

Filming Activities

Council Policy Number	080
Date adopted	17 September 2019
Scheduled for review	September 2022



Purpose

To provide clarity on the filming activities that are possible within the municipality.

To recognise the social and economic benefits derived from filming activities while protecting the interests of Campaspe Shire Council ('Council'), its residents, traders and visitors.

This policy is directed towards major filming activities for television, online or cinema production and excludes personal filming and short filming activities that highlight the tourism and economic potential of the municipality.

The policy provides guidelines for filming activities and complies with the *Filming Approval Act 2014*.

This policy applies to all digital and electronic filming mediums within the municipality, including but not limited to:

- Television shows
- Feature and short films
- Documentaries
- Music videos
- Internet based exhibition

Policy Statement

1. Conditions

- a) All activities and events are to be in compliance with Council's Local Laws and the laws or regulations of any other authority having jurisdiction over the area proposed such as Victoria Police, Vic Roads, the Department of Environment, Land, Water and Planning and/or Parks Victoria.
- b) Applications will not be approved unless proof of current Public Liability Insurance indemnifying Council to a minimum amount of \$10 million dollars is provided by the proponent. The production company acknowledges that it conducts the filming entirely at its own risk.
- c) Applicants must apply to Council submitting all details of planned filming not less than fourteen (14) days before the scheduled filming date. Council will endeavour to respond to the applicant within five business days.
- d) Applicants may be required to enter into a 'Location Agreement' with Council if deemed necessary.
- e) The applicant must contact local traders and residents in the immediate vicinity of the proposed filming location (in writing) at least five days prior to filming to ensure there are no objections. Any objections must be reported to Council's Investment Attraction Manager prior to filming.
- f) When large productions may affect traders for significant periods, written consent of each business is required.
- g) Council reserves the right to restrict noise levels of amplification or other similar equipment.
- h) Council may cancel any approval and revoke any Permit in the event of activities not being in accordance with those indicated at the time of application.
- i) Filming and all support activities will not be permitted between 12.00am and 7.00am unless otherwise authorised.

- j) Council is entitled to have a representative present at all times.
- k) The production company will ensure all the crew, cast and other staff or volunteers follow reasonable directions given by the Council or its delegate.
- l) The production company will not portray Council as endorsing or supporting any product or service or any views, opinions, attitudes or ideas suggested, conveyed, advertised, canvassed, depicted or otherwise expressed, without prior written consent from the Council.
- m) The content of the filming should not portray the municipality in a negative manner. Content for the production must be authorised by Council Officers' prior to approval.
- n) The production company will acknowledge the assistance of the Council in the production of the film or video by the usual method of end credits, or as mutually agreed.
- o) The production company will ensure that all dangerous substances and articles to be brought on to location will be specifically listed in the Application. Before permission may be given, the production company will provide evidence of competence and working safety in accordance with the *Dangerous Goods Act 1985*, the *Occupational Health and Safety Act 2004*, and any other Act or legislation impacting directly on the safety issues of a particular application. No other dangerous articles or substances may be brought onto the location other than those listed in the application and acknowledged in the permit.
- p) The production company will not allow any wilful damage or make alterations (temporary or permanent) to the location or contents of the location without express prior permission in writing from the Council.
- q) Any damage to Council property must be reported to Council immediately. Upon completion of filming the production company will repair all damage at the location for which it has been responsible; remove all its personal property and rubbish from the location and restore the location to the condition it was in, prior to filming.
- r) The production company will not do, or allow to be done, any act that will become an annoyance or disturbance to owners, tenants or neighbours.
- s) The production company may be requested to pay Council a security bond at the discretion of Council. This bond may be applied by the Council, as its sole discretion, to repair or replace any losses as a consequence of the filming, including unpaid service charges. The balance will be refunded by Council within fourteen (14) days of the completion of the use of the location.
- t) Expenses or outgoings the Council is subject to or may reasonably incur as a result of the filming, and any charge levied for services rendered to any company or contractor as part of filming activities, are expenses to be paid within fourteen (14) days of the completion of the use of the location. This expense may be recoverable from the bond after consultation with the Producer.
- u) The Permit, Conditions, Special Conditions and any executed Location Agreement (if applicable), constitute the entire agreement between the production company and the Council and no external document or oral statement will be admitted in evidence to amend, alter or vary them.
- v) Should Council choose not to approve an application for a film permit, reasons will be provided to the applicant for that refusal.
- w) In considering applications under this policy, Council will comply with the Victorian Film Friendly Guidelines.

2. Delegation of Authority

The delegation of authority for issuing permits and discretion on charges rests with the Council.

Council Officers will work in conjunction with Film Victoria and all other relevant authorities when administering these services.

Exclusions

Excludes personal filming and short filming activities that highlight the tourism potential of the municipality.

Human Rights

This policy has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

Definitions

'Short' filming activities Any filming that takes less than three hours to complete and is low impact by nature

Related Legislation

- Dangerous Goods Act 1985*
- Occupational Health and Safety Act 2004*
- Filming Approval Act 2014*

Related Policies, Procedures and Strategies

Nil

Attachments

Application for Filming Permit

Review Period

Three years

Responsible Officer

Investment Attraction Manager

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter the policy, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Approval History

Adopted	13 August 2002	Minute Book Reference No 6307 (item 12.3)
Revised	16 October 2007	Minute Book Reference No 11542 (item 9.1)
Revised	21 August 2012	Minute Book Reference No 1057 (item 4.16)
Revised	20 August 2013	Minute Book Reference No 1041 (item 6.3)
Revised	19 August 2014	Minute Book Reference No 878 (item 6.1)
Revised	18 August 2015	Minute Book Reference No 905 (item 6.2)
Revised	21 November 2017	Minute Book Reference No 3382 (item 6.3)
Revised	17 September 2019	Minute Book Reference No 3516 (item 7.1)
Revised	22 February 2021	Administrative update to apply consistent reference to Campaspe Shire Council ('Council')

Chief Executive Officer: 

Date: 24/2/2021

Council Policy

Application for Filming Permit

Application Date:

Name of Production Company:

Address:

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Phone: Email:

Production Manager:

Phone:

Location Scout:

Phone:

Location Manager:

Phone:

Title of Production:

Number of Cast and Crew

Type of Production (Tick One):

Feature Film [] Telemovie [] TV Series/Serial [] Documentary []

Training/Industrial Film [] Student Film [] Music Video [] TV Commercial []

Other (Specify) []:

Please attach:

- A copy of the proposed content for the filming
- A current Certificate of Public Liability Insurance - minimum of \$10 million
- A map of proposed locations
- A proposed schedule, including times and dates for all locations
- A parking plan
- A risk management plan (if applicable)
- A traffic management plan (if applicable)
- A list of any dangerous goods and hazardous substances that will be brought into the Shire (if applicable)
- A letter confirming verbal consultation has taken place with any affected local traders and/or residents, including details of when the consultation took place
- A copy of the public notice distributed to all local traders and residents

Indemnification

The Production Company agrees to indemnify Campaspe Shire Council against all claims or suits of any kind whatsoever against the Campaspe Shire Council for loss, damage or injury of any kind arising out of the negligence or unlawful conduct of the Production Company, its employees, agents or otherwise. The Production Company agrees to comply with all the local laws of Campaspe Shire and all other relevant legislation and the Campaspe Shire Council Conditions and Special Conditions provided in the Filing Activities Policy and additional correspondence. The Production Company agrees to repair any damage at the location for which it has been responsible; remove all its personal property and rubbish from the location and restore the location to the condition it was in prior to filming.

Signed for, and on behalf of the Production Company, who warrants that he/she is authorised to sign this Application on behalf of the Production Company.

Signature:

Name:

Title:

Do not write below this line

This permit is issued to the Production Company to film, video or photograph on streets or property subject to the jurisdiction and Conditions and Special Conditions (if any) of Campaspe Shire at all times, dates and locations designated above/attached. This permit must be produced on demand, whilst on location, by the Production Company.

[] Subject to special conditions

Signature:

Date:

Name:

Title: