

ES.12**FILMING RIGHTS IN THE MARRICKVILLE
COUNCIL AREA**

Division:	technical services	Date Adopted:	19 May, 1998
Section:	engineering	Date Last Changed:	
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POLICY OBJECTIVES

1. To regulate the practice of commercial filming in public places AND TO PROVIDE Council with a framework for assessing and approving filming in the Marrickville Local Government Area.
2. To encourage filming in the Marrickville Council area.
3. To ensure filming projects of a non-profit and educational nature are not abandoned due to inability to pay Council's fees.
4. To ensure that public safety, traffic (pedestrians, bicycles and vehicles) and parking is not adversely affected as a result of filming and that affected citizens are duly notified.
5. To balance the amenity of residents and proprietors with those of the industry and to promote Marrickville Council.

RELATED LEGISLATION, POLICIES AND PROCEDURES

1. Local Government Act, 1993
2. Environmental Planning and Assessment Act, 1979
3. Roads Act, 1993
4. Roads Amendment (Filming) Regulation, 2009
5. Road Transport (Safety and Traffic Management) Act, 1999
6. Crown Lands Act, 1989
7. Protection of the Environment Operations Act, 1997
8. Local Government Amendment (Filming) Act, 2000
9. Filming Protocol, 2009
10. Technical Services Community Consultation Policy 2007
11. Council's Annual Adopted Fees and Charges Schedule

POLICY STATEMENT

1. Council supports filming within the Marrickville Council area.
2. Council regulates the practice of commercial filming in public places to
 - (i) ensure public safety;
 - (ii) minimise any inconvenience to the public;
 - (iii) ensure traffic is not disrupted;
 - (iv) ensure Police concurrence is obtained if vehicular traffic is proposed to be restricted and/or vehicles will be parked in restricted zones;
 - (v) ensure that residents and business proprietors are not adversely affected by the filming and that every reasonable effort is made to accommodate the requirements of residents and business proprietors; and
 - (vi) ensure the area is left clean and tidy on completion of the filming.
3. Council recognises the Local Government Amendment (Filming) Act, 2000, which defines filming as:

“recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (Such as cinema, television or internet or by other means) and includes acts or things as may be prescribes by the regulations as being filming, but does not include:

 - (a) still photography, or
 - (b) video recording of a wedding ceremony or other private celebration or event principally for the purpose of making a record for participants in the ceremony, celebration or event, or
 - (c) recording for the immediate purposes of a television programme that provides information by way of current affairs or daily news, or
 - (d) any act or thing prescribed by regulations as not being filming.”
4. Council does not charge fees nor will require an application to be completed (with the exception of related activities which may require some form of approval) for the following:-
 - bona fide news and current affairs reporting crews;
 - still photography (non-commercial); and
 - video recording of a wedding ceremony or other private celebration or event principally for the purpose of making a record for participants in the ceremony, celebration or event
5. Council will not require fees for Film Permits for community-based non-profit educational and community service organisations to undertake projects of local benefit, including:-
 - projects which promote tourism in the Marrickville area;
 - projects of educational value (including documentaries); and
 - student and/or unfunded productions
6. Council generally charges fro film permits and advertises its draft fees and charges for public comment as part of its annual budget.
7. Granting of a film permit will only be considered following completion of an application.

8. Council encourages applicants to consult with local residents and businesses prior to commencement of filming and/or disruptive activities.
9. Applicants are required to sign an undertaking to pay for any damage to Council's infrastructure during filming and for any clean-up costs incurred by Council if the applicant does not leave the site in a clean and tidy condition.
10. Council aims to ensure that a balance between residential, business and film industry needs is achieved; and
11. There is minimal risk of litigation, insurance claims and loss of its good reputation.