlled or restricted discretionary regime would require a large number of matters of control/discretion and associated assessment matters, while a non-complying status would not achieve the objectives of the chapter.</p> <p>The discretionary regime allows for an adaptive approach to suit the processing a particular proposal.</p> <p>These rules are considered to be an appropriate method to achieve the Objectives.</p>
<p><b>Rules</b></p> <p><b>45.4.2.10 and 45.4.2.11</b></p> <p>Permitting construction-related buildings and activities associated with an 'active' construction project, including temporary food beverage retail activity.</p>	<p>No significant costs have been identified as it is unusual for buildings associated with building and construction work to remain on site after construction has ceased, however it avoids construction buildings being stored or left on abandoned construction projects.</p> <p>The costs associated with removing a specific rule on the permitted duration of these activities or GFA of temporary buildings are considered to be negligible in the context of the overall construction project.</p> <p>No significant costs will be associated with temporary retail activity for construction purposes - seen as a part of</p>	<p>Avoids buildings being left on a site when construction has been completed or abandoned, and removes an arbitrary limit on the maximum size of temporary buildings. This limit has no relationship to the size of the site or project.</p> <p>Prevents an unnecessary resource consent process to retain construction buildings on a site when they are actively needed.</p> <p>Temporary retail activity for construction workers will have significant benefits by reducing the need for workers to travel (often several kilometres) for basic necessities.</p>	<p>The proposed rule will be similar to the operative provisions; however will not retain a specific reference to the permitted GFA of temporary buildings, or maximum duration they may be left on site.</p> <p>These provisions have been proven to be ineffective on larger construction projects and non-compliance often results (despite there being little adverse effects).</p> <p>Provision for temporary retail activity is likely to be highly effective at providing for the needs of construction workers with minimal effects.</p>



	the wider construction project and will be market-driven.		The proposed rules are therefore considered to be effective, efficient, and appropriate.
<b>Rule</b> <b>45.4.2.12</b>  Temporary Military Training	No significant costs have been identified as the operative rule will remain and has been determined to be working effectively.	The rule will continue to provide for the needs of the New Zealand Defence Force.	The proposed rule is considered to be effective, efficient, and appropriate to serve the needs of the New Zealand Defence Force.
<b>Rule</b> <b>45.4.2.13</b>  Temporary Utilities	<p>No significant costs have been identified as the rule will generally remain the same as the operative rule.</p> <p>While the maximum height of a utility associated with other temporary activities and maximum duration of emergency-related utilities will be removed, this is unlikely to result in any substantial costs.</p>	The changes to this rule will result in the benefit of removing two restrictions that have been determined to be unnecessary and are a hindrance to the ability for communities to maintain their environmental, economic, social and cultural wellbeing.	<p>The amended rule is considered to be effective and efficient in ensuring temporary utilities which are part of a wider temporary activity, or needed for an emergency, are not subject to undue regulation.</p> <p>This rule is considered to be an appropriate mechanism to achieve the objective.</p>
<b>Rule</b> <b>45.4.2.14</b>  Temporary Storage	No significant costs have been identified as the rule will generally remain the same as the operative rule.	The rule will continue to allow for communities to provide for their environmental, economic, social and cultural wellbeing by allowing for small-scale temporary storage (that is not associated with farming).	The proposed rule is considered to be effective, efficient, and appropriate to achieve the objective.
<b>Rule</b> <b>45.4.2.15</b>  Glare	No significant costs have been identified as the rule will generally remain the same as the operative rule.	The rule will continue to provide the benefit of avoiding glare from lighting associated with temporary activities. Therefore there will be a benefit to the amenity and social wellbeing of the community.	The proposed rule is considered to be effective, efficient, and appropriate to achieve the objectives of the chapter and to minimise adverse effects.
<b>Rule</b> <b>45.4.2.16</b>	Costs identified include additional cost to event and filming organisers, both in monetary terms to ensure a higher diversion of waste from landfill, and in	Undertaking medium-sized temporary events and filming in accordance with the principles of waste management and minimisation will result in significant environmental benefits	This rule is overall considered to be effective in ensuring the effects of temporary activities and filming are minimised, and promotes the District as

Waste Management	<p>terms of additional time to complete a Zero Waste Event form.</p> <p>An additional cost of the rule is that small-scale events and filming will not be required to undergo this process and therefore there may be an increased environmental cost. However this cost is no greater than the operative provisions.</p>	<p>associated with the management and reduction of waste.</p> <p>This rule has been informed by the Regional Policy Statement (objectives 13.4 and policies 13.5) and will therefore assist temporary events and filming within the District to give effect to the RPS.</p>	<p>one where more sustainable practice is promoted as part of a important industries.</p> <p>The 'Zero Waste' form process is considered to be far more efficient than requiring a resource consent process to manage effects in this regard.</p> <p>Given the need to require waste management is clearly outlined in the Regional Policy Statement, this method is considered to be appropriate.</p>
<p><b>Rule</b></p> <p><b>45.4.2.17</b></p> <p>Sanitation</p>	<p>No significant costs have been identified - sanitation is considered a key component of temporary events. The operative provisions contain a requirement for sanitation, however reference an incorrect standard.</p>	<p>The requirement to ensure there will be a minimum availability of toilet facilities will result in significant benefits and ensure event organisers carefully consider provision for these facilities.</p> <p>The rule allows for toilets to be provided in publicly-accessible facilities within a short distance from the event. This will prove beneficial where the event is held in close proximity to existing facilities that are available for public use i.e. within Council-owned public toilets in a park, or on private land whereby the owner consents to the use of these facilities for the event.</p>	<p>This rule is considered effective in setting out the minimum number of required toilet facilities. This table has been compiled from the recommendations of the Ministry of Civil Defence and Emergency Management<sup>3</sup> and further refined from data based on a University of Missouri - St Louis study, given that the NZ Guidelines do not address toilet provision for less than 500 attendees.</p> <p>This rule is considered to be efficient as it enables flexibility to the provision of toilets and is unlikely to place onerous restrictions on the ability to undertake temporary events. Given that the scope of permitted temporary event activities will be increasing, this rule is considered appropriate to achieve the objectives of the chapter.</p>

<sup>3</sup> Ministry of Civil Defence & Emergency Management (2003), *Safety Planning Guidelines for Events*, Wellington: New Zealand

<p><b>45.6</b></p> <p><b>Non-notification of applications for Temporary Filming</b></p>	<p>Costs associated with the affected parties not being involved in the consent process.</p>	<p>This rule provides for the non-notification of resource consent applications for temporary filming.</p> <p>This creates economic efficiencies through the avoidance of consent delays. All activities which cannot achieve the permitted activity requirements default to a fully discretionary activity, therefore decision makers have the ability to decline consent should the effects be considered too great.</p>	<p>This provision is considered effective as it provides certainty around notification, however does not preclude the decision makers consideration of effects on other parties.</p> <p>The rule is efficient in that it removes potential delays in the consenting process.</p> <p>The method is considered to be the most appropriate way of achieving the objective.</p>
<p><b>Proposed Definitions</b></p> <ul style="list-style-type: none"> <li>• <i>Temporary Activities</i></li> <li>• <i>Temporary Events</i></li> <li>• <i>Noise Event</i></li> <li>• <i>Temporary Filming Activity</i></li> </ul>	<p>No significant costs have been identified.</p>	<p>The new definitions are considered necessary to ensure consistent interpretation of the objectives, policies and rules of the draft chapter.</p> <p>The definitions are largely an enhanced and clarified reincarnation of the operative provisions where several issues were identified.</p> <p>Two new definitions have been added to ensure efficient administration of the District Plan which is considered to be a benefit.</p>	<p>The proposed definitions will assist with the efficient administration of the District Plan by clearly defining the activities to which they relate. It will be effective in determining the activity status of an activity.</p> <p>These provisions are therefore considered to be the most appropriate way of achieving the objective.</p>

## **12. Efficiency and effectiveness of the provisions**

The above provisions are drafted to specifically address the resource management issues identified with the current provisions, and to enhance those provisions that already function well. A number of areas of the existing chapter have been removed to aid the readability of the Plan by keeping the provisions at a minimum, whilst still retaining adequate protection for the resource. The overall purpose of the chapter is to enable temporary activities to occur within the District while ensuring the associated adverse effects are minor, and temporary in nature.

By simplifying and clarifying the intent of the objectives, policies and rules (the provisions), the subject matter becomes easier to understand for users of the Plan both as applicant and processing planner. Removal of technical or confusing wording also encourages correct use. With easier understanding, the provisions create a more efficient consent process by reducing the number of consents required and by expediting the processing of those consents.

Finally the overall direction of the chapter is to become more permissive than the operative provisions, given the desirability of encouraging temporary events, filming, and other activities that result in little long-term effects.

## **13. The risk of not acting**

Section 32(2)(c) of the Act requires, in the evaluation of the proposed policies and methods, the consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

The risk of not acting in this case is the stifling of growth and wellbeing of the District whereby temporary events and filming provide significant environmental, social, economic, and cultural benefits to the community. Other temporary activities also enable people to provide for their wellbeing and assist in giving effect to other components of the District Plan. Monitoring has identified clear issues with the operative provisions which are addressed by the proposed chapter.

It is considered that there is sufficient information available to demonstrate that the operative provisions are difficult to understand and administer by both the Council and general public, are often overly-restrictive, duplicate other regulatory processes, and often undermine the ability for the communities within the District to provide for their wellbeing while at the same time meeting the purpose of the Act.

Overall, the risk of not acting would be of far greater consequence than the risk of acting.



# Warbirds Over Wanaka bring in money

MARJORIE COOK    Last updated 05:00 24/09/2014

Tens of thousands of people sleeping in Wanaka beds at Easter Weekend translated into tens of millions of dollars for the region, according to an independent report released by the Warbirds Over Wanaka International Airshow yesterday.

The Economic Impact and Market Research Report by Opinions Market Research in Christchurch reveals the overall economic impact of this year's event was \$21.6 million.

This is a 16 per cent increase on the last airshow survey, conducted in 2010.

The survey authors counted 48,239 people at the show, translating into 114,00 bednights in the region.

The biennial airshow is held over three days at Easter.

Airshow general manager Ed Taylor said the report confirmed the airshow was popular with visitors, with 90 per cent of respondents rating it as either good or very good.

There were some areas for improvement, such as dust control, but the organisers felt positive a new airport irrigation system would manage that issue for the 2016 airshow.

"Twenty-five years on, Warbirds Over Wanaka is still one of the biggest and best airshows of its kind in the world and this report proves it.

"It is a testament to the early vision of [founder] Sir Tim Wallis and the hard work of thousands of volunteers over the years that we are still rated in the top four Warbirds Airshows in the world, alongside great shows like Flying Legends at Duxford in England," Taylor said.

Lake Wanaka Tourism general manager James Helmore said the Warbirds massive \$21.6 million economic impact on the district was fantastic.

"It shows what the power of an event can do," he said.

## FAST FACTS

What: Warbirds over Wanaka airshow provides \$21.6 million economic benefit for region

Who says so: Opinions Market Research Ltd, Christchurch

Where: Wanaka Airport

When: every second Easter (March 25-27, 2016)

- The Timaru Herald

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## American Express Queenstown Winter Festival gains QLDC event funding

**Queenstown, New Zealand (12 March 2013)** - The American Express Queenstown Winter Festival has successfully gained the support of the Queenstown Lakes District Council (QLDC) Events Office in the latest round of event funding. QLDC announced today that the Winter Festival will be a recipient of \$117,738 under the existing Commercial Events Fund - Major Economic Events category. The funding includes both a cash and in-kind component.

Funding for the festival will be utilised to help meet both the community and commercial objectives of the festival. Festival Manager Lisa Buckingham is thrilled to have the support of QLDC, especially as the Festival celebrates its fortieth anniversary.

"Sponsorship and funding is critical to the ongoing viability and growth of the Queenstown Winter Festival. It is an expensive event to run but one which delivers so many community and commercial benefits. The event is embedded in our community as it announces the arrival of winter and is held early in our winter season so is of great economic benefit to our businesses."

"Having the support of the Events Office endorses our strategic objectives, and reaffirms the local significance of the event," says Ms Buckingham.

The QLDC grant will go toward the delivery of the 2014 festival, being held from 20 – 29 June. The Festival has become an iconic New Zealand event and delivers around \$57 million back into Queenstown's local economy. It has also become an important annual celebration for the local community since it launched in 1975 and has stayed true to its roots as a festival by the community for the community.

QLDC initiated the Events Office following the Shaping Our Future forums, when Council made the decision to invest more in attracting and supporting major events in the district. As a result of this, Council adopted a revised Events Strategy in April 2013 and also boosted the amount of funding available in the 2013-14 Annual Plan.

ENDS

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# EVENTS STRATEGY

2013 - 2017

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# 1. Introduction

This Event Strategy for the Queenstown Lakes District has been developed from the report submitted by the Shaping Our Future Events Taskforce in February 2012. The strategy has been designed to guide the growth, development and delivery of events in the Lakes District over the next 10 years (2013-2023) with the specific goal of extending the flow of economic and social benefits of events held in the district.

Events are recognised around the world as helping towns, cities and regions achieve their long-term economic and social aspirations. The four main benefit streams associated with events are:

- Economic benefits
- Branding and exposure
- Social well-being
- Legacy benefits

## Economic Benefits

Events can deliver direct economic benefit by bringing more money into the economy than would otherwise have been present through two distinct channels:

1. Increased visitor numbers who often stay longer and have a higher than average spend resulting in additional consumer-to-business spend
2. Event income that is sourced from outside the region but spent in the region to deliver the event such as sponsorship and national funding resulting in additional business-to-business spend

## Branding & Exposure

The staging of large scale events can be a cost-effective means of promotion, especially for a district such as the Queenstown Lakes which is so heavily dependent on the visitor market. The right mix of events can also enhance the brand of the district and communicate key values to a wide audience of potential visitors, potential business partners and potential residents.

## Social Well-Being

Although social well-being is no longer a directly relevant consideration for local authorities, a balanced event portfolio also makes for a more vibrant and interesting place to live, brings people and communities together, gives them a sense of identity and belonging and provides opportunities and inspiration for them to perform and excel in cultural, artistic and sporting endeavours.

## Legacy Benefits

Positioning a town or district on a global stage through events and accelerating its economic and social development, events can be a significant catalyst for change and can also provide long term legacy benefits such as infrastructure, local knowledge and resources, business relationships and trade connections.

While events are known to deliver a range of benefits, it must also be recognised, however, that there can be issues and problems also associated with major public events:

### **Infrastructure Demands**

Major events can create unmanageable, or at least costly, demands on District infrastructure. This can include core infrastructure (Council buildings; roads; 3 waters etc) or the associated services and activities (e.g. consenting; monitoring; traffic management etc). Such costs can often not be readily met from the existing ratepayer base.

### **Displacement**

A District like Queenstown Lakes already has significant visitors/tourists who are not drawn to this location by events. In order not to cannibalise one source of visitor revenue with another, it is important that a calendar of events is well-manage relative to other seasonal visitor peaks and that conflicts between events being staged at the same time is avoided.

### **Disruption**

Major events can bring with them a variety of disruption to residential life. These can range from the modest (traffic congestion, road closures, noise, etc) to the unreasonable (such as anti-social or criminal behaviour). Effective controls are needed to ensure these are mitigated and effectively controlled.

While there is the potential for negative impacts, demand community and commercially driven events continues to grow from both the local community and those individuals and organisations looking to produce events in the district. As such, while this growth should be encouraged and supported, Council must take an active role to help ensure the potential for negative impact is managed appropriately.

This strategy provides a vision and strategic direction for what QLDC's role in events should be and how it can be through the establishment of a centralised event office for the district along with a contestable fund that can be used to support events that complement the overall vision for our district and support the social and commercial priorities of our resident and business communities.

## 1.1 The Process

2009	QLDC Events Strategy prepared and adopted
September 2011	Shaping Our Future Events Taskforce convened to assess options and make recommendations around establishment of a Queenstown Lakes District Events Office, Strategies and Objectives, Organisational Model and potential for contestable fund
January 2012	Taskforce report and recommendations submitted to Shaping Our Future sub-Committee
February 2012	Public forum considered report and resolved for it to be recommended in its entirety for adoption by Council
February 2012	Council resolved to establish a one year appointment for Event Facilitator and convened an advisory group to develop full events strategy and contestable funding model for submission to Annual Plan in February 2013.
January 2013	Draft Event Strategy and Funding Model submitted to Advisory Group for Consultation
February 2013	Advisory Group to meet and discuss strategy and feedback with aim of finalizing final document for submission to Council
February 2013	Council consultation on draft Events Strategy and Funding Model
February 2013	Draft Events Strategy considered by Council
March 2013	Financial Impact of Strategy further defined and presented to Council
April 2013	Final submission and Events Strategy presented to Council for adoption to Annual Plan
June 25	Funding and Action Plan for the implementation of the adopted strategy submitted and approved by Council
July 1	Event Strategy released and first funding round announced

## 2. Current Situation

Recent years have seen a proliferation of events being staged across the Queenstown lakes District. From major sporting events, festivals and concerts to school fairs and community barbecues, there is a plethora of events being staged throughout the calendar year delivering a variety of benefits both economic and social to region.

The last 12 months has also seen an increase in the level of enquiry from out of district event producers and promoters looking to the Queenstown lakes District as a potential host for new events.

While the district is an attractive location in which to stage events, there is a sentiment amongst those engaged in the production and delivery of events at almost every level that it is difficult and often expensive to run events in this part of the country and that there has been little support for event organisers either financially or in an advisory capacity to assist them with their endeavours.

The regulatory environment is perceived as being fragmented and difficult to navigate and there is also a perception that there is a lack of understanding and appreciation by Council of the economic and social benefit of events to the district when compared to other centres.

These perceptions were reinforced during consultation undertaken and feedback received via the Shaping Our Future Events Review which highlighted a number of key issues facing events in the region:

### 2.1 Key Issues

- **Fragmentation:** The sector is fragmented and lacks any formal or informal centralised coordination. In particular there is a lack of coordination between QLDC, CCOs and RTOs on funding and in-kind support provided to events
- **External perceptions:** Some regard the District as lacking an event-friendly Council and/or having a disinclination to provide meaningful direct or in-kind financial support to significant events. The recent loss of the National Sevens has highlighted this issue, as well as the growing competition from other districts willing to financially contribute to and cooperate with event managers.
- **Lack of Public Sector Investment:** The District is seen as being significantly out of step with both central government contributions to events in the District along with comparable contributions and actions taken by councils elsewhere in New Zealand.
- **Organisational inefficiency:** There is a lack of coordination regarding the use or operation of venues, infrastructure, and regulatory bodies.
- **Regulatory environment:** The District Plan and related regulatory processes around staging events are perceived to be complex and difficult to navigate.

- **Negative public perceptions:** Some sectors of the District appear to focus on the negative aspects of major events, with little regard or awareness of the significant economic and social value of existing and potential events.
- **Sponsorship:** Although not a problem unique to the District, the current economic climate is such that events are faced with an increasingly competitive task to target available funds with an increasing number of events often vying for support from the same entities.
- **Lack of clarity regarding QLDC's role:** There is no established process for events when seeking support from QLDC. Nor is there a consistent decision-making protocol with clear criteria on which to base decisions.
- **Lack of major events:** Despite its popularity, and even relative to its small population, there are few significant events that have a material, positive, impact on the District's economy.

## 2.2 Key Strengths

- Queenstown Lakes District is an iconic visitor destination and attractive location for event producers
- Strong and well established visitor economy
- Largest commercial accommodation supply outside Auckland
- Spectacular and iconic geography and scenery
- Strong community support and desire for events
- A strong and growing professional events sector
- Domestic and international air access continues to improve both in volume of flights and pricing

## 2.3 Key Opportunities

- Establish a recognised centralised advisory, co-ordination and facilitation service for event producers (local, national and international)
- Provide cross-organisational liaison and facilitation services for events when dealing with regulatory processes, consents, permissions and infrastructure
- Assist with the development and procurement of event specific infrastructure for the district
- Encourage and support development of new events and realise the potential of existing events in the district
- Encourage events to be staged in a co-ordinated and (as much as possible) non-competing fashion with a focus on shoulder seasons to maximise benefit for district
- Target events and festivals that reinforce key marketing, visitor demographic and brand objectives for the district (Chinese New Year)
- Establish QLDC Events Office as first point of contact for all funding and support enquiries and establish clear communication channels between all funding and support providers
- Establish clear protocols and processes for all enquiries around QLDC support (financial and in-kind) for events in the district

### 3. Council's Role in Events

As part of the development of a dedicated major events strategy, ATEED (Auckland Tourism, Events & Economic Development) conducted a review of a number of cities comparable to Auckland from around the world and the public sector's attitudes towards and involvement in events.

Six common themes emerged:

1. They recognize the strategic importance of events and **plan and invest** accordingly
2. They recognize the importance of **balancing social objectives with economic outcomes**
3. They view events as opportunities to transform their social and economic status
4. They use distinctive events to promote and enhance their brand
5. They host a range of events that are common across cities (e.g major sports events, international film festivals, gay and lesbian festivals, visual and performing arts festivals, international comedy festivals and food festivals)
6. They build their event programme around between **5 and 10 "anchor" events**

To date, QLDC's role in events has been:

#### Advisory Service

The QLDC Arts and Events Facilitator and more recently the Events Facilitator both offer advice for event producers, especially around use of QLDC property and consenting issues. Both also liaise with Lakes Environmental and APL on behalf of and alongside event producers.

#### Direct Supplier

The Council directly undertakes the initiation, planning and delivery of events to the community. This includes fully funding or part funding (by seeking sponsorship). Such events include New Year's Eve celebrations, Summerdaze (31 Dec-31 Jan) and the annual Christmas Spectacular concert.

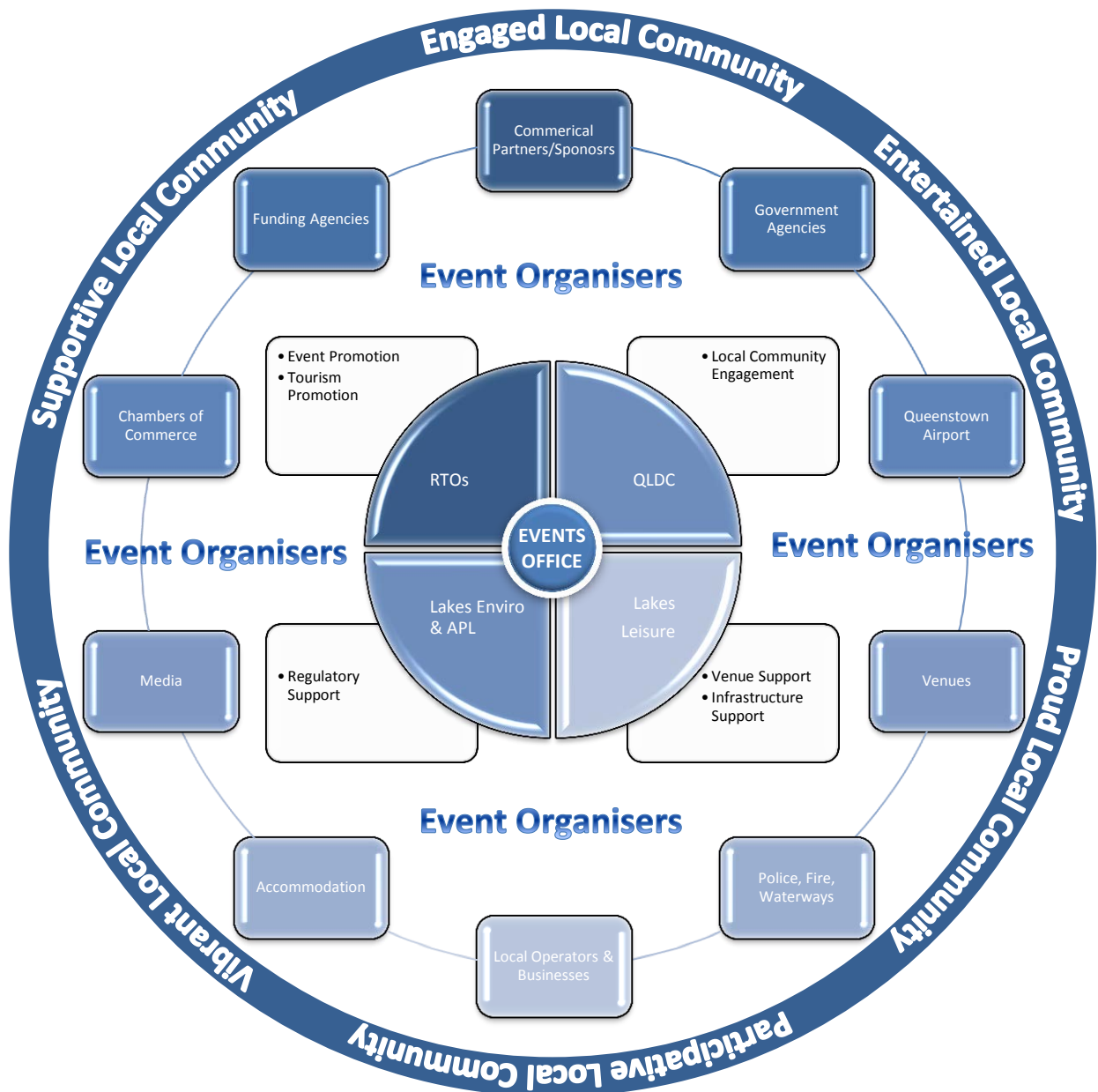
#### Indirect Supplier

The Council, via Lakes Leisure owns and manages a range of event related infrastructure and also undertakes to support events with reduced hire fees through sponsorship. Lakes Leisure also works alongside certain vents to assist with planning, marketing and delivery.

#### Financial Supporter

The Council directly funds others to provide events within the community according to policy and budget requirements. This fund, facilitated by the Arts and Events Facilitator is \$50,000 per annum.

Figure 1 - QLDC Event Stakeholder Network





## 4. Council's Current Investment in Events

At present, facilitation, funding and in-kind support is available for events across a number of Council-Owned and affiliated organisations:

- QLDC
- CCOs - Lakes Leisure, Lakes Environmental
- RTOs - Destination Queenstown, Lake Wanaka Tourism, Arrowtown Promotion and Business Association

For the 2012/2013 financial year, QLDC's budgeted investment in events is \$311,054.

**Table 1 – Current Council-wide<sup>1</sup> Investment in Events:**

	<b>Current Operating Budget 2012/2013<sup>2</sup></b>	<b>\$\$\$</b>
	<b>Operating Revenue</b>	
2502136	Donations (Sponsorship, Funding, Box Office)	47,861
	<b>Total Operating Revenue</b>	<b>47,861</b>
	<b>Operating Costs</b>	
2502411	Arts and Events Facilitator – Salaried (50% allocated to events)	35,000
250234701	Event Facilitator Salary & Events Strategy Implementation (website design and operating costs, community stage contribution)	100,000
2502350-362	Overhead Allocation	32,283
2502364	Repairs & Maintenance	19,198
2502474	Direct Funding (QLDC Community Events – Summerdaze, Christmas Concert)	135,685
2502475	Christmas Show and Town Dressing (Concert production & district decorations)	36,749
	<b>Total Operating Costs</b>	<b>358,915</b>
	<b>TOTAL OPERATING BUDGET</b>	<b>311,054</b>

In addition, QLDC, Lakes Leisure and Lakes Environmental make contributions of cash and in-kind to support community events and the respective RTOs sponsor events. Destination Queenstown makes an approximate investment of \$250,000, Lake Wanaka Tourism invests approximately \$155,000 and APBA invests approximately \$25,000.

**Table 2 – Contestable Event Funding and In-Kind Support:**

<b>2012/2013 CCO and RTO Event Contributions</b>	<b>\$</b>
QLDC (GL 2502347) Community Event Fund	50,000
Lakes Environmental (accounted for at charge out rates, not actual cost)	40,000
Lakes Leisure (accounted for at charge out rates, not actual cost)	40,000
Destination Queenstown	250,000
Lake Wanaka Tourism	155,000
Arrowtown Promotion & Business Association	25,000
<b>TOTAL</b>	<b>560,000</b>

<sup>1</sup> Inclusive of QLDC funded bodies

<sup>2</sup> With the exception of the current Event Facilitator's salary (included in Event Strategy, QLDC's investment in events is all directed at community events.

Of QLDC's investment of \$311,054 approximately 20% is allocated to Commercial events and 80% to Community Events.

CCO Support (Lakes Leisure and Lakes Environmental) has almost exclusively in-kind support and primarily targeted at Community events.

Destination Queenstown and Lake Wanaka Tourism do provide support for Commercial events and their investment is approximately 30% Cash and 70% in-kind. Decisions to support events are made on the basis of the event's fit with the strategies of each RTO and how they meet their destination marketing objectives. As such, these investments should be regarded as commercial sponsorship/advertising as opposed to any sort of contestable funding.

It must be pointed out, however, that each of these organisations function quite independently and there is little inter-organisational co-ordination, liaison or consistency across funding criteria, decision-making processes or post-event assessment of funding that has been granted.

## 4.1 New Zealand Public Sector Investment in Events

While there is circa \$900,000 being invested in cash and in-kind into events in the Queenstown Lakes District by QLDC, CCO and RTO organisations, there is just \$50,000 available for funding (by application) for events and \$172,434 invested directly in event delivery by QLDC. All of this investment is at the community level.

It must also be noted that the majority of the \$50,000 available to community events has tended to go to QLDC's CCOs (Lakes Leisure and Lakes Environmental) for venue/infrastructure hire and regulatory costs. And, that while these costs have increased significantly in recent years, this fund has not increased in almost 10 years.

There is currently no established process or funding model in place for the support of Commercial Events at QLDC. In contrast:

### Nelson City Council

Nelson City hosts and sponsors numerous events throughout the year. They operate an Events Strategy within their economic development programme which provided circa \$350,000 in cash funding for events deemed to have potential economic benefit for the district in 2011/2012.

### Taupo District Council

Taupo District Council plays a very active role in events, co-ordinating events in their district with the specific goal of securing a minimum of 20 Major events annually. In 2011/12 Taupo District Council spent \$0.91m providing financial assistance to media and event organisers, supporting the establishment of new events and actively targeting international events. Circa \$500,000 of this investment was by way of contestable funding support.

### Tauranga

TCC manage bookings for Tauranga City Council venues and facilities, provide physical and technical event support (sound, lighting, expertise, seating, ticketing), provide event facilitation services and assist with the delivery of Council and other flagship events. While their funding support is relatively low at \$200,000, they have invested significantly in venues – especially Baypark and in 2011/12 they spent \$3.1M on event support (includes depreciation Baypark at \$600,000).

## Wellington

Wellington City Council:

1. Gives funding support for major events from the Events Development Fund
2. Assists with marketing and promotion of major events
3. Provides logistical and venue support
4. Helps with feasibility studies and event bids
5. Gives advice on event planning, management and risk management
6. Coordinates and facilitates events.

Since 2008, Wellington has spent \$3-5M p.a. on an Events Development Fund with an estimated economic impact of \$50-80M p.a. Their cost: benefit ratio is targeted at 20:1 and has been exceeded with an average ratio of 28:1.

## Central Government

In 2009, the Government (through the Minister for Economic Development) sought Cabinet agreement for a new strategic approach to government's investment in major events. The approach shifted government's role from being seen mainly as a source of operational funding for events to becoming an integral partner with the events sector in helping to attract, retain, grow and deliver high quality major events, and in ensuring the delivery of lasting benefits for New Zealand from hosting events.

In 2011, the Major Events Development Fund was increased to \$10 million per year to better resource New Zealand Major Events to deliver on this strategy shift. They have made significant contributions from that fund to District events including the NZPGA (\$750k) and Winter Games (\$1m PA).

QLDC is significantly out of step with both central government contributions to events in the District along with comparable contributions and actions taken by councils elsewhere in New Zealand.

## 4.2 Funding for Commercial Events

Generally the reasons<sup>3</sup> provided by Councils for contributing to events include:

Events can become a cornerstone of the visitor economy and make the district **a more desirable place to live and work** with benefits extending much further than the immediate economic and social impact.

**A balanced portfolio** of exciting, distinctive and engaging events can not only deliver **measurable economic benefits** but also make people proud of who they are and where they live and **can bring communities together**.

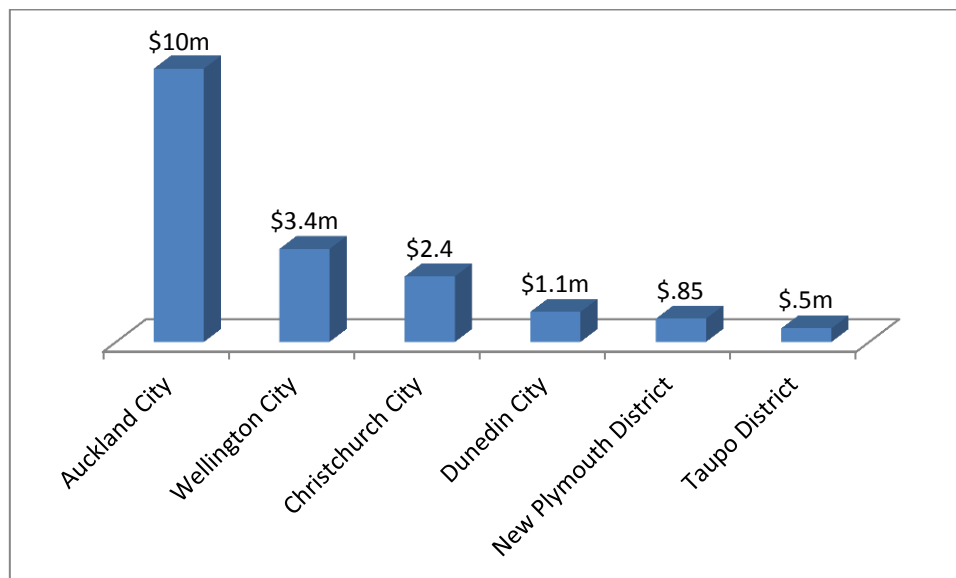
While **events can generate economic and social benefits that can far exceed the cost of running them**, this does not necessarily translate to an event securing the necessary revenue to make them commercially viable. This predicament is as true for small community oriented events as it is for major commercially driven events and that is why **public investment is required in order to build and sustain a balanced portfolio of events** for the district.

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<sup>3</sup> Note that these reasons have not had to consider the change in local government purposes since the Local Government Amendment Act 2012.

Until now, QLDC has had no allocated budget for investment in Commercial Events as compared to the investments made by Council's as shown below:

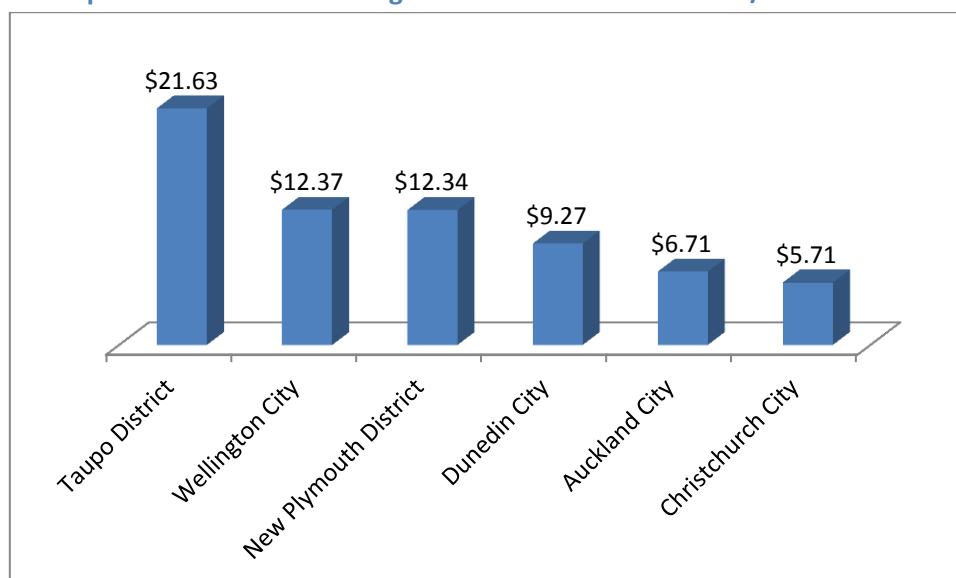
**Figure 2 - Total Public Sector Funding for Commercial Events 2012/2013**



**Notes:**

1. All figures exclude community event funding
  2. Data has been sourced from the Taupo and Western Bay of Plenty Major Events Investment Proposal and were gathered from official council documents or verified by the relevant council department
  3. No in-kind services or support are included in these calculations
- Auckland City is forecast to increase their investment to \$18m per annum over the next 10 years.

**Figure 3 - Per Capita Public Sector Funding for Commercial Events 2012/2013**



**Notes:**

1. Methodology for per capita calculations is based on official council information or on estimated population figures for 2012/13.

## 5. Queenstown Lakes District Events Strategy

QLDC published an Events Strategy in 2009. Despite the strategy, little has been done to encourage events in the district, ensure they have been well-promoted or maximised their contribution to the District economy. Central to this has been a lack of clear authority to coordinate events and a lack of meaningful direct or in-kind contribution in the face of increasing nation-wide competition for such events.

The 2009 Strategy sets the vision for the District as:

- a. An event-friendly environment featuring a balanced programme of events that maximise the seasons, the landscape and the lifestyle of the region.
- b. Events that provide benefits to the local community.
- c. Events that maximise the region as a destination.
- d. Events that provide economic benefits and profile to the region.

While much of the 2009 Events Strategy remains relevant, the continued fragmentation of the sector, in particular the lack of co-ordination between QLDC, CCOs and RTOs, combined with little in the way of direct public sector investment in events has meant little could be done to affect the objectives of the Strategy.

In light of the commitment from Council to provide significant investment to support both commercial and community events in the district, a new vision has been formulated:

***Promote and support a balanced portfolio of sporting and cultural events that meet community objectives for the District as a whole in respect of recreational activities, community infrastructure and economic growth***

The portfolio views each event as part of an annual programme or “portfolio” of events. Under this approach, events are evaluated on their individual merits and how they combine with other events to contribute to Council’s vision for a balanced event portfolio.

Key outcomes to be targeted by this strategy have been defined into 4 key areas:

### 1. Maximise the economic benefit that events bring to the district by:

- a. Injecting new money into the District through national funding and sponsorship sources;
- b. Minimising competition between events
- c. Minimising leakage out of the district by maximising use of local personnel, suppliers, contractors, products, services and infrastructure;
- d. Attracting domestic and/or international visitors that would otherwise not have visited and/or extend length of stay – especially in shoulder seasons

**2. Optimise the use of District assets and venues by:**

- a. Encouraging event organisers to make maximum use of venues and assets (whether at commercial rate, subsidised or FOC);
- b. Establishing and maintaining a comprehensive venue database.

**3. Improve the regional, national and/or international profile to the District by:**

- a. Using events as platforms to promote and communicate key messages about the District to New Zealand and the world as a visitor destination and place to live;
- b. Working with Destination Queenstown, Arrowtown Promotion and Business Association and Tourism Wanaka to produce and implement a targeted national events marketing and promotion strategy

**4. Minimise the barriers to establishing and maintaining events in the District by:**

- a. Providing a single, coordinated point of Council contact for event organisers;
- b. Assigning a suitably qualified and senior person for key major events;
- c. Making appropriate recognition of the value and contribution of events to the District in the District Plan and relevant bylaws;
- d. Providing “how to” information for new event organisers.

It is also anticipated that the pursuit of these outcomes will guide the work undertaken by the Events Office and the decision-making both within Council and amongst event stakeholders around the style, scale, timing and objectives of events in the district. It is also hoped that a co-ordinated portfolio approach will help minimise the possibility of competition between events while maintaining a balance both in programming and funding support between community and commercially driven events.

## 6. QLDC Events Office

Work undertaken by Councils all over New Zealand and around the world and the funding of events that has subsequently followed indicated strong support for the notion that events contribute to social well-being and long term economic growth.

There is also fairly wide consensus that developing and maintaining a strong, vibrant and well balanced event portfolio requires public sector investment not only by way of direct funding support, but also in helping create an “event-friendly” destination, infrastructure support and streamlining of regulatory processes.

The feedback from the Events Forum and Shaping our Future Events Taskforce also reflected similar areas of weakness when evaluating the events sector in the Queenstown Lakes District.

The key finding was that QLDC needed to provide a more proactive role in the event sector through the establishment of a dedicated events office for the district to co-ordinate, facilitate and support event interests for the Queenstown Lakes District. This is nothing new in New Zealand and strong examples of well-established events offices abound including Auckland, Taupo, Hamilton, Christchurch, Dunedin, Rotorua and many more.

The key objectives of such an office were:

- 1. Develop the Southern Lakes as an Event Friendly Destination**
- 2. Develop and coordinate infrastructure and support services for events across the region**
- 3. Establish a framework and funding model to facilitate the provision of financial assistance to support the sustainability and growth of events in the district**

To achieve these objectives, it is envisaged that the key roles of the Events Office as a whole will be:

### Structural

- Develops a balanced portfolio of events that includes sport and arts related events, and ranges from commercial to community events.
- Develops and administers an evaluation process for funding applications to Council (whether for direct financial or in-kind support).
- Is the centralised advisory, co-ordination and facilitation service for event producers (local, national and international).
- Is a first point of contact for all funding and support enquiries and operates clear communication channels between all funding and support providers.
- Works with key stakeholders to support the development of key venues, infrastructure and support services in the region.
- Provides cross-organisational liaison and facilitation services for events when dealing with regulatory processes, consents, permissions and infrastructure.

- Ensure that there are consequential MOU with other relevant District-wide bodies (e.g. Destination Queenstown, Tourism Wanaka) to give maximum effect to the role of an Events Office.

### Operational

- Provide coordinated assistance and liaison to new and existing events ranging from regulatory consents to event planning.
- Review, and where appropriate, encourage amendments to regulatory processes to better facilitate the staging of Council supported events.
- Encourage events to be staged in a coordinated and (where possible) non-competing manner with a focus on shoulder seasons to maximise benefit for district. And where feasible, link any funding or assistance to an agreement to coordinate in such a manner.
- Target events and festivals that reinforce key marketing, visitor demographic and brand objectives for the District (e.g. Chinese New Year)

### Financial

- Assist with the procurement of event specific infrastructure for the district, provided it can also be used for community purposes
- Establish an Events Fund which provides a clear and consistent process for seeking QLDC assistance (financial and in-kind) for events in the District. The decision making criteria and process should include:
  - a. ensuring events fit with District objectives;
  - b. a cost/benefit analysis;
  - c. a risk assessment;
  - d. a Five Year Business Plan that provides for financial self-sustainability;
  - e. opportunities for leveraging the event.



## 6.1 Organisational Model

To date, QLDC's role in events has been focused at the local community level via the permanently established Arts and Events Facilitator.

### 6.1.1 Arts and Events Facilitator

The key event related functions of this role have been:

- To support community based events and festivals for example Arrowtown Autumn Festival and Willowridge WanakaFest, with funding support and infrastructure
- To assist with funding information through Fundview and local funding Seminars
- To facilitate meetings for event organisers with all Council Controlled Organisations (CCOs) i.e. Lakes Environmental, Lakes Leisure
- To promote events in the district through Councils media database, and facilities
- To organise and facilitate annual QLDC events such as Summerdaze, Christmas Show and Waitangi Day celebrations
- To support and facilitate national events such as Children's Day, Arbour Day, White Ribbon Day
- To build solid relationships with all funders i.e. Central lakes Trust, Community Trusts of Southland and Otago
- To try to build stronger relationships with Lakes Leisure and Lakes Environmental to provide clearer processes around events i.e. Events Permit
- Initially wrote an Events Strategy for the district which was the starting point for the Shaping the Future Events process (Queenstown Lakes Events Strategy 2009-2012)

### 6.1.2 Events Facilitator

In November 2012, on recommendation from the Events Taskforce, QLDC created a part time role for an Events Facilitator to carry on the work of the taskforce on the establishment of a dedicated events office for the district.

The key responsibility for this role has been to develop a Strategy and Business Plan for a centralised event office for the Queenstown Lakes District along with a framework for the establishment of a fund to provide financial support for events in the district – all of which has now been submitted and adopted as part of the Annual Planning process.

In addition to completing this work, the key functions of this role have also included:

On acceptance of this strategy and establishment of the Events Office it is anticipated that the organisational structure will include two permanent staff working as part of the Office of the Chief Executive, reporting to the Director of the Office of the CEO.

- Community Events Facilitator – Existing Role – Arts and Events Facilitator
- Strategic Events Facilitator – Existing Role – Events Facilitator

The key roles of the Strategic Events Facilitator will be:

- Provide a centralized contact for Commercial events in the Queenstown Lakes District
- Produce a new online Event Calendar and dedicated event website for the district
- Provide advisory services for organizations and individuals with event interests in the district
- Provide cross-organisational liaison between event organisers and regulatory bodies, funding bodies and key infrastructure and venue providers
- Work with key stakeholders to support the development of key venues, infrastructure and support services in the region.
- Manage the contestable fund including the assessment of all Commercial event funding applications

The Events Office will form part of the Office of the CEO with both staff members reporting directly to the Director of the CEO's Office.

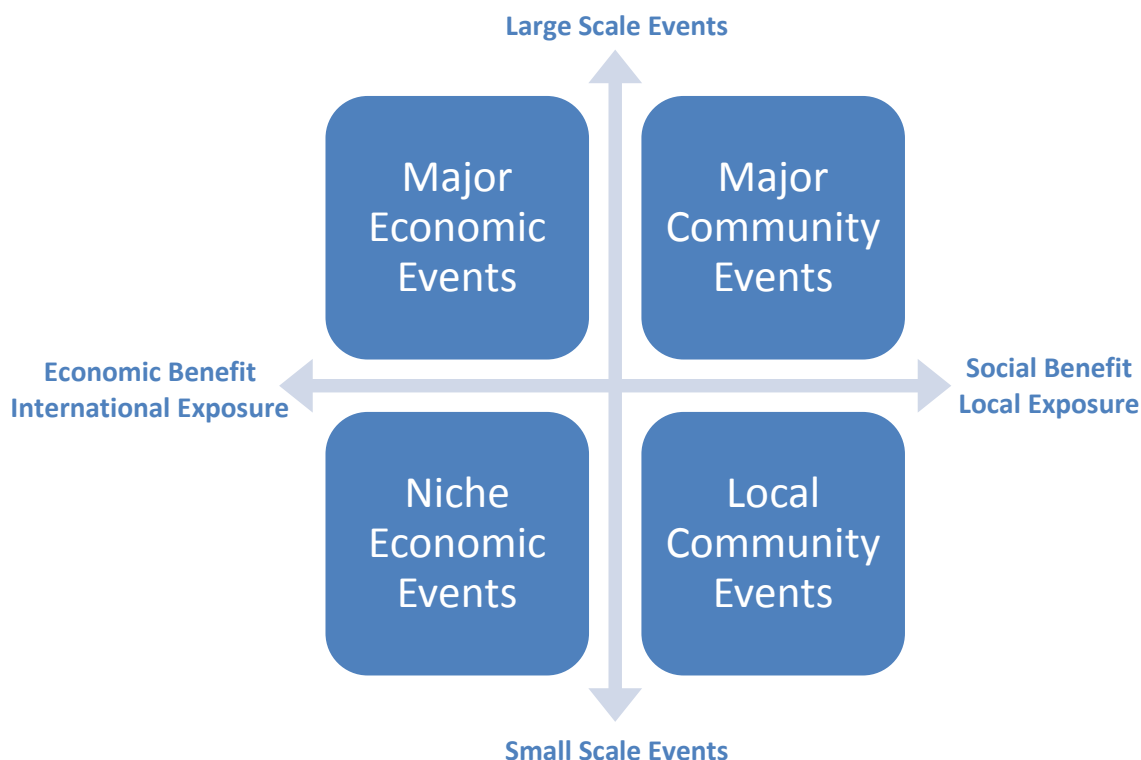
## 7. Queenstown Lakes Events Portfolio

While few events will ever fit neatly into any particular box, it is important to establish a framework or classification system that can be used as a basis for assessing our event portfolio, our funding decisions and evaluating our performance.

Time has been spent examining classification systems used by Councils across New Zealand including Wellington, Christchurch, Dunedin, Taupo and Auckland and the common basis for classification seems to be around the size or scale of an event and the extent to which the benefits and outcomes delivered by the event are either commercial or community oriented.

The following matrix has been established as a means of classification for events for the Queenstown Lakes District:

**Figure 3 – Queenstown Lakes District Event Matrix**



## 7.1 Major Economic Events

***Events that by way of size or significance yield high levels of tourism, media coverage, prestige and economic impact for the district – 2,500 – 10,000+ visitors, 5,000 to 30,000+ visitor nights, \$2.5m to \$20m+ direct incremental economic benefit***

- Event is nationally or internationally unique to Queenstown Lakes District and recognized as such
- Event is of significant prestige to generate international and/or national media profile.
- Can be either a recurring or one-off event, but possesses such significance, in terms of tradition, attractiveness, image, or publicity that it provides the host community with a competitive advantage.
- Primary drivers are celebrating iconic nature of the event, celebrating the region's identity, realizing regional benefits, delivering significant economic benefit and generating national/international profile.
- Generally involving large audiences
- Acknowledged that a wide range of scale, attendance and economic impact will exist between events.

***Examples:*** Warbirds over Wanaka, Queenstown Winter Festival, Challenge Wanaka, Major Concert Events

## 7.2 Niche Economic Events

***Events that have a more targeted appeal, but which still deliver direct benefits to the district by way of tourism, media coverage and economic impact – 1000 – 2500 visitors, 2000 to 7500 visitor nights, \$1m to \$5m in direct incremental economic benefit***

- Event may not be unique to Queenstown Lakes District and may be able to be replicated, and does not have to be ongoing
- Primary drivers are celebrating region's identity, realizing regional benefits and delivering significant economic benefit and national/international profile.
- Generally involving large audiences
- Proven track record of success, not "one hit wonder"
- Major contributor to region's vibrancy, identity and realizing social and cultural benefits
- Event is of significant prestige to generate regional media profile.
- Fits with strategic outcomes/values/branding of the community providing cultural, educational and social value

***Examples:*** Queenstown Bike Festival, Motutapu Race Series, One Day International Cricket Matches, National Rugby Sevens

## 7.3 Major Community Events

***Generally large scale community events and festivals (10,000 plus attendees) distinctly Queenstown Lakes in nature that celebrate local culture, activity and achievements – enhancing the district’s livability and community’s pride of place***

- Primary Drivers are celebrating district’s identity, providing regional community entertainment, delivers some economic benefit and contributes to regional/national profile.
- Event may not be unique to Queenstown Lakes region and may be able to be replicated.
- Ongoing, preferably annual.
- Generally involving large audience or participants.
- Event is not for profit

***Examples:*** Southern Lakes Festival of Colour, Arrowtown Autumn Festival, Summerdaze, Arrowtown 150<sup>th</sup> Anniversary of Gold

## 7.4 Local Community Events

***Community driven events with local/regional attraction typically with a targeted appeal or focus on a special interest area or sector of the community***

- Primarily community-based events with regional attraction
- Event may not be unique to region and may be able to be replicated.
- Event has recognition and involvement by the community
- Proven track record of success, not “one hit wonder” but can be “one-off”
- Event contributes to district’s vibrancy, identity and realizing social and cultural benefits
- Event is of significant prestige to generate local/regional media profile.
- Fits with strategic outcomes/values/branding of the community providing cultural, educational and social value
- Event is not for profit

***Examples:*** Queenstown Jazzfest, Wanakafest, Harvest Festival, Performing Arts, A & P Shows, Wanaka Rodeo, Lake Hayes Estate Community BBQ, Plunket Information Evening, Parenting Seminars, Family Fun Days, Community Awards, Arts & Crafts Markets

## 8. Queenstown Lakes District Event Fund

One of the recommendations from the Shaping Our Future Events Taskforce was the establishment of a contestable fund that would provide increased financial support for community events as well as introduce a funding mechanism for commercial events.

### 8.1 Funding Objectives

First and foremost, the funding objectives must translate back to the Events Strategy:

***“Promote and support a balanced portfolio of sporting and cultural events that meet community objectives for the District as a whole in respect of recreational activities, community infrastructure and economic growth”***

Pivotal to the success of this strategy is that the portfolio is considered when making all individual funding decisions and that special attention be given to supporting those events that are identified as being anchor events as part of the portfolio.

Anchor events are the social and economic pillars of the district’s event portfolio. They are typically large events with distinctive qualities that our district is or could become known for. It is important to distinguish between community anchors – events that generate significant social capital; and commercial anchors – events that attract new money into the economy

Community anchors should play a key role in celebrating and showcasing local culture, activity and achievements. They should make the district a more vibrant and attractive place to live, foster community pride and bring the community together on a large scale. Events of this nature are typically the hardest ones to assess in terms of measurable benefit as their contribution to the event portfolio is by way of social capital as opposed to economic benefit.

Commercial Anchors are much easier to assess as they must generate a direct economic benefit to the district. Some Commercial Anchors will also deliver significant social benefits – such as the Queenstown Winter Festival, but it is rare for Community Anchors to deliver significant economic benefits.

**The specific objectives for funding as part of this strategy are<sup>4</sup>:**

1. Identify, secure and support one new Major Commercial Event for the district that will attract over 10,000 incremental visitors / \$10m economic benefit per annum – one off or recurring.
2. Support development of one existing Major Commercial Economic Event to grow incremental visitation to 10,000 plus visitors / \$10m economic benefit per event per annum.
3. Identify and support one new or developing Major Economic Event annually – priority to recurring events (2,500 plus visitors / \$2.5m plus in economic benefit) per annum.

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<sup>4</sup> This has been revised following the Full Council meeting in December 2013.

4. Identify and support one new Niche Economic Event – can be one off, annual or bi-annual (1,000 plus visitors / \$1m plus in economic benefit).
5. Support development of two new Major Community Events by 2016 per annum.
6. Encourage the development of events in shoulder seasons.
7. Support development of one Local Community Event to achieve Major Community or Major Economic Status by 2016.
8. Continue to support Local Community Events both financially and in-kind
9. Provide facility to support events in need on a case-by-case / one-off basis.

## 8.2 Recommended Funding Framework

It is recommended that QLDC's direct and indirect (CCO) investment in events (cash and in-kind) be brought together as one overall "fund" that is then allocated between Commercial and Community events as defined in Section 7.

Table 4 – 5 Year Funding Budget

Budgeted	Year 1 2013	Year 2 2013/14	Year 3 2014/15	Year 4 2015/16	Year 5 2016/17
Revenue	(47,861)	(48,975)	(50,000)	(52,500)	(55,000)
Direct Funding*	135,685	138,842	140,000	142,500	145,000
Christmas*	36,749	50,000	40,000	42,500	45,000
<b>Net Direct Funding</b>	<b>124,573</b>	<b>139,867</b>	<b>130,000</b>	<b>132,500</b>	<b>135,000</b>
Community Fund	50,000	53,490	50,000	50,000	50,000
<b>Total Community</b>	<b>174,573</b>	<b>193,357</b>	<b>180,000</b>	<b>182,500</b>	<b>185,000</b>
Implement Strategy	50,000				
Commercial Fund			50,000	50,000	50,000
Warbirds Over Wanaka*		50,000		50,000	
Cricket World Cup*		50,000	250,000		
<b>Total Commercial</b>	<b>50,000</b>	<b>100,000</b>	<b>300,000</b>	<b>100,000</b>	<b>50,000</b>
Lakes Leisure**	40,000				
Lakes Environmental**	40,000				
<b>TOTAL</b>	<b>304,573</b>	<b>293,357</b>	<b>480,000</b>	<b>282,000</b>	<b>235,000</b>
<b>Recommended</b>					
Community		200,000	300,000	300,000	300,000
Commercial		500,000	500,000	500,000	500,000
<b>TOTAL</b>		<b>700,000</b>	<b>800,000</b>	<b>800,000</b>	<b>800,000</b>
<b>Incremental Investment</b>	-	<b>406,643</b>	<b>320,000</b>	<b>518,000</b>	<b>565,000</b>

Notes:

1. 2014\* marks the change in absorbing the funds for Council produced events into the Contestable fund for community events.
2. \*\* Lakes Environmental and Lakes Leisure contributions have been calculated at chargeable rates as opposed to actual costs. As such, these contributions have not been included in the years 2-5 as will be calculated at actual cost to QLDC going forward
3. \* Commercial Fund currently budgeted at \$100,000 for 2014 (includes \$50,000 for Cricket World Cup).
4. \$200,000 in cash was budgeted for CWC for 2015, had our bid to host matches been successful.

In essence, the funding outlined above for the Community Fund will allow for the continuance of the level of support currently provided to these events what has, up until now, been CCO sponsorship.

The Commercial Fund is a significant increase as to date there has been no budgeted allocation for Commercial Events.

It should also be noted that while this is a significant increase in funding for commercial events – these measures will bring QLDC in line with similar districts such as Taupo District Council who have a contestable fund for commercial events of \$500,000 and is home to circa 23,000 permanent residents compared to circa 30,000 for Queenstown Lakes District.

A framework has been compiled to guide decision-making in terms of fund allocation, however it will need to be applied in a flexible manner recognizing the benefits of the event portfolio as a whole as well as the outcomes from each individual event and also that the event portfolio has been compiled as a spectrum and events will often fit into more than one box and meet a variety of different commercial and community outcomes.

On the basis of the funding budget provided above, it is anticipated that funding support would be allocated across the 4 event categories as follows:

**Table 5 – Funding Allocation Across Event Categories**

		Year 1 2013	Year 2 2014	Year 3 2015	Year 4 2016	Year 5 2017
<b>Commercial Fund</b>						
Major Economic Events	60%		\$300,000	\$300,000	\$300,000	\$300,000
Niche Economic Events	40%		\$200,000	\$200,000	\$200,000	\$200,000
<b>TOTAL</b>		-	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$500,000</b>
<b>Community Fund</b>						
Major Community Events	Set		\$150,000	\$225,000	\$225,000	\$225,000
Local Community Events	Set	\$50,000	\$50,000	\$75,000	\$75,000	\$75,000
<b>TOTAL</b>			<b>\$200,000</b>	<b>\$300,000</b>	<b>\$300,000</b>	<b>\$300,000</b>

The figures above should be viewed as a guide only and flexibility must be retained around the allocation of funds within either the Commercial or Community Fund depending on the merit of applications received and the overall balance of the portfolio trying to be achieved. This does not however, refer to the utilization of funds allocated for Community events for Commercial funding and vice versa. Instead, if funds are left over in any given year in either the Commercial or Community und, they are to be put into a holding account for allocation I the following funding year.

It is important to note that while this funding is to be made available on an annual basis, it does not imply that all funds must be distributed. For any event to receive funding support it must meet the funding criteria for its relevant funding criteria.

### 8.3.1 Funding Panel

As part of this strategy a funding panel has been established to evaluate the funding applications and recommendations made by the Events Office for final approval. The Events Office will evaluate the applications prior to panel consideration and will submit a list of applications that meet the criteria for consideration, a list of those that do not, and the recommendations that have been made.



The funding panel consists of the following:

- Mayor
- QLDC CEO or Director – Chief Executive’s Office
- Destination Queenstown CEO
- Lake Wanaka Tourism GM

Independent advice will also be sought by the panel as deemed necessary for events of national significance or subject to national funding:

The Director – Chief Executive’s Office, the Community Events Facilitator and Strategic Events Facilitator will attend funding meetings and provide further information and feedback, but the final funding decisions (under \$30k) and recommendations (over \$30k) will be at the discretion of the panel.

Recommendations for applications over \$30k will go to Council for approval.

This Panel will convene twice annually to make major funding decisions.

### 8.3.2 Funding Rounds<sup>5</sup>

Following the Council meeting in December 2013, Council will move to one funding round per annum from April 2014. Applications will open 1 April and close 30 April each year.

For example, applications for events taking place any time between 1 July 2014 and 30 June 2015 must be submitted no later than 30 April 2014.

Event organisers are encouraged to contact the QLDC Event Office to discuss their application.

## 8.4 Funding Assessment and Evaluation Process

### 8.4.1 Commercial Events and Major Community Events

#### Assessment Process

The funding Decision process for the Commercial Events Fund and Major Community Events Fund is as below:

- |               |  |
|---------------|--|
| <b>Step 1</b> | Applications received, logged and acknowledged   |
| <b>Step 2</b> | Applications reviewed and assessed by relevant QLDC Events Office staff member (utilising Event Impact Calculator).  |
| <b>Step 3</b> | Meetings held as appropriate with relevant QLDC officers and event stakeholders  |
| <b>Step 4</b> | Preliminary funding recommendations made to Funding Panel.<br>A list of successful and non-successful applications (including why not) will be presented to the panel. |

<sup>5</sup> This has been revised following the Full Council meeting in December 2013.

- Step 5** Final funding decision by panel (under \$30k) or recommendation submitted to Council for approval (over \$30k).

#### Evaluation and Dispersal process

- Step 1** Event Funding Uplift Forms received by Event Organiser  
**Step 2** Uplift Forms reviewed and assessed by relevant QLDC Events Office staff member (including Event Impact Calculator)  
**Step 3** All conditions for funding are satisfied  
**Step 4** Summary report submitted by Events Office to CEO for approval to distribute funds  
*QLDC reserves the right to withhold funding if it deems an event has fallen short of delivering what it claimed it would deliver as part of the Funding Application*  
*QLDC reserves the right to withhold funding if it deems an event has not met the terms and conditions of the Event Permit issued by QLDC for the staging of the event*  
**Step 5** Event funding evaluation report submitted to Council (end of June for events staged November-April, end of January for events staged May to October)

### 8.4.2 Local Community Events Fund

#### Assessment Process

- Step 1** Applications received, logged and acknowledged  
**Step 2** Applications reviewed and assessed by relevant QLDC Events Office staff member  
**Step 3** Meetings held as appropriate with relevant QLDC officers and event stakeholders  
**Step 4** Funding decision made by relevant QLDC Events Office staff member

#### Evaluation and Dispersal

- Step 1** Event Funding Uplift Forms received by Event Organiser  
**Step 2** Uplift Forms reviewed and assessed by relevant QLDC Events Office staff member  
**Step 3** All conditions for funding are satisfied  
**Step 4** Funds distributed on receipt of tax invoice  
*QLDC reserves the right to withhold funding if it deems an event has fallen short of delivering what it claimed it would deliver as part of the Funding Application*  
*QLDC reserves the right to withhold funding if it deems an event has not met the terms and conditions of the Event Permit issued by QLDC for the staging of the event.*  
**Step 5** Event funding evaluation report of Local Community Events to be submitted to Council as part of bi-annual evaluation reports post the Commercial and Major Community Event funding rounds.

## 8.5 Funding Criteria

The key considerations when evaluating funding applications are:

- How does the event add value to the overall event portfolio?
- What level of direct, incremental economic benefit will the event deliver?
- How will the event contribute to long term economic growth and/or development of the regional event industry?

- How does the event reinforce the District's position as a tourism icon and key district objectives?
- How will the event bring the community together and foster civic pride?
- How will the event celebrate the District's diversity, culture, sport, participation and heritage?
- Does the event showcase the District's natural environment?
- Will the event generate media profile for the District and deliver leverage opportunities?
- Is the event sustainable?

Depending on the nature and scale of the event and the level of funding being sought, different considerations will carry different weight in the evaluation process, but regardless of whether the event is of a Community or Commercial nature, all of the above should be taken into account.

The following funding criteria have been guided by the funding considerations outlined above and incorporate the criteria used to classify each category of event.

### 8.5.1 Major Economic Events

#### Category Description

- Events that by way of size or significance yield high levels of tourism, media coverage, prestige and economic impact for the District.
- 2,500 to 10,000 plus visitors, 5,000 to 30,000 plus visitor nights.
- \$2.5m to \$10m plus direct incremental economic benefit.
- Significant national and/or international media profile.
- Preference for events nationally or internationally unique to Queenstown Lakes District but not essential.
- Strong marketing and promotional campaigns including support from local RTOs.
- Reinforce district/destination's brand messages and tourism marketing objectives.
- Events can be one-off or recurring annually/bi-annually (preference for recurring events).
- Shoulder seasons preferred.

### Portfolio Objectives

- Aim for 8-10 Major Economic Events per annum spread across the calendar year, with focus on new events for shoulder seasons.
- Aim to secure 1 new “mega” event - 10,000 plus visitors/\$10m plus economic impact.
- Aim to support the development of 1 existing event to achieve 10,000 plus visitors/\$10m plus economic impact.

### Funds Available

- 60% of Commercial Fund including support in kind (use of parks, reserves, infrastructure).
- Focus to provide seed funding / development funding - available for up to 3 years.

### Funding Criteria

- Illustrate how the event is unique to the Queenstown Lakes District.
- Demonstrate the national and international appeal of the event.
- Outline how you plan to bring national and international media attention to the event
- Provide details of support from visitor industry.
- Estimate how many visitors from outside the district (national and international) are likely to attend the event and for how many days (figures should reflect the number of visitors travelling to the district for your event over and above those visitors who would otherwise be in the district at that time (minimum target for major economic events is 2,500+ visitors / \$2.5m direct incremental economic impact.
- Provide full economic impact study and/or show evidence that event will bring in excess of \$2.5m in direct incremental expenditure to the local economy.
- Provide evidence of proven record of successfully delivering events and/or demonstrate ability to successfully organise the event.
- Describe the event’s target market (participants/competitors and audience)
- Show how the event will reinforce the town/district’s key marketing and brand messages.
- Describe legacy your event will have over and above the direct benefits of staging the event.
- Outline the level to which local infrastructure, suppliers and contractors will be used to assist in delivery of the event versus what will be sourced from outside the District.
- Provide a detailed summary of all other forms of funding you are seeking / have confirmed and provide a detailed budget including all revenue sources.
- Provide full business plan and marketing plan for event.

## 8.5.2 Niche Economic Events

### Category Description

- Events that by way of size or significance make a positive incremental contribution to tourism, media coverage, prestige and economic impact for the District.
- 1,000 to 2,500 visitors, 2,000 to 7,500 visitor nights.
- \$1m to \$5m plus direct incremental economic benefit.
- Local and/or national media profile.
- Not necessarily unique to Queenstown Lakes.
- Marketing and promotional campaigns including support from local RTOs.
- Reinforce district/destination’s brand messages and tourism marketing objectives.
- Events can be one-off or recurring annually/two years (preference for recurring events).
- Shoulder seasons preferred.

### Portfolio Objectives

- Aim for 12 Niche Economic Events per annum spread across the calendar year, but with focus on shoulder seasons.

### Funds Available

- 40% of Commercial Fund including support in kind (use of parks, reserves, infrastructure).
- Focus to provide seed funding / development funding - available for up to 3 years.

### Funding Criteria

- Demonstrate the regional / national appeal of the event.
- Outline how you plan to secure local / regional / national media coverage of the event.
- Estimate how many visitors from outside the district (national and international) are likely to attend the event and for how many days (figures should reflect the number of visitors travelling to the district for your event over and above those visitors who would otherwise be in the district at that time (minimum target is 1,000+ visitors / 3,000+ visitor nights).
- Provide full economic impact study and/or show evidence that event will bring in excess of \$1m+ in direct incremental expenditure to the local economy.
- Provide evidence of proven record of successfully delivering events and/or demonstrate ability to successfully organise the event.
- Describe the event's target market (participants/competitors and audience)
- Show how the event will reinforce the town/district's key marketing and brand messages.
- Describe legacy your event will have over and above the direct benefits of staging the event.
- Outline the level to which local infrastructure, suppliers and contractors will be used to assist in delivery of the event versus what will be sourced from outside the District.
- Provide a detailed summary of all other forms of funding you are seeking / have confirmed and provide a detailed budget including all revenue sources.
- Provide full business plan and marketing plan for event.

## 8.5.3 Major Community Events

### Category Description

- Distinctly, if not uniquely Queenstown Lakes.
- Large scale community events and festivals.
- Not subject to economic thresholds, but should be of a size or significance to attract visitors to the district/destination, media coverage and economic impact.
- Celebrate local culture, activity and achievements.
- Enhance the district's livability and community's pride of place
- Strong regional / national marketing and promotional campaigns including support from local RTOs.
- Reinforce district/destination's brand messages and Council strategies.
- Events should be recurring.
- Shoulder seasons preferred.
- Generally involving large audience or participants.
- Primary drivers are celebrating region's identity, providing regional community entertainment, delivers some economic benefit and contributes to regional/national profile.

### Portfolio Objectives:

- Aim for 12 major community events per annum spread across the calendar year, but focus on new events for shoulder seasons.

### Funds Available

- Year 1 - \$150,000, Years 2-5 - \$225,000 including support in kind (use of parks, reserves, infrastructure).
- Ongoing funding available for recurring events.
- Seed funding available for new events, development funding available for established events.

### Funding Criteria

- Describe the event's target market (participants/competitors and audience).
- Show how the event will appeal to the local community and reinforce the town/district's key community messages.
- Describe legacy your event will have over and above the direct benefits of staging the event.
- Demonstrate the local, regional and national appeal of the event.
- Outline how you plan to bring media attention to the event.
- Estimate how many attendees you expect at your event including how many visitors from outside the district (national and international) are likely to attend the event (figures should reflect the number of visitors travelling to the district for your event over and above those visitors who would otherwise be in the district at that time. (target for Major Community Events is 10,000+ attendees, 20% from outside district)
- Provide evidence of proven record of successfully delivering events and/or demonstrate ability to successfully organise the event.
- Outline the level to which local infrastructure, suppliers and contractors will be used to assist in delivery of the event versus what will be sourced from outside the District.
- Provide a detailed summary of all other forms of funding you are seeking / have confirmed and provide a detailed budget including all revenue sources.
- Provide full business plan and marketing plan for the event.
- Provide evidence that all other forms of funding have been fully pursued.

## 8.5.4 Local Community Events

### Category Description

- Community driven events.
- Primarily community-based events with local/regional attraction.
- Has recognition and involvement by the community.
- Can be targeted to specific part of the community and/or special interests
- Can be one off and may not be unique to the District.
- Should contribute to region's vibrancy, identity and realising social and cultural benefits.
- Provide evidence of proven record of successfully delivering events and/or demonstrate ability to successfully organize the event.
- Event is of significant prestige to generate local media profile.
- Fits with strategic outcomes/values/branding of the Council providing cultural, educational and social value.
- Shoulder seasons preferred.

### Portfolio Objectives:

- Aim for a range of regularly recurring events throughout the year catering for all sectors of the community which bring people together to celebrate and embrace the District's diversity.

### Funds Available

- Year 1 - \$50,000, Years 2-5 - \$75,000 including support in kind (use of parks, reserves, infrastructure).
- Ongoing funding available for recurring events.
- Seed funding / development funding available for new events.

### Funding Criteria

- Illustrate how the event adds value to the District's identity.
- Identify the social and cultural benefits realized/promoted by the event.
  - Healthy Lifestyles
  - Sustainability
  - Building strong communities
  - Educational values
- Estimate how many people will attend the event.
- Describe event target market(s).
- Provide a detailed summary of all other forms of funding you are seeking / have confirmed and provide a detailed budget including all revenue sources.

## 1. Measurable Benefit

The Strategy of the QLDC Events Office is to enable and support a balanced portfolio of event experiences that meet the economic, marketing and community objectives of the district as a whole

Each of the key outcomes the office is therefore charged to achieve must tie back to this strategy:

- **Contribute measurable economic benefit to the district**
- **Optimise use of District's assets and venues**
- **Provide regional, national and/or international profile to the region**
- **Celebrate our community identity and improve the district's livability**

Delivering these outcomes will require a shift in the approach of QLDC towards events at almost every level. The current position of making a small amount of funding and support available for local community events is clearly insufficient. Investment, energy and focus must be focused on sustaining and developing events that deliver "commercial" benefit whilst at the same time maintaining and strengthening the position of the more community oriented events.

In order to monitor the effectiveness of this strategy and consequent funding decisions it important to establish a baseline from which to track progress. Unfortunately, while some events have produced economic impact studies and ASR reports (media/exposure value), we are not in a position

to make an accurate estimation of a baseline in terms of event driven economic benefit and exposure for the district.

This is especially the case for economic benefit given the range of methodologies and multipliers that have been used for studies done to date, which is the primary motivation for the Events Office to secure a basic Event Impact Calculator to enable a consistent assessment to be undertaken for funding decisions and post-event evaluation.

It is therefore recommended that the Events Office secure the proposed Economic Impact Calculator and, in liaison with the District's event managers undertake a retrospective review of the past 12 months to establish 2012/2013 as the benchmark against which to gauge progress going forward.

In the interim, Table 6 below outlines the measurements that will be put in place to monitor and evaluate the Event Portfolio and the contribution it makes to the economy and community.

**Table 6 – Measurement Criteria**

OUTCOME	KPI	2013 (Baseline)	2014	2015	2016	2017
Visitors	Visitor Numbers	80,000	90,000	100,000	110,000	125,000
Visitor Nights	Visitor Nights	250,000	280,000	315,000	350,000	400,000
Direct Incremental Economic Impact		\$50m	\$56m	\$63m	\$70m	\$80m
National & International Profile and Exposure	Media Exposure (ASR \$)	\$10m	\$12m	\$15m	\$18m	\$20m
Foster community pride & make District a better place to live **	Attendance	-	-	-	-	-
	Enjoyment	-	-	-	-	-
	Pride of place	-	-	-	-	-
Portfolio Balance & Development	Major Economic Events					
	Niche Economic Events					
	Major Community Events					
	Local Community Events					

## NOTES

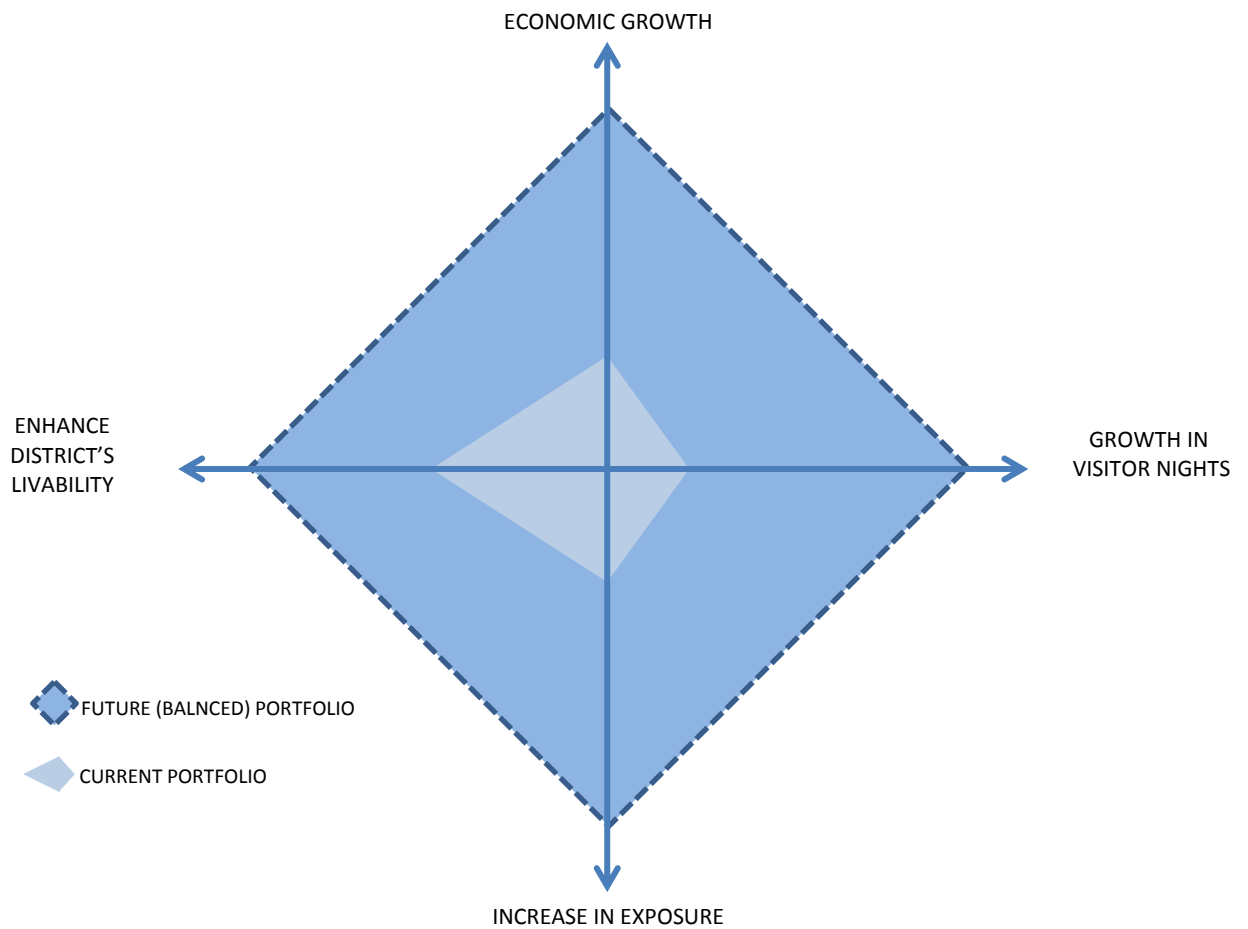
- Figures provided as baseline for 2013 are estimates only and will be the subject of further investigation over coming months. Forecasted figures are based on the results to be achieved through investment in developing existing events and securing new events for the portfolio.
- \* ROI – For events, return on Investment needs to be calculated as the net direct incremental benefit (Return) of the event divided by the funding provided to run support the event (Investment). Income should include all revenue coming from outside the region that stays in the region:
  - Direct spend in the district by visitors here specifically for the event
  - Sponsorship from private sector outside the district
  - Funding from sources outside the district such as national government
- Initial investigations have been undertaken to identify evaluative tools that cover economic and social benefits and the mechanisms to exist and can be modified to suit QLDC purposes. The development of a full evaluative tool will be the responsibility of the Events Facilitator.

Graphically, the objective of the Portfolio is balance. As shown in Figure 4 below, the strategy is designed to extend the portfolio in all four directions:

- Economic Growth
- Enhance Livability
- Grow Visitor Nights
- Increase Exposure



Figure 4 – Balancing the Southern Lakes Events Portfolio



## 2. Key Actions

Using the objectives established for the Events Office along with the Events Strategy and Funding Strategy proposed as part of this document, the following key tasks and actions have been established:

### 10.1 Key Goal

<b>Commercial Events:</b>	<b>Community Events:</b>
<ul style="list-style-type: none"> <li>• Maintain and support the development of existing Major Commercial Events and aim to support the development of 1 new Major Commercial Event for the district by 2016 – one off or recurring.</li> <li>• Aim to support the development of 3 Niche Economic Events to achieve Major Economic Event status over the next three years.</li> <li>• Aim to identify, secure and/or support the development of 2-3 new Niche Economic Events by 2016 – can be one off, annual or bi-annual.</li> </ul>	<ul style="list-style-type: none"> <li>• Aim to support the development of 2 new Major Community Events by 2016.</li> <li>• Aim to support the development of 1-2 Local Community Events to achieve Major Community or Major Economic Event status by 2016.</li> <li>• Continue to support Local Community Events both financially and ‘in-kind’.</li> <li>• Provide facility to support events in need on a case by case / one-off basis.</li> </ul>

### 10.2 Strategy Goals and Actions

<b>Strategy Goal</b>	<b>Action</b>
<b>1. Develop the Queenstown Lakes District as an Event Friendly Destination.</b>	<b>1. (a) Strengthen and improve the ability to respond to event industry needs and enquiries.</b> <ul style="list-style-type: none"> <li>• Provide facilitation and advisory services to assist events in navigating the regulatory environment, access venues and infrastructure and secure funding support both from QLDC and other sources.</li> <li>• Bring together QLDC and RTO event interests under one agreed strategy, acknowledging the QLDC Events Office as playing the lead role in delivering the strategy.</li> <li>• Develop and promote district-wide event calendar.</li> <li>• Improve information available to organisers via the events website to assist them with planning, delivering and promoting their event, meeting regulatory requirements and securing funding.</li> <li>• Deliver a minimum of two industry training seminars/events annually.</li> <li>• Develop QLDC Event Submission forms for event Organisers seeking to stage events on Council Land, public spaces and/or in Council venues.</li> </ul>
	<b>1 (b) Champion, advocate and provide an events focus for the</b>

	<p><b>region</b></p> <ul style="list-style-type: none"> <li>• Meet annually with representative(s) from New Zealand major events to provide and receive feedback about the events landscape in the district, future opportunities and understand how the Government can support events in the Queenstown Lakes District.</li> <li>• Produce an Event Communications Plan.</li> </ul>
<p><b>2. Encourage and support the development of a balanced portfolio of events that reinforce key economic, community and strategic directions of the District.</b></p>	<p><b>2. (a) Develop and promote District-wide event calendar and event-relevant information direct, online and via other channels.</b></p> <ul style="list-style-type: none"> <li>• Launch District-wide online events calendar.</li> <li>• Launch Event Organiser information and event planning resource.</li> </ul> <p><b>(b) Encourage events to be staged in a coordinated and where possible, non-competing manner with a focus on shoulder seasons to maximise benefit for district.</b></p> <ul style="list-style-type: none"> <li>• Provide clear direction and criteria around encouraging event organisers to co-ordinate event dates and liaise with the QLDC Events Office when planning their events.</li> <li>• Use funding to encourage events to be staged in a non-competing fashion</li> </ul> <p><b>(c) Target events and festivals that reinforce key marketing, visitor/community demographics and brand objectives for the District</b></p> <ul style="list-style-type: none"> <li>• Work closely tourism promotion bodies when identifying and assessing potential events to ensure fit with key marketing, visitor and brand objectives for the District.</li> </ul> <p><b>(d) Encourage the development of events that:</b></p> <ul style="list-style-type: none"> <li>○ <b>contribute to economic growth.</b></li> <li>○ <b>reinforce the District's tourism reputation.</b></li> <li>○ <b>encourage community pride of place.</b></li> <li>○ <b>celebrate the District's diversity, culture, sport, participation and heritage.</b></li> <li>○ <b>showcase the District's natural environment.</b></li> <li>• Research and, where appropriate, survey to determine event types currently missing from the event calendar (style, scale, timing) and work with organisers to fill these gaps.</li> <li>• Provide first point of contact, advisory and facilitation support for event enquiries (as per Goal 1).</li> <li>• Establish a targeted, transparent and "benefits driven" events fund and funding protocol to provide cash and in-kind support for Commercial and Community events in the District.</li> <li>• Ensure funding decisions acknowledge and support the overall portfolio (style, scale, timing) of events not just individual events in isolation.</li> </ul>

<p><b>3. Maximise and measure the economic benefit that events bring to the district.</b></p>	<p><b>3. (a) Encourage events that attract domestic and/or international visitors that would otherwise not have visited and/or extend length of stay/spend – especially in shoulder seasons.</b></p> <ul style="list-style-type: none"> <li>• Work closely with event organisers and RTOs to ensure maximum promotional leverage of events in potential visitor markets.</li> <li>• Assess existing and potential events for maximum growth/development potential to attract visitors.</li> </ul> <p><b>(b) Encourage events that inject new money into the District through national funding and sponsorship sources.</b></p> <ul style="list-style-type: none"> <li>• Work closely with Event Organisers and regional and national funding organisations to assist with and support funding applications and leverage opportunities.</li> <li>• Provide training and advice for Event Organisers seeking sponsorship for events.</li> </ul> <p><b>(c) Minimise competition between events.</b></p> <ul style="list-style-type: none"> <li>• Co-ordinate annual event calendar and work with event organisers to avoid date clashes.</li> <li>• Establish and adhere to clear criteria around funding support in regards to the utilization of local resources wherever possible.</li> </ul> <p><b>(d) Minimise leakage out of the District by maximising use of local personnel, suppliers, contractors, products, services and infrastructure</b></p> <ul style="list-style-type: none"> <li>• Compile and disseminate comprehensive event industry database (personnel, suppliers, contractors, event services and infrastructure).</li> </ul> <p><b>(e) Ensure funding decisions are guided by real information in regards to economic and environmental impact of events.</b></p> <ul style="list-style-type: none"> <li>• Develop evaluation and measurement systems for economic and environmental impact of events in Queenstown Lakes District.</li> <li>• Ensure, as part of funding application process, necessary data/information is provided by event organisers to facilitate accurate assessment of likely impact.</li> <li>• Ensure, as part of funding uplift process that, where appropriate, event organisers provide real data to facilitate accurate assessment of actual impact.</li> <li>• Use impact data to identify which events have the highest ROI and to guide future funding decisions.</li> </ul>
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<p><b>4. Enhance the District's profile and reputation as a leading events destination in New Zealand and leverage events to improve the regional, national and/or international profile of the District</b></p>	<p><b>4 (a) Market region as an event friendly destination.</b></p> <ul style="list-style-type: none"> <li>• Work with Destination Queenstown, Arrowtown Promotion and Business Association and Lake Wanaka Tourism to produce and implement a targeted national events marketing and promotion strategy.</li> </ul> <p><b>(b) Identify and support showcase events that can be used to promote the Queenstown Lakes District as a world-class events destination.</b></p> <ul style="list-style-type: none"> <li>• By the end of 2013 identify or recommend 2 events that meet or have the potential to meet the definition of a showcase event for Queenstown Lakes District (positions Queenstown Lakes District internationally, provides an economic return in excess of \$5 million, aligns with District-wide brand messaging and delivers significant positive media both nationally and internationally).</li> </ul> <p><b>(c) Increase local and national awareness of events in the District and QLDC's investment and support of these events</b></p> <ul style="list-style-type: none"> <li>• Develop and maintain strong relationships with Central Government and local/national organisations and individuals with interests in events (regional and national).</li> <li>• Increase marketing leverage pre/during and post event by establishing explicit expectations around branding and other marketing benefits to be granted to QLDC when support and assistance has been provided.</li> </ul> <p><b>(d) Encourage use of events as platforms to promote and communicate key messages about the District to New Zealand and the world as a visitor destination and place to live.</b></p> <ul style="list-style-type: none"> <li>• Work closely with event organisers and RTOs to ensure maximum promotional leverage of events in potential visitor markets.</li> </ul>
<p><b>5. Minimise barriers to establishing and maintaining events in the District.</b></p>	<p><b>4. (a) Establish QLDC Events Office as the central point of Council contact for event organisers.</b></p> <ul style="list-style-type: none"> <li>• Provide cross-organisational liaison between event organisers and regulatory processes, funding bodies and key infrastructure and venue providers.</li> <li>• Establish protocol across all QLDC departments, RTOs and event organisers where all event enquiries are forwarded to the QLDC Events Office in the first instance.</li> <li>• Develop and provide information, planning and funding resources that are easy to understand, accessible and complete.</li> <li>• Provide qualified event advice and where appropriate provide liaison and facilitation services to assist event organisers in their planning, regulatory requirements, funding and event delivery.</li> <li>• Provide "how to" information for new event organisers.</li> </ul>

	<p><b>(b) Simplify compliance processes and reduce compliance costs.</b></p> <ul style="list-style-type: none"> <li>• Review, and where appropriate, encourage amendments to regulatory processes to better facilitate the staging of events in the District.</li> <li>• Make appropriate recognition of the value and contribution of events to the District in the District Plan and relevant bylaws.</li> <li>• Work with key Council Officers to refine consenting processes.</li> <li>• Work with and on behalf of event organisers to navigate compliance processes.</li> </ul> <p><b>(c) Improve supply of and access to local equipment, infrastructure and suppliers.</b></p> <ul style="list-style-type: none"> <li>• Invite feedback from event organisers on existing capabilities and infrastructure at least annually.</li> <li>• Meet with key venues and suppliers to assess capabilities and identify opportunities for improvement.</li> <li>• Work with key stakeholders to support the development and procurement of event specific infrastructure for the District.</li> </ul>
<p><b>6. Develop event organisation capabilities and optimise use of District assets, venues and infrastructure.</b></p>	<p><b>1. (a) Provide leadership and sound management to ensure Queenstown Lakes maintains a strong position as an events destination in New Zealand.</b></p> <ul style="list-style-type: none"> <li>• Build and maintain strong relationships with Central Government.</li> <li>• Be actively involved with industry bodies such as NZAEP.</li> <li>• Communicate regularly with key event organisers, RTOs, suppliers and other key stakeholders.</li> <li>• Facilitate a minimum of two training and/or information seminars per annum for event stakeholders in the region to develop skills in areas such as event planning, sponsorship management, marketing and promotion and funding.</li> <li>• Provide regular event industry information, news, research and updates to regional event organizations and individuals.</li> </ul> <p><b>(b) Encourage use of local resources such as performers, technical and production companies, event managers and personnel, equipment supply and media.</b></p> <ul style="list-style-type: none"> <li>• Provide clear criteria as part of any funding or support around the use of local resources wherever possible in the planning, delivery and promotion of events.</li> <li>• Compile comprehensive event industry database.</li> <li>• Develop and disseminate information and event planning resources to improve skills and expertise of local</li> </ul>

	<p>providers.</p> <p><b>(c) Encourage event organisers to make maximum use of venues and assets (whether at commercial rate, subsidised or FOC).</b></p> <ul style="list-style-type: none"> <li>• Establish and maintain a comprehensive venue and infrastructure database.</li> <li>• Encourage venues to identify and bid for events that fit with the QLDC Event Strategy.</li> <li>• Ensure any funding or support provided by QLDC is, where practicable, conditional upon/weighted towards utilisation of QLDC assets, venues and infrastructure.</li> <li>• Work with venues to identify periods of excess capacity/availability and encourage events to fill these periods.</li> <li>• Develop streamlined processes and advisory services to facilitate ease of access to and use of event structure and associated services.</li> </ul> <p><b>(d) Actively seek to increase the amount of other Financial support available to Events in the Queenstown Lakes District.</b></p> <ul style="list-style-type: none"> <li>• Look for new funding opportunities for events and assist organisers with funding applications when appropriate and necessary.</li> <li>• Actively seek support from local businesses and organisations for events in the Queenstown Lakes District.</li> <li>• Liaise with regional funding agencies.</li> </ul>
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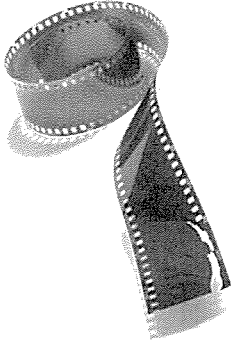


# ***NZ Local Government Filming Protocol***

***A Guide to Location Film Activities and  
Regulatory Best Practice for Local Government***







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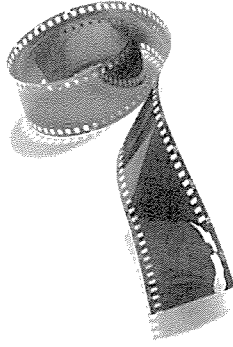
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## From the Local Government New Zealand National Council Spokesperson on Economic Development – Mayor Sukhi Turner

I present to you the Guide to Local Filming Activities and Regulatory Best Practice Guidelines for Local Government – The New Zealand Local Government Filming Protocol.

The filming industry is now big business in New Zealand. Turnover in the industry is estimated at \$1.2 billion in 2001 and foreign production financing has grown strongly as overseas companies realise the benefits of filming in New Zealand. The local industry is also growing and is spreading into provincial areas with consequential economic spin-offs.

In order to provide a receptive environment for both the international and domestic industry, the screen production industry is dependent upon sound local authority regulatory practices that meet the need of the industry. The industry has specific needs in terms of flexibility, responsiveness, certainty and cost.

As a reflection of the partnership between central government and local government, Industry New Zealand has commissioned *Local Government New Zealand* to prepare this Filming Protocol.

In preparing this Protocol, an assessment of the needs of the film industry has been undertaken, a review of current best practice from among local authorities has been completed and a series of roadshows were held in Auckland, Napier, Taranaki, Wellington, Christchurch and Dunedin. Staff involved in the local authority regulatory practices – including resource consent planners, roading engineers, building consents staff, economic development staff, and policy staff, attended these meetings, and provided a peer review group that considerably enhanced the value of the Protocols.

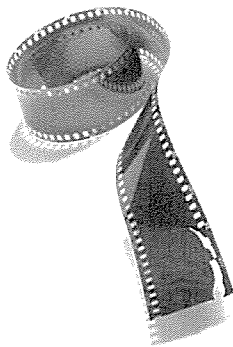
The Protocol has been prepared by Hill Young Cooper and their principal consultant involved on this project, David Mead. The development of the guidelines was overseen by a small project team who I would also wish to thank – Rob Aitidge, Industry New Zealand, Brian Saipie, Enterprise Waitakere, Kate Doherty, Film New Zealand, Anne Verhoeke, EDANZ, and Tim Davin, Local Government New Zealand.

The Protocol is designed in a way that we hope will gain ready acceptance by local authorities and it is our aim that as many local authorities as possible will adopt these guidelines as regulatory best practice. In this way, we will all continue to significantly contribute to the social and the economic wellbeing of our communities.

*Sukhi Turner*

MAYOR SUKHI TURNER  
Dunedin City Council

## INTRODUCTION



### Why a guide on location filming?

The screen production industry in New Zealand is now big business. Turnover has been rising steadily, from \$570 million in 1994 to \$1,159 million in 2001. Over the last few years foreign production financing has grown strongly as overseas companies realise the benefits of filming in New Zealand.

This burgeoning of film-making and its spread across the country increases its potential effect on communities, and makes it timely for councils to review their procedures to manage filming activities. Filming is no longer an occasional 'event'. It is an industry in its own right, and council policies and plans need to reflect this. As a result, Industry New Zealand has contracted Local Government New Zealand to prepare a best practice guide for film-friendly regulatory practices to help ensure this impact is positive.

### What does the Guide cover?

The *NZ Local Government Filming Protocol: A Guide to Location Filming Activities and Regulatory Best Practice for Local Government* describes best practice for the issuing of District, City and Regional council approvals needed to undertake location filming, such as TV commercials, documentaries, feature films and TV series. Location filming is filming that is carried out 'on location', not within a studio. The Guide sets a standard by which councils can be judged to be 'film friendly'.

The Guide is intended to help councils carry out their statutory duties to protect the environment and represent the interests of their communities, while encouraging the economic benefits of location filming. For areas that have already experienced considerable filming, the Guide provides the opportunity to review and fine-tune procedures. For areas yet to experience significant filming activity it will help councils put in place effective procedures ahead of demand.

This Guide does not address approvals from central government agencies, such as the Department of Conservation, or from Transit New Zealand when state highways are involved. These agencies should be contacted directly when filming involves the need for their approval. Neither does it cover actions to promote the attractions of a city or district to the wider screen production industry.<sup>1</sup> Many councils are preparing economic development strategies to promote filming in their area, and councils are encouraged to adopt film-friendly approval practices as part of their marketing strategies.

The Guide is divided into two sections:

- a background report on the film industry as it affects local government, which provides information on location filming, current practice with regard to filming approvals, and ideas on how to improve practice
- a best practice guide, which sets out the recommended processes and policies that councils should follow to be film friendly.

<sup>1</sup> The screen production industry covers a variety of activities associated with filming, including pre- and post-production activities as well as location and studio-based filming.



### Who will this Guide benefit?

While this Guide is primarily directed at councils, it will also be helpful for the film industry. For the business to be sustainable in the long run, it must protect the environment and work alongside communities. If film productions upset communities and adversely affect the environment, then two of the fundamental elements that make New Zealand such an internationally desirable film location will be undermined.

### How did this Guide come about?

This report builds on the work undertaken as part of the Filming Activity Approvals Streamlining Project.<sup>2</sup> That project scoped the regulatory issues associated with filming and recommended that a best practice guide be developed. The 'Streamlining' report further recommended that various actions be undertaken to publicise the best practice guide and encourage its adoption. Developing the Guide has involved:

- interviewing location managers and other people involved in the screen production industry, to gain an understanding of location-filming needs as they relate to council approvals
- interviewing council film co-ordinators and business enterprise and economic development staff involved in the promotion of filming and (in some cases) the approvals process
- reviewing relevant reports and background material, including current council policies and recent approvals and resource consents
- interviewing a number of council staff involved in issuing approvals
- contacting relevant central government agencies involved in processing filming approvals
- preparing a draft report setting out location filming needs, current practice and areas where there is the potential to improve practice
- facilitating six workshops around the country where council staff, film industry representatives and economic development agency representatives discussed ideas to improve approval processes
- preparing a draft guide and background report
- circulating this draft to councils and people involved in location filming, receiving their comments, and preparing a final guide.

The project has been overseen by a steering group comprising representatives of Local Government New Zealand (Tim Davini), Industry New Zealand (Rob Attridge), Film New Zealand (Kate Doherty), EDANZ (Ann Verboeket) and Enterprise Waitakere (Brian Salpe). Appendix 1 provides details on Film New Zealand.

### What happens next?

A further stage of the project will develop a marketing plan for the Guide that will:

- make councils aware of the Guide
- enable councils to commit to the Guide.

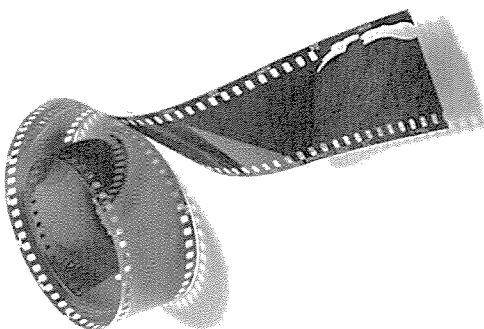
## PART ONE

### A Background Report on Location Filming and Local Government Approvals



## CHAPTER ONE

### The Film Industry in New Zealand



1. This chapter looks at how the location film industry operates in New Zealand, the different types of location filming, and the particular regulatory needs of location filming activities.

#### 1.1 Outline of filming as a business

The screen production industry in New Zealand is now big business. Turnover has risen steadily from the mid-1990s – from \$570 million in 1994 to \$1,159 million in 2001. Over the last few years foreign production financing has grown strongly as overseas companies realise the benefits of filming in New Zealand. Foreign investment took a significant step up with the Lord of the Rings production. While future years may not see such large one-off investments as that associated with Lord of the Rings, the prospects are for steady growth of the whole industry, both local- and overseas-financed.

A significant number of jobs are generated by the screen production industry. In 2001 up to 30,000 jobs were created by filming-related activities. While most of these were short-term, there is a wide range of permanent jobs associated with the industry.

Film companies are being attracted to New Zealand because of:

- the scenery – its diversity and accessibility
- competitive production costs
- reverse-season location
- the industry infrastructure – including skilled people
- trends – New Zealand is a 'hot' location.

The majority of expenditure is concentrated in Wellington and Auckland, with other significant centres being Christchurch, Queenstown and Dunedin. While production services are mostly located in these main centres, location filming occurs across the country.

#### 1.2 Types of location filming

Location filming typically involves four different scales of activity:

- TV commercials, both local and overseas – many northern hemisphere-based production companies use New Zealand as a reverse-season location to prepare ads for their forthcoming season (eg, to film a summer ad in New Zealand during their northern winter)
- TV documentaries, magazine and video programmes
- feature films, dramas and TV series – a wide-range of films and TV series made by local and overseas companies are produced locally
- long-running TV series – these are mostly shot within studios, but can involve numerous outdoor locations, such as *Shorland Street*. Less common are series based entirely around outdoor locations, such as *Xena: Warrior Princess*, which was shot in a rural location in Waitakere City over a number of years.



The characteristics of these different types of location filming are summarised in Figure 1.

FIGURE 1: CHARACTERISTICS OF DIFFERENT TYPES OF LOCATION FILMING

TYPE OF PROJECT	LENGTH OF SHOOT	PRE-PRODUCTION TIMELINES	SETS / STRUCTURES	NUMBER OF LOCATIONS
TV commercials	1-10 days	Can be only 1-2 days; often a week at most	May involve some form of 'dressing' of buildings, or a temporary set. Often involves urban streets or rural roads	From one to many
Documentaries	Usually short: 1-2 days, up to 5 days per episode	Can be only 1-2 days; often a week at the most	Usually do not involve sets	Many locations
Feature film or short-run drama	2-3 months	Up to a month, but typically 2-4 weeks	Can involve temporary structures/sets	Varies depending on how much is shot within a studio
TV drama series	6 months and over	Longer timeframe to set up	Can involve elaborate sets/structures	Up to several main locations for the set, but many other locations may be involved

The number of people and vehicles involved varies greatly between productions. Large feature films and TV commercials can employ a crew of 30 to 50 people, plus cast and other workers, and can involve up to 50 vans, cars and trucks. On the other hand, documentaries may operate with just a few people and one van.

### 1.3 The typical filming process

A typical process of setting up a film involves the following steps.

- **STEP 1.** The location manager is approached about a potential film.
- **STEP 2.** The location manager scouts possible locations and informs the client, and the location's owner (eg. the council).
- **STEP 3.** The decision is made to proceed with the film.
- **STEP 4.** Final locations are agreed between the film's director, producer, location manager and others shortly before filming starts.
- **STEP 5.** Land owner approval is obtained, along with other approvals from councils.
- **STEP 6.** Pre-production starts, which may include building sets and preparing the site.
- **STEP 7.** The shoot is carried out.
- **STEP 8.** The sets are broken down and dismantled, and the site is cleaned up.

### 1.4 Timeframes

Timeframes are always compressed in the film business. Filming is a complex, creative enterprise, where many decisions have to be made on the spot as a project develops. The time between when locations are selected and filming starts is often short, and there is always pressure to reduce this to a minimum. Reasons for these short timelines include:

- screen productions involve comparatively large sums of money to set up and run, and there is always a need to keep pre-production and shooting costs down, especially where there is a large number of contractors involved
- overseas film crews and/or directors are often involved in the final decision on which locations should be used, which means that the final decisions are only made when these people arrive in the country, shortly before filming starts
- 11th-hour changes to locations due to changes to the film/commercial script
- the effect of weather changes
- the need to respond quickly to competitors (eg. preparing an advertisement that responds to the marketing strategy of a competing business).

The filming of TV commercials, feature films and drama series is an international business. While New Zealand offers many unique qualities in terms of the range of locations that can be found in a relatively small area, the New Zealand screen production industry has to compete with many other countries, including Australia, Canada and South Africa. Business decisions on where to film are influenced by the degree to which government and councils are 'film friendly'. And a large component of being film friendly involves efficiency and timeliness.

### 1.5 Common filming locations

Filming tends to be based around a number of 'hubs' where there is a critical mass of people and organisations with the skills and equipment to undertake filming and post-production. This includes directors, producers, technicians and crew, as well as advertising agencies and other companies who generate demands for filming. Important hubs are:

- Auckland
- Wellington
- Christchurch
- Queenstown
- Dunedin.

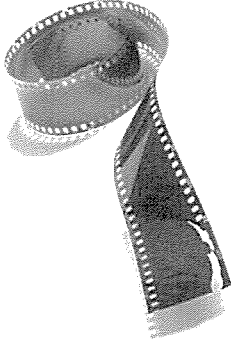
Each of these centres provides a different range of locations. For example, in Auckland popular locations are Devonport, the Waiakere Ranges, west coast, inner city, and surrounding rural townships (Helensville, Warkworth, and Pukekohe). In Wellington the prime attractions include city street scenes and regional parks.

While for logistical reasons filming tends to concentrate around hubs, filming can occur in any location across the country. With the growth of the industry and the search for new locations, more filming will occur in provincial areas. For example, in the South Island Twizel is now an important service centre associated with filming in the Aoraki/Mt Cook area. It is likely that there will be more activity in the future around towns like Nelson, Oamaru, and Alexandra in the South Island, and places like New Plymouth and Hawke's Bay in the North Island.

- When selecting a location to film, the following criteria are important:
- the 'look' that is required for the particular film, especially if the production is attempting to replicate an overseas location
  - efficient access to the location
  - access to accommodation and services.



## CHAPTER TWO



### *Location Filming and Council Regulations*

2. This chapter examines the various requirements and pressures of location filming, and whether they can be accommodated within current council approval processes.

#### *2.1 From the film-maker's perspective*

##### ***Tight timeframes***

The short timeframes associated with filming mean that the industry needs councils to turn around approvals quickly. Typical timeframes for filming activities – between deciding on a location and undertaking the actual shoot – can be as short as one to three days for commercials. For films and TV series, timelines can be longer (six to eight weeks pre-production and three months' shooting), but often multiple locations are involved, increasing the complexity of the approvals process. Such productions may also involve semi-permanent sets, and therefore may need to undergo more rigorous approval processes than those associated with TV commercials and documentaries.

##### ***Certainty***

Closely related to timeliness is the issue of certainty. Filming activities need to be certain about the process involved in obtaining an approval, and the conditions that are likely to be attached to each approval. This certainty is important when deciding whether it is worthwhile pursuing a particular location.

A critical issue is whether formal public notification of a filming proposal is required – as part of a resource consent process, a temporary road closure or use of a reserve. Public notification involves the legal process of calling for objections and can involve lengthy delays. The time and uncertainty involved in these processes is the issue.

A viable alternative to formal public notification can be consultation with interested parties (both formal and informal), which can usually be accommodated within the tight timeframes associated with filming. Consultation can also be a much more effective method of finding out about and taking into account individuals' concerns than the formal process of notification.

A further factor affecting certainty is the extent to which a range of council departments have to be involved in vetting applications. Where there are no clear guidelines as to how a council should process applications, and what conditions may be attached, there is potential for delay and confusion.

##### ***Clear, consistent standards***

There is a very strong desire expressed by film production companies for consistency across territorial local authority rules and processes. TV series and feature films may have 20 to 30 different locations, so varying standards across different councils can create additional paper work and problems with production timelines. An example of inconsistent practice is that associated with temporary road closures. Each council has its own interpretation of the statutory provisions for road closures, and these various interpretations cause confusion.



### Access to experienced staff

In some cases councils are developing procedures to deal with film industry requirements in a timely way, but these procedures are often dependent on particular council staff who understand the needs of the film industry and the process that needs to be followed. When this knowledge is lost, or is not available, or the people involved in location filming do not know who to approach, this can cause problems and delays.

### An appropriate regulatory framework

In some cases there is no policy framework in place to help assess and issue approvals. This can cause confusion when a filming approval application is lodged. In many cases the regulatory frameworks for resource consents, use of reserves and road closures do not reflect the varied timelines and environmental effects associated with filming, especially for TV series and feature films. The current regulatory environment is mostly set up to deal with filming as a short-term 'event' that spans a number of days, yet some filming activities can occur over a two- or three-month period.

## 2.2 From the council's perspective

Appropriate council approval processes help to foster the film industry in the long run. Councils have an important role as a 'go between' for the community, the environment and the film industry, and a lack of understanding of council processes by some people in the film industry does not help to build positive relationships between councils, the community and filming activities. While timeframes are very tight in the film industry, this is no excuse for unreasonable behaviour from its representatives. Councils report instances of filming companies failing to request approval to film, or turning up at the council offices moments before filming is about to start, or at 5 pm on Friday afternoon, requesting permission to film on Saturday or Sunday. Although these instances are rare, they nevertheless do not help in encouraging councils to set up more responsive processes.

### Feedback from discussions

As part of the preparation of this Guide, workshops were held around the country with local and regional council staff involved in filming approvals processes, as well as economic development staff and location-filming industry representatives. Key points made from the local government perspective included:

- the need for people involved in location filming to understand that they have obligations with regard to obtaining approvals and ensuring that reasonable time is provided for this to occur
- the overriding importance of consulting early with councils and the community about proposals for location filming
- concern about overseas film companies that do not use local location managers, and that are often not aware of the need to obtain approval from a council to film in public areas
- concern that giving special treatment to location filming may cause inconsistencies in council processes, so that other business and community activities also demand quicker response times
- the benefits of using experienced location managers who know what approvals are required, and the timelines and the processes involved (eg. hiring professional firms to undertake specific tasks, such as the preparation of traffic management plans and to undertake on-site traffic supervision)
- the need for the screen production industry to put in place their own standards, training programmes and practices for location filming to help ensure good environmental stewardship and positive community relationships (many location managers do already put a great deal of effort into these aspects)
- standardised practices and common interpretation of statutory duties would help a lot in providing a responsive service, especially in areas where filming is not frequent enough to justify a full-time film co-ordinator
- film-friendly practices need to work alongside economic development policies if local areas are to fully benefit from the film industry.

## 2.3 Reasons for the current situation

It is clear from the above discussion that there are areas of potential misunderstanding and even conflict between film-makers and councils relating to location filming. Understanding why this situation has come about is a first step to resolving these issues.

### Lack of understanding of film industry needs

Filming is a relatively young industry. While the 1970s were the beginning of New Zealand cinema's renaissance and the consolidation of the television industry, significant growth has only been seen since the mid-1990s. The speed of growth of the industry and its increasing spread across the country mean that many councils and communities are not familiar with film industry needs, especially the short timelines associated with filming. The development of an appropriate regulatory framework is therefore lagging behind the growth of the industry, and the preparation of this Guide is a recognition of this problem.

### Limited experience with the effects of filming activities

Communities unfamiliar with filming can be suspicious of what may happen when filming occurs in their area – they often take a conservative 'wait-and-see' approach. There is no comprehensive review of the effects of the film industry on communities – either positive or negative – which can help to allay these fears. However, experience is showing that most filming activity occurs without substantial impacts on the environment or communities. In fact there are a range of positive economic and social effects associated with filming. Hopefully this Guide will help to overcome this lack of understanding of the film industry.

### Low levels of tolerance by some communities

In some places that have seen a lot of filming the community can perceive the short-term disruption associated with filming to be unreasonable, such as in Devonport in North Shore City, where concerns are mostly over traffic issues. In other areas that have seen a lot of filming, such as the west coast communities in Waiakere City, the community is generally supportive of continued filming activity.

The most common negative effect associated with filming is disruption to traffic flows. Other issues (but much less common) appear to be:

- noise from generators
- after-hours activity (eg. when filming and packing up extends into the night)
- restricted access to reserves and along beaches when filming is under way.

The development of this Guide and the associated improvement to council (and film company) practices will help to ensure that bad experiences that might colour a community's view of filming are avoided.

### Film crews being unfamiliar with local procedures

People new to the industry or new to New Zealand might not be aware of the need to obtain resource consents for some filming activities, council approvals for traffic management, or approval to use a public park. Such lack of understanding can easily create a bad relationship between production companies and councils. A number of suggestions have come forward during the preparation of this Guide as to how to deal with this issue, including:

- encouraging overseas production companies to use local expertise
- making understanding of approval issues part of industry training courses
- having councils prepare their own local Film Friendly Guide, which they can make available to location-filming activities in their area.

Long-term success depends on councils and the industry working together to lift the overall standard of practice.



## 2.4 The economic, social and environmental effects of filming

There is no comprehensive overview of the economic, social and environmental benefits and costs of location filming that can be used as a basis for a guide to regulatory practices. The following section provides a brief analysis of the effects of filming, based on the discussions held during the preparation of this report.

Filming is a transitory activity. Most location filming involves short bursts of activity associated with a TV commercial or feature film. This characteristic means that any negative effects (eg, on the environment) are usually short-lived, but then so too are the positive economic effects. However, filming is big business, often involving large crews, so while their stay in town might be short their large numbers can see a significant boost to a local economy.

### Economic effects

Beneficial economic effects can be both national and local in terms of job creation and increased economic activity. While pre- and post-production services are mostly located in the main filming hubs, many smaller communities have reported significant economic benefits from filming. A recent example is Ashburton district, where 55 percent of local businesses in the Ashburton–Mt Hutt–Methven area reported in a survey that they had increased their turnover due to the presence of filming activities in the area.<sup>3</sup> Another interesting example is Twizel, where the local community have organised themselves so that they can benefit from the film industry. This has included the local business community improving their responsiveness to requests for goods and services, and offering services such as catering and accommodation.

Specific effects include the following:

#### • ECONOMIC EFFECTS

##### National and local job creation

In 2001 filming in New Zealand was a billion-dollar business, involving over 30,000 jobs. Most of these jobs were temporary, with many workers employed on a contract basis. The prospects are for steady growth. As skill and experience levels rise and the country becomes a more regular destination for international productions, it is expected that work loads will become more stable, allowing for greater employment security.

##### Support for local businesses

The benefits include those associated with:

- accommodation, food and catering supplies
- other goods and services, including set construction
- jobs created by the need for extras
- work associated with security, transport and other related services.

##### Support for maintaining places of scenic and heritage value

Filming is a source of revenue that can help to maintain local places of scenic and heritage value. Fees for the use of public parks and open spaces go towards maintenance and development costs of these parks and reserves. Filming on private land generates income for landowners, which may mean that they do not need to pursue more intensive use of their land to make a living from it. In towns and cities, heritage buildings and precincts can benefit from the increased profile associated with their use as locations for filming.

##### Tourism

The scenery associated with many of the commercials, feature films and dramas made in New Zealand helps to attract visitors to the country.

##### Adverse effects on business

There is the potential that some businesses may be disadvantaged by loss of trade during a film shoot (eg, if filming disrupts access to the business). However, this effect is recognised by the film industry and is taken into account when selecting locations and through arrangements with directly affected businesses.

#### • SOCIAL EFFECTS

##### Increased job and training opportunities

The film industry provides a wide range of job opportunities, from highly skilled positions to more service-oriented occupations.

##### Increased feelings of local pride

At a local level the use of valued local places in a TV commercial or feature film can increase local community identity and pride. Nationally, the incorporation of New Zealand scenery and 'icons' into commercials and feature films increases our sense of identity as a nation.

##### Increased community activity

In areas that might otherwise be considered as somewhat off the beaten track, filming can be a novelty to the community, bringing colour and activity.

##### Feelings of over-exposure

The other side of the coin of the novelty value of filming is when a location is used often, in which case a community may begin to feel a 'picked on' or exposed to more than their fair share of filming. This may be where filming constantly occurs in popular public areas like reserves, beaches and on busy roads. However, overall there does not appear to be a widespread adverse response to location filming, even in areas that have experienced a considerable amount of filming.

#### • ENVIRONMENTAL EFFECTS

##### Positive environmental effects

These effects are associated with the economic benefits of filming to the natural and built environment. Filming is a 'green business' in that it generates a return from the natural resources of the country, while not harming them in any long-term way.

##### Adverse environmental effects

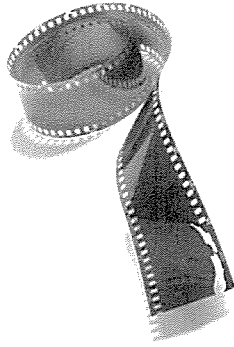
These effects are related to the potential short-term impacts associated with activities such as set construction, filming on roads and landscape modification. (These effects are reviewed in more detail in a later section of this report). Discussions held with various people and agencies during the preparation of this report suggest that most adverse effects are limited, and relate mainly to:

- disruption to traffic flows
- use of a reserve and concern about restricted access
- clean-up of sites after filming has finished.

Also mentioned are the effects associated with generators and lights, especially where these are used after business hours. These are all issues that can be dealt with through appropriate approval processes.

<sup>3</sup> See *Summary Analysis of Film and TV Production Impact Study of the Ashburton District*, Enterprise Ashburton, 2000.

## CHAPTER THREE



### *Current Practice Dealing with Location Filming*

- 3 Having looked at issues associated with location film-making from the perspectives of both the film-makers and the councils, and in a very general way at how these issues have arisen, this section looks at current practice relating to council approvals processes and regulations.

#### *3.1 Overview of common approvals*

##### **Council approvals**

Councils have a statutory responsibility to protect the environment and to represent their community. Filming on public land – whether it be on a road or a reserve – raises issues relating to the need to protect the public interest, while facilitating the economic benefits of filming. People and communities expect the council to manage commercial activities so that the public can use roads and reserves when they want to. As a result, some form of management of filming is needed to balance public and private demands.

Approvals required or regulatory standards that must be complied with involve both central and local government. Local government (city and district councils and regional councils) approvals relate to:

- councils' statutory obligations under various Acts to manage the adverse effects of activities on the environment and on the community
- councils as significant landowners.

The two most common approvals required are for:

- controlling traffic on council-managed roads (stop/go or temporary road closure); in some cases councils may also require the prior approval of on-street parking where this is associated with filming on private land
- use of council parks, reserves and other public spaces, such as beaches.

Depending on the relevant District Plan, filming may also require a resource consent under the Resource Management Act 1991 to:

- undertake filming activities
- erect a set
- clear vegetation or modify landforms
- undertake an activity on the surface of lakes and rivers and in coastal areas.

Outdoor set construction may require building consent under the Building Act.

The need to comply with these regulatory requirements does not remove the need for filming activities to obtain the consent of landowners. It may also be necessary to consult with adjacent land users and other bodies and agencies. For example, iwi may need to be consulted in some situations.



### Other (non-council) approvals

Non-council approvals and/or regulatory requirements include the use by filming activities of:

- national parks and reserves (Department of Conservation)
- Crown land (relevant government agencies)
- state highways (Transit New Zealand)
- dangerous goods and fireworks (Occupational Health and Safety, Department of Labour)
- firearms (New Zealand Police)
- boats (Maritime Safety Authority)
- activities in navigable waters (harbourmaster)
- safe use of vehicles and road safety, including overweight and over-dimension vehicles (local councils, Police and the Land Transport Safety Authority).

### 3.2 Council approvals processes

Councils have a variety of systems to respond to location-filming needs. Some councils are developing sophisticated processes targeted at meeting location-filming needs, using a film co-ordinator. In many cases film industry needs are co-ordinated as part of the council's events management process, while some councils have no specific processes and respond on a case-by-case basis. These three systems for managing the approvals process are described below.

#### Using a film co-ordinator

A film co-ordinator is a specific person or agency that acts as a liaison for filming activities, and usually combines a promotional role with that of managing the approvals processes. Film co-ordinators may be at arms-length from the council (eg. part of an economic development agency), or they may be in-house. In most cases the power to approve filming proposals rests with the council department, not with the film co-ordinator, so after initial discussions the film co-ordinator sends applications to the relevant council department(s) for their approval, and ensures that the application process occurs as smoothly as possible.

Film co-ordinators add considerable value to approval processes by:

- developing a relationship with the film industry, and being a known point of contact between the industry and the council
- acting as early warning systems by alerting film companies to particular problems with their proposals at an early stage
- using their knowledge of the local area to suggest alternative locations, where this is desirable either to avoid community concerns or to speed approval processes
- understanding the needs of councils and filming activities
- linking the council's promotional and approval processes together.

#### Using an events co-ordinator

In this case, filming on roads and public spaces is managed as part of the duties of a council events co-ordination team, who handle all community events involving public spaces. Events co-ordinators may handle some of the approval issues, or may pass matters on to relevant council departments.

#### Using ad hoc systems

In these cases no specific process is in place for filming. It may be necessary to approach a number of council departments, but often in smaller councils one officer may be able to deal with most approvals.

#### Streamlining the typical approval process

The timeliness of council approval processes varies a great deal, reflecting the individual council's policies, processes and delegations. These issues are discussed below in relation to specific council approvals, but in general where there are guidelines or policies in place along with the appropriate decision-making delegations, councils can respond to location-filming needs while also meeting their statutory obligations to protect the environment and the public interest.



As indicated above, there are a number of advantages to having one person or agency as a nominated film co-ordinator. To demonstrate this more clearly, the typical approval process, where a film co-ordinator is in place, involves the following steps.

- **STEP 1.** The location manager/scout makes early contact with the film co-ordinator and tells them when filming is likely to take place, the range of locations likely to be used, and any specific issues associated with the need to control traffic, erect structures or undertake other activities (such as using dangerous goods, performing stunts or using a helicopter), or if there is a need to restrict public access.
- **STEP 2.** The film co-ordinator and the film company then discuss the issues associated with the various locations. The co-ordinator points out any known or likely problems with the proposed locations. Local knowledge and experience is very important here. To help with these discussions, some co-ordinators have a list of 'hot spots' where they know filming may be difficult. Timelines are discussed, the range of council approvals identified, as well as which other agencies need to be approached for their approval
- **STEP 3.** The film co-ordinator then checks to see that the proposed filming dates do not conflict with other events, and that traffic control and other activities are not likely to be a problem. A specific need for community consultation may be identified at this point.
- **STEP 4.** Once the film company has determined the locations it will use, it lodges the necessary applications. In most cases the film co-ordinator circulates these to the relevant council department(s) for their consideration and approval. For a small shoot involving a van and a few people visiting a location for a short period of time, the film co-ordinator may be able to give verbal approval.
- **STEP 5.** An approval is issued, subject to specific conditions. These may relate to specific parts of the filming proposal, require a bond or some other financial security, and require that all other non-council approvals are obtained. Advice to surrounding landowners of the forthcoming shoot, by way of a letter-box drop, is also a common requirement. In some cases this consultation is carried out by the film co-ordinator.

### 3.3 Fees for processing approvals

#### Policies

Policies on fees vary considerably. Fees cover processing costs and the use of council reserves, or resource consent applications. In setting fees for the processing of approvals, councils consider:

- whether the council wishes to promote filming, and therefore will set fees to cover only part of their costs (or waive fees altogether)
- estimated staff costs
- consultation costs (eg. time involved in contacting other agencies)
- notification costs, such as the cost of placing a public notice in the local paper
- discounts that take into account applications involving multiple separate shoots
- lower charges for the renewal or alteration of an existing approval
- whether students or not-for-profit organisations are involved, in which case fees may be set aside
- late-filing fees (a penalty fee if applications are made at very short notice).



### General fees

Processing fees range from zero to \$1500.00. Following are some examples of fees charged by councils in the main centres around the country.

- Waitakere City requires a fee of \$125.00 plus GST to process a traffic management plan. Added to this is a \$50.00 co-ordination fee charged by the council's film co-ordinator, Enterprise Waitakere. Costs increase if notification of a road closure is required.
- Auckland City fees range up to \$1200.00 depending upon the nature of the shoot.
- Wellington Regional Council charges a base processing fee of \$175.00. This fee increases if staff time adds up to more than the base fee
- Christchurch City Council charges a nominal processing fee of \$25.00.
- Dunedin City Council does not charge a processing fee.

### Fees for the use of parks

Most councils charge for the use of reserves and open spaces. Fee schedules can reflect the size of the filming activity, the type of activity, and whether it involves a particular theme that the council wishes to support – such as conservation of the natural environment.

Examples of fees for TV commercials and feature films are (maximums):

• Auckland Regional Council	\$1000 per day
• Christchurch City Council	\$300 per day
• Wellington Regional Council	\$500 per day
• Waitakere City Council	\$300 per day.

Some councils charge an additional inspection/monitoring fee in some circumstances.

## 3-4 Filming and roads

Many filming activities use roads and streets as a setting. This usually requires temporary control of traffic for crew safety, for clean sound takes, or for a 'period' shot.

Most roads are controlled by either local councils or Transit New Zealand. In some cases formed roads are owned privately by companies, or by public agencies such as the Ministry of Defence or state-owned enterprises. Use of these 'private' roads for filming does not require approval from councils or Transit, and they can often provide good alternative locations if filming on a public road is likely to involve lengthy approval processes.

Control of traffic on public roads usually involves one or more of the following:

- filming on road sides and stop/go traffic management – temporary control of traffic for public and crew safety or clean sound takes
- temporary closure of a road to traffic
- on-street parking management.

### Filming on road sides and stop/go traffic management

When roads are used as a film location and traffic needs to be controlled temporarily, most councils now require a traffic management plan to be submitted with film applications. These management plans describe the actions the film company will take to minimise both risks to motorists and disruption to traffic.

In processing these traffic management plans, the Police may be consulted by the council for traffic safety advice, although in many cases approval is issued on the basis that the production company will inform the Police of the production and comply with any of their requirements. In some cases applications to film on roads are checked by a range of council staff, such as environmental health officers, to ensure that there will be no disruption to adjacent businesses or other land uses from generators, lights or other associated equipment; or by infrastructure staff where the application involves access to services such as water supplies.

Some councils have adopted Transit New Zealand's *Code of Practice for Temporary Traffic Management*. However, many councils have held back from adopting the Transit code because it was designed for busier main roads, and they have felt that the code was too prescriptive for traffic control on quieter, local roads. Some councils make filming on minor local roads subject to the *Working on Roads* guideline, which is an older but simpler guideline than the Transit code.



The Transit New Zealand code is currently being updated to provide a standard for quieter rural and urban roads. This will make the code applicable to all situations, and it is recommended that all councils adopt it so that it becomes the 'industry standard' for temporary traffic management.

For quieter local roads, preparation and approval of traffic management plans can be relatively quick. Some councils (eg, Christchurch) provide information on what a traffic management plan needs to cover. Other councils refer applicants to the material in the Transit New Zealand code. For busier roads, traffic management plans are likely to require specialist input. It is common for filming companies to hire specialist traffic management companies to prepare the traffic management plan and to undertake the supervision of traffic on the site. A trained Site Traffic Management Supervisor will need to be present on-site to manage traffic.

Councils need time to process traffic management plans for busier roads, as often they need to check with other council departments that use of the road will not clash with other activities such as parades, or work on utilities. The range of issues considered when reviewing a traffic management plan includes:

- the nature of the road and its role in the local road hierarchy
- the time of the filming activity
- the nature and extent of traffic management required
- the likely impact on the normal traffic flow
- whether other activities are occurring or planned on the road, such as community events or works on utilities located within the road reserve
- whether alternative routes are available for traffic
- whether an alternative filming location may reduce disruption
- the impact of parking on adjacent activities, including businesses and residents
- the potential adverse effects of lights, generators and other related activity on adjacent land uses
- the proposed traffic management plan and whether it deals with these issues.

In most cases decisions to approve the use of roads and the temporary control of traffic are made by council officers under delegation. In some cases, council officers consult elected members, such as community board members. In the case of one council, the community board makes the decision, but this slows down the approval process.

Generally, councils require film companies to inform residents and businesses of the filming activity by way of a letter-box drop. Some councils provide a pro-forma letter, which film companies fill out, providing relevant details. This ensures that residents and businesses receive all the necessary information. It is also important to identify regular road users and set up a simple system by which they can be informed of the proposed filming activity. These road users could include:

- emergency services
- bus companies
- schools and school bus services
- important local industries, such as dairy companies in rural areas.

The equipment required for traffic control on most roads (cones, signs, trained traffic control staff, etc.) can make the costs of temporary traffic control prohibitive for student and non-commercial filming activities. To deal with this issue, Christchurch City is looking to set up a trust to hold signs and equipment that non-profit groups and students could use. In Dunedin a local service club has set itself up so that it can provide traffic management services for events, including filming, which both helps event organisers and generates income for the club.





### Temporary closure of a road to traffic

The temporary prohibition of traffic on council-controlled roads involves more complex procedures than stop/go control. Councils usually limit the use of temporary traffic management to situations where traffic is held up for no more than about two minutes at any one time in urban situations. If there is a need to close a road to traffic for a longer period of time, it may be necessary to apply for a temporary road closure.

Some film productions would like to be able to close a road to traffic during filming on a regular basis, because of the certainty it provides for being able to carry out a film shoot unhindered by passing traffic. However, requests for road closures are often made by people unaware of the statutory procedures that councils have to follow to temporarily close a road, and the potential disruption to traffic that road closure may cause. One of the first issues to consider when contemplating road closure is whether the film shoot could be accomplished by using temporary traffic *control* rather than road *closure*.

Section 342 and Clause 11(e) of the 10th Schedule of the Local Government Act allow councils to temporarily prohibit traffic from using a road for the purposes of film-making, provided that the total time the road is closed does not exceed 31 days in a calendar year. To temporarily close a road, the council must give public notice of its intention to close the road and accept and process any objections. Notice of its decision once it has decided to close the road must also be publicly notified. The 10th Schedule should be referred to for full details.

The Transport (Vehicular Road Closure) regulations provide an alternative route for managing road closures. These regulations were originally prepared under the 1962 Transport Act, but are now regulations pursuant to Sections 167 and 218 of the Land Transport Act 1998. These regulations require at least 42 days' notice of a road closure. People may object no later than 28 days before the proposed event.

The Local Government Act does not set out what constitutes a reasonable notice period for a temporary road closure under the 10th Schedule. Some councils require 42 days' notification of the closure of public roads (the time set out in the Vehicular Road Closure Regulations); other councils provide for shorter notification periods, such as two weeks, or to fit in with committee meeting cycles. These variations in the notice period are confusing to people in the film industry.

In considering timeframes for a reasonable notification period, councils must take into account the need to:

- assess and approve the traffic management plan
- arrange for notification in the newspaper of the request to close a road
- undertake consultation with the Police, and other agencies such as the Ministry of Transport
- process any objections
- make a decision
- place the final notice in the newspaper.

Councils have interpreted the road closure provisions of the Local Government Act and the Transport (Vehicular Road Closure) Regulations in a number of ways.

- Many councils have delegated the decision to close a road to council officers. Where this is the case, the process can be undertaken in a timely way.
- Some councils have only delegated the authority to close a road to officers where no objections have been received
- Some councils interpret the Local Government Act to mean that the decision to close a road may not be delegated to council officers and must be made by the council. Other councils delegate this decision to community boards. The timing of council and community board meetings can create significant delays and extra costs.

The wide variety of interpretations of the Local Government Act highlight a gap in the regulatory framework for the holding of traffic for short periods of time (ie. for longer than is commonly accepted under temporary traffic control), but for no more than, say, one or two hours. In these situations the notification provisions of the Local Government Act and the 1965 Regulations for temporary road closures impose significant delays. The temporary road closure provisions of Clause 11(e) of the Local Government Act are set up so that public events can be carried out on



a street (eg, a street race or market day), which may extend over a half day or longer. The clause also allows for the charging of an entry fee. The inclusion of filming within a clause dealing with community events does not recognise the differences between filming as a business and these other community events.

To overcome these problems some councils 'bend' the rules where a temporary road closure is needed for a short period of time, any affected businesses or landowners have been notified, and the closure would not affect through traffic.

To allow for temporary road closure without the need for notification, a change to the Local Government Act is needed. A number of modifications to the Act could be made to make temporary road closures a simpler process, including:

- allowing for councils to develop their own policy on temporary road closure, for example, allowing for closure for short periods where:
  - a main road is not involved
  - an easy diversion is available for any through traffic,
  - any residents or businesses affected have been informed and no objections have been received
- altering the delegation provisions to clarify that decisions can be made by council officers
- removing the need for public notification if direct notification of land-owners and businesses occurs (eg, a letter-box drop in the affected area).

The current review of the Local Government Act provides an opportunity for Local Government New Zealand to take up this issue on behalf of local councils and the film industry.

### On-street parking management

Some councils manage road-side parking where this is associated with filming on a road or adjacent private land. There may be a need to set aside parking restrictions, such as discontinuing maximum time periods and resident-only parking areas. In areas where there are no parking restrictions, it may be necessary to distribute the parked film vehicles into a number of blocks so that residents and customers of businesses are not disadvantaged by restricted access to kerb-side parking.

In a rural situation there may be a need to consider the location of road-side parking areas if visibility is limited, or there are no hard shoulders or grass berms that can be used.

Parking management is handled in the same way as temporary traffic management: an application is submitted and assessed. Parking wardens need to be informed so that they do not ticket vehicles that have obtained approval to set aside normal parking restrictions. It is necessary to ensure that council officers have the power to pass temporary resolutions to approve and enforce changes to parking controls.

### Transit New Zealand

Transit New Zealand controls all state highways. These can be motorways and arterial roads in urban and rural areas. For the control of traffic on state highways, contact should be made with Transit's regional offices. Transit requires at least five working days' notice of the temporary control of traffic – longer if it involves a busy road. Transit sometimes contracts out the control of road-side activities to traffic control companies, so it may also be necessary to liaise with these companies in addition to the regional office.

## 3-5 Access to utilities

Sometimes film companies may want to access public services, such as the water supply (eg, to wet-down a road before a shoot). In areas with a reticulated water supply the council needs to give advice as to which fire hydrants can be used, as some hydrants tap straight into trunk water mains and drawing off water from these mains could affect the water supply to nearby residents and businesses.

Filming may also involve direct connection to power supplies and other utilities. The companies who provide these services need to be approached for their approval.



### 3.6 Use of council parks and reserves

Public reserve land is controlled by a wide range of agencies, including local councils, regional councils or the Department of Conservation. Other public land is managed by the Commissioner of Crown Lands and Landcorp (Crown-owned farming land). For high-country leasehold land, the Crown's agents are currently Knight Frank.

Some reserves and open spaces are owned by one body, but are managed on a day-to-day basis by another body. For example, the Department of Conservation can grant control of a reserve to a local council, or vice versa.

For parks and open spaces owned and administered by local or regional councils, the common procedure is for film companies to lodge an application with the council. A check is made to ensure that the reserve is not already booked by a different party, and relevant parks staff may be consulted on whether arrangements for parking and other activities associated with the filming are suitable. Often approval can be given within one to two days for simple filming activities.

For parks owned and managed by regional councils – such as the Auckland Regional Council – practice varies. In Auckland contact is initially made with the head ranger for the park within which the filming will be undertaken. In Wellington a policy planner is the initial contact point for all regional council land (forests and parks). This person then consults with the relevant ranger or property manager.

Reserves are managed under a number of different Acts, and this sometimes affects how proposals to film on reserve land are administered. Reserves may be classified under the Reserves Act 1977, but not all reserves are subject to this Act. Reserves owned and managed by regional councils may be managed under the Local Government Act. In some cases reserves owned and managed by local councils may be freehold land not held under the Reserves Act.

The complex issues associated with filming on land under the Reserves Act – particularly filming that requires exclusion of the public and/or the occupation of a reserve for a long period of time – can mean that councils steer film companies to locations on open-space land which is not a reserve under the Reserves Act.

In some cases filming on a reserve may also require consent under the Resource Management Act 1991. This consent is separate from any consent under the Reserves Act or other provisions affecting the management of reserve land.

#### Use of reserves under the Reserves Act 1977

Under the Reserves Act a permit is needed to temporarily occupy a reserve. In most cases this is a simple process, but if a film production proposes to erect a structure or exclude the public, or wishes to occupy an area for a long period of time, then a more complex process may be involved.

Most reserves owned and managed by local councils are classified under the Reserves Act 1977. Many reserves are classified as either recreation or local purpose reserves, although they can also be classified for scenic, historic, nature or scientific purposes.

#### Recreation reserves

For reserves classified as a recreation reserve, Section 54(d) of the Act provides that councils may grant permits for filming organisations to occupy a reserve for a period of up to six consecutive days. These provisions would also appear to allow for temporary sets and structures, and for temporary exclusion of the public during an actual film or sound take. If the public need to be excluded for a longer period of time, Section 53(e) allows for the exclusion of the public for a period of up to six days. However, Section 53(d) limits the total time the public can be excluded to not more than 40 days in any one year. Where a film company wishes to occupy a reserve for longer than six days, a licence is required. This may require the consent of the Department of Conservation, and public notification with a minimum one-month objection period.

The Reserves Act provides for the preparation of Reserve Management Plans. These plans set out how a park should be administered. If there is a Reserve Management Plan in place that sets out that filming activities can occur on a particular reserve, then there may be no need to obtain the consent of the Department of Conservation, nor to publicly notify an application to occupy a reserve for longer than that allowed under the Reserves Act.

#### Local purpose reserves

For local purpose reserves there is no restriction on the length of any temporary permit for a commercial activity such as filming. However, Section 17 (Purposes of Local Purpose Reserves) states that proposals to restrict public access need to be notified.



#### Other reserves

For reserve land classified for other purposes – scenic, historic, nature or scientific – the process involved in occupying land for more than a short period of time (over six days) is potentially more complex, and may involve Department of Conservation consent, even if a Reserve Management Plan is in place.

#### Reserves not under the Reserves Act

For open-space land that is owned by the council but is not a reserve under the Reserves Act, councils have wider discretion to permit filming. However, use of reserves may still be subject to management plans. For example, the Local Government Act requires that management plans be prepared for regional parks held under the Local Government Act.

#### Examples of council processes to manage filming on reserves

To meet their obligations to manage reserve land councils have put in place a number of mechanisms.

- Wellington Regional Council has developed both Reserve Management Plans and a concessions policy that applies to all of their reserve land (reserve land under the Local Government Act 1974 and land held under the Reserves Act 1977). The Reserve Management Plans provide for a range of activities, including filming. Where the plans provide for filming as a permitted activity, no public notification is necessary. The concessions policy covers what actually happens on the reserve once a filming activity is approved under the Reserve Management Plan. The policy helps determine the commercial issues associated with use of public land, including what information needs to be supplied with a filming application and what conditions may be applied to the approval.
- Auckland Regional Council has developed Reserve Management Plans for their parks – both parks under the Reserves Act and parks under the Local Government Act. These plans make filming a conditional activity that requires the approval of the council. By following this process, the council is not bound by the notification requirements of the Reserves Act when considering filming activities on a reserve, although other provisions of the Act may apply. The Reserve Management Plans set out the matters to be taken into account when considering filming applications, and consultation may be necessary in some cases.

Both the reserve management and concessions policy mechanisms can be useful. Where it is likely that there will be a demand for filming on reserves that will extend beyond a short-term activity, it would be appropriate to include relevant provisions in Reserve Management Plans relating to the appropriate scale and duration of filming. A concessions policy is useful in setting out how applications to film on reserves will be processed, the fees involved, and various conditions that are likely to be applied to the management of the filming activity, whether it is a short-term or long-term activity.

Typical issues addressed when considering an application to film on reserves are:

- length of filming activity
- number of people involved
- parking arrangements
- construction of sets
- if exclusion of the public is required during the film shoot
- use of animals
- modifications to the landscape
- ownership/acknowledgement of images
- if adjacent landowners should be informed
- if sets are left overnight, whether security guards are provided to ensure their safety
- signage to inform the public that filming is under way





- if current licence holders have given their consent
- if a bond is required
- waste collection, toilets and tidy up.

Wellington Regional Council normally do not allow for filming in their parks on the weekend, so that parks are always open to the public during high-demand periods.

Some councils ask for the film's location to be included in the credits of the final production. However, some production companies do not have the authority to agree to this, while some productions, like TV commercials, do not have credits. Consequently a case-by-case approach needs to be taken.

Consultation with iwi may be necessary. This may be because the filming will be located in an area of cultural significance to iwi, or if there is the likelihood that the filming might adversely affect water quality or other elements of the natural environment. Adjacent landowners may also need to be consulted.

#### **Reserve land not controlled by councils**

For reserve land owned and controlled by agencies other than local or regional councils, contact must be made with the relevant agency.

The Department of Conservation follows a standard procedure. A 'Commercial Filming Application Information Pack' is given to prospective applicants at first contact. This contains full information about how to apply for a filming permit, how the application will be processed, the charges that may apply, and a standard application form for a filming permit.

For other Crown lands the relevant department or agency needs to be consulted (eg. for Defence land, the relevant base staff; for education, the relevant school). For Crown land not obviously administered by a particular department it would be necessary to approach the Commissioner of Crown Lands, at Land Information New Zealand.

### **3-7 Building consents**

Temporary film sets can be exempted from the Building Act, but this is not automatic. Each case is usually discussed with the council. Subsection (M) of the Third Schedule of the Building Act provides for the exclusion of temporary structures as follows:

- (m) Any other building work in respect of which the territorial authority considers that a building consent is not necessary for the purposes of the Act because that building work either-
- (i) Is unlikely to be carried out otherwise than in accordance with the building code; or
- (ii) If carried out otherwise than in accordance with the building code, is unlikely to endanger people or any building, whether on the same land or on other property.

As stated in the Third Schedule, while film sets may be exempted from the need to obtain a building consent, they must still comply with the Building Act. To be satisfied that a set meets the Building Act, councils may require an engineer's certificate that a structure is safe, especially if a large structure is involved.

The Building Act does require building consent for tents and marquees greater than 30 square metres in area.



### **3-8 Use of lakes, rivers and coastal areas**

Filming that will involve the use of water bodies must take into consideration:

- ownership of the water bodies
- the council responsible for the management of activities on the surface of lakes and rivers and in coastal areas
- Maritime Safety Authority requirements
- navigation issues.

#### **Ownership**

Filming on lakes and rivers requires the consent of the owner, where the lake or river is not owned by the Crown. Some lakes and streams are privately owned; others are owned by iwi authorities.

For the beds of lakes and rivers owned by the Crown, owner's consent is dealt with as part of any approval process. For example, for lakes or rivers managed by the Department of Conservation their approval process deals with landowner issues. Water supply areas may be owned by regional or local councils, or by separate utilities like Waikare in Auckland. Regional councils may also own floodways and land within stop banks adjacent to rivers.

#### **Activities in lakes and rivers and in coastal areas.**

This is a complex area.

Activities in the coastal marine area (technically below mean high-water springs) are usually managed by regional councils. Regional councils should be consulted to determine whether there will be any specific resource management issues if any temporary structures need to be built in the coastal marine area. Structures will usually need a resource consent if they are not covered by temporary activity rules.

In the Auckland region, filming in the coastal marine area is a permitted activity so long as it does not involve the erection of structures, or otherwise alter the environment. If a structure is required, then the Regional Plan: Coastal allows for temporary structures, but if the structure is in use longer than the temporary activity period or does not meet other conditions, then a discretionary resource consent is required. The provisions for temporary structures are as follows:

- the temporary structure should not be in a Coastal Protection Area
- the temporary structure should not be used for more than 14 days within any 6 month period, and must be removed at the end of this period
- disturbance of the sea bed and to the environment is to be minimised
- public access is not to be restricted
- the structure will not be a hazard.

Above mean high-water springs (or certain defined boundaries of estuaries and river areas – it is necessary to check with regional or local councils for the exact location of these boundaries), responsibility is split between regional councils and local councils. Local councils may have rules relating to activities on the surface of lakes and rivers. These rules relate to amenity issues associated with such activities, and there may be standards relating to noise, for example. For activities that may affect water quality (like a new structure or the diversion of water), the relevant regional council should be consulted.

Where filming occurs in a coastal area and does not involve resource consent issues, there still may be bylaw issues (eg. use of vehicles on beach areas). Here responsibility can also be split between different agencies. Local councils may have bylaws that have effect below mean high-water springs to mean low-water mark. Where there is Crown land (such as a Department of Conservation reserve) abutting the coastal area, then the jurisdictional boundaries may be different again.

Access to coastal areas can sometimes involve obtaining the consent of adjacent landowners. In some cases there is no public access to a beach, with people having to cross private land. In other cases the beach itself may be privately owned. For a commercial activity such as filming, landowners may ask for an access fee. Councils need to be aware of these situations so that they can inform film companies about the need to obtain the consent of these landowners.



### Maritime Safety Authority requirements

Any vessels (and their crew) used as work boats for filming purposes are required to be in compliance with the applicable maritime rules (the safety standards made by the Minister of Transport under the Maritime Transport Act 1994). Basically, under the rules only commercial vessels (as opposed to pleasure craft) are able to be used as work boats.

### Navigation

The relevant harbourmaster should be consulted where filming involves using boats in harbours and popular waterways. A temporary uplifting of navigational safety rules is necessary where filming involves a departure from navigational rules (eg, exceeding maximum speed limits when close to shore and other craft, or where there is a need to exclude other water users from defined areas). The uplifting of navigational rules will need to be sanctioned by the regional council where bylaws are in force, or, in other areas, by the Director of Maritime Safety. In the latter case the relevant requirements are set out in the Water Recreation Regulations 1979 (to be superseded by the Water Recreation Rules at some point in 2003).

An uplifting of council bylaws covering navigational safety rules may require public notification, and this may take up to four weeks to process.

### 3-9 Use of dangerous goods

Where dangerous goods such as fireworks, gunpowder or explosives are used, people using such materials have traditionally been required to hold a certificate of competency issued by an inspector from the Department of Labour. Under the Hazardous Substances and New Organisms legislation, a new licensing regime will be introduced whereby a person using dangerous goods must have been issued with a certificate of competency by a consultant registered by the Environmental Risk Management Authority.

Civil Defence and the New Zealand Police should be given prior notice of the use of explosives, fire or fireworks. It may also be necessary to inform the local coast guard and the Maritime Safety Authority where boats are involved (eg, when using flares).

### 3-10 Use of helicopters and/or aeroplanes

This is covered by normal Civil Aviation rules. In some cases the council's District Plan may restrict where helicopters can land, and the number of landings and take-offs that can be made. This is to protect the amenity of residential areas. Landing areas need to be clearly marked and made safe so that members of the public are not put at risk.

Auckland City's standard conditions for the use of parks and streets note that applicants should contact Civil Aviation if aircraft are going to be used, and that the organiser is responsible for obtaining any relevant approvals where there is the possibility of low-flying aircraft over a large crowd.

### 3-11 Occupational health and safety

A film company, as a business, is responsible for the safety of the crew and cast working on a film. Following the New Zealand Film and Video Production Industry code of practice is generally seen to be the best way to comply with this obligation.

Where filming occurs on public land, the council, as a landowner, may also have responsibility for the safety of members of the public. Section 16 of the Health and Safety in Employment Act 1992 states:

- (1) A person who controls a place of work (other than a home occupied by the person) must take all practicable steps to ensure that no hazard that is or arises in the place harms –
- (a) People in the vicinity of the place (including people in the vicinity of the place solely for the purpose of recreation or leisure).



The activity should be well managed so that the public and crew are not put at risk from temporary structures, cables and wires, generators and trucks, vans and cars, or any dangerous goods. Procedures need to be in place to manage these risks, such as using barriers, controlling access, and providing the ability to quickly contact emergency services.

Council practice on this topic varies, and there needs to be a consistent approach. Some councils require the presentation of a health and safety plan as part of an application to film, especially where the film takes place in a very public area. Councils may vet these plans. Auckland City provides a list from the Department of Labour (OSH) of common hazards and requests that filming activities provide a health and safety plan that addresses these and other relevant hazards. Christchurch City Council provides a simple checklist to follow when preparing a health and safety plan.

In most cases, however, councils simply make film companies aware of the film company's obligations to provide a safe work place, often making it a condition of approval that they comply with the Health and Safety in Employment Act 1992. This fulfils their statutory duties.

### 3-12 Rural fire controls

In many rural areas closed fire seasons are declared during hot, dry periods. Councils may be the fire authority in areas that are declared rural fire districts. Otherwise the Fire Service should be consulted. During these periods no activity – including filming – can involve the use of explosions or fires without the necessary consent.

### 3-13 District Plans, Regional Plans and resource consents

Most filming activities do not involve a resource consent. Waitakere City reports that 95 percent of filming activity falls within permitted activity status and does not trigger the need for a resource consent. However, under many District Plans location filming that involves more than just a few days' filming (such as a feature film or drama that involves a set that is used for two or three months), a resource consent is usually required. Resource consents can take from one to three months to process.

Most District Plans provide for filming as an 'event'. Events are commonly addressed in District Plans as part of temporary activity rules. District Plan rules relating to temporary activities typically cover things such as parades, street races and carnivals. The rules allow for these events to be held on a property for a certain number of days per year (eg, a total of three, five or 15 days). When these activities extend beyond the period allowed for temporary activities, a resource consent is usually needed. Examples of District Plan provisions are given below.

#### • WAITAKERE CITY DISTRICT PLAN

Filming up to 30 days in any one year is classed as a temporary activity and does not need a resource consent. Standards for temporary activities involve compliance with:

- general noise standards
- heritage rules
- natural area rules
- rules relating to odour, glare, vibration, air discharges and hazardous facilities
- signs rules.

When filming extends beyond 30 days, a controlled activity consent is required if the filming is located in the Waitakere Ranges. No consent is needed for filming in business and commercial areas. In residential areas, a limited discretionary or discretionary consent is needed, depending on the scale of the filming.

**The Waitakere District Plan contains a specific policy for filming. Policy 11.31 states:**

Filming Activities should be managed in way that recognises the generally short-term nature of the activity. The adverse effects of Filming Activities on amenity and character, in particular traffic generation and modifications



- collection of rubbish, litter and waste
- location of lights to minimise glare
- noise.

#### Concerns about temporary activity rules

Treating filming as a temporary activity raises a number of issues. Many District Plans have wide-ranging provisions for temporary activities, with few criteria or standards. This gives councils discretion as to how they interpret the rules, but the approach has drawn criticism from people concerned that these ill-defined rules will allow too many events to occur in an area. There is also concern that if temporary activities rules are too loose (or too 'grey'), they will not meet statutory criteria for good rules.

Under the Resource Management Act and associated case law, for an activity to be classed as a permitted activity (ie. an activity that can occur as-of-right), there can be *no doubt* about whether the activity does, or does not, meet the relevant standards. In the case of a temporary activity rule that does not clearly indicate what is actually permitted (how long the event can go on for, how many people, cars etc.), then the rule and the activity may be subject to a legal challenge. Consequently, many councils are in the process of clarifying their temporary activity rules, and this is having the effect of clarifying that some filming activities do in fact require a resource consent.

A further problem for filming activities is that in most cases where a temporary activity does not meet the standards set out for a permitted activity, the District Plan requires a discretionary resource consent application. Such an application may or may not involve notification, and most often involves a complex approval process. The time involved in obtaining consent can easily conflict with the period of time over which the actual filming activity occurs (eg. taking three months to obtain a consent for a feature film that might only take a month to shoot).



to the landforms from temporary structures should be avoided, mitigated or remedied.

#### The Waitakere District Plan defines 'filming' as:

The use of land and buildings for the purpose of commercial video and film production and includes the setting up and dismantling of Film Sets and associated facilities for staff.

#### The Plan further defines 'film sets' as follows:

The construction and use of any structure for the purpose of Filming Activities provided that the structure is removed at the completion of Filming Activities and is not used for any other activity.

The Waitakere City District Plan contains a comprehensive set of controls for filming. Administration of these controls has generally been positive. Some issues have arisen relating to whether the 30-day limit for temporary activities includes time preparing sets and dismantling and cleaning them up. The definition of filming and temporary activities does not clarify this. Other issues relate to reinstatement of sites after filming has ceased.

#### • AUCKLAND CITY DISTRICT PLAN (ISTHMUS SECTION)<sup>4</sup>

The Isthmus Section provides for filming as a temporary activity, provided that:

- filming does not occupy a site for more than five days
- actual filming activity does not last more than three days
- the cumulative duration of the activity does not exceed 12 hours per day
- structures meet height and yard requirements
- the maximum noise level, as measured at any residentially zoned property, shall not exceed 75 dBA L10 and 85 dBA L1.

For filming activities that exceed these parameters, a discretionary resource consent is required.

#### • QUEENSTOWN-LAKES DISTRICT PLAN

The council is currently in the process of reviewing their District Plan. They are considering rules that clarify the status of filming as a permitted activity, provided that the filming:

- does not involve more than 200 persons where the activity occurs outdoors
- the total time a site is occupied does not exceed five days in any calendar year
- the activity complies with the relevant noise standards.

Filming will be a discretionary activity where it does not meet these standards.

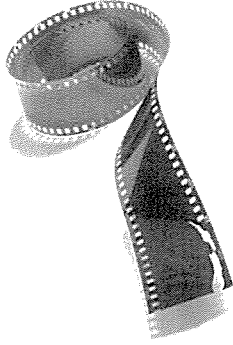
Examples of resource consents granted for filming activity note that because filming is a temporary use of land, significant adverse effects on the environment are not expected.

Conditions of consent relate to:

- removal of buildings and structures when filming finishes
- reinstatement of landforms and vegetation as they existed prior to the filming
- payment of monitoring fees
- payment of a bond to cover reinstatement costs
- construction of access to council/Transit specifications
- management of stormwater from buildings

<sup>4</sup> Auckland City operates three different District Plans: the Central Area Plan; the Isthmus Plan; and the Hauraki Gulf Islands Plan. Check with the Council as to which Plan applies.

## CHAPTER FOUR



### *Developing Best Practice for a Film-Friendly Process*

4. Before setting out the final guidelines in Part Two, this section looks at where councils might best fit location filming into their policy and regulatory frameworks. Should it be treated as a community event? If notification is too cumbersome, should there be policies on the kind of consultation that is carried out? Who should handle the approvals processes? What fees should be charged? And if location filming extends beyond the criteria of a temporary activity in a District or Regional Plan, how should it be treated?

#### 4.1 *Developing policy*

Many councils use processes developed to manage community events to manage filming approvals, but there are important differences between filming and community events. For further discussion on the differences between community events and filming, as they relate to resource consents, see section 4.6.

Community events:

- are planned a long time in advance
- are usually regular events that occur at the same time on the same day each week, or on the same day each year
- occur for a relatively short, defined, period of time
- often involve activities outside of normal business hours, such as using roads on weekends.

In contrast filming:

- is a commercially driven business with short, unpredictable timelines
- often occurs during work hours
- does not involve large numbers of public participants
- involves a commercial use of public resources.

These differences indicate that specific policies and procedures for filming should be developed if councils wish to encourage location filming. Filming involves councils in a different balancing act between public and private needs compared to the issues involved in community events.

Council policy needs to consider:

- the overall approach council wishes to adopt
- the specific issues that filming activity raises in their area
- the procedures the council should put in place to deal with these issues
- consultation protocols – who to consult over what type of applications
- fees policy and policy on charging for use of reserves and other public areas.



In developing policy for location filming it is important to draw a distinction between location filming and other outside filming activities, such as taking footage for news items and videoling private activities (eg, weddings). It is not appropriate for these types of filming activities to be caught up in policies and procedures for location filming.

#### 4.2 Consultation protocols

Of overriding importance to creating smooth approval paths is early consultation between the film's location manager, the council and the community. Consultation is different from the formal notification process involved with temporary road closure and other statutory obligations. It involves a dialogue between the parties involved, helping to inform each other of their respective issues and to look at ways of resolving any problems.

Consultation gives people early warning of what is happening in their community, and by building relationships and improving levels of understanding can smooth out problems at an early stage and avoid the need for lengthy, formal notification processes.

A council and a filming activity may think that relying on statutory notification procedures fulfils their responsibilities to consult about a filming proposal, but statutory methods often do not build relationships or resolve problems easily. Consultation can be informal and flexible, and does not have to mean additional time or cost for a filming activity. Early contact with the council, letter-box drops to residents and businesses informing them of possible filming, site meetings and individual contact can all go a long way to avoiding problems.

Potential barriers to early consultation between film activities and councils and communities can include:

- productions not being aware of the need to seek approval, or of the timelines involved
- productions not knowing who to approach at a council
- councils not having the appropriate processes in place to respond promptly to filming approval requests, and taking too long to respond
- uncertainty as to who (the council or the production) should undertake consultation
- uncertainty as to who should be approached – what specific groups, agencies or landowners should be involved.

Actions that councils and film companies can take to make consultation more effective include:

- council contacts and approval processing details being available on the web sites of film marketing bodies / economic development agencies that operate in the area
- councils developing consultation protocols – who to consult and when – and preparing contact lists and web site links to iwi and other organisations who may need to be consulted on a regular basis
- councils developing lists of 'hot spots' (areas where community issues have arisen) so that when a filming proposal is suggested for these areas, there is advance warning that consultation prior to issuing an approval may be required
- councils developing pro-forma consultation letters with full information and details, which location managers can use to approach particularly affected parties
- as part of the approval process, requiring production companies to inform residents and businesses prior to undertaking filming.

#### 4.3 Approval processes

Multiple process paths used by some councils and the different approaches to decision making – with some councils having a high level of discretion at officer level and others requiring approval by community boards for many film-related activities – greatly affect the efficiency with which approvals can be processed.

Councils can provide a timely service by having a designated film co-ordinator, and by putting in



place the relevant policies, procedures and delegations to assess and grant applications quickly. In summary, the range of actions that councils could take to improve their approval processes include:

- appointing a specific film co-ordinator, who can build up the necessary experience to give film companies useful and timely advice on the processes they need to follow in order to undertake filming
- if staffing capacity is a problem, a number of smaller councils could jointly fund a position so that the film co-ordinator can cover a number of small councils
- producing a standard application form to be used by all councils in a region to simplify submitting the application
- delegating decision-making, so that, at a minimum, council officers responsible for open-space and traffic management can make decisions on the use of parks, other open spaces and roads (including temporary road closures) by filming activities
- delegating decision-making to film co-ordinators – film co-ordinators could be given the power, after receiving the right training and the right policy framework is in place, to approve permits to occupy reserve land, for temporary traffic control and for road closure.

In councils where there is limited experience of delegation, it may be necessary to set up a staged process whereby the film co-ordinator builds up experience over time. In the initial stages, delegation could be granted for the approval of simple filming activities, with these powers extended to more complex applications once training and policy criteria are in place. This would be a proactive way of greatly increasing efficiency.

There is a particular issue as to whether delegations to make decisions can be granted to film co-ordinators who are part of an organisation separate from the council, such as film co-ordinators employed by business enterprise trusts. It is desirable that the council's film co-ordinator, whether inside or outside council, has the authority to make decisions quickly.

#### 4.4 Use of parks and reserves

An important location for filming is the scenery available in regional and local parks, so inevitably there will be an ongoing and growing demand use parks and reserves which may conflict with other activities in these parks. Therefore, to improve efficiency and reduce timelines, an important step is to clarify and develop policy relating to the use of such areas.

The Reserves Act allows for the temporary use of reserves, but proposals involving exclusion of the public or occupation of part of a reserve for more than a short period of time can involve lengthy procedures if policies are not in place in Reserve Management Plans. In the absence of Reserve Management Plans, the Reserves Act may require notification of proposals and consultation with the Department of Conservation.

Councils could be proactive and consider what reserves in their area are attractive filming locations, and whether there is a need to specifically provide for filming in Reserve Management Plans.

In developing Reserve Management Plan policies, it is useful to consider:

- the different scales of filming, from simple shoots to more complex proposals, and the different processes that should be used to manage these types of films
- the extent to which other open-space locations (land not under the Reserves Act) can provide the type of locations sought by film companies
- the range of environments within reserves, and where filming should be encouraged and discouraged
- what consultation should be required
- when exclusion of the public may be warranted, and the process that should be followed.

Even where specific provision in Reserve Management Plans is not considered necessary, and there is only the likelihood of short-term filming occurring on reserves, there is still a range of business issues that need to be addressed and it would be appropriate for councils to develop policy on these issues.

#### 4.5 Temporary road closures and traffic management

Councils usually have in place suitable processes for controlling traffic, but it would improve efficiency if councils gave serious consideration to:

- universal adoption of the Transit New Zealand *Code of Practice for Temporary Traffic Management*
- delegating decision-making to officers
- ensuring there are the resources to turn around applications quickly.

For a temporary road closure there is greater variation in practice, and more need to develop policy. As discussed, the temporary road closure provisions of the Local Government Act need to be amended. Councils also need to review their notification policies to reduce timelines to a reasonable period. Experience suggests that two weeks notice gives ample time for notification of road closures.

#### 4.6 RMA resource consents

By its nature, location filming covers a variety of activities, some of which are similar in scale and nature to community events and therefore can be covered by temporary activity rules commonly included in District Plans. But in many cases filming is more like a business and is not suited to the regulatory framework developed for temporary activities. The differences between temporary community events and filming as a business activity are summarised in Figure 2.

FIGURE 2: DIFFERENCES IN EFFECTS BETWEEN COMMUNITY EVENTS AND FILMING

COMMUNITY EVENTS	LOCATION FILMING
Usually public events drawing large crowds	Is not a public event and does not attract large crowds
Can involve large amounts of parking and traffic as people come and go	Parking and traffic movements are limited to cast and crew
Involve tents and marquees and other simple structures	Can involve sets and other structures that may need to be in place for 1 to 2 months
Can involve public address systems, amplified sound and other sources of loud noise	Noise generation is limited to generators and other equipment
Can involve alcohol and food retailing	Food is limited to catering for cast and crew

This comparison highlights the point that temporary activity rules may not be the most appropriate means of addressing the effects of all types of location filming. In general, temporary activity rules allow for the setting aside of normal amenity controls for short periods of time because of the large numbers of people and traffic involved in community events. This may be appropriate for filming that takes only a few days, but where location filming extends to longer periods temporary activity rules may not provide the right management framework. In developing a resource management framework for filming it is sensible to first review the environmental effects associated with filming. The following table lists and discusses possible effects of location filming.

FIGURE 3: POSSIBLE ENVIRONMENTAL EFFECTS OF LOCATION FILMING

POSSIBLE EFFECT	COMMENTS
Structures	<p>In many cases filming does not require any structures. Where structures are needed, these will typically involve:</p> <ul style="list-style-type: none"> <li>• set dressing - altering the façade of an existing building</li> <li>• erecting a tent or marquee</li> <li>• building a specific set for a 2- or 3-month feature film</li> <li>• building a semi-permanent set for a long-running series.</li> </ul> <p>It is only in the latter case that there may be issues associated with the impact of structures on the landscape and on amenity and character. Usually sets are specific to the individual filming activity and will not be designed for alternative, non-filming uses.</p>
Traffic	<p>Most issues associated with traffic are related to on-street management of traffic, such as stop/go traffic control and road closure. There does not appear to be any major problems with traffic generated by a filming activity when the filming occurs on private property.</p> <p>While filming activities can involve a considerable number of trucks, vans and cars, the transient nature of most filming activities means that such effects are not of any long-term significance. It is only in the case of the longer filming productions that there may be the need to manage traffic.</p> <p>For traffic associated with a set that is in operation over a 2- to 3-month period, the main issue is likely to be safe access in and out of the filming location. For filming that involves a semi-permanent set, an additional issue may be the effect of sustained traffic movements on the general amenity of an area and parking on adjacent streets.</p> <p>Where there has been disruption to a community from traffic associated with filming, it is usually associated with on-road traffic control rather than concerns about too much traffic entering or leaving a particular site. On-road traffic is managed through council processes approving temporary control of traffic.</p>
Landform modification and vegetation removal	<p>There is generally an incentive for film companies to leave the site as they found it as they may wish to use the site again in the future.</p> <p>Modifications to the natural environment are usually associated with longer-term productions, where some sort of semi-permanent set is required. There may be the need for earthworks as part of creating the set. However, the scale of these works is not large.</p> <p>Most District and Regional Plans provide for a certain level of earthworks to occur before consent is triggered (often based on the level of earthworks associated with a house and driveway), and these rules would appear to be adequate to cover the effects associated with filming activities.</p>
Lights and noise	<p>Lights associated with filming and noise from generators can be managed through normal District Plan controls. As with any activity in a specific zone, there are usually standards in place to manage these effects.</p> <p>Where filming occurs on a road, the District Plan often does not have specific noise limits or light control rules. However, the Resource Management Act 1991 does contain measures relating to avoiding excessive noise, which can be used in these situations. Usually these issues are looked at when applications are made to film on a public road, or in a public space.</p>
General amenity - the look and feel of a place	<p>Perhaps the most difficult issue to gauge is the long-term cumulative effect of filming. In some communities there is some intolerance of filming, but in other communities with a long history of film industry activity there is greater acceptance of the industry.</p> <p>The perceived adverse effect on general amenity, where it occurs, appears to be mostly related to frequent use of public spaces such as roads and reserves (eg, traffic being held up, or beach areas being used for filming). Use of private land for filming does not seem to generate any substantial cause for concern.</p> <p>The implications for the District Plan are that there are no significant reasons to strictly manage filming activities on private land. In the case of roads and reserves, the council's consent as a landowner provides the avenue to deal with any overuse of public spaces.</p>





This analysis suggests that for the majority of short-term filming, temporary activity rules may be an acceptable framework to manage the effects of filming activities. However, when filming extends beyond the timeframe associated with a temporary activity, it can be 'caught up' in a resource management framework that is based on much more significant adverse environmental effects than those associated with location filming.

Clearly, community events that attract a large number of people have the potential to cause significant adverse effects, and need an appropriate level of management. However, for filming activities that extend beyond temporary activity time limits, a specific response needs to be developed that recognises the transitory nature of filming. In many cases District Plans provide for non-residential and business-type activities to be considered in residential and rural areas of their districts once temporary activity time periods are exceeded. These provisions also provide for filming, but these provisions for non-residential activities anticipate permanent activities. Location filming mostly covers, at most, two to three months, and it is only rarely that location filming involves semi-permanent outdoor sets.

In other words, there can be a 'gap' in District Plan frameworks between temporary activity rules and the rules covering permanent activities into which some location filming activities may fall.

In many cases filming for up to three months in a year could be considered as a permitted or controlled activity, subject to standards, as there is no lasting impact on the environment or a community from this length of activity. Beyond three months, there is justification for a more specific management regime. A three-tier approach is recommended.

#### • Tier 1.

Filming up to one month's duration in any one calendar year, including temporary sets – *permitted activity*. This would mean that, in most cases, location filming associated with commercials and off-set shoots associated with dramas and films would not need a resource consent. Standards would need to cover:

- noise and lighting
- no structures remaining after filming finishes
- other rules relating to earthworks, vegetation removal, etc. being complied with.

#### • Tier 2.

Filming of up to three months' duration in any one year (including the erection of temporary sets that will be removed at the end of the filming) – *controlled activity in most zones*. Filming should continue to be permitted in business and commercial areas. Controlled activity status would allow for any traffic safety issues associated with entry and exit to the site to be checked, and specific conditions imposed for any set construction and its removal.

#### • Tier 3.

Filming of more than three months' duration – *rules need to reflect the zone within which the activity is located*. Filming could be considered as either a specific activity, or assessed in terms of the District Plan's existing framework for non-residential activities. The activity status needs to reflect the local environmental issues, but in most general rural zones controlled activity status will still be appropriate.

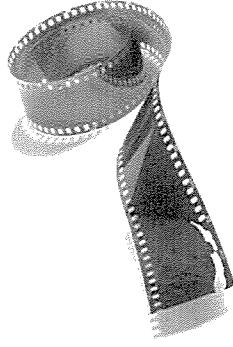
To implement a suitable framework, District Plans should:

- provide appropriate objectives and policies
- have a definition of 'filming activities' that includes all ancillary actions and activities associated with location filming, such as site preparation and set construction, but excludes filming associated with news coverage, family videos, etc.
- include appropriate rules, along the line of the rules outlined above.

## PART TWO

### Regulatory Best Practice Guidelines

## CHAPTER FIVE



### Regulatory Best Practice Guidelines

These guidelines set out the actions that councils need take to be able declare themselves 'film friendly'. By implementing the following actions, councils will demonstrate that they have set in place the policies and procedures to ensure that the regulatory approvals required by location-filming activities are provided in an efficient and timely manner. The guide is also intended to help people and organisations involved in location filming understand the regulatory process councils have to follow.

The guidelines cover the:

- development of film-friendly policies, including fees policy
- appointment of a film co-ordinator
- adoption of the Transit New Zealand *Code of Practice for Temporary Traffic Management*
- development of consistent policy and practice relating to temporary road closures
- development of policies relating to the use of parks and open spaces
- development of District and Regional Plan policies and rules relating to location filming.

#### Best Practice 1: Developing film-friendly policies

- a. Councils should develop and adopt, in conjunction with the local screen production industry, their own local film-friendly process guide setting out the:
  - council's overall policy on location filming
  - contact details for relevant council offices
  - filming activity application form
  - application process, including minimum timelines
  - schedule of fees that will be charged.
- b. The overall policy should state:
  - the council's general approach to location filming in their area
  - the specific issues the council needs to respond to in their area to ensure that application processes are as efficient as possible, and that local environmental and community issues are addressed
  - the dual role that councils have as both landowners and representatives of the community
  - decision-making policies and criteria relating to these issues
  - consultation and communication requirements.





- c) The council should monitor implementation of the policy. This should involve holding an annual meeting with film industry representatives to discuss policy and implementation issues.
- d) In setting fees for the use of council-owned land and the processing of approvals, the following factors should be taken into account:
- whether the council wishes to encourage filming by not charging a fee, or only recovering part of the costs associated with processing applications
  - the scale of the filming, such as the number of people involved
  - the duration of the filming, and whether it extends over a number of days
  - multiple-location discounts
  - reduction or waiver of fees for filming undertaken by community groups, non-profit organisations and students
  - a late-filing penalty fee to encourage early filing of applications.

### **Best Practice 2: Appointing a film co-ordinator**

- a. Councils should appoint a film co-ordinator, who will be a council officer with particular responsibility to manage filming approvals. The film co-ordinator might be a specific staff position, or part of an existing council officer's responsibility.
- b. Councils should consider delegating decision-making responsibilities to film co-ordinators so that they can make decisions relating to simple location-filming applications. For example, councils could delegate responsibility to film co-ordinators to approve filming applications relating to:
- the use of reserves for short periods of time – proposals for one day in length that do not involve exclusion of the public or the erection of structures other than small tents or marquees
  - temporary traffic control on minor local roads and setting aside normal parking restrictions.

To undertake these duties the film co-ordinator will need appropriate training and will still need to consult with relevant roading, parking and parks staff, but would have the ability to issue an approval quickly.

### **Best Practice 3: Consultation**

- a. Actions that councils should take to make consultation more effective include:
- making council contacts and approval processing details available on the web sites of film marketing bodies and economic development agencies that operate in the area
  - developing consultation protocols – who to consult, and when
  - developing contact lists and web site links to iwi, and any other organisations that may need to be consulted on a regular basis
  - producing lists of 'hot spots' (areas where community issues have arisen), so that when a filming proposal is suggested for these areas there is advance warning that consultation prior to issuing an approval may be required
  - developing pro-forma letters with the correct information and details, which location managers can use when approaching particularly affected parties
  - as part of the approval process, requiring the production to inform residents and businesses prior to undertaking filming.



### **Best Practice 4: Processing applications**

Where appropriate, councils should consider pooling resources with adjacent councils and setting up joint processes. This might involve:

- using the same application form
- standardising fee structures
- standardising conditions of approval
- appointing a film co-ordinator who could cover a number of council areas.

### **Best Practice 5: A Step-by-Step Guide to Issuing Approvals**

The following is a suggested step-by-step guide for issuing approvals for location filming in council-owned and managed locations. It assumes that the council has:

- developed an overall policy in relation to filming, including a fees policy
- appointed a filming co-ordinator
- put in place the necessary delegations to allow either the film co-ordinator or the relevant council officers to make timely decisions on filming applications
- developed policy / decision-making criteria relating to temporary traffic management and temporary road closures
- amended bylaws, Reserve Management Plans and District Plans to incorporate suitable provisions for location filming.

#### **Step 1: Pre-application process**

- i. The applicant should contact the council's film co-ordinator or the officer with responsibility to manage location filming proposals, at an early stage, allowing for the following timeframes.
- If a simple application is needed (eg. filming activities that do not involve a temporary road closure, the erection of structures that may involve a resource consent or the exclusion of public from reserve areas; or using a reserve or a road for a long period of time), then contact should be made with the council 1 week before the proposed filming.
  - If a more complex application is involved (eg. a temporary road closure is needed, a resource consent is required or exclusion of the public), then allowance should be made for a minimum of 4 weeks, more if possible, before the proposed filming.
- ii. The film company and the film co-ordinator should discuss the proposed filming, the range of locations, and the issues (if any) involved in the use of these locations.
- iii. The film co-ordinator should advise in principle:
- whether the locations are suitable, based on previous experience and known problem areas and hot spots
  - whether the locations are available (they are not already booked)
  - what council approvals will be necessary
  - the amount of time required for processing
  - if there is a need for specific notification of the application.
  - whether there is benefit from undertaking informal community consultation and/or consultation with specific people or businesses prior to lodging an application, to ascertain if these people are likely to object to the filming occurring, and ways of mitigating concerns
  - the cost of lodging and processing the application
  - if it is likely that a bond may be requested
  - what other approvals may be required from other agencies.
- iv. For small shoots involving a handful of people and one car or van visiting a location for a short period of time, the film co-ordinator should be able to give verbal approval.



#### Step 2: Lodging the application

- i. At least 2 working days' notice should be given of simple filming proposals involving stop/go traffic control on local roads, or temporary occupation of reserves for less than 6 days.
- ii. At least 5 working days' notice should be given of filming involving temporary traffic management of an arterial road.
- iii. At least 20 working days' notice should be given of filming that involves temporary road closures.
- iv. An application form should be completed for each location (a generic application form is provided in Appendix Two to assist councils who don't already have a form). The application should contain information on the following:

- contact address and cell phone number for:
  - production house
  - location manager
  - director
  - agency (if applicable)
  - client
  - traffic control consultants (if used)
- type of filming proposed
- location
- date, time and duration
- outline of shoot / action to be filmed (a diagram clearly showing camera locations is desirable)
- location and size of structures – tents, marquees, sets
- traffic control required:
  - stop/go
  - on-street parking
  - temporary road closure
- number of vehicles and parking arrangements
- use and location of lights and generators
- if any stunts are to be performed
- whether there will be fireworks / pyrotechnics / special effects
- whether helicopters or aeroplanes will be used, and possible landing arrangements
- if filming will involve use of waterways
- whether exclusion of the public is needed
- whether firearms will be used
- if access to water, electricity and other utilities is needed
- arrangements made for access to toilets
- clean-up arrangements in place
- whether any structures are proposed, and if these structures are likely to need building consent
- if a health and safety plan is required.

Note: a traffic management plan must accompany all applications that involve filming on a road, including on-street parking and temporary road closures.

- v. The film co-ordinator should then check that:
  - the application is complete and that sufficient information is provided on the location, dates and activities proposed
  - public liability insurance is arranged
  - the consent of the owner of the location has been obtained (if it is privately owned land)
  - the film company has noted the need to contact other agencies where other approvals are required, such as the New Zealand Police.

- vi. The film co-ordinator should then acknowledge the application.
- vii. Where the appropriate delegations are in place, and after any necessary consultation with communities, council departments or agencies such as the New Zealand Police, the film co-ordinator should issue the approval, subject to the appropriate decisions.
- viii. Where the decision-making delegation lies with other council officers, the film co-ordinator should forward the application to these departments, liaise with the film company and the relevant council departments over any specific issues, and ensure that the approval is issued in a timely manner
- ix. The film co-ordinator should ensure that the production house is invoiced promptly for any fees.
- x. The film co-ordinator should advise the appropriate community board and the appropriate agency in situations where filming occurs close to the boundary of an adjoining jurisdiction.

#### Step 3: Filming and clean-up

- i. The production company should:
  - attend to all conditions, including advising cast and crew of any special conditions
  - pay all specified fees and bonds
  - advise (as necessary) landowners, businesses and the community
  - advise the council of any changes to schedules or locations far enough in advance for the council to amend an approval, or issue a new approval
  - clean up the site and leave it in the condition it was before filming started, or as agreed as part of the approval process
  - arrange with the council for a site inspection, if needed.
- ii. The council should:
  - notify any relevant agencies of the activity
  - check the site and pay back any bonds, once filming is completed.

FIGURE 4: SUMMARY OF COUNCIL PROCESSES

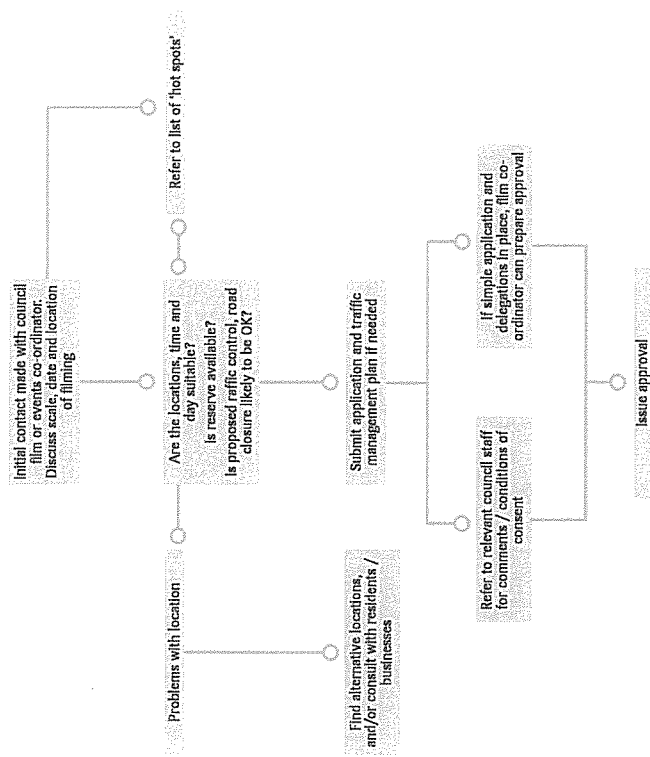


FIGURE 5: RANGE OF APPROVALS REQUIRED AND WHO TO CONTACT

The following is a checklist of the approvals that may be required, depending on the proposed filming activity.		
ACTIVITY	APPROVAL THAT MAY BE REQUIRED	ORGANISATION INVOLVED
Filming on any part of a local public road where no road closure is required	<ul style="list-style-type: none"> <li>Temporary traffic management plan</li> <li>Discontinuation of parking controls</li> </ul>	Local council
Filming on a local road where stopping of traffic is required	<ul style="list-style-type: none"> <li>Temporary road closure</li> </ul>	Local council
Filming on a state highway, involving either roadside filming or rolling of traffic	<ul style="list-style-type: none"> <li>Temporary traffic management or temporary road closure</li> </ul>	Transit NZ
Camera crew filming from a moving vehicle on a road, and/or filming actors in a moving vehicle mounted on a towed low loader	<ul style="list-style-type: none"> <li>Health and safety plan</li> </ul>	NZ Police (traffic safety)
Filming in a local reserve	<ul style="list-style-type: none"> <li>Temporary occupation permit for short-term filming</li> <li>Licence / concession for long-term activity</li> <li>Concession</li> </ul>	Local council or regional council, depending on owner of reserve
Filming in a national park or other lands managed by the Department of Conservation	<ul style="list-style-type: none"> <li>Landowner approval</li> </ul>	Department of Conservation
Filming on other Crown land	<ul style="list-style-type: none"> <li>Landowner approval</li> </ul>	Depends on owner of the land
Filming in beach areas	<ul style="list-style-type: none"> <li>Compliance with council bylaws</li> <li>Possible adjacent landowner consent to access beach</li> </ul>	Local council Landowner
Use of private land for filming	<ul style="list-style-type: none"> <li>Possible resource management consent under District or Regional Plan</li> <li>Landowner consent</li> </ul>	Local or regional council Landowner
Filming on water - lakes, rivers, harbours	<ul style="list-style-type: none"> <li>Alteration to navigation bylaws / rules</li> <li>Use of appropriately chartered vessel</li> <li>Resource management consent if involves structures or alteration to natural features</li> </ul>	Harbour master Maritime Safety Authority Regional council if structures involved
Sets and structures associated with filming	<ul style="list-style-type: none"> <li>Compliance with Building Act if temporary structures under clause (m) of the 3rd Schedule of the Building Act (if an exemption is not granted)</li> <li>Building consent if not a temporary structure</li> <li>Building consent if a tent or marquee greater than 30 sq m in area</li> <li>Film armourer must have appropriate licence; licence varies according to weapon</li> </ul>	Local council NZ Police (arms officer)
Use of firearms	<ul style="list-style-type: none"> <li>Storage area for dangerous materials must be licensed</li> <li>Transportation - above threshold levels, vehicle must be licensed</li> <li>Use of dangerous materials must involve an appropriately certified person</li> <li>Rural fire controls may apply</li> <li>Inform NZ Police, Civil Defence</li> </ul>	Local council Department of Labour - Inspector of Explosives Labour Department Local council
Fire, fireworks, pyrotechnics	<ul style="list-style-type: none"> <li>Responsibilities under Health and Safety in Employment Act</li> <li>NZ Police, if filming involves firearms</li> <li>Permit</li> </ul>	Department of Labour
Stunts, other potentially dangerous activities		Local council
Use of overweight or over-dimension vehicles		Local council



FIGURE 6: WHO TO CONTACT

OWNER / ADMINISTRATOR	ORGANISATION	CONTACT
Local city or district council	Auckland City	Events co-ordinator
	Christchurch City	Events co-ordinator
	Dunedin City	Film co-ordinator
	North Shore City	Events co-ordinator
	Queenstown-Lakes District Council	Film co-ordinator
Regional council	Waikare City	Film co-ordinator (Enterprise Waikare)
	Wellington City	Film co-ordinator
	Other councils	Council call centre
	Auckland Regional Council	Park Ranger
	Wellington Regional Council	Parks Policy Planner
OTHER AGENCIES		
AREA / LOCATION	AGENCY	CONTACT
National Parks and Conservation Parks	Department of Conservation	For small one-off applications - Department of Conservation Area Office within area to be filmed
		For other applications (low-impact, non-notified or high impact, notified) contact the relevant Conservancy (Regional) Office. See the DoC Website for details. <a href="http://www.doc.govt.nz/">http://www.doc.govt.nz/</a>
Crown Land (eg Defence, hydro lakes)	Various Departments including State Owned Enterprises	If the relevant Department is not obvious, try the Commissioner of Crown Lands - Land Information New Zealand
High Country Leasehold	Crown's agents	Knight Frank
State Highways	Transit New Zealand	Transit Regional Office



## Best Practice 6: Traffic control

### Temporary traffic control

- Councils should adopt Transit New Zealand's *Code of Practice for Temporary Traffic Management* for managing filming activities on all roads.
- Councils should maintain a list of local traffic management consultants whom the film industry can retain to prepare traffic management plans and/or manage traffic control activities.
- A minimum of 2 working days' notice should be given by filming activities of proposed filming on a local road, and at least 5 working days' notice should be given of filming on an arterial road managed by the council.
- Applications should contain a traffic management plan, as detailed in the Transit New Zealand Code.
- Issues to consider with regard to an application to film on a road, in addition to the matters set out in the Transit New Zealand code, include:

- the nature of the road and its role in the local road hierarchy
- the time of the filming activity
- the nature and extent of traffic management required
- the likely impact on the normal traffic flow
- whether other activities are occurring or planned to occur on the road, such as community events or works on utilities located within the road reserve
- whether alternative routes are available for traffic
- whether an alternative filming location may reduce disruption
- the impact of parking on adjacent activities
- the potential adverse effects of lights, generators and other related activity on adjacent land uses
- the proposed traffic management plan and whether it deals with these issues.

- Councils should maintain a list of people who should be contacted once approval has been given, such as emergency services, bus companies, rural school bus services, and other regular road users in the area. A requirement to inform affected local residents by way of a letter-box drop should also be mandatory.

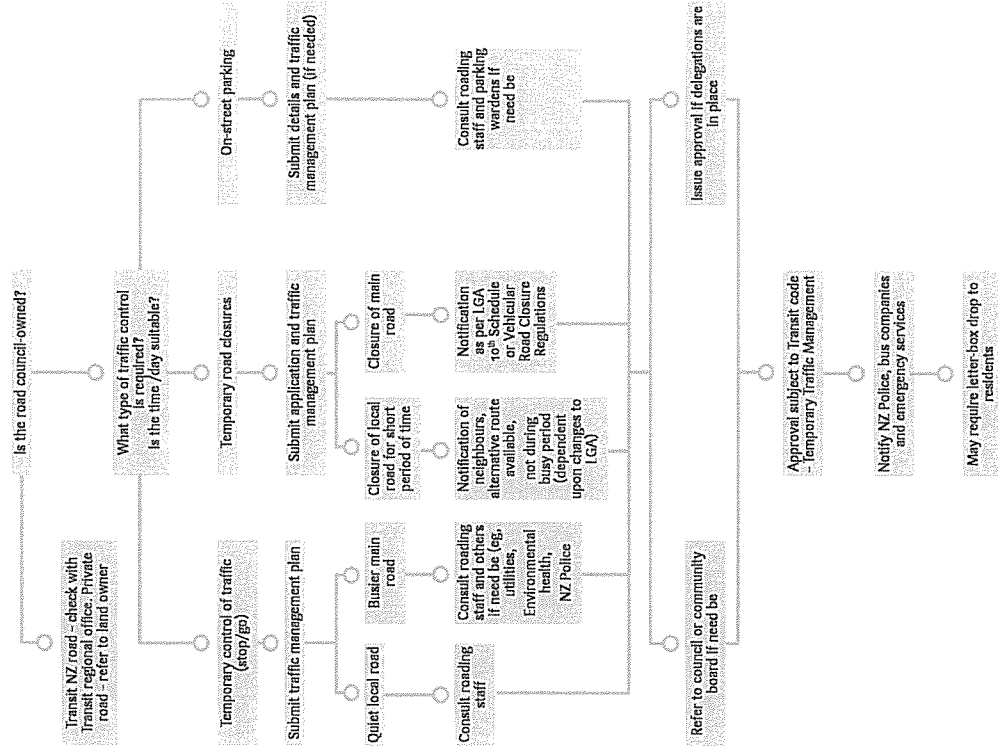
- The approved traffic management plan should be available on-site at all times.

### Temporary road closures

- Councils should develop a policy on temporary prohibition of traffic covering:
  - when temporary road closure is appropriate
  - notification requirements and timelines
  - decision-making criteria.
- Notification for temporary road closure needs to balance a requirement to give adequate notice to the public, against addressing the needs of the film industry for a prompt response. In general, 2 weeks' notice should be given for a full road closure.
- As an alternative to temporary road closure, it may be appropriate for the Council to approve short-term holding of traffic where:
  - landowners have been directly informed and given their consent
  - disruption to traffic will not be significant, and easy diversions are available
  - the closure is for a short period of time (eg, maximum of 2 hours).

However this approach is dependent upon changes to the legislation (see page 29).

FIGURE 7. SUMMARY OF TRAFFIC CONTROL PROCESSES



## Best Practice 7: Use of reserves and open spaces

a. Councils should consider the need to prepare or review provisions in Reserve Management Plans for filming on reserves where there is the likelihood that there will be demand to use reserves for more than short periods of time. Reserve Management Plans should include policies relating to:

- where filming should be encouraged and discouraged
- what scale/duration of filming should be allowed through a simple approval process
- when a more complex process involving consultation is required
- under what circumstances exclusion of the public should be provided for
- what size and type of structures are appropriate
- when iwi should be consulted
- conditions associated with use of animals (eg. feed sources that do not contain seeds)
- limitation on landform and/or vegetation modification.

b. To manage the commercial aspects of both short-term and long-term filming activities on reserves, the council should develop a concessions policy that sets out the council's approach to the following issues:

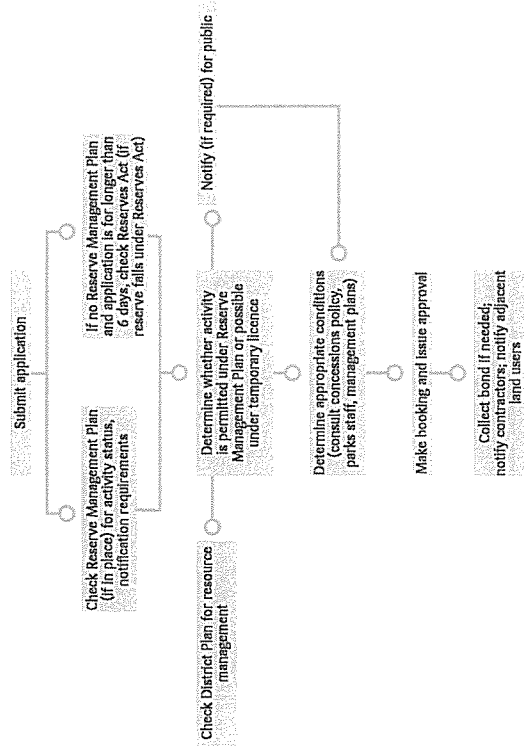
- when (including time of day and week) it is appropriate to film on a reserve (eg. not allowing filming during weekends)
- requiring signage so that the public are aware of the event
- ensuring that any adjacent land users are notified
- ensuring that the consent of any licence holders is obtained
- whether it is appropriate to require credits showing that the film was shot on a council reserve
- developing a standard contract that records the conditions of use and obligations of the filming activity
- security and safety of sets, especially when they are left up overnight
- provision of public liability insurance
- conditions related to the use of helicopters – landing locations, security around the landing site
- waste removal and clean-up
- bond and fees.

c. Film operators should give sufficient notice of an application to film on a reserve: at least 2 working days for a simple shoot, a week for a more complex shoot. If there is a need to occupy a reserve for more than 6 days, it may be necessary to provide 4 to 5 weeks' lead time, depending on the content of any Reserve Management Plan. Specific approval issues that councils should address include:

- checking that the reserve is not already booked by another activity
- consultation with the relevant park ranger or relevant maintenance staff
- informing contractors
- monitoring conditions of approval.



FIGURE 8. SUMMARY OF PROCESS FOR THE USE OF RESERVES AND OPEN SPACE



## Best Practice 8: Other approvals (except resource consents)

a. Other approvals that may be needed, apart from resource consents, and that may involve councils include:

- building consents
- storage and use of dangerous substances,
- use of helicopters
- catering facilities
- activities on the surface of lakes and rivers and in coastal areas.

### Building consents

b. Temporary film sets can be exempted from the need for a building consent under item (M) of the Third Schedule of the Building Act. Councils need to develop guidelines on when it is appropriate to provide such an exemption. However, such structures must still comply with the Building Act. Issues to consider include:

- the length of time the structure will be up
- whether the structure will be removed at the end of filming
- the scale and nature of the structure
- where safety issues arise, whether there is a need for a certificate from a registered engineer stating that the structure will be safe

### Use of explosives, firearms, helicopters and/or aeroplanes

c. These should be managed as follows.

- Explosives
  - Explosives must be managed by a person with appropriate qualifications
    - currently a certificate of competency issued by Occupational Safety and Health, Department of Labour. Amendments to the Hazardous Substances and New Organisms Act will change this process.
  - Explosives must be stored in a manner approved of by a dangerous goods inspector.
  - The New Zealand Police and Civil Defence must be notified when they are to be used.
  - Check if a closed or restricted fire season is in place.
  - Storage and transportation of explosives may involve the need for licences.

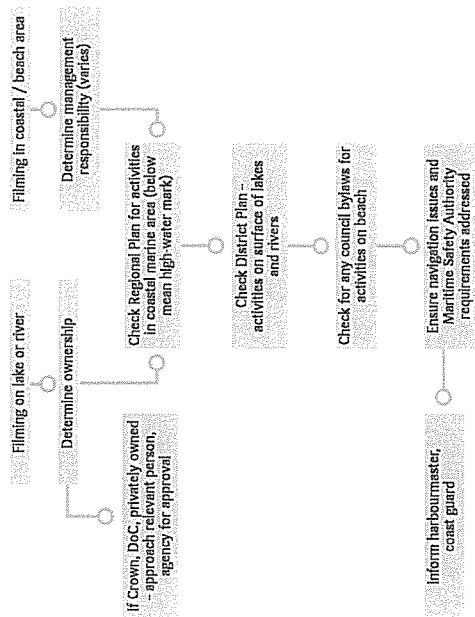
- Firearms
  - The New Zealand Police must be notified when firearms are to be used.
- Helicopters and/or aeroplanes
  - The use of helicopters and aeroplanes must comply with standard Civil Aviation rules.
  - The council's District Plan may have rules relating to helicopter landings in residential areas or other 'sensitive' environments.
  - Reserve Management Plans may affect helicopter landings in reserves.
- Catering facilities
  - May need approval for Council's Environmental Health staff.

### Use of lakes, rivers and coastal areas

d. The following sets out the basic steps involved in considering applications to film in lakes, rivers and coastal areas.



FIGURE 2: MAKING AN APPLICATION TO FILM IN LAKES, RIVERS OR COASTAL AREAS



## Best Practice 9: District and Regional Plans

a. Councils should review their District and Regional Plans so that filming is treated as a business, not as a community event or as a temporary activity. This involves:

- developing specific policies for location filming
- including filming in activity lists where this approach is taken, or ensuring that effects-based plans take into account the common temporary effects associated with location filming
- providing for short-term location filming (less than 3 months' duration) where no permanent sets are proposed, as a permitted or controlled activity in most areas
- only considering discretionary status for larger-scale, longer-running filming activities in the most sensitive zones.

b. In setting District and Regional Plan rules the following issues need to be considered:

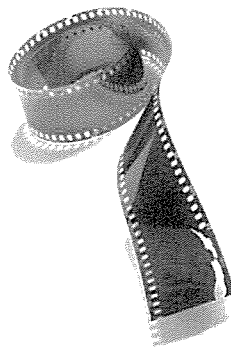
- the generally temporary nature of filming
- most short-term effects are associated with traffic management and public access to reserves and beaches
- the most common environmental issues to arise have been those associated with cleaning up and reinstating sites
- less common effects are:
  - modifications to the natural environment – removal of vegetation, earthworks, modifications to watercourses, stormwater
  - landscape issues – effects of structures on the visual appearance of an area
  - noise, lights, generators
  - amenity and character – the overall effect on the look and feel of a place.

c. In considering resource consents, the following issues should be taken into account:

- whether proposed structures are temporary and provision has been made for their removal when filming finishes
- changes to landforms and vegetation, and reinstatement of landforms and vegetation as they existed prior to the filming
- payment of monitoring fees
- payment of a bond to cover reinstatement costs
- construction of road access to meet council/Transit New Zealand specifications
- management of stormwater from buildings
- collection of rubbish, litter, waste
- location of lights to minimise glare
- noise effects and compliance with standards.

Councils should consider a fast-track system for filming activity consents; for example, processing within 10 working days, rather than the statutory timeframe of 20 days, for a non-notified consent.

## APPENDICES



### **Appendix 1: Film New Zealand**

Film New Zealand is New Zealand's film locations office, providing information, introductions and support to filmmakers both internationally and locally.

We aim to ensure that everyone has a satisfying experience while filming in New Zealand, and we will do everything in our power to make sure the expectations of both visiting productions and local filmmakers are met and, wherever possible, exceeded.

Film New Zealand provides a complete introduction service for those wishing to film in New Zealand. We can supply everything film makers need to know about our locations, facilities, crews, permits, immigration, transport and accommodation.

New Zealand's film-friendly network extends throughout the country, and is identified by the Studio New Zealand brand. Film New Zealand can provide a fast, educated response from a comprehensive database and information source to any enquiry – whether for a commercial, telefeature, or extended location shoot.

Film New Zealand's web site, located online at [www.filmnz.co.nz](http://www.filmnz.co.nz) provides a comprehensive link to the New Zealand screen production environment.

Film New Zealand is an accredited full member of the Association of Film Commissions International.

For more information about filming in New Zealand, and how local authorities can work with the film industry, please contact Film New Zealand:

[info@filmnz.org.nz](mailto:info@filmnz.org.nz) – email

04 385 0766 – tel  
04 384 5840 – fax

P O Box 24142  
Wellington  
New Zealand



## Appendix 2: Filming Activities Approval Application Form

### Project

Project name: \_\_\_\_\_

Shoot days (list): \_\_\_\_\_

Alternative weather days: \_\_\_\_\_

Start time: \_\_\_\_\_ Finish time: \_\_\_\_\_

Set up time: \_\_\_\_\_ Departing time: \_\_\_\_\_

### Contact Details

Name and postal address of applicant: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Contacts for day of the shoot

Contacts	Name	Phone	Mobile	Fax	Email
Production company	_____	_____	_____	_____	_____
Location Manager	_____	_____	_____	_____	_____
Production co-ordinator	_____	_____	_____	_____	_____
Director	_____	_____	_____	_____	_____
Client's name	_____	_____	_____	_____	_____

### Shoot Details

Location (site address, names of roads, park / reserve to be used for filming) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of the shoot (briefly describe the action being filmed). Attach a diagram showing the following details: location of cameras, whether on tripod or track, generators, lighting, sound equipment, tents/marquees, caravans, vehicle parking, any activities below mean highwater spring \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How many vehicles will be involved in this shoot?

Trucks	Buses	Vans	Cars	Other (describe)
_____	_____	_____	_____	_____

Parking (describe parking arrangements and attach a diagram)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Special aspects (circle where relevant):

Helicopter	Fire	Explosions	Stunts	Crowd scenes	Other noise
_____	_____	_____	_____	_____	_____
Fixed wing aircraft	Gunfire	Boats	Wet downs, access to water mains	Road accidents	Overweight, over dimension vehicles
_____	_____	_____	_____	_____	_____

### Effects on the Environment.

Will the shoot (tick Yes or No):

Potential Effect	Yes	No	If yes, describe
Create discharges to air (eg burning vehicle, generator noise)	_____	_____	_____
Affect any vegetation?	_____	_____	_____

Require earthworks?

\_\_\_\_\_

Involve the erection of a set, tent or marquee?

\_\_\_\_\_

Encroach onto roads?

\_\_\_\_\_

Require stop/go management of traffic?

\_\_\_\_\_

Require closure of road to traffic?

\_\_\_\_\_

Involve on-street parking?

\_\_\_\_\_

### Check

Have you attached to this application the following?

For filming involving roads and streets, a Traffic Management Plan

Details of public risk insurance

Your health and safety plan

Yes

## **QUEENSTOWN LAKES DISTRICT COUNCIL**

### **MANAGEMENT OF INFORMAL AIRPORTS**



Heliworks Informal Airport in Earnslaw Burn, Mt Earnslaw Station Pastoral Lease. Source - <http://www.heliworks.co.nz/earnslaw-exclusive-scenic-flight>

#### **SOUTHERN PLANNING GROUP**

Resource Management Consultants  
PO Box 1081  
QUEENSTOWN

Phone: (03) 409 0140

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**April 2012**

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## **Section 1.0**

### **Introduction**

“Informal airports” which are the focus of this report can be generally defined as all areas of land that are utilised for the arrival and departure of aircraft (both fixed and rotary wing) other than the Queenstown Lakes Districts designated commercial airports.

It is understood that aside from some activities that are specifically exempt from the current airport provisions in the Queenstown Lakes District Plan (“District Plan”) all arrivals and departure of aircraft are captured by the definition of airport.

The assessment of effects of informal airports is limited by legislation and specifically, it is understood that the Queenstown Lakes District Council (“Council”) does not have jurisdiction to consider the effects of aircraft when they are overflying pursuant to Section 9(5) of the Resource Management Act 1991 (“the Act”).

The Council only has the ability to assess the effects of aircraft when they are legally engaged in the use of land. This matter has been determined by the High Court in *Dome Valley District Residents Soc Inc v Rodney DC* [2008].

Reaching a determination as to when an aircraft is no longer in the process of using an airport and subsequently, “legally engaged in the use of land” is difficult because the flight operations are enforced by both the Resource Management Act and the Civil Aviation Authority (“CAA”) regulations.

It is understood that in terms of the CAA visual flight rules (“VFR”), a pilot in command of an aircraft in a rural area must not operate at a height of less than 500 feet (152.4 metres) above ground level from any obstacle, person, vehicle, vessel or structure that is within a horizontal radius of 150 metres from the point directly below the aircraft.

However, it is understood that this rule does not apply to a pilot when conducting a take-off or landing. Therefore, it is considered that an aircraft is overflying and outside the jurisdiction of the Act if the operator is abiding by the CAA VFR and is flying at a height equal to or in excess of 500 feet above ground level in the Rural General Zone.

As a consequence, it is considered that the scope for assessment of effects for informal airports is confined to the effects observed when an aircraft is undertaking arrivals and departures at an informal airport and is at or below 500 feet above ground level.

The issue of the District Plan provisions relating to the management of informal airports has been one of much contention between the Council, aircraft operators and members of the community in the Queenstown Lakes District since the enforcement of these existing provisions in relation to the Rural General Zone by the Council’s regulatory agent Lakes Environmental began in circa 2007.

Since the enforcement of the existing District Plan provisions that relate to informal airports by Lakes Environmental, literally hundreds of resource consent applications for informal airports have been lodged with Lakes Environmental.



The majority of these informal airports are located within the District Plan's Rural General Zone and encompass land holdings in private ownership, Public Conservation Land and Crown Pastoral Lease Hold land.

Local aircraft operators have argued that the existing District Plan provisions “double up” on the assessments undertaken by the administrators of Public Conservation and Pastoral Leasehold land when the operators have already obtained a Recreation Permit from the Commissioner of Crown Lands or a Concession from the Department of Conservation to operate on these lands.

From an aircraft operator's perspective, this unnecessarily increases costs to their business as well as adding an additional on-going compliance monitoring requirement i.e. annual activity returns for each airport, for each statutory body, and at different times of the year.



Hunters Departing an Informal Airport. Source – Rowan Muller April 2012

The Queenstown Lakes District Council (“Council”) has recognised the potential issues raised by the local aircraft operators and as part of the upcoming review of the District Plan the Council seeks to investigate whether the objectives, policies, rules and other provisions relating to informal airports can be simplified and streamlined to improve both their effectiveness and efficiency.

This research paper will address the feasibility of simplification and streamlining of the existing District Plan provisions for informal airports with due regard to the predominant types of informal airport consents sought, the approach taken by other District Council's in managing informal airports and the assessment of effects that are completed by other statutory bodies such as LINZ (Commissioner of Crown Lands) and the Department of Conservation.

## 1.1 What Are Informal Airports?

Airports are currently defined in the District Plan to mean:

*“Any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.”*

This replicates the definition of airport contained within the Act<sup>1</sup>

The definition although appearing simple is more complex than one may consider at a cursory reading. Specifically, there are three components to the definition which should be broken down for a complete understanding of what it captures.

### 1. Defined Area of Land

The question of what is a “defined area of land” in terms of an informal airport is likely to solicit a variety of different responses depending on whether the question is put to an aircraft operator or a resource management planner.

Specifically, most operators in our experience would prefer a defined area of land to mean ‘an area that contains the physical attributes of a formal airport such as; a concrete helipad and/or wind socks’ etc. Essentially, that an “airport” must be visually definable.



Source <http://imageshack.us/photo/my-images/168/hems2jj6.jpg/>

It is our understanding based on the results of this research and our experience in dealing with resource consents for informal airports that the District Plan definition does not suggest that an airport must be physically recognisable in order to be a defined area of land.

---

<sup>1</sup> Resource Management Act 1991 Section 2 Interpretation.

In interpreting a defined area of land it is our understanding that this would encompass any area of land in which any aircraft (fixed and rotary wing) were to use for landing and take-off where:

- An easement or Covenant on land identifying that the whole or part of the land can be used for the landing or departure of aircraft;
- Prior earthworks, landscaping or physical attributes that have made the area suitable for landing and take-off of aircraft;
- An agreement between a land owner and an aircraft operator to land on specific parts of a land holding. The land owner, in entering into an agreement with the aircraft operator can restrict the area on which the aircraft lands, departs and moves and this therefore defines the area intended for use;
- Identification in/on public documents and publications i.e. topographical maps.
- The frequent use of an area for landings and take offs i.e. the identification by means of prior use of the area as one appropriate for landings and take-off of aircraft although, as described below it is considered that even a single aircraft movement can meet the definition of airport.

Overall, a broad interpretation of the words “defined area of land” is required and does not require a visually or physically demarcated area.

## 2. Intended or Designed To Be Used

Part of the definition of an airport requires an intention to use the land as an area for the landing and take-off of aircraft. The act of an aircraft operator seeking and a landowner subsequently granting permission for the use of land as an airport and perhaps even accepting landing fees therefore demonstrates a clear intention to use the land for landing and taking off of aircraft.

The frequency of use can also be considered to go a long way towards proving an intention to utilise an area for the take-off and landing of aircraft.

Subsequently, it appears the element of intention can be easily satisfied.

## 3. Used Wholly or Partly

The use of the word partly in the definition clearly implies that an airport is not required to be an area of land used exclusively for the landing and taking off of aircraft.

Rather the definition contemplates the defined area as possibly having mixed uses i.e. pastoral farm paddock or amenity lawn.

## General Comments Regarding the Definition

Based on our experience, it appears that the definition of airport in the District Plan has been used in order to capture a broad range of potential informal airports in order to ensure that the effects of these activities can be assessed through the resource consent process.



Further, the definition effectively captures all informal airports regardless of the frequency of use of a particular site. Inevitably, permission must be obtained from a landowner before an operator utilises their property for a landing and take-off event therefore, a defined area of land has been ascertained and an intention to use it established.

The results of the research indicate that with the exceptions already described in the District Plan i.e. for farming purposes, emergencies and fire fighting, all areas of land used for the landing and taking-off of aircraft require resource consent for an informal airport.

Further, the results of our research indicate that Lakes Environmental's current approach of requiring aircraft operators to apply for resource consent for an airport when they land and take off from sites in the District on Public Conservation Land and Crown Pastoral Land is correct. The existing District Plan rules clearly do not make any exceptions for land tenure.

Certainly on Crown Pastoral Land and Public Conservation Land where the operator holds the correct statutory approvals they will have defined the landing areas by way of topographical maps, place names and gps co-ordinates with the occupiers and/or administrators of the land thus easily meeting the three components of the definition discussed above.

## 1.2 Taking Off and Landing of Aircraft

It is also noted that the provisions regarding the operation of aircraft and airports in the District Plan are not consistent across all Zones.

Specifically, in the Rural General Zone resource consent is required for an "airport" when a defined area of land is used for the landing, departure or servicing of aircraft.

In other Zones such as; the Meadow Park and Rural Visitor Zones, resource consent is required for *"the take-off or landing of aircraft other than for emergency landings and rescues or fire fighting"*.

We understand that the difference in terminology may have been a deliberate attempt to narrow the aircraft/airport activities in some Zones. For example, by referring to the take-off and landing of aircraft, the references to the servicing of aircraft in the definition of airport are avoided.

However, as noted in Section 1 of this report, it is considered that any take-off and landing of aircraft would meet the definition of an airport.

Regardless of the terms used to describe aircraft landings and departures, both prescribed activities would require resource consent for essentially the same activity with the same potential effects therefore, a consistent terminology across all the Zones in the District Plan would assist in removing any ambiguity.

## **Section 2.0**

### **How Does The Management Of Informal Airports In The Queenstown Lakes District Compare To Other Districts?**

This section of the report summarises the applicable provisions for informal airports in the main Rural Zones of the following District's from throughout New Zealand:

- Far North District Council;
- Southland District Council;
- Westland District Council;
- Western Bay of Plenty District Council; and
- Mackenzie District Council.

The provisions have been confirmed through initial research into the relevant District Plans followed by phone interviews with the relevant Senior/Principal Planners or Planning Managers from each District.

A summary table of the applicable rules, policies and objectives for each of the Districts is appended to this report as **Appendix [A]**.

A copy of the relevant provisions from each Districts plan is also appended to this report as **Appendix [B]**.



Alpine Choppers R44 Contracted by Civic Corp and Landed Near Ben Lomond Station January 2006. Source Sean Dent

## 2.1 Far North District Council

The Far North District Plan (“FNDP”) is more prescriptive in its control of informal airports than the Queenstown Lakes District Plan.

The definitions section of the FNDP contains a definition of both airports<sup>2</sup> and helicopter landing areas<sup>3</sup>. These terms are defined as:

**“Airport** (as defined in s2 of the Act including any amendments) refer to **glossary”**.

The glossary states:

**“Airport** (as defined in s2 of the Act including any amendments)  
Any defined area of land or water intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft”.

**“Helicopter Landing Area**

Helicopter landing area means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement or servicing of helicopters”.

The Rural Production Zone in the FNDP is the equivalent of the Queenstown Lakes District Plan’s Rural General Zone.

The Rural Production Zone provides specifically for helicopter landing areas as Permitted Activities subject to meeting the noise limits<sup>4</sup> for the Zone at the boundary of any other site in this same Zone, or at any site in the Residential, Coastal Residential or Russell Township Zones or at or within the notional boundary of any dwelling in any other rural or coastal zone.

In addition, the helicopter landing area must meet a minimum setback of 200 metres from the nearest boundary of any Residential, Coastal residential, Russell Township or Point Veronica Zones<sup>5</sup>.

If a helicopter landing area fails to comply with the Permitted Activity noise rules, which it should be noted refers to assessment in accordance with NZS 6801 and 6802: 1991, then it falls to be considered as a Restricted Discretionary Activity<sup>6</sup>.

If a helicopter landing area fails to meet the minimum 200 metre setback and the noise rules then it falls to be considered a Discretionary Activity pursuant to Rule 8.6.5.4.3.

Interestingly, there are no specific provisions for “airports” in the Rural Production Zone therefore; fixed wing aircraft may operate as a Permitted Activity subject to complying with the noise rules for the Zone and no setbacks are required from adjoining zone boundaries.

---

<sup>2</sup> Far North District Plan Chapter 3 – Definitions Page 1 and Chapter 3 – Glossary Page 18

<sup>3</sup> Far North District Plan Chapter 3- Definitions Page 8

<sup>4</sup> Far North District Plan Permitted Activity Rule 8.6.5.1.7 NOISE Chapter 8.6 Page 3

<sup>5</sup> Far North District Plan Permitted Activity Rule 8.6.5.1.7 HELICOPTER LANDING AREA Chapter 8.6 Page 4

<sup>6</sup> Far North District Plan Discretionary Activity Rule 8.6.5.4(c) and 8.6.5.4.3 HELICOPTER LANDING AREA Chapter 8.6 Page 7 and 9 respectively.

A failure for an “airport” for fixed wing aircraft to comply with the Permitted Activity noise rules will lead to it being assessed as a Restricted Discretionary Activity with Council’s discretion limited to the character, level and duration of noise, the hours of operation and the effectiveness of any noise mitigation proposed.

Having spoken with the Far North District Council’s Principal Planner (Pat Killalea), it is understood that there are no District Plan provisions or other mechanisms such as Bylaws that provide for the management of informal airports including temporary activities or “one off” aircraft landings.



Alpine Choppers Squirrel at Greenstone Car Park April 2006. Source – Sean Dent

## 2.2 Southland District Council

The Southland District Plan ("SDP") does not contain a definition of "airport" therefore, the definition contained within Section 2 of the Resource Management Act applies and this states:

*"Any defined area of land or water intended or designed to be used whether wholly or partly, for the landing, departure, movement or servicing of aircraft".*

Utilising the above mentioned definition, transportation rule TRAN.11 – *Commercial Airports* of the SDP applies to every defined area of land that is utilised for the landing and take-off of aircraft – similarly to the Queenstown Lakes District Plan. These airports would be assessed as a Discretionary Activity pursuant to this rule.

This rule encapsulates landings in the Southland Districts Rural Resource Area on Public Conservation Land, Pastoral Leasehold and privately owned land.

An exception is provided by way of Rule TRAN.12 – Rural Airstrips whereby airstrips associated with normal rural land management are a Permitted Activity. This exception is with regard to both fixed and rotary wing aircraft.

The applicable noise rules of the SDP must also be complied with and refer to assessment pursuant to NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound.<sup>7</sup>

The provisions in the SDP are very similar to the Queenstown Lakes District Plan in that they capture every informal airport within the District.

Discussions with the Southland District Council's Senior Planner (Ms Jennifer Green) confirmed that the Council does not enforce any particular policy or specified threshold with regard to frequency of use of an informal airport before resource consent is required.

Quite simply, if any aircraft landing falls within the parameters of Rule TRAN.11 resource consent will be required.

Ms Green also confirmed that no other mechanisms exist for the control of airports and/or temporary/one off landings.

---

<sup>7</sup> Section 3.12 Rule NSE 1 Noise Measurement Southland District Plan



### 2.3 Westland District Council

Similarly to the SDP the Westland District Plan (“WDP”) also does not include a definition of an airport.

Neither does it provide a definition for helicopter landing area. Accordingly, the definition of airport contained in Section 2 of the Act applies.

The Rural Policy Unit is the Westland Districts equivalent of the Rural General Zone. The provisions for the Rural Policy Unit are contained within Section 5 of the WDP.

There are no rules that specifically relate to airports or the take-off / landing of aircraft within the Rural Policy Unit. However, the general rules that apply to all Zones in the Westland District are applicable and specifically Rule 6.5 – Discretionary Activities which states:

*“(d) The following activities with the potential to distract traffic movement: helipads, and commercial operations of bungee jumping, hang gliding or similar types of leisure activities”*

“Helipad” is not defined within the WDP but discussions with the Council’s Manager Planning & Regulatory (Mr Richard Simpson) has confirmed the interpretation of this rule to encapture informal helicopter landing areas/airports as they are referred to in the Queenstown Lakes District.

Additionally, while Rule 6.5(d) refers specifically to helipads it also refers to “similar types of leisure activities”. Leisure activities are not defined in the WDP either however, discussions with Mr Simpson have confirmed that this rule would also encapture informal airports or airstrips for fixed wing aircraft.



Mountain Helicopters Base, Fox Glacier. Source – Rowan Muller 03 April 2012

The question of how an activity captured by Rule 6.5(d) is considered as to whether it causes a distraction to traffic and thus requires consent was put to Mr Simpson. It is understood that the

New Zealand Transportation Agency staff are consulted with regards to the State Highway but generally, anything in excess of 50 metres from a road would not conflict with this rule.

In terms of local roads within the Westland District Councils jurisdiction, the Council would use their discretion as to whether the activity would cause a distraction. It is our understanding that in most cases, an airport would not trigger this rule.

The Discretionary Activity provisions contained within Section 6.5 of the WDP specifically state that the listed activities (inclusive of those in 6.5(d)) are not subject to any performance standards other than those listed in that section.

Accordingly, the performance standard for noise within the Rural Policy Unit which, is detailed in Table 5.7 of Section 5 of the WDP does not apply to informal airports. The noise generated will be assessed as part of the overall proposal as a full Discretionary Activity.

Interestingly, a recent notified (limited) resource consent for a commercial helipad (I10092) by Greenstone Helicopters undertook assessment of noise effects utilising the noise standard NZS 6807:1994 - *Noise Management and Land Use Planning for Helicopter Landing Areas*.

Mr Simpson has confirmed that there are no other mechanisms in place that allow the Council to control informal airports.

In regards to temporary or “one off” aircraft landings the Council also has no specific rules or other provisions to control these types of landings.

Council officer discretion is used to determine when a threshold or frequency of use of a site requires resource consent pursuant to Rule 6.5(d) of the Westland District Plan.

For example, discretion is exercised not to require consent for helicopter operators undertaking a few flights at a roadside paddock for hunter pick up and drop offs during the roar (March/April).

## 2.4 Western Bay of Plenty District Council

The Rural G Zone of the Western Bay of Plenty District Plan (“WBOP DP”) covers the majority of rural land in the District. It is the equivalent of the Queenstown Lakes District Council’s Rural General Zone.

The Western Bay of Plenty commenced its District Plan review in January 2009. Aside from an appeal relating to one specific part of this plan, the Western Bay of Plenty District Council is very close to making their proposed plan operative.

As the proposed plan was notified prior to the simplifying and streamlining changes to the Act it is the proposed Plan that is being given the most weight at the current time.

The proposed WBOP DP does not contain any definitions for airports, helipads, helicopter landing areas or the like.

Accordingly, the Rural G Zone provisions do not specifically provide for informal airports in the prescribed rules or the Performance Standards for the Zone.

Subsequently, the overarching general rules for the District which are contained within Section 4 are relevant. There are no provisions for informal airports within this section of the District Plan either however, Section 4A refers to activities that are not specifically provided for and states:

***“4A.1 Activities Not Specifically Provided For  
Explanatory Statement***

*Activity lists are used in the District Plan to provide certainty for users and are intended to cover all likely expected activities. It is difficult for a District Plan to cover every eventuality with the use of such lists. Any activities not listed (other than those that fall within the jurisdiction of The Regional Council) shall, therefore, be treated as Non-Complying in order to provide a full opportunity to assess the adverse effects on the environment that the activity may give rise to”.*

Therefore, informal airports (as defined by Section 2 of the Act) require Non-Complying Activity consent.

Section 16 (Rural) of the proposed WBOP DP stipulates that the Performance Standards in this section shall be met by all Permitted and Controlled Activities and shall be used as a guide for the assessment of all other activities.<sup>8</sup>

Section 16 requires the Performance Standards for noise found within Section 4C (Amenity) of the proposed WBOP DP to be given regard to<sup>9</sup>.

The noise levels are to be measured in accordance with the requirements of NZS 6801:2008 Measurement of Environmental Sound, and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

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<sup>8</sup> Proposed Western Bay Of Plenty District Plan Section 16.4.1 page 16.11

<sup>9</sup> Proposed Western Bay Of Plenty District Plan Section 16.4.1(l) page 16.16



Having spoken with the Council's Consents Manager (Mr Chris Watt) it has been confirmed that there are no other mechanisms in place that allow the Council to control informal airports.

In regards to temporary or "one off" aircraft landings the Council also has no specific rules or other provisions to control these types of landings.



Mountain Helicopters Informal Airport West Coast. Source – Rowan Muller April 2012

## 2.5 Mackenzie District Plan

The Mackenzie District is predominantly rural in character. Of the total area of 745,562ha in the District, there is approximately 3,000ha of roading, urban settlement and other use.<sup>10</sup>

Accordingly the Rural Zone of the Mackenzie District encompasses a large area of lakes, riverbeds and mountain tops and the remainder is comprised of farm land.

In regards to the management of informal airports, the Mackenzie District undertook a consultation exercise in the mid-nineties which culminated in the Mackenzie Basin Aviation Strategy 1996 which is now contained within the Mackenzie District Plan as Appendix L.

This document was developed following a report titled “Mackenzie Basin Aviation Needs and Development Strategy” (BECA 1995). Subsequently, some (but certainly not all) of the content of the Aviation Strategy has been incorporated into the Mackenzie District Plan and the relevant provisions are described below.

The Mackenzie District Plan contains a definition of ‘Aviation Activity’ which states:

**“Aviation Activity:** means the use of land, air, water and buildings for commercial aviation purposes.”

Aviation Activities are provided for within the Rural Zone of the Mackenzie District as Permitted, Controlled and Discretionary Activities<sup>11</sup>.

The determination as to which activity status is afforded to aviation activities depends upon the activity, land tenure and frequency of landings.

Specifically, the take-off and landing of aircraft for emergencies, fire fighting, farming, residential or non-commercial recreational purposes, management purposes on Public Conservation Land or activities of the NZ Defence Force are Permitted Activities pursuant to Rule 14.1.1 of the Mackenzie District Plan.

The Permitted Activity status also extends to aircraft landing sites for commercial recreation purposes within Public Conservation Land and, infrequent landing sites for commercial aviation activities on other land provided that no property shall be used for this purpose for more than five excursions in any week<sup>12</sup>.

Controlled Activities are provided for rotary wing aircraft at aviation sites identified on the Districts Planning Maps. Aviation sites are not defined in the Mackenzie District Plan but Mr Nathan Hole, the Council’s Planning and Regulations Manager has advised that these are “high use scenic sites” specifically provided for on the Districts Planning Maps.

It is our understanding that these are limited to two sites at the Tekapo Canal and Pukaki Downs on the Mt Cook Highway (SH80)<sup>13</sup>.

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<sup>10</sup> Section 7 Rural Objectives and Policies Mackenzie District Plan page 7-1

<sup>11</sup> Section 7 Rural Zone Rules, Part 14 Aviation Activities Mackenzie District Plan

<sup>12</sup> Section 7 Rural zone Rules, Rule 14.1.2 and 14.1.3 Mackenzie District Plan

<sup>13</sup> Aviation Sites Depicted on Mackenzie District Council Planning Map 28

Aviation activities that do not comply with the Permitted or Controlled activity standards for commercial aviation activities are provided for as Discretionary Activities<sup>14</sup>.

There are no specific noise rules that apply to the operation of Aviation Activities.

Mr Hole has confirmed that aside from the District Plan provisions, there are no other mechanisms that exist to control informal airports within the Mackenzie District.

The rules for aviation activities in the Rural Zone deal with all potential informal airports including setting a Permitted Activity threshold to allow for temporary or infrequent use of airports being five excursions (landing and take-off) per week from a property.



Mountain Helicopters Landing at Lake Roto Te Koeti, Jacobs River, West Coast. Source Sean Dent July 2009

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<sup>14</sup> Section 7 Rural Zone Rules, Rule 14.3.3 Mackenzie District Plan

## **Section 3.0**

### **Identification of Environmental Effects Considered When Granting Consent for “Airports” in the Queenstown Lakes District**

#### **3.1 Summary of Resource Consents Reviewed**

In identifying the other environmental effects aside from noise that are considered by the Queenstown Lakes District Council in the assessment of resource consent applications for informal airports a diverse range of resource consents were reviewed.

The specific consents are described in brief below:

1. RM080434 Totally Tourism Limited application for an airport at Arthurs Point. Rural Visitor Zone and privately owned land.
2. RM100777 QLDC application for an airport at Bob's Peak. Rural General Zone (Recreation Reserve Designation) leased land to Skyline Enterprises Limited. This decision is still subject to an Environment Court Appeal.
3. RM080669 High Plains Wine Co application for an airport near the Winehouse kitchen and Kawarau Bungy Bridge. Rural General and Gibbston Character Zone and privately owned land.
4. RM080631 Heliworks application for an airport at the Earnslaw Burn Rock Biv. Rural General Zone and Pastoral Lease Hold land.
5. RM080731 Heliworks application for an airport on the eastern face of the Humboldt Mountains. Rural General Zone and Public Conservation Land.
6. RM081474 Ngai Tahu Wakatipu Holdings Limited application for an airport in the upper Greenstone Valley. Rural General Zone and privately owned land.
7. RM090593 Alpine Helicopters Limited application for an airport on Buchannan Peak. Rural General Zone and Public Conservation Land.
8. RM081425 Jacks Point Limited application for 5 airports at Jacks Point. Jacks Point Resort Zone and privately owned land.
9. RM080743 Heliworks application for an airport in the Sth Von River Valley Mt Nicholas Station. Rural General Zone and Pastoral Lease Hold land.
10. RM090597 Alpine Helicopters application for an airport at Ferguson Hut. Rural General Zone and Public Conservation Land.

### 3.2 Environmental Effects Assessed

The resource consents outlined above required varied assessments given the diversity in the range of environments encountered due to the different District Plan Zones and proximity to urban environments.

Primarily in each resource consent noise was undoubtedly the single biggest environmental effect that was considered. However, the consents detailed above also considered other issues such as:

- Character and Amenity including:
  - (i) Dust emissions;
  - (ii) Smell of exhaust fumes;
  - (iii) Visual effects of helicopters;
  - (iv) Cumulative Effects;
- Health and Safety including:
  - (i) To helicopters, pilots, passengers and people on the ground;
  - (ii) Visual distractions to motorists;
  - (iii) Flight paths.
- Positive Effects;

### 3.3 Could These Matters be Addressed Through Standards in the District Plan?

All of the potential adverse effects/considerations described in Section 3.2 with the exception of flight paths and positive effects are considered to be matters that could be controlled by standards in the District Plan if the existing blanket Discretionary Activity status for airports in the Rural General Zone were to be altered.

Specifically, having considered the mitigation available for a range of these matters through our experience in overseeing resource consent applications for informal airports, there is one standard that could be implemented to address the potential adverse effects of all of the above.

The solution is considered quite simple – a minimum setback distance from site boundaries and specified features.

In regards to the above mentioned matters considered in the assessment of resource consents for informal airports a minimum separation distance is considered to mitigate most of these potential effects to an environmentally acceptable level as described below.

#### Character and Amenity

Character and amenity effects are afforded similar assessment in respect of the above mentioned resource consents.

Each of the informal airports listed above are located in areas with differing characteristics but the effects on amenity must be assessed in each case albeit with a differing expectation depending on the specific environment.

Amenity values are defined in the Resource Management Act to mean:

*“Means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes”.*

Character and amenity effects are considered in terms of the existing and receiving environment. Excluding the effects of noise, the assessment on character and amenity primarily focuses on the visual effect of the aircraft and any associated infrastructure.

With the exceptions of RM080434 and RM100777, the above mentioned consents for informal airports did not bear the hall marks of an airport i.e. no physical infrastructure or servicing equipment was to exist at the subject sites.

Therefore, the most common potential adverse effect on character and amenity assessed was the visual effects of the aircraft, taking off, landing, and idling on the ground. The majority of assessments by Lakes Environmental stated the same or similar comments to that quoted below:

*“As it is generally the noise that draws attention to helicopters, it is debatable how many parties would chance to be looking in the direction of the helicopters if they were noiseless. It is considered that visually observing a ‘noiseless’ helicopter is unlikely. Even if the helicopter is seen, it will be visible for an extremely short time frame (in the order of minutes).”*

While we tend to agree with the above, it is also considered that the visual intrusion of an aircraft landing in close proximity regardless of whether it is noiseless or not could have an adverse effect on a person’s amenity values i.e. if the location is characteristically remote for example.

Accordingly, maintaining an adequate separation distance from certain locations could also mitigate informal airports from adversely imposing on character and amenity.

#### Dust

Dust emissions have only been considered in significant detail within the informal airport decisions for RM080434 (Arthurs Point), RM100777 (Skyline) and RM081425 (Jacks Point).

Primarily, dust is considered an issue when an informal airport is proposed in close proximity to existing residential and/or commercial/recreational premises or facilities. For more remote sites, dust does not appear to be a significant issue due to the separation distance that exists from any potentially sensitive receivers.



### Exhaust Fumes

Similarly, the smell of exhaust fumes was raised and considered in RM080434 and RM100777 due to the minimal separation distances between the proposed informal airport and other potential sensitive receivers.

In our view, exhaust fumes from aircraft are considered to be a Permitted Activity pursuant to Chapter 4.9, Section 16.2.5 of the Otago Regional Plan: Air. Accordingly, it is our view that it is not a matter for any great consideration by the Council.

However, in both the above cases cited above, the exhaust fumes were not considered to have a significant adverse effect and the commissioners who presided over each application considered these would dissipate quickly with natural air movement. Again, in more remote locations where separation distances from sensitive receivers are significantly greater than those within RM080434 and RM100777, this potential conflict is unlikely to occur.

### Health and Safety

Health and safety effects are generally not focused on in great detail in the above mentioned resource consents as it is generally accepted that the Civil Aviation Authority manages the rules and procedures for the operation of aircraft.

The exceptions to this are resource consents RM080434 and RM100777 where the informal airports were proposed in more “urban” environments where residences, buildings, walkways and commercial activities are found in close proximity to the proposed airport.

Safety is also specifically referred to in RM080669 and provisions were ultimately made (by way of proposed flight paths) for the avoidance of high voltage power lines that ran through a portion of the subject site.

Accordingly, a minimum separation distance could also mitigate the major potential health and safety effects including those of low probability but high impact i.e. a crash.

### Visual Distraction to Drivers

Visual distractions to motorists have been considered and the written approval of Transit New Zealand obtained with respect to the informal airport at the Kawarau Bungy Bridge (RM080669). Additionally, potential effects on driver distraction were also considered at the Sth Von informal airport site in the Von River Valley (RM080743).

In both cases, the separation distance between the State Highway and the Mt Nicholas Road were mitigatory factors in the provision of the affected party approval and ultimately issuing of the resource consents.

It is noted in Section 2.3 above that minimum separation distances from roads/high ways are also considered in determining whether an informal airport requires resource consent in the Rural Zone of the Westland District Plan.

## **Section 4.0**

### **Identification of Matters Considered by the Minister of Conservation in Considering Aircraft Landing Concessions**

#### **4.1 The Conservation Act 1987 Matters to Be Considered by the Minister**

Section 17U of the Conservation Act 1987 outlines in legislation the matters that the Minister of Conservation shall have regard to when considering any application (including those for aircraft landings) for a Concession on Public Conservation Land.

The matters as they are described in this Section of the Act are broadly encapsulating of all or any potential effects of the activity.<sup>15</sup>

Section 17U subsection 2 provides for the Minister to decline any application if it is considered that there are no adequate methods or no reasonable methods for remedying, avoiding or mitigating the adverse effects of any activity.

Having consulted with the Wakatipu Area DOC staff it has been confirmed that the wording of the legislation is interpreted and utilised to consider all potential effects of aircraft landing concessions only upon the Public Conservation Land in which it is located.

Accordingly, there is no certainty that a noise sensitive receiver i.e. a habitable building on an adjoining property would be taken into consideration in the assessment of effects for an aircraft landing concession on nearby Public Conservation Land.

While the above hypothetical situation is considered to be very rare, it is likely that the Wakatipu Area Office staff would note the presence of any such 'affected parties' when providing their recommendations to the concessions team but, the concessions processing team in Dunedin would make the final call as to the legality of assessing effects on any third party and determine whether that would be a consideration in the granting of the concession.

In addition, the assessment of effects of aircraft landing concessions on Public Conservation Land is limited in the extent to which the Concessions process can control them. Specifically, it is understood that legally, DOC cannot exert control in regards to overflying aircraft.

It is understood that their control is similar to the RMA, limited to aircraft movement (other than WARO – Wild Animal Recovery Operations) below 500 feet (152.4 metres). i.e. the effects associated only with the direct landing and departure of aircraft from a site is considered in the granting of a concession.

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<sup>15</sup> Section 17U(1)(c) Conservation Act 1987



## 4.2 The Relationship Between Conservation Management Strategies / Management Plans and the Concessions Process.

Section 17W of the Conservation Act states that, a Concession shall not be granted unless the Concession and its granting are consistent with the relevant Conservation Management Strategy or Conservation Management Plan.

As such, the provisions within each of these documents (in Queenstown Lakes the relevant documents are the Otago Conservation Management Strategy 1998 and Mt Aspiring National Park Management Plan 2011) provide the overarching provisions that enable the grant of Concessions for aircraft landings.

The Conservation Management Strategy includes the identification of “Special Places” throughout the Otago Conservancy and details the specific outcomes anticipated for each one – inclusive of aircraft landings.

Similarly, the Mount Aspiring National Park Management Plan (“MANP MP”) identifies visitor management settings where certain activities inclusive of aircraft landings, can be appropriately managed. The MANP MP achieves this by splitting the park into four zones managed to provide different experiences for visitors.

The types of visitors likely to use the various zones, and the visitor experiences each zone is managed for are detailed in the Department of Conservations Visitor Strategy 1996. Reference has also been given to the New Zealand Recreation Opportunity Spectrum Guideline for Users 1993. The resultant zones in the MANP consist of the following:

- Olivine Wilderness Area. The primary purpose of wilderness areas is not to lock up land or prevent use, but provide recreational opportunities and experiences for people seeking solitude and challenge in a natural environment free from facilities<sup>16</sup>;
- Remote Zone. The remote zones priorities are the protection of natural quiet and remote experiences whilst surrounding and acting as a buffer to the Olivine Wilderness Area. In general, there is very limited aircraft access to the remote zone although some mainly low use landing sites have been identified to allow for some exiting/historical uses<sup>17</sup>;
- Back Country Zone. The back country zone includes landscapes that remain unmodified and natural but which is generally more accessible than the remote and wilderness zones. Generally, there is a greater range of uses that can be considered within this zone including aircraft access<sup>18</sup>; and
- Front Country Zone. The front country zone is generally accessible by vehicles and may have infrastructure such as car parks, picnic and camping areas, toilets, viewpoints, public shelters and easy walking tracks. The front country zone receives the highest use of any of the parks areas by visits are normally short and visitors should expect to meet many other people.

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<sup>16</sup> MANP MP Section 6.6.2.1 page 57

<sup>17</sup> MANP MP Section 6.6.2.2 page 58

<sup>18</sup> MANP MP Section 6.6.2.3 page 58

A general summary is that the further one gets from the Front Country Zone, the less appropriate it is for mechanised transport such as; aircraft in order to maintain areas for users to achieve an expected solitude and “natural quiet”.

It should also be noted that the National Parks Act 1980 is relevant to the preparation of National Park Management Plans and Section 43 states:

*“The Department shall, subject to this Act, and in accordance with—*

*(a) any statements of general policy adopted under section 44; and*

*(aa) any conservation management strategy for the time being in force in respect of a park; and*

*(b) any management plan for the time being in force in respect of a park—*

*administer and manage all national parks in **such a manner as to secure to the public the fullest proper use and enjoyment of the parks** consistent with the preservation of their natural and historic features and the protection and well-being of their native plants and animals”. [My emphasis added].*

As stated above, aircraft landing concessions will not be granted where they are inconsistent with the provisions set for the special places and zones in each of these documents.

Both the Conservation Management Strategy and the MANP MP go through a significant amount of public consultation and are reviewed every ten years.

The consultation includes full public notification of each document and the opportunity for submitters to be heard at respective hearings – similar to the RMA District Plan review process.

Accordingly, it is considered that any aircraft landing concession granted by the Department of Conservation on Public Conservation Land has been fully, comprehensively and adequately assessed and ultimately, deemed consistent with the values specific to the Public Conservation Land upon which it is proposed to be undertaken and the users of that land.



Source - <http://rnzaf.proboards.com/index.cgi?board=agricultural&action=print&thread=12321>

### 4.3 Are There Additional Matters Captured by the RMA in the Assessment of Informal Airports

Having reviewed the legislation and having discussed the effects considered when granting an aircraft landing concession on Public Conservation Land with local DOC staff it is quite clear that DOC have a robust framework for assessing this type of activity.

The assessments for aircraft landings consider the potential impact on flora and fauna as well as those on the users of the Public Conservation Land with full regard to the special place provisions or visitor management settings that have been approved through public consultation. No concessions are granted for activities that are inconsistent with these documents.

However, as identified in Section 4.1 above, the Departments assessment of effects is restricted to only the effects on the Public Conservation Land which it administers. The assessment and decisions cannot legally include methods for the mitigation of effects on parties outside of the Public Conservation Land in question.



Mountain Helicopters Greer Stream Jacobs River. Source – Sean Dent March 2008

This appears to be the one major difference in assessment between the Conservation Act and Resource Management Act. The latter would consider effects beyond the boundary of the subject site i.e. the noise rules in Section 5 of the District Plan require noise limits to be complied with at the notional boundary of the nearest residential unit not located on the same site as the activity<sup>19</sup>.

Any future changes to the existing District Plan provisions regarding informal airports in the Rural General Zone and on Public Conservation Land would need to account for this difference in assessment.

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<sup>19</sup> Queenstown Lakes District Plan Zone Standard 5.3.5.2(v) Noise page 5-20

## **Section 5.0**

### **Identification of Matters Considered by the Commissioner of Crown Lands in Considering Recreation Permits For Aircraft Landings**

#### **5.1 Matters Considered by the Commissioner of Crown Lands**

Land Information New Zealand (“LINZ”) standard LINZ S45002 outlines the information requirements for applications for Recreation Permits over Crown Pastoral Land.

Section F.2.6 of this standard requires assessment of the potential impact of the proposed recreation permit (if granted), including:

- (a) If pastoral land, the impact on the inherent values of the lease/licence land
- (b) Impact on the current use of the land
- (c) Describing any adverse effects and how they will be reduced or ameliorated.

Discussions with staff in the LINZ Pastoral office have confirmed that the key matters for consideration when the Commissioner of Crown Lands (“CCL”) grants a Recreation Permit are the effects on the inherent values and the ability to maintain the current pastoral use of the land.

Section 2 of the Crown Pastoral Land Act defines inherent values as:

***“Inherent value, in relation to any land, means a value arising from—***

*(a) a cultural, ecological, historical, recreational, or scientific attribute or characteristic of a natural resource in, on, forming part of, or existing by virtue of the conformation of, the land; or*

*(b) a cultural, historical, recreational, or scientific attribute or characteristic of a historic place on or forming part of the land”*

The CCL is required to consult with the Director General of Conservation in regards to the effects on inherent values pursuant to Section 18 of the Crown Pastoral Land Act. Generally, the local area DOC office will be delegated this function from the Director General.

Similarly to the assessment of effects undertaken by DOC as outlined in section 4.1 of this report, consultation with LINZ staff has confirmed that the CCL is only concerned with the impact of the activity on the land under their jurisdiction.

In other words, they are not required to take into account the possible effects on other parties or land outside the Pastoral Lease concerned when making a decision on the grant of a Recreation Permit pursuant to Section 66A of the Land Act 1948.

## 5.2 Are there Additional Matters Captured by The RMA in The Assessment of Informal Airports?

Having reviewed the legislation and discussed the effects considered when granting a Recreation Permit for commercial aircraft landings on Crown Pastoral Land with LINZ Pastoral staff (Ms Penny Devine, Portfolio Manager), it is clear that the same limitations of the DOC assessment exist in regards to Crown Pastoral Land.

Specifically, that the assessment and decisions issued by the CCL under Section 66A of the Land Act 1948 cannot legally include methods for the mitigation of effects on parties outside of the Pastoral Leasehold Land in question.

Subsequently, any future changes to the existing District Plan provisions regarding informal airports in the Rural General Zone and on Crown Pastoral Land would need to account for this difference in assessment.



Mountain Helicopters Landing in the Butler River, West Coast 2007 Source – Sean Dent



## **Section 6.0**

### **Proposed Activity Status for Airports in Each Zone**

#### **6.1 Are There Appropriate Circumstances For A Wider Range of Activity Status For Airports in the Rural General Zone?**

##### *Airports on Public Conservation or Crown Pastoral Land*

Based upon our experience and the results of this research into the management/assessment of the same provisions by other District Councils, DOC and LINZ, it is considered that there are circumstances where an alternative activity status to the existing blanket Discretionary Activity status would be appropriate for airports in the Rural General Zone.

As identified within Sections 4 and 5 of this report, both the Department of Conservation and the Commissioner of Crown Lands undertake a thorough assessment of all the effects of permitting informal airports within lands under their respective administration and on the users of these lands.

However, it was noted that the assessment of effects undertaken by both statutory bodies concludes at the boundary of those organisations land parcels and does not provide for consideration of the wider environmental effects (most likely to be noise) that are created on adjoining land owners/users.

Further, it was identified within Section 3 of this report that the documented adverse effects considered in the assessment of a range of resource consents for informal airports can seemingly be mitigated by the imposition of a minimum separation distance.

Accordingly, it is considered appropriate to simplify the District Plan provisions in the Rural General Zone for informal airports on land administered by the Commissioner of Crown Lands and DOC subject to an appropriate separation distance.

Specifically we consider that a new Permitted Activity Rule could be imposed into Section 5 - Rural Areas of the District Plan for these land tenures as follows:

##### ***Airports on Public Conservation and Crown Pastoral Land***

*Airports that comply with the following standards shall be Permitted Activities:*

- (a) Airports located on Public Conservation Land when the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation Act 1987;*
- (b) Airports located on Crown Pastoral Land when the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948;*
- (c) Airports for emergency landings, rescues, fire fighting and activities ancillary to farming activities.*

*And*

- (d) *In regards to both (a) and (b) the airport is located a minimum of 500 metres from any other site or road.*

Overall, the addition of the above Permitted Activity standard into the District Plan would eliminate the 'double assessment' that is currently afforded to all informal airports on Public Conservation Land and Crown Pastoral Land while still effectively managing genuine adverse environmental effects.

This Permitted Activity Standard is considered appropriate due to the level of assessment afforded to aircraft landing approvals on lands within the jurisdiction of DOC and LINZ as outlined in Sections 4 and 5 above.

The requirement for a 500 metre minimum setback from any other site or road has specifically been included to address the one identified shortcoming of the assessment by DOC and LINZ whereby the effects assessed are limited to only those on the land within their jurisdiction.

The setback should ensure that the noise provisions are complied with at the boundary of the site in question and mitigate the potential for driver distraction from any roads in or adjacent to these lands.

#### *Airports on Other Rural General Land*

Further to the above scenarios, it is also considered that there are appropriate circumstances in which airports on other rural landholdings in the District for private and commercial purposes could be covered by a Permitted Activity Rule.

As detailed above, a suitable separation distance is considered to avoid, remedy or mitigate the adverse effects of airports that were identified in the decisions reviewed in Section 3 of this report.

Accordingly, if there are locations on other Rural General Zone land where an appropriate separation distance can mitigate these effects, it is recommended that there should be no need for resource consent to be sought.

Accordingly, it is considered that an additional Permitted Activity Rule could be included to read as follows:

#### ***Airports on Other Rural General Land***

*Airports that comply with the following standards shall be Permitted Activities*

- (a) *Airports that do not exceed a frequency of 3 flights per week from any site;*
- (b) *Airports for emergency landings, rescues, fire fighting and activities ancillary to farming activities.*

*And*

- (c) *In regards to (a) the airport is located a minimum of 500 metres from any other site, public road, public place or trail.*

*\*note for the purposes of this rule a flight includes two aircraft movements i.e. a landing and a departure.*

The minimum separation distance for airports on other Rural General Zone properties is considered conservative enough that the proposed number of aircraft flights (both fixed and rotary wing) could occur without breaching the applicable relevant New Zealand Standards and District Plan provisions for noise at the distances specified.

This based on preliminary feedback from Mr Vern Goodwin, a specialist adviser for the Ministry of Health's Environmental Noise Analysis and Advice Service. Additional and more specific discussions may be required with an acoustic expert to confirm that this would be the case in all predictable scenarios i.e. downwind in severe winds.

Further, it is considered that the suggested separation distance will adequately deal with effects relating to dust emissions, exhaust fumes, visual distraction, health and safety, and visual effects to a level that is appropriate for Permitted Activities.

The separation distance is understood to be considerably more conservative than that which Southern Planning Group understands is required to comply with the relevant noise standards and particularly those contained within NZS 6807:1994 - *Noise Management and Land Use Planning for Helicopter Landing Areas*<sup>20</sup>. It has been set at a 500 metre distance as it is considered that it will also appropriately deal with potential adverse effects on character and amenity other than just noise.

It can be difficult to quantify the effects on character and amenity as these effects can be somewhat subjective and varied between different parties.

As both DOC and LINZ undertake robust assessments of informal airports on land within their respective jurisdictions, it is considered appropriate that to enable a Permitted Activity Status for "other land" there must be a strict limit in the frequency of flights on any other land given the lack of any formal assessment.

The review of other District Plans revealed that in four out of the five reviewed, there is no specified threshold regarding the frequency of use. Only the Mackenzie District Council stipulated a maximum weekly frequency of five "excursions" for Permitted Activities.

It is recommended that a frequency of three flights per week (for either fixed or rotary wing aircraft or a combination of both) is appropriate for informal airports in the Rural General Zone with a Permitted Activity status.

This would allow for infrequent flights at wedding reception venues, wineries, and private residential/commercial landings and would cover a variety of "impromptu one off landings".

In addition, the proposed Permitted Activity status would reduce the costs to operators in obtaining the required approvals to establish the informal airports and it would reduce the amount of time spent dealing with compliance and monitoring requirements for different statutory bodies.

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<sup>20</sup> Guide to determine likely noise effects on people. Vern Goodwin Environmental Noise Analysis and Advice Service, Ministry of Health. January 2008



In terms of compliance, monitoring and enforcement of the recommended Permitted Activity provisions we don't anticipate that allowing for some permitted airport use will significantly increase compliance and monitoring costs for the Council.

As outlined in Section 1, the definition of 'airports' appears to capture every aircraft movement. Accordingly, it could be suggested that this makes compliance with the rule simple i.e. a single landing reported by a member of the public that is found to have no consent for an airport on the land involved is non-complying and the appropriate enforcement action is undertaken against the landowner and operator (if known).

However, in our experience, landowners and operators alike are still unaware or confused when advised that all aircraft landings (other than those specifically exempt) require resource consent. Subsequently, there are still a number of non-complying landings being undertaken today which could result in enforcement action being required.

The recommended Permitted Activity status would provide absolute clarity to operators, landowners and the public that there is a small amount of aircraft activity Permitted in the Rural General Zone.

Accordingly, it is anticipated that with this clarity of permitted use, complaints about potentially unlawful aircraft activity may in fact be reduced.

We also note that Lakes Environmental's compliance department has been maintaining a spread sheet of all "one off" landing requests whether they have been granted or not. All of the nineteen landing requests made to Lakes Environmental for 'one off' landings in the 2011/2012 year are for three or less landings and departures. The two exceptions being landings and take offs associated with the Kingston Flyer opening and Challenge Wanaka.

Additionally, in our experience a number of informal airports in the District are utilised for single events for weddings or private functions etc. Based on our experience and the results of this research it appears unlikely that the recommended three landings per week would be exceeded at these 'low demand sites' and subsequently require monitoring and enforcement action.

However, should there be an instance where Council's compliance officers have reasonable grounds to believe that the level of helicopter activity exceeds the permitted limit, enforcement can be undertaken directly against the land owner who has authorised the airport rather than per suing one (or more) aircraft operators.

Specifically, the recommended Permitted Activity rule refers to a specified number of landings per site. As a landowner, permission must be provided to an operator to land on their site and subsequently, the landowner is the one ultimately responsible for managing the aircraft activity on their site.

Accordingly, the added clarity of the recommended rules and emphasis on land owners rather than aircraft operators to manage aircraft activity on their own sites is anticipated to result in a greater level of compliance than the status quo.

Overall, the suggested Permitted Activity Rules are thought to achieve the purpose of the Resource Management Act more appropriately than the existing blanket Discretionary Activity status.

General Comments on Activity Status for Informal Airports in the Rural General Zone

It is recommended that the existing Discretionary Activity provisions for airports in the Rural General Zone be amended to capture all airports that fail to meet the Permitted Activity standards such that it reads as follows:

**Airports**

*Airports that do not comply with one or more of the Permitted Activity standards detailed in Rule 5.3.3.1.*

This would effectively still provide Council the opportunity to rigorously assess any application where there is a potential for significant potential adverse effects from informal airports through either a less than desirable separation distance or frequency of flights.

The full Discretionary Activity status will of course allow the Council to assess any actual and potential effects of the proposed activity pursuant to Section 104 of the Act as well as any other matter the consent authority considers relevant and reasonably necessary to determine the application pursuant to Section 104(1)(c).

Overall, the suggested Rural General Zone provisions are considered to provide an adequate balance between the freedom to operate airports as of right (in terms of the District Plan) and requiring a full and comprehensive assessment of airports in which there may be potential for significant adverse effects.



Source - <http://rnzaf.proboards.com/index.cgi?board=agricultural&action=print&thread=12321>

## 6.2 Identification and Justification for Activity Status for Airports in All Zones

Based on the results of the research into the activity status for informal airports (or the taking off and landing of aircraft as described in Section 1.2 of this report) it is considered that the existing District Plan provisions for informal airports generally carry an appropriate activity status.

Specifically, in most instances, informal airports require either a Discretionary or Non-Complying activity status.

In determining whether the activity statuses are appropriate or not, consideration was given to the Zone Purposes at the commencement of each chapter in the District Plan. The only Zone Purpose in which informal airports were to some degree provided for was the Rural General Zone which states:

### **“5.3.1 Zone Purposes**

#### **5.3.1.1 Rural General Zone**

*The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:*

- *protects and enhances nature conservation and landscape values;*
- *sustains the life supporting capacity of the soil and vegetation;*
- *maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and*

**- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.**

*The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine areas and national parks”.[My emphasis added].*

Accordingly, this Zone Purpose provided some emphasis for our recommendations for the Rural General Zone activity status described in Section 6.2 of this report.

However, it also assisted in confirming our assessment that for the remainder of the District Plan Zones there has not been an intention or a significant requirement to provide for informal airports in these other Zones as the focus is on providing for other activities and amenities.

This is further backed up by the lack of requests from operators to Lakes Environmental for “one off” informal airports at sites in these other Zones.

Of the nineteen landing requests which, it is noted were all for rotary wing landings (one which wasn’t technically a landing but a construction drop off) made since 31 May 2011, less than half have been in Zones other than Rural General Zone and those that have, have been within Areas Designated as Recreation Reserves or for Education purposes.

Accordingly, based on the results of this research there appears to be insufficient evidence to demonstrate that informal airports should be provided for in Zones other than Rural General by way of a more 'relaxed' activity status.

The activity status for informal airports should rightly aim to protect the residents, workers, activities, and anticipated amenities within these other Zones from the potential adverse effects of informal airports by requiring them to be assessed by resource consent.

A Discretionary or Non-Complying Activity Status for informal airports is considered appropriate as informal airports in most other Zones are unlikely to be suitable in all locations in a Zone or generally not anticipated within those Zones at all.

A table identifying the existing District Plan Zones, the current activity status for airports and those proposed is contained below:

<b>ZONE</b>	<b>EXISTING ACTIVITY STATUS</b>	<b>PROPOSED ACTIVITY STATUS</b>
<b>Rural General</b>	Discretionary	Permitted – subject to standards; and Discretionary
<b>Ski Area Sub-Zone</b>	Discretionary	Discretionary
<b>Queenstown Airport Mixed Use Zone</b>	Permitted – subject to complying with Noise Standards	Non-Complying
<b>Low Density Residential</b>	Discretionary	Non-Complying
<b>High Density Residential</b>	Discretionary	Non-Complying
<b>Residential Arrowsdown Historic Management</b>	Non-Complying	Non-Complying
<b>Rural Lifestyle</b>	Discretionary	Discretionary
<b>Rural Residential</b>	Non-Complying	Non-Complying
<b>Townships</b>	Non-Complying	Non-Complying
<b>Town centres</b>	Non-Complying	Non-Complying
<b>Business</b>	Non-Complying	Non-Complying
<b>Industrial</b>	Non-Complying	Non-Complying
<b>Resort – Millbrook</b>	Discretionary	Discretionary
<b>Resort – Waterfall Park</b>	Non-Complying	Non-Complying
<b>Resort – Jacks Point</b>	Discretionary	Discretionary
<b>Rural Visitor</b>	Discretionary	Discretionary
<b>Penrith Park</b>	Non-Complying	Non-Complying
<b>Bendemeer</b>	Non-Complying	Discretionary
<b>Remarkables Park (all activity areas)</b>	Non-Complying	Non-Complying
<b>Hydro Generation</b>	Permitted if associated with Hydro Generation Activity	Permitted and Discretionary pursuant to Hydro Generation and Rural

	Discretionary pursuant to Rules of Part 5 Rural Areas	General Zone Provisions
Quail Rise	Non-Complying	Non-Complying
Meadow Park	Non-Complying	Non-Complying
Frankton Flats A	Non-Complying	Non-Complying
Mount Cardrona Station	Discretionary	Discretionary
Ballantyne Road Mixed Use Zone	Permitted subject to meeting Zone Standard for Noise	Non-Complying
Three Parks	Non-Complying	Non-Complying
Kingston Village	Non-Complying	Non-Complying
Open Space – Landscape Protection	Prohibited	Prohibited

\*Note: All zones allow airports for emergency landings, rescues and fire fighting.

## **Section 7.0**

### **Temporary Activities**

#### **7.1 Threshold for Irregular Landings in the Rural General Zone**

Southern Planning Group has considered the types of occasions when a temporary airport may be required. Based on our experience and assessment of the process for obtaining “one off landing approvals” from Lakes Environmental’s compliance department, these types of informal airports are generally required but not necessarily limited to, weddings (dropping off/picking up bridal parties) and transport to wineries or lodges.

These temporary airports are generally assessed by Lakes Environmental in terms of the frequency in which ‘one off landings’ occur at the subject site, the reason for the flights and the number of flights required, the time of day and the type of aircraft to be used.

While this one off approval process appears to have worked well in mitigating effects (i.e. a lack of complaints about the approved landings) until the time of drafting this report, using discretion to override the District Plan Rules as they currently exist is technically unlawful.

In addition, it is our understanding that some sites have reached a threshold in terms of frequency of use that Lakes Environmental are no longer comfortable in approving one off landings at these locations.<sup>21</sup>.

Based on the above, the recommended Permitted Activity Rules detailed in Section 6.2 of this report would appropriately provide for “one off” or temporary landings in the Rural General Zone, if they meet the separation distance criteria. (Those that don’t will still fall to be assessed as a Discretionary Activity).

Accordingly, specifying an additional and specific temporary activity rule for informal airports within the Rural General Zone is not considered necessary if the suggested Permitted Activity status described in Section 6.2 is adopted.

#### **7.2 Proposed Temporary Activity Provisions**

As detailed in Section 7.1, it is considered that the suggested Permitted Activity Rule for the Rural General Zone will provide for ‘one off’ or temporary landings in the appropriate circumstances within that Zone.

Accordingly, any possible additions or amendments to the Temporary Activity Rules in Section 19 of the District Plan in regards to informal airports should be considered in light of what other Zones may reasonably require the use of informal airports.

The need for one off or temporary approvals within the other District Plan Zones forms less than half the seventeen one off landing requests made to Lakes Environmental since May 2011<sup>22</sup>.

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<sup>21</sup> Phone Conversations with Lakes Environmental Senior Compliance Officer Anthony Hall in 2011

<sup>22</sup> Spreadsheet of one off landing applications made to Lakes Environmental’s compliance department 31 May 2011 - Current

Accordingly, based on this information it seems most appropriate to maintain the opportunity for an informal airport for private or commercial purposes to be assessed through a resource consent (Discretionary or Non-Complying Activity) in these other Zones rather than to promote informal airports within them through the provision of “one off” or temporary provisions.

It makes sense to protect these other District Plan Zones, their inhabitants and activities from the potential effects of informal airports (outlined in Section 3 above) except in exceptional circumstances.

However, it is noted that informal airports may on rare occasions, be used for community purposes such as the Arrowtown Primary School Fair on 19 November 2011<sup>23</sup> where helicopter rides were provided as a means of fundraising.

Another example (also for Arrowtown Primary School) was where England Rugby Team players were flown to the school as part of their ‘community engagement’ requirements in association with the Rugby World Cup.

It is therefore considered appropriate that a temporary activity exemption is provided for informal airports for rotary wing aircraft landings that are ancillary to community events.

In addition to providing an exemption for the informal airport itself, it would also be necessary to exempt the airport from the noise provisions of the District Plan as it is likely that an informal airport for this purpose may not comply for the District Plan noise provisions however, for a special and appropriately limited duration event such as that described above, it is considered an appropriate exemption.

Such a rule could read as follows:

### ***Informal Airports***

*Informal airports for rotary wing aircraft flights in association with the use of the site for public carnivals, fairs, galas, market days, meetings exhibitions, parades rallies, cultural and sporting events, concerts, shows, musical and theatrical festivals are permitted activities provided that;*

- *The informal airport is only used during the hours 8am – 6pm;*
- *No more than 5 flights shall occur for each day that the event runs;*
- *No site shall be used for an informal airport for more than 7 days in any calendar year;*
- *The operator has notified Council’s compliance department of the use of the informal airport; and*
- *For the purpose of this Rule the relevant noise standards of the Zone shall not apply to informal airports.*

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<sup>23</sup> <http://www.arrowtown.com/events/festival/2011-11/arrowtown-primary-school-fair.31/>

*\*note for the purposes of this rule a flight includes two aircraft movements i.e. a landing and a departure.*

The above mentioned rule would appropriately capture the rare events where an aircraft (specifically a helicopter) is used in association with activities that benefit the Queenstown Lakes District community directly i.e. through fundraising or by association with high profile sporting events and similar engagements that highlight the District nationally and internationally i.e. the Rugby World Cup.

These events are considered to be rare enough that the exemption to the noise rules to allow them to occur for a limited duration is appropriate.

The use of the term “public” within the wording of the suggested rule will ensure that it is only events open to the public that fall within this exemption. For example, landing a celebrity such as the All Blacks Captain at the Rugby Sevens or Father Christmas at a local school. The proposed wording would not permit landings for private wedding functions or similar public excluded events.

The exemption to the noise rule is required to allow for these rare events to be undertaken without any resource consent. A special landing(s) undertaken at Arrowtown Primary School for example may have the potential to breach the Low Density Residential Zone noise provisions.

An exemption to the noise rules for such limited duration public events is not considered to result in any significant adverse effects

In terms of the other potential adverse effects associated with informal airports, safety is considered to be the effect with the greatest potential risk to the community.

In this regard, it is noted that safety still ultimately lies with the Civil Aviation Authority (“CAA”) and the requirements for the pilot in command of any aircraft to comply with the applicable CAA visual flight rules.

These rules apply regardless of whether resource consent is required or not and thus it is considered that there is not necessarily a significantly greater risk to the public than if the informal airport was operated with or without resource consent.



## **Section 8.0**

### **Other Relevant Considerations**

#### **8.1 Noise Standards for Helicopter and Fixed Wing Noise**

The current District Plan provisions relating to the measurement and assessment of noise refer to NZS 6801 and 6802 2008 except where specifically provided otherwise.

In terms of aircraft noise assessment the only New Zealand Standard referenced within the District Plan Zone Standards is NZS 6805:1992 - *Airport Noise Management and Land Use Planning*.

I am advised by Mr Vern Goodwin that this standard is for the measurement and assessment of airport noise from commercial airports and does not provide scope for the appropriate assessment of aircraft noise from infrequent and low use informal airports.

NZS 6807:1994 - *Noise Management and Land Use Planning for Helicopter Landing Areas* which is the appropriate acoustic standard for the measurement and assessment of helicopter noise has been included in the District Plan through Plan Change 27A however, the mediated outcome only provided for this standard as an Assessment Matter with limited functionality.

Ultimately, at the current time the District Plan requires the assessment of aircraft noise to be undertaken in accordance with NZS 6801 *Acoustics - Measurement of Environmental Sound* and NZS 6802 *Acoustics – Environmental Noise* 2008. Mr Vern Goodwin advises that the scope of these standards does not extend so far as to cover transportation noise and especially that from aircraft.

In fact, in terms of the resultant outcome of Plan Change 27A in regards to the limited references to NZS 6807:1994 now contained within the District Plan, Mr Vern Goodwin made the following comments in evidence before Commissioners David Whitney and Sally Middleton at the Council hearing for RM100777 (Skyline Helipad):

*“To the extent it applies because of an amended District Plan Rule, NZS 6802:2008 was never intended to be applied to assessment of helicopter noise. This is explicit in the scope of the standard. A more detailed explanation has been provided in the ANE (see paragraphs 11-19). It is also implicit in the new rule amendment at Rule 5.3.5.2 Zone Standards (v) Noise (d) which states:*

*“(d) The noise limits in (a) shall not apply to sound associated with airports or wind farms. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992 or NZS 6802:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for aerodrome purposes in this Plan”*

*Not mentioned in this new rule provisions in the same way as NZS 6802 or NZS 6805, lack of any mention of NZS 6807 in relation to the object of the clause, i.e.*

noise limits under clause (a) means all the provisions of NZS 6802:2008 apply, including the limitations to its scope. This states:

*“1.2.1 This standard does not apply to the assessment of sound where the source is within the scope of and subject to, the application of other New Zealand Acoustical Standards, except as provided for in 1.2.3 and 1.2.4. In particular, assessment of specific sources of sound including road or rail transport, flight operations of fixed or rotary winged aircraft associated with airports or helicopter landing areas, construction, port noise, wind turbine generators and impulsive sound (such as gunfire and blasting), requires special techniques that generally are outside the scope of this Standard. This Standard covers air borne sound, but does not cover structure borne sound and vibration”.*

*The amended District Plan Rule does not specifically state that this Section of NZS6802 does not apply or is to be disregarded or read as subordinate to the District Plan rules. There is no guidance to the relationship between plan parts, and of plan parts to cited external documents including New Zealand Standards. Being generous about the District Plan Rule drafting not aspiring to chancery standards, the intention of Council seems to be without saying so overtly, that the limitation to the scope in NZS 6802 is to be read down by the specific provision of the Council's new rule addition Rule 5.4.2.3 Assessment Matters General, pp. 5 – 36, xvii Discretionary Activity – Airports. This states at subsection (f)*

*Assessment of helicopter noise pursuant to NZS 6807:1994, excluding the levels contained in Table 1 of Section 4.2.2 to the intent that the levels in Table 1 do not override the noise limits in Rule 5.3.5.2 v”*

*So in effect, Rule 5.3.5.2 (v) appears to be a screening tool where general Zone noise limits applicable to all noise except from other aircraft, wind farms and construction noise are applied to helicopter noise notwithstanding the express limitation of NZS 6802.<sup>24</sup>*

While there is a specific acoustic standard for dealing with helicopter noise (despite its current limitations in the District Plan provisions) we have been advised by Mr Goodwin that there is no existing acoustic standard for addressing the low levels of use of informal airports by fixed wing aircraft.

However, Mr Goodwin has advised that it would not be a difficult task for the Queenstown Lakes District Council to implement its own standard within the District Plan for fixed wing aircraft.

It would require some investigation into an appropriate sound exposure level by an appropriately qualified acoustic expert but we are advised this would not be a particularly onerous task – especially if the noise provisions were already being reviewed in association with the informal airport provisions.

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<sup>24</sup> Evidence of Vern Goodwin for RM100777

Subsequently, based upon the acoustic advice of Mr Vern Goodwin, it is our opinion that the noise provisions in the District Plan are inadequate for the assessment and measurement of the noise effects from informal airports and should be re-visited in conjunction with any future Plan Change that addresses the issue of informal airports.

## 8.2 Aircare Accreditation

Southern Planning Group has considered whether or not it would be appropriate to require aircraft operators who wish to utilise land for informal airports as Permitted Activities to be Aircare Accredited.

The Aviation Industry Association of New Zealand describes AIRCARE™ as

*“an integrated accreditation programme for all of an aviation business. It brings flight safety and environmental safety together in one safety assurance programme”.*

There are a number of standards under the Aircare Safety Management System to which organizations can be accredited depending on what activities they undertake.

The Environmental Management System component of the Aircare Accreditation contains four codes of practice.

The Safety Management System and the Codes of Practice are third party audited, offering assured performance to regulators, customers and the public at large.

Of specific relevance to the District Plan provisions and the mitigation of potential adverse effects is the Code of Practice for noise abatement.

The Department of Conservation is now requiring all existing and new concessionaires to become Aircare Accredited. In addition, other organizations/statutory bodies including, LINZ, Animal Health Board and LandCorp are requiring aircraft operators to be Aircare Accredited.

Staff at Southern Planning Group (Sean Dent) has gained certification under the Code of Practice for noise abatement.

Having completed the seminar and read the course material for the noise abatement Code of Practice it is considered that being Aircare Accredited would not necessarily result in any greater level of noise mitigation over and above that achieved through the provisions suggested in Section 3 and 6 of this report.

Specifically, the noise abatement Code of Practice requires a culture change in the aviation industry such that operators of aircraft think about the noise effects of their aircraft, the differences in noise emission when an aircraft is operated in different maneuvers and consideration to the overall environment in which noise from aircraft is emitted.

For example, this Code of Practice outlines environmental planning regimes such as; where possible avoiding repetition of flight paths or identification of watersheds where aircraft over flights should be expected and stick to those areas or flying along high noise routes such as highways where possible.

Other matters related to aircraft noise are recognizing the side of the aircraft (rotary wing) which produces the greatest level of High Speed Impulsive noise (HSI) during approach and high speed cruise and flying with noise sensitive receivers (habitable buildings or built up locations) on the opposite side of the aircraft to avoid the highest noise level being emitted onto those receivers.

Likewise, when undertaking in flight maneuvers recognizing the point at which the aircraft (rotary wing) creates Blade Vortex Interaction (BVI) otherwise known as “blade slap” which, is one of the more impulsive characteristics of helicopter noise.

While all of the above factors are considered likely to reduce an aircraft’s noise footprint if adhered to, it is important to note that they predominantly relate to noise mitigation during flight – something that the RMA has no control over.

It is our understanding that the noise mitigation measures recommended in the Noise Abatement Code of Practice would not afford any significant mitigation to the effects of noise and subsequently the effects on character and amenity experienced in direct association with the landing and taking off of aircraft.

While there may be no direct noise mitigation benefits from adherence to this Code of Practice in terms of the noise effects that occur during take-off and landing we do acknowledge the benefit in the Code of Practice for high use landing sites (those that would require Discretionary Activity Consent in the Rural General Zone for example).

In those situations, the mitigation of in-flight noise characteristics can be a welcome and additional mitigation tool proposed by applicants.

In this regard, while not forming a required component of the Permitted Activity rule, we do consider that Aircare Accreditation could be of benefit if it were inserted into the Assessment Matters for airports in all Zones within the District Plan.

It is also acknowledged that it is a matter that can be given regard to in the assessment of a Discretionary or Non-Complying airport consent pursuant to Section 104(1)(c) of the Act.

In addition to the above, it should be noted that there is a cost to becoming Aircare Accredited and maintaining that accreditation. Some aircraft operators particularly those of small companies or private operators may not join this voluntary scheme.

Given the lack of perceptible benefits in reducing/mitigating the effects of noise specifically from landing and departure operations of a flight, it does not seem equitable to exclude these smaller operators from the suggested Permitted Activity Status in the Rural General Zone by requiring all operators to be Aircare Accredited.

## **Section 9.0**

### **Summary and Recommendations**

Southern Planning Group began this research with considerable professional experience in overseeing resource consent applications for informal airports within the Queenstown Lakes District.

That background experience allied with the information gained throughout this research project has led to our conclusion that the blanket Discretionary Activity status for informal airports in the Rural General Zone is unnecessarily restrictive.

While some of the District Plans that were reviewed contain similar provisions and rely to some degree on officer discretion as to when a threshold has been met whereby consent is required, it is our opinion that the most appropriate provisions identified were those contained within the Mackenzie District Plan.

Specifically, providing for a distinction between Public Conservation Land and “infrequent” informal airports (Aviation Activities in the Mackenzie District Plan) as Permitted Activities on other land tenure provides for an equitable balance between allowing appropriate environmental effects from informal airports and assessment of those with the potential for effects that could be significant to be assessed through the resource consent process.

The similarities that exist in terms of geography and land tenure between the Mackenzie and Queenstown Lakes Districts demonstrated an immediate link between the two Districts.

After closer review of the Mackenzie District plan provisions and investigation into the assessments undertaken by DOC on Public Conservation Land and then expanding this to include Crown Pastoral Land, it became clear that the Mackenzie example could be moulded to achieve provisions for informal airports in the Queenstown Lakes Districts Rural General Zone that would ultimately better align with the purpose of the Act than the existing provisions.

Subsequently, it is recommended that the Rural General Zone provisions are amended to provide for informal airports as Permitted Activities in limited circumstances (subject to minimum separation distances and frequency of flights) and retaining the Discretionary Activity status in all other cases.

Based on the results of our research it is considered that the majority of the District Plan activity statuses for informal airports in other Zones are appropriate and afford an appropriate opportunity for the assessment of private commercial informal airports in these Zones on the rare occasions and locations in which they are proposed.

Equally, the activity statuses afford a reasonable level of certainty and protection to the Districts residents who occupy these other Zones in a far greater density and with differing expectations for character and amenity than is the case with the Rural General Zone.

As such, only minor amendments have been suggested to the provisions for informal airports in a limited number of other Zones.

Overall, it is Southern Planning Groups recommendation that the Queenstown Lakes District Council considers our suggested recommendations and utilises them as a basis to move towards a formal change to the District Plan provisions for informal airports.

It is also recommended that further consultation is undertaken with the appropriate experts with regards to the noise provisions of the District Plan and reviewing whether a specific reference to assessment of helicopter noise pursuant to NZS 6807:1994 is appropriate.

Certainly from the preliminary acoustic advice that has been obtained, we understand that the current noise provisions for the measurement and assessment of helicopter noise contain insurmountable interpretation problems<sup>25</sup> and should be re-assessed in conjunction with any change to the activity status for informal airports.

Similarly, as airports include fixed wing aircraft and no acoustic standard exists specifically for the assessment of noise from limited frequency fixed wing use of informal airports<sup>26</sup> consultation should be progressed with the appropriate acoustic experts to define an appropriate noise level specific to the Queenstown Lakes District for this type of noise.

It is our recommendation that any changes to the informal airport provisions are undertaken simultaneously with steps to provide the most appropriate assessment methodology for the noise effects generated.

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<sup>25</sup> Evidence of Mr. Vern Goodwin RM100777 paragraph71

<sup>26</sup> Phone conversation with acoustic expert Vern Goodwin 04.04.12