



Policy Owner: Director Corporate Services

Category: 5. Our Civic Leadership

1. STATEMENT OF INTENT

- 1.1 North Sydney Council is committed to supporting the film and television industry. Council will ensure a balance between the interests of the community and the needs and requirements of the film and television industry.
- 1.2 The primary intent of this Policy is to regulate and manage the activity of location filming within the North Sydney local government area.
- 1.3 Specifically, it is intended that this Policy minimises the potential impacts on residential and commercial stakeholders, including Council's own assets, by providing a consistent framework for the determination of filming related applications and approvals.
- 1.4 It is intended that this Policy acts within the provisions of the *Filming Related Legislation Amendment Act 2008*; and, in turn, the *Local Government Filming Protocol 2009*, which the Act requires that Council must consider when determining an application for location filming.

2. ELIGIBILITY

- 2.1 This Policy applies to any individual or organisation applying to carry out filming on location within the North Sydney local government area.
- 2.2 As with the *Local Government Film Protocol* this Policy does not cover stills photography.
- 2.3 Issue of permits for filming will be at Council's discretion.

3. DEFINITIONS

- 3.1 Applicant - is a person or an organisation applying to carry out filming within the North Sydney local government area.
- 3.2 Film Contact Officer - is the officer appointed by Council to provide assistance and advice to filmmakers.

4. PROVISIONS

- 4.1 The Applicant will ensure that every endeavour is made to reduce any inconvenience to residents and/or occupiers of business premises directly affected by filming activities.
- 4.2 In circumstances where Council believes residents and businesses will be adversely affected by filming that takes place during the early hours of the morning or late in the evening, filmmakers must obtain written approval from the adversely affected residents and businesses. Copies of the approvals must be presented to Council on request prior to the commencement of any filming activity. Such notification should include dates, times, all events associated with filming and the conditions fixed by Council. Filmmakers are also required to provide a specified contact person and telephone number. Issue of the permit will be at Council's discretion.
- 4.3 No amplification of any form is to be used, including loud hailers and/or megaphones. Any breach of noise regulations as contained in the approval may result in Council taking action under the *Noise Control Act 1975*. This includes the use of mobile generators which, if used, must be properly silenced.
- 4.4 A copy of Council's approval shall be kept on location at all times and made available for inspection by Council officers upon request.
- 4.5 The Local Area Command of the NSW Police should be notified by telephone and/or email of any filming in their area that could affect traffic in an adverse manner. This would include situations where filming takes place on public roads or affects their usual operations through episodes that require road closures or standing plant. Police should also be notified of any film activity where violent conduct is being depicted to assess any associated risk. Evidence of approval must be sighted by Council before commencement of filming in the event that it is required.
- 4.6 The written consent of all relevant authorities (examples of which are listed in the protocol), including Council, is to be obtained before filming commences and presented for inspection if requested by Council's Film Contact Officer.
- 4.7 All production companies are required to have *Work Health and Safety Policy*. Risk Assessments may also be required depending on the nature of the filming activity and must be available on request. The safe and convenient movement of pedestrians and vehicular traffic must not be impeded.
- 4.8 Equipment used, and all activities associated with filming, should comply with the *Protection of the Environment Operations Act 1997* and the *Work Health and Safety Act 2011*.
- 4.9 The Applicant must provide Council with a Certificate of Currency for a Public Liability Insurance Policy with a minimum coverage amount as determined by Council, held with an acceptable Insurance Company and with an endorsement

stating that the Policy will be held jointly with the Applicant and Council during the time of filming activity. All production companies are also required have sufficient Workers Compensation Insurance.

- 4.10 The use of drones or Remotely Piloted Aircraft System (RPAS) for filming must adhere to the required licence and certification standards required by the Civil Aviation Authority (CASA,) and all of their documented safety standards. Pilots must hold a current Unmanned Aerial Vehicle (UAV) Operations Certificate and a current Remote Pilot Certificate.
- 4.11 Vehicles must not be parked in Council's parks or reserves or upon grass verges and/or footpaths, unless permission is obtained through the Customer Service (Bookings) staff (Film Contact Officers). All vehicles associated with the production are to be legally parked at all times and/or, where applicable, parked in accordance with an approved parking plan.
- 4.12 At the cessation of filming, the Applicant will repair all damage, remove all rubbish and restore the location to its original condition prior to filming and to the satisfaction of Council.
- 4.13 Payment of fees and any bond determined by Council should be made before filming commences. Fee scales are in accordance with the mechanisms set out in the *Local Government Filming Protocol*.
- 4.14 If the booking is cancelled due to wet weather, the Applicant is entitled to a full refund less the application fee. If the booking is cancelled for any other reason, Council will retain the application fee and bill any additional costs incurred.
- 4.15 Film activities classified as Ultra Low, that being activities with less than ten crew members, no disruption to residents and business and vehicles legally parked, will not attract application fees. However, filmmakers are required to notify Council in writing of their activity. The provisions set out in clauses 4.1 to 4.16 also apply to this level of activity.
- 4.16 Still photography does not require Council approval nor attract Council fees unless it involves additional activity such as blocking streets, constructing a set or additional parking. In such cases the provisions set out in clauses 4.1 to 4.16 apply.
- 4.17 Filmmakers must always adhere to the *Code of Conduct for Location Filming in NSW 2009*.
- 4.18 Any breach of these conditions may result in any future application being refused.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council delegates responsibility for the issue of location filming permits to the General Manager and in turn the Director Corporate Services.
- 5.2 The regulation of location filming is delegated to the General Manager and in turn the Director Corporate Services.
- 5.3 Council’s Customer Service Department (Bookings Section) is responsible for processing all applications to film and act in the role of Film Contact Officers.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following documents/legislation:

- Filming Related Legislation Amendment Act 2008
- Noise Control Act 1975
- Protection of the Environment Operations Act 1997
- Work Health and Safety Act 2011
- Local Government Filming Protocol 2009
- Code of Conduct for Location Filming in NSW 2009
- RTA Filming projects - Guidelines for parking and road closures

The Policy should be read in conjunction with following Council policies and documents:

- Work Health and Safety Policy (staff policy)

Version	Date Approved	Approved by	Resolution No.	Review Date
1	2 August 2004	Council	794	2008/09
2	16 February 2009	Council	61	2012/13
3	31 August 2009	Council	603	2012/13
4	18 February 2013	Council	61	2016/17
5	25 June 2018	Council	214	2020/21