

# Filming Terms and Conditions



## The Applicant must read and understand the following conditions:

1. The submission of this application does not imply the booking is confirmed; it is a registration of interest only.
2. Filming Approval is only final once the Application has been reviewed by council and approval has been provided in writing by your designated account manager.
3. A **\$540** fee will apply to commercial vendors and a negotiated fee will apply for 'not for profit' organisations. A bond of **\$540** may also apply.
4. Payment of the Council's hire fee and refundable bond must be paid prior to the filming date. An invoice outlining the fees will be emailed by Council's Financial Department. All bonds will be returned via EFT unless alternative arrangements are made directly with Council's Financial Department. Return of the bond can take up to four (4) weeks after the scheduled filming completion date.
5. The Approval Holder agrees to indemnify and keep indemnified the Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the Approval.
6. The Approval Holder shall take out and keep current a Public Liability Insurance policy in the name of the Approval Holder insuring them for a **minimum of \$20,000,000 (twenty million dollars)** against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the Approval Holder in relation to the activity.
7. The Filming Approval Holder, where appropriate, shall ensure it is licensed or registered to carry out the activity authorised by the issuing of this Approval. Whilst the Filming Approval allows the Approval Holder to use a designated space or facility for a specific purpose, the Approval Holder will not prevent other people from using other areas surrounding the approved filming site.
8. The Approval Holder is not permitted to erect any structures within the area when filming unless discussed and approved by the Event Management Team prior to filming.
9. The Approval Holder shall comply with and give all notices required by any Legislation, Regulation or By-Law relating to the activity.
10. This Approval will not be granted until proof of Public Liability Insurance has been provided and receipted by Council for each filming application.
11. Electrical equipment used during filming within the City of Holdfast Bay must be tagged and tested for the safety of spectators and participants. If the equipment is not tagged, not in approved cable covers, or is found to be faulty, Council reserves the right to request that items be disconnected or removed until the hazard has been rectified or filming will be shut down. Please ensure that electrical leads do not create a trip hazard. The Approval Holder is responsible for ensuring the safety of participants and spectators.
12. It is the Approval Holder's responsibility to be aware of, and comply with, the SafeWork SA Guidelines. Access to the guidelines and other relevant documentation can be found on the SafeWork SA website. To report any serious workplace accidents or incidents during your allocated filming time, please contact SafeWork SA on 1800 777 209 (24 hour service) and advise Council this call has been placed.
13. The Approval Holder must ensure the site is left in a clean and tidy condition at the conclusion of filming. Failure to do so may result in a cleaning fee and is also responsible for any damage caused to Council property which is attributable to the users during filming.

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14. The Approval Holder must seek approval from the Event Management Team for any vehicles wishing to access the foreshore and reserve areas for the purpose of filming. Details of all vehicles must be supplied in the filming application. **No vehicles are permitted to remain on site** unless deemed vital to filming operations. Any request for essential vehicles to remain on site must be made in writing to the Event Management Team (permits issued at the discretion of Council).
15. The Approval Holder is responsible for the control of noise during the activity. All reasonable measures must be taken to ensure minimal disturbance to residents and businesses within the surrounding area. The Approval Holder must be aware of, and adhere to, the Environment Protection Act guidelines applicable to noise. The Approval Holder is hereby notified that they face prosecution and possible reluctance from Council to consider future hiring of reserves or foreshore areas to organisations or individuals who do not fully acquaint all event sub-contractors of their obligations regarding noise control.
16. This Approval is liable to be revoked by Council if the Approval Holder fails to comply with the conditions set out in this document or may be revoked in any other justifiable circumstance. This Approval is not transferable.
17. If inclement weather is expected leading up to the filming date, City of Holdfast Bay in discussion with the Approval Holder will make the decision to continue with the staging of the filming or not in the interests of public safety and best management practices.
18. If no discussion has been had with City of Holdfast Bay before the day of filming to advise of cancellation, then it is assumed the filming has taken place and no refund will be offered.
19. Council has the right to refuse the Filming Approval at its discretion. **Such circumstances may include, but are not limited to:**
  - Submission of inadequate, incomplete or misleading information or lead time to assess the application
  - Undesirable impacts on and, likely inconvenience to the general public, local residents and businesses
  - Concerns from Council's Event Management Team that the Applicant does not have the resources and necessary experience to suitably manage the activity
  - Unpredictable and/or controversial aspects of the proposed filming activity
  - Conflicts with other activities already approved for the area.
  - Inability to provide required licenses, permits, certificates, etc.
  - Submission of an application to hold a filming or photography activity that is not consistent with Council's values and objectives.

**Updated 2024**