

MARIBYRNONG CITY COUNCIL FILMING GUIDELINES

INTRODUCING - Our City - *Maribyrnong*

The City of Maribyrnong is the gateway to the Western suburbs of Melbourne. We are located 4 km from the Melbourne CBD and are bounded by the Maribyrnong River, the Port of Melbourne - Australia's largest port, and Melbourne Docklands - Melbourne's largest and most vibrant residential, commercial, retail and leisure precinct.

Maribyrnong Council regards economic development as a driver of community wellbeing with the potential to produce not only financial returns, but also social, cultural and environmental benefits.

The City of Maribyrnong continues to attract new interest by investors who recognise the benefits and potential of the area for new home or business developments.

Maribyrnong's outstanding location, excellent infrastructure, skilled workforce, world-class business, progressive and responsive Council, make it very attractive for prospective investors.

Most of all – The City Of Maribyrnong treasures within its realm important history that contributed in the development of Melbourne. Maribyrnong City Council proudly encourages the conservation of façade of building that played important and unforgettable roles.

Maribyrnong has successfully combined the old atmosphere with the new and although they may be adjacent to each other, they succeed in being separate with their own personality.

Vision

To increase Maribyrnong's profile, to advocate and facilitate support for the Victorian film and television industry and to generate greater economic benefits for Maribyrnong City Council while maintaining community amenities.

Maribyrnong City Council recognises the need for a coordinated approach across local government to address the increased demand from the local, interstate and international production industry, and has committed to promoting and facilitating greater access to its locations.

The film and television industry can generate revenue for hospitality, travel and other local industries. A powerful secondary impact of films, television programs and commercials is the stimulation of tourism and investment across Victoria.

Scope of Guidelines

This guidelines covers all areas of the Municipality of Maribyrnong City Council, Victoria, Australia, to coordinate filming activity occurring on land under its care and management.

This guidelines introduces a framework within which applications for filming and stills photography will be reviewed and processed. The guidelines allows all stakeholders (including local government, public authorities, the community, producers and production companies) to understand precisely their commitments and expectations when filming in the municipality of Maribyrnong City . The document provides guidelines for filming and stills photography in the municipality of Maribyrnong including:

- Filming for television;

- Feature films;
- Advertising;
- Student film projects;
- Documentaries;
- Music videos;
- Commercial stills photography (including wedding photography).

THE MUNICIPALITY OF MARIBYRNONG FILM GUIDELINES

Strategies

municipality of Maribyrnong City's Film Guidelines will achieve its vision by implementing the following strategies:

- Implement, monitor and maintain an efficient and effective process for using the Municipality of Maribyrnong City for film and photographic purposes;
- Coordinated information and permit approval service for the film and television industry;
- Ensure the film and television industry adheres to these guidelines;
- Provide a high level of service with efficient responses to film and television industry enquiries and film permit applications;
- Develop and maintain systems for a streamlined approach to the provision of information and service requests from the film and television industry;
- Monitor the level of film activity to minimise impacts on community amenity, both residential and business;
- Facilitate and monitor the notification of filming activity to residents, business operators and the relevant public authorities;
- Act as an advocate for the film and television industry within council, to the community and in dealings with relevant public authorities;
- Act as a mediator in the resolution of issues arising from filming activity, if necessary;
- Actively work with key government agencies, including Film Victoria, to effectively advocate and promote the Municipality of Maribyrnong City as a film-friendly production destination with diverse and accessible locations.

Outcomes

These strategies will result in a number of positive outcomes for the film and television industry, the Municipality of Maribyrnong City and the community including:

- A balance between residential, business and film and television industry needs and interests;
- Streamlined promotion of and access to the Municipality of Maribyrnong City for the film and television industry;
- Recognition of the Municipality of Maribyrnong City as a film-friendly and premier filming location in Victoria;
- Enhanced reputation and profile for the Municipality of Maribyrnong City as offering a coordinated, high quality service;
- Contribution to building the Municipality of Maribyrnong City's capacity as a centre for arts and cultural activities;
- Greater visitor awareness of the Municipality of Maribyrnong City's geographical, environmental and heritage assets;
- Minimised risk of litigation and insurance claims for The Municipality of Maribyrnong City, and increased protection for the council's reputation;

- Recognition of the cultural value and economic benefits to be derived from the attraction of filming activity.

APPLICATION TO FILM

Film Permits & Local Laws

When filming in streets, parks and gardens and other open spaces managed by the council, a completed “Film Permit Application” form is necessary. If filming in or around council-owned buildings, a “Location Agreement” may be required in addition to the council’s “Film Permit Application” form. Please check with the filming permit Officer when lodging your application. Once the application has been processed by council, approval for filming and/or otherwise will then be issued.

The Municipality of Maribyrnong City’s local laws incorporate guidelines for the use of roads, footpaths and other public spaces during filming activity. Commencement of this activity is subject to council’s approval and issuance of a “Film Permit”. Decisions will be based on the “Film Permit Application”, evidence of adequate public liability insurance and any other documentation required by council as outlined in this policy.

Filming without a permit will result in a penalty, as specified by the Maribyrnong General Purposes Local Law.

The timeframe for the issue of permits correlates to the location and the activity’s potential impact on the amenity of residents, business operators and traffic.

Filming is usually not permitted between the hours of midnight and 6.00am. In some instances, permission may be granted for filming during these hours. Express written permission from the permit issuing Officer must be obtained.

Council Notification & Consultation

The Municipality of Maribyrnong City understands that a production’s schedule may change frequently and at the last minute and, where possible, will endeavour to accommodate flexible timeframes for notification to council of proposed filming activity.

Major filming activity will require special consultation with representatives of council before and during the production process to ensure that any risks which may be associated with the filming activity are minimised, e.g. ongoing disruptions to parking and traffic. (See also ‘Risk Management’ and ‘Traffic & Pedestrian Management Plans’).

Permit Processing

Most film permit applications will be turned over within 48 hours, however, applications will need to be submitted at least 3 business weeks prior to requested dates of events to allow for all relevant stakeholders to be contact of their intention to film.

Fees

A standard fee structure is applied for film permits for filming activity in the Municipality of Maribyrnong City, limited to those areas under council’s jurisdiction.

There are no permit fees applicable for commercial stills photography or wedding photography, news or for current affairs purposes. However, other fees may apply.

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. The current fee structure is specified in the attached “Guidelines for Filming and Stills Photography”.

A bond may be required for filming activity in buildings and on or around property owned by council. A bond is refundable and will act as a security deposit to be paid to the City of Maribyrnong subject to the terms and conditions of the “Film Permit”.

A bond may be applied based on an assessment of risk to, or adverse impact on council property and to ensure that the production company follows the terms and conditions outlined in the “Guidelines for Filming and Stills Photography” and the “Location Agreement”. The bond (if applicable) will be negotiated before the commencement of filming and will be returned within 14 days of its conclusion, subject to any claim for damages.

Other fees that may apply include requests for reserved on-street parking. All vehicles must be parked in accordance with a parking plan agreed to by council at the time of application.

Sponsorships - Criteria for Fee Waiver

Fees for filming activity may be waived in certain circumstances. Maribyrnong City Council treats this type of support as a sponsorship.

Applicants in receipt of sponsorship are required to acknowledge the council in the end credits of the project. The acknowledgment will read “*Filmed in the Municipality of Maribyrnong City*” or “*Thanks to Maribyrnong City Council*”.

Any applicant seeking to have fees waived must attach a written request to the “Film Permit Application” stating the rationale for sponsorship. The Maribyrnong City Council Executive Officer is delegated with the authority to approve sponsorship.

Sponsorship 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 Municipality of Maribyrnong City – Emerging producers and/or directors;
- Student projects.

Fees will not be waived retrospectively. If fees are waived, charges may still be payable for a bond and/or additional costs such as insurance, security, supervision, the moving or relocation of physical items, and any costs incurred by council as a result of the filming activity.

Fees to Other Departments

In the majority of applications the location fee charged (if applicable) covers the full service provided by council. Additional fees may be charged when film crew park their vehicles in metered or restricted parking areas. There may be additional permits and/ or fees required with certain activities (e.g. erecting a crane on a footpath). Please discuss any additional requirements with the permit issuing Officer when lodging your application.

Damage to Council Property

Any costs associated with the clearing away of waste generated by the filming activity and for any damage to council infrastructure including, but not limited to, parks and gardens, irrigation, roads and other council property will be borne by the production company/producer.

The production company/producer shall restore the location to its pre-existing condition by the conclusion of filming and to the satisfaction of council. If such restoration works are not undertaken to the standard required by the Maribyrnong City at the cost of the production company, in all respects undertake or have undertaken by independent contractors restoration works.

The production company/producer will pay the costs of such restoration works to council within seven (7) days of a request in writing from the permit issuing Officer or any other Officer in Authority. Council may, if it so determines, apply the amount of the bond (if applicable) paid by the production company/ producer as payment or part payment as the case may be of such works.

Equipment

Maribyrnong City Council accepts no responsibility for damage to, or loss of any equipment utilised for film and television production. Reasonable care must be taken at all times when setting up and dismantling equipment, to minimise impact and to ensure the safety and protection of the community.

Insurance & Indemnities

All film permit applications are required to provide evidence of appropriate public liability insurance cover. Applicants must present their Certificate of Currency to the permit issuing Officer as part of their film permit application, prior to a permit being issued. The Certificate of Currency must clearly state that:

- (i) The policy covers liability for the death or injury to any person or damage to any property arising out of the activity authorised by the permit;
- (ii) The amount of cover held for filming must not be less than \$10 million (and \$5 million for stills photography).

Information that must be supplied to council with a copy of the Certificate of Currency:

- Insurer’s name, address, phone, fax and email details;
- Policy number;
- Policy expiry date;
- The names of all the insured parties;
- Details of what is covered under the insurance policy;
- Details of all the exclusions under the policy (including policy excess);
- Public liability value;
- Details of the insurer’s local representatives (offshore projects only);
- Claim forms and claims procedure (offshore projects only).

Applicants employing the services of stunt performers are required to provide evidence of appropriate specialised risk insurance or Workcover, which must accompany a copy of the required safety plans and reports (refer to section on ‘Risk Management’).

Applicants are also required to indemnify council in relation to any claims or other matters that may arise as a result of any filming activity. All filming activity must comply with common law.

Risk Management

Some aspects of filming activity (e.g. road closures, stunts) may present potential risks that should be identified in advance, with appropriate management measures put in place prior to the commencement of filming. A key component of planning a film shoot involves performing a risk assessment of the proposed filming activity - to identify, analyse and assess foreseeable risks, to establish priorities for risk control and to apply cost effective risk control measures.

Maribyrnong City Council may require the applicant to complete a “Risk Management Plan” in accordance with the Australian/New Zealand Standard AS/NZS 4360:2004 to demonstrate that a risk assessment has been conducted. Risk management plans must identify any potential hazards and actions and how it is intended that the production company will mitigate those risks associated with the filming activity.

Maribyrnong City Council may also require the applicant to submit a safety report in regard to the proposed filming activities, prepared in accordance with the relevant film and television codes and the key Victorian Occupational Health and Safety Acts. If required, a copy of the safety report must accompany the risk management plan and be made available to the council with the film permit application.

Traffic & Pedestrian Management Plans

Filming activity can present safety issues for members of the public where the activity interferes with the normal flow of traffic or pedestrian access. Accordingly, the safety of participants and spectators must be taken into consideration when filming takes place.

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 road closures 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).

Communication with Stakeholders

Maribyrnong City Council aims to keep the local community and public authorities informed of events and activities that may have an impact on them, so that they are supportive of production companies and their presence in the City of Maribyrnong

Projects that are expected to have an impact on Maribyrnong City’s residents, business operators, visitors and infrastructure, require the implementation of appropriate communication and logistics strategies to inform and minimise any inconvenience to Maribyrnong City’s stakeholders.

For major filming activity, the Maribyrnong City Council will help facilitate communication and consultation between the production company and local stakeholders. In most circumstances,

the location managers and/or producers will be required to communicate directly with relevant residents, business operators and public authorities.

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In order to maintain a balanced level of community amenity, applicants are required to notify in writing persons and businesses that may be affected by their presence. The timeframe for this notification will be managed in consultation with the Maribyrnong City Council filming permit officer.

Notification must 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;
- Details of the use of firearms, stunts or explosives.

Applicants should be advised that other agencies, public authorities and property owners may need to be consulted prior to filming in the Municipality of Maribyrnong City.

Filming on land under the control of Parks Victoria, water authorities, VicRoads and the Department of Sustainability and Environment, will necessitate the applicant to contact those agencies and obtain approvals as necessary.

Applicants must notify the Victoria Police Film and Television Office of any filming activity that may be of concern or interest to Victoria Police. This includes but is not limited to all filming planned for public open space, any filming on roads in general and, in particular, filming that requires the use of firearms, imitation firearms and special effects. Consult the Maribyrnong City Council permit officer for other instances that may require notifying Victoria Police.

Internal Liaison in Maribyrnong City Council

Filming activity can impact on several council departments and business units. Internal liaison may require communication with: Councillors, Management, Policy & Governance, Development Services, Regulatory Services, Recreation & Community Services, Health, Organisation Development, Finance, Asset Management, Engineering Services, Economic Development, Tourism, Local Laws, Neighbourhood Amenity, Parks & Open Spaces and Parking.

Effective communication is an essential factor in the provision of these services to the film and television industry. Internal liaison between all departments to support filming activity is essential to provide an efficient service, which develops and maintains positive relationships between the film industry, Maribyrnong City Council and its residents, business operators and public authorities.

Working with Maribyrnong City Council

Maribyrnong City Council fully supports and encourages filming activities in the municipality. Understandably, council must also protect its interests and assets and promote the reputation and profile of Maribyrnong City Council including its geographical, environmental and heritage assets.

Council may have a representative present on location at all times. The production company/producer is responsible for ensuring all crew, cast and other persons engaged by the production company follow reasonable directions given by council officers or delegates.

Where possible, council assistance in the production should be acknowledged in the end credits, or as mutually agreed. The acknowledgment will generally read *"Filmed in Municipality of Maribyrnong City"* or *"Thanks to Maribyrnong City Council"*.

Content of Film Scripts

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 Maribyrnong City Council is to be detailed in an attachment to the “Film Permit Application” and is to be discussed with the Maribyrnong City Council film permit Officer prior to approval being granted. Sensitive or offensive issues might include nudity, violence, content with political or racial implications etc.

The production company/producer will not portray Maribyrnong City Council 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 council.

Promotional Photography

The City of Maribyrnong may request permission from the production company/producer to photograph the crew during filming. All images will be used solely for promotional purposes to attract filming to the Municipality of Maribyrnong City. Further consultation on this matter will be on a case-by-case basis.

External Events

The City of Maribyrnong 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.

Non-Compliance

If council finds that the permit holder is in breach of the terms and conditions of the “Film Permit”, this will result in immediate cancellation of the permit, removal of the production crew and cessation of their filming activity in the Municipality of Maribyrnong City.

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