

## GUIDELINES FOR FILMING AND STILLS PHOTOGRAPHY

### DISCLAIMER NOTICE

This document is based on the Film Victoria Film Permit Template. It not intended as a provision of legal advice to any particular circumstance nor should it be relied upon as a substitute for legal advice from a qualified legal practitioner in relation to its content.

1. Moorabool Shire 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 and Stills Photography".
2. All activities must comply Moorabool Shire's local laws, and the laws or regulations of any other authority having jurisdiction over the area where filming is to take place.
3. Council requires evidence (Certificate of Currency) of a minimum \$10,000,000 public liability Insurance for filming and \$5,000,000 for stills photography to be provided by the production company/producer prior to issuing the permit to film.
4. Filming is not usually permitted between midnight and 6:00am. Unless Council approves a variation in writing, filming must only occur between the times specified in the permit. In instances where a filmmaker wishes to film outside the usual permitted filming hours in residential or built up areas, a request must be made to the Moorabool Shire Film Officer at least two weeks before the intended date of filming. The Film Officer will assess the impact of the production company's/producer's application and notify all affected parties in writing. Residents will be asked to respond in writing if they have objections to the filming taking place. Once permission to lift the curfew has been granted, the production company/producer will be required to letter drop the area to ensure everyone is kept informed of the proposed activity.
5. 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.
6. The production company/producer must notify in writing, local traders and residents in the immediate vicinity of the proposed location. The timeframe for this notification will be managed in consultation with Film Officer. A copy of the notification must be provided to the Council.
7. The production company/producer is requested to provide five days' notice for reserved parking applications. Maps indicating the location and number of parking spaces required must be supplied. Assistance cannot be provided by Council staff for reserved parking in busy areas, unless neighbouring traders/ residents are provided with adequate notice.
8. The production company/producer uses weights rather than pegs to install any tents or marquees in Council parks or open spaces to avoid damage being caused to Council infrastructure and assets e.g. underground sprinkler systems, plumbing etc. If damage was to occur, the production company/producer would reimburse Council for any recovery costs.
9. The production company/producer will not allow any wilful damage or permanent alterations to the locations or contents of the location without express prior permission in writing from the Council.
10. The production company/producer will remove all its personal property and rubbish from the location and restore the location to the condition it was in prior to filming.

11. The production company/producer will bear all costs associated with repairing damage generated by their filming activities and expenses associated with advertising, traffic control, road closures and any other costs incurred by Council in facilitation of the application.
12. The production company/producer may be required to pay a bond to the Council, not less than 24 hours prior to the filming date. This bond may be applied by the Council, at its sole discretion, to repair any damage or replace any losses as a consequence of the filming, including unpaid fees or service charges. The balance, less deductions made in accordance with the policy or guidelines, will be refunded within 14 days of completion of filming at the location.
13. Production companies/producers must ensure that traffic plans and signage erected around the film location comply with the Worksite Traffic Management Code of Practice which includes the Australian Standard (Australian/New Zealand Standard AS/NZS 4360:2004) at all times. Details of Traffic Management Standards can be obtained by contacting VicRoads Regional Traffic Engineers.
14. Council is entitled to have a representative present at all times (as a non-paid observer except in the situation where the nature of the filming requires a Council representative to be present). Any authorised Council officer may ask the production company's representative to produce a copy of the "Film Permit".
15. The production company/producer will ensure that all crew, cast and other persons in its employ follow reasonable directions given by the Council or its delegate.
16. The production company will not portray the Council as endorsing or supporting any products or service or any views, opinions, attitudes or ideas suggested, conveyed, advertised, canvassed, depicted, or otherwise expressed, without prior written consent from the Council.
17. The production company/producer will, if requested by the Council, 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.
18. Compliance with all statutory obligations relating to matters of occupational health and safety, Workcover and any other statutory or regulatory requirements in the delivery of the production is mandatory.
19. The production company/producer will ensure all dangerous substances and articles to be brought onto location will be listed as such in the application. Before permission may be given, the production company/producer 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.
20. The production company/producer 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.
21. The production company/producer 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.
22. The "Film Permit", policy, guidelines and any executed "Location Agreement" (if applicable) are the entire agreement between the production company/producer and the Council, and no external document or oral statement will be admitted in evidence to amend, alter or vary them.



## PERMIT FEES

Moorabool Shire Council charges no fees for permission to film within the Shire except those specific charges listed elsewhere for services rendered.

## SPONSORSHIP/ FEE WAIVER MAY BE AVAILABLE FOR:

- Projects which demonstrate benefits for the community;
- Projects which concern charitable activities;
- Documentaries whose subject relates to the cultural heritage of the Moorabool Shire
- Emerging producers and/or directors;
- Student projects.

**Mail** PO Box 18 Ballan Vic 3342

**Ballan** 15 Stead St Ballan

**Bacchus Marsh** 215 Main St Bacchus Marsh

**Darley** 182 Halletts Way Darley

**P** (03) 5366 7100

**E** [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)

**W** [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

**ABN** 293 5275 4296



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