

# FILMING GUIDELINES

## Hobsons Bay City Council

Hobsons Bay offers a variety of locations suitable for filming including heritage streetscapes, coastal areas, park lands and industrial landscapes. Permission is required for all filming and commercial stills photography on Council land. These guidelines provide information to help develop your filming plan, including the application process, fees, your responsibilities and any statutory permits that may be needed.

### **1. Permits**

In order to film or associated activity to take place on Council-managed open space, streets and facilities, a completed Filming Application must be submitted and be approved. If filming in or around Council-owned buildings, a "Location Agreement" may be required in addition to the council's "Film Permit Application" form. If your filming meets the criteria of 'low impact' you may not require a permit, please refer to item 2 for the definition of low impact filming and details of the application process.

### **2. Low Impact Filming**

If your filming activities are minor and fall within the Low Impact Filming Criteria (detailed below), you can complete a Low Impact Filming Request form. The low impact filming criteria is as follows:-

- 2.1. The filming activity involves eight people or less on site (inclusive of all production crew and talent).
- 2.2. You have no more than one camera and one tripod and handheld sound recording equipment. No lighting, camera tracking devices, vehicles, large props or generators are permitted.
- 2.3. Your activities do not disrupt stakeholders (traders, residents and businesses) or motorists.
- 2.4. All public pathways/footpaths/cycling paths and roads must not be blocked – a minimum of 1.8 metres is required on footpaths at all times.
- 2.5. You have sought consent from those directly affected.

If your filming meets these criteria, please complete the Low Impact Filming Request form available on our website. Notification of low impact filming must be provided seven (7) business days prior to the proposed filming activity.

If your filming does not meet the Low Impact Filming Criteria, you will need to submit a Filming Permit Application form.

### **3. Filming Notification to Council**

A filming permit application, complete with all necessary documentation such as traffic and pedestrian management plans, must be submitted to Council at least twenty-one (21) business days prior to the commencement date of filming activity, to allow time for these extra measures to be considered by Council.

### **4. Administration**

The staff of the Events and Visitor Services Unit are the Council's first point of contact for filmmakers and their crew, and liaises with other council departments and external authorities to assess and ensure that traffic management requirements are met and that public and commercial spaces and council facilities are utilised appropriately.

## 5. Stakeholder Communication

Film makers will be required to notify in writing residents, organisations or businesses which may be affected by their filming activities as follows:

- Residents and businesses: A minimum of three (3) business days prior to filming commencing.
- Major hazards facility operators: three (3) business days prior to filming commencing.
- Where TMP is in place with road closures or parking is affected, local residents and businesses must be consulted and notified in writing at least fourteen (14) days prior to the event.

A copy of written notification must be provided to Council, which should include:

- Name of a contact person on site (to handle enquiries and complaints);
- Dates and times for start and finish of set-up and filming; and
- Details of the use of firearms, stunts, explosives or other items of potential concern.

In addition, you should provide Council with details of which residences and businesses have been advised of your intention to film. The Council officer will notify the relevant traders' association of the filming activity.

Applicants should note that Hobsons Bay has a number of Major Hazard facilities – you must seek their feedback on your proposal.

## 6. Fees

A standard fee structure is applied for film permits for filming activity in Hobsons Bay, limited to those areas under the Council's jurisdiction. There is an initial charge for the first day of filming for any one project. A lower daily rate applies for any subsequent days. The phrase 'any one project' relates to one feature film, one television commercial, one season of a television series or one season of a television serial. Fee waivers apply to student films and projects promoting Hobsons Bay directly. Fees cannot be waived retrospectively. In the majority of applications, the permit fee charged covers the full service provided by Council. A user pays system may apply where additional Council services are required or when certain activities take place.

### Filming Fees 1 July 2023 – 30 June 2024

*NB: Filming permit fees do not attract GST.*

Filming Description	First Day	Subsequent Days
<b>Feature films, advertising commercials</b>		
FULL DAY	945.00	560.00
HALF DAY (up to 5 hours)	560.00	345.00
<b>Television productions, low &amp; medium budget films/telemovies</b>		
FULL DAY	750.00	375.00
HALF DAY (up to 5 hours)	375.00	190.00
<b>Commercial Stills Photography</b>		
FULL DAY	450.00	-
HALF DAY (up to 5 hours)	295.00	-
Student films, films directly promoting Hobsons Bay	Fee waived	
Low impact filming (subject to criteria)	Fee waived	
Parking (when filming on private land)	40.00	

The Parking fee applies where filming takes place on non-Council land and parking is required on Council land. When filming on Council land, additional parking fees do not apply: the fee is all inclusive.

The first day of filming on any one project attracts an initial charge. The subsequent day fee applies to subsequent filming days for the same project when the application for these filming days is submitted at the

same time. Subsequent days fees may apply for other filming applications; however this will be at the Event Officer's discretion.

### **7. Public Liability Insurance**

Council requires evidence (Certificate of Currency) of minimum \$20,000,000 public liability insurance for filming and stills photography to be provided by the applicant prior to issuing a permit to film. Proof that the interest of Hobsons Bay City Council has been noted and details of all exclusions under the policy must be provided.

### **8. Times**

Approved filming and all support activities are usually permitted between the hours of 7.00am and 8.00pm. Should a film maker need to film beyond these hours, permission may be granted in some instances. A written request must be made to the Events and Visitor Services Unit at least two (2) weeks before the intended date of filming, and this will need to include reasons why the curfew should be lifted, and a description of measures that would be taken to minimise disturbance. The Events and Visitor Services Unit will assess the impact of proposed activities, and provide instructions for the notification process and evidence of written approval/objections from residents and traders.

### **9. Traffic and Pedestrian Management**

If the proposed filming activity will impact on any road or footpath, applicants must develop traffic and/or pedestrian management plans outlining the objectives and strategies for managing proposed vehicular and/or pedestrian traffic. Traffic and pedestrian management plans must be accompanied by a risk management plan (in accordance with the Australian/New Zealand Standard AS/NZS 4360:2004) and must include a detailed diagram of the proposed location that clearly shows:

- Location of any safety lights;
- Location of diversion and closure signs;
- Location of road closures and barricades;
- Location of safety personnel and police (if required);
- Location of Variable Message Signs (VMS).

### **10. Victoria Police Notification**

The Victoria Police Film and Television Office must be informed of any filming activity that may be of concern or interest to Victoria Police. This will include all filming planned for public open space, any filming on roadways or use of a low loader and tracking shots on roads in general, and in particular, filming that requires the use of firearms, imitation firearms or special effects.

### **11. Compliance with Laws and Regulations**

All activities must comply with Council's Local Laws, and the laws or regulations of any other authority having jurisdiction over the area where filming is to take place. Filming with UAV (drones) must comply with CASA guidance and regulations.

### **12. Dangerous Articles**

The applicant will ensure all dangerous articles to be brought onto location will be listed as such in the application. Before permission may be given, the applicant may be required to provide a safety report in regard to the proposed filming activities in accordance with the relevant film and television codes and key Victorian Occupational, Health and Safety Acts. A copy of the safety report may be required to accompany the application.

### **13. Risk Management**

Some aspects of filming activity (e.g., stunts) may present potential risks that should be identified in advance, with appropriate management measures put in place prior to the commencement of filming. Council may ask the applicant to provide a risk management plan.

#### **14. Rubbish**

The applicant will remove all its personal property and rubbish from the location and restore the location to the condition it was in prior to filming.

#### **15. Tents and Marquees**

The applicant must request permission from Council to install any tents or marquees in council parks or open spaces, and must consult carefully with Council to avoid damage being caused to council infrastructure and assets e.g., underground sprinkler systems, plumbing etc.

#### **16. Council Representative**

Council is entitled to have a representative present at all times. Any authorised Council officer may ask the production company's representative to produce a copy of the "Film Permit". The applicant is responsible for ensuring that all crew, cast and other persons in its employ follow reasonable directions given by Council or its delegate.

#### **17. Indemnity**

The applicant acknowledges that it conducts filming entirely at its own risk and hereby releases to the fullest extent permitted by the law, the council and its servants, agents and contractors, in the absence of any wilful default on their part, from all claims of every kind resulting from any accident, death or injury occurring at the location to any person or property.

#### **18. Non-compliance**

If Council finds that the permit holder is in breach of the terms and conditions of the "Film Permit", this may result in immediate cancellation of the permit, removal of the production crew, cessation of their filming activity in Hobsons Bay and/or penalties applicable under Council local laws. Hobsons Bay City Council reserves the right to cancel any permit in the event of activities not being conducted in accordance with the "Film Permit" and guidelines detailed in the "Film Policy" and "Guidelines for Filming in Hobsons Bay".

#### **19. Damage**

The applicant will not allow any wilful damage or permanent alterations to the locations or contents of the location without express prior permission in writing from Council. The applicant will bear all costs associated with repairing damage to Council infrastructure or property and/or clearing away of waste generated by their filming activities.

#### **20. External Events**

Hobsons Bay City Council will not be held responsible for any interference to the filming activities arising from any external events or third parties not caused or controlled by the Council.

#### **21. Content of Filming**

Any issue(s) in relation to the content of what is being filmed or how it is going to be used, which could be considered sensitive or offensive to Hobsons Bay is to be detailed in an attachment to the "Film Permit Application" and is to be discussed with the Coordinator Events and Visitor Services prior to approval being granted. Sensitive or offensive issues might include nudity, violence, content with political or racial implications etc.

The production company will not portray Hobsons Bay as endorsing or supporting any product, service or any views, opinions, attitudes or ideas suggested, conveyed, advertised, canvassed, depicted or otherwise expressed, without prior written consent from the Council.

#### **22. Credits**

Where appropriate, Council assistance in the production can be acknowledged in the end credits, or as mutually agreed. The acknowledgment will generally read "[the Production Company] acknowledges the support of Hobsons Bay City Council and the people of Hobsons Bay".

### **23. Information Provision**

The applicant warrants that all information provided in or attached to the application is true and correct in every particular, and that no material or relevant information has been omitted. The “Film Permit”, “Filming Policy”, “Guidelines for Filming in Hobsons Bay” and any executed “Location Agreement” (if applicable) are the entire agreement between the applicant and the council, and no external document or oral statement will be admitted in evidence to amend, alter or vary them.

### **24. Cancellation**

Fees for filming relate to the assessment and administration of the filming application. Therefore, in the event that filming is cancelled by the applicant after the permit has been issued, filming fees may apply.

Council reserves the right to cancel bookings or close facilities with immediate notice to ensure staff and community safety. Fees will be reimbursed in these circumstances.