



Queensland Australia



SEQROC

South East Queensland Regional
Organisation of Councils

FILM PROTOCOL POLICY

SOUTH EAST QUEENSLAND

As at July 2, 2002

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INTRODUCTION

Location based film production provided the foundation for the film industry in Queensland and will continue as an important element in the industry's future development.

The Film Protocol Policy was prepared as an initiative of the Pacific Film and Television Commission (PFTC) and the South East Queensland Regional Organisation of Councils (SEQROC). It aims to create a more effective partnership between the industry, local councils in South East Queensland and other State agencies involved in providing and approving locations for filming.¹

The Protocol has involved extensive consultation with location scouts and managers, local councils and state agencies. These consultations made it clear that all stakeholders wanted simple, effective and flexible arrangements that reflected the proper balance between the needs of the industry, those of councils and the communities they represent and other State agencies involved in location approval. Accordingly the Protocol is presented in an easy to read, step by step, checklist type of approach. Attachments provide supporting details and pro forma documents.

The State, film industry, local councils and communities will benefit from a better understanding of their respective responsibilities, needs and obligations. The result will be a more efficient location approval system and the attraction of more productions to Queensland.

To ensure Queensland remains competitive, there is a need to continually improve the film location approvals, particularly in those Local Government Areas (LGAs) that provide major location based filming or aspire to this objective.² The PFTC and local councils will need to demonstrate to prospective Australian and overseas filmmakers that the Queensland experience is film friendly.

¹ The Australian system of government divides powers between Federal, State and Local governments. Issues relating to location filming are mainly the responsibility of Local government.

² The geographic area councils are responsible for are known as Local Government Areas (LGAs).

SCOPE

GEOGRAPHIC AREA

The geographic scope of the Film Protocol Policy covers all Local Government Areas (LGAs) in South East Queensland. There are 18 LGAs in the region that broadly covers the area between Noosa in the north, Gold Coast in the south and west to Toowoomba. SEQROC provides a coordination mechanism between the Councils in this region.

The LGAs included and the area covered are shown on the map at Attachment 1 and the contact details for the councils included are provided at Attachment 2³.

Based on experience with the South East Queensland Film Protocol Policy, the PFTC, with the cooperation of councils, intends to extend this concept to include all areas of Queensland.

COVERAGE

The Protocol concerns the relationships between the film industry and filming on State lands, council controlled public lands and on private land where councils need to approve film related operations.

Other locations involving private lands are the responsibility of the landowner and the production company. In these cases there may be some involvement for councils in relation to approval of sets and structures, particularly for large and long-term productions.

Those locations in South East Queensland involving State Government agencies are also covered in this Protocol with details provided in Section 6. These organisations with prime contacts for film matters are included in Attachment 3. Normally the production company should contact these agencies directly. Where State controlled locations involve special requirements, production companies may need to initially contact the PFTC.

³ Note that presently Attachment 2 includes only general council contacts. Once councils nominate a prime film industry contact, these specific contacts will be included.

STATUS

The Protocol is in the nature of advice to councils based on best practice arrangements implemented by councils in Queensland, similar Protocols that exist in New South Wales and Victoria and on permit processes in major film production areas in the United States.

Ultimately however, it is the responsibility of each local council to exercise its proper powers and responsibilities in relation to film locations and the associated permit processes and risk assessments.

FILM IN SOUTH EAST QUEENSLAND

THE ATTRACTION

Queensland is film friendly. Queensland is known for its stunning locations, experienced crew, world class facilities and services and attractive financial incentives. Locally, the state is a growing force in Australia's film industry. The State Government provides assistance to film and television productions with a generous range of incentives. These include Payroll Tax Rebate, a Cast and Crew Rebate, Traffic & Fire Services Rebate and Internship Scheme.

South East Queensland is a film production paradise! It contains Queensland's capital city, Brisbane (a one-hour flight from Sydney), one of the largest studios in the southern hemisphere, superb crew, film savvy local councils and a diversity of locations.

Internationally funded and co-productions credits in South East Queensland include *The Great Raid*, *Peter Pan*, *George of the Jungle II*, *Inspector Gadget II*, *Scooby Doo*, *Crocodile Dundee in LA*, *The Lost World*, *Flipper*, *Pitch Black*, and *The Phantom*. High quality home grown productions include *Finding Hope*, *Feeling Sexy*, *Paperback Hero*, *City Loop* and *Cybergirl*. Attachment 4 provides a full list of film and television productions shot entirely or predominantly in South East Queensland.

PACIFIC FILM AND TELEVISION COMMISSION

The Pacific Film and Television Commission (PFTC) facilitates and celebrates quality film and television production in Queensland. It is dedicated to developing a vigorous local industry, attracting interstate and international production and creating an active screen culture.

The PFTC provides free advice and assistance for any production based in Queensland, and can assist with negotiating access to State Government controlled locations. Location scouts can be arranged and hosted by the PFTC for "greenlit" projects, that is projects with financial approval.

The PFTC works closely with state and local approval agencies to ensure that the film production process delivers benefits to the film makers, local communities and to the State.

FILM INCENTIVES

QUEENSLAND

The Queensland Government through the Pacific Film and Television Commission (PFTC) offers film incentives to encourage producers and production companies to film in Queensland whilst providing production and employment opportunities for Queenslanders on feature film and television drama projects.

Payroll Tax Rebate

There are two options for this rebate:

- On project with a minimum \$3.5 M (AUD) spend during production in Queensland.
- Bundling of two or more productions with a minimum value of \$5 M (AUD) expenditure in Queensland within a four year period by one production company or production services company.

Cast and Crew Salary Rebate

For projects that employ Queensland based cast and crew during the production. "Queensland based" is qualified as any cast / crew member who has been on a Queensland electoral roll for a minimum period of six months. This equates to approximately 8-10 % of the weekly wage.

Rebates are available on projects with a minimum \$1 M (AUD) spend on production in Queensland attracted to film here.

The size of the rebate is based upon the value of the production's expenditure in Queensland.

- | | | |
|---------------------|------------|----------------------|
| • Expenditure up to | \$10 M AUD | Max \$100,000 rebate |
| • Expenditure up to | \$15 M AUD | Max \$200,000 rebate |
| • Expenditure over | \$15 M AUD | Max \$300,000 rebate |

Approval for the rebate must be sought prior to the commencement of production, and will be paid after the completion of the production. Details of further requirements are available on request from the PFTC.

Internship Scheme

This scheme supports the Queensland Film and Television Industry (drama and documentary production) in terms of providing on the job training opportunities that allow intermediate and advanced level technical and production personnel to further their career pathway.

Interns must be a resident of Queensland and have been on a Queensland electoral roll for a minimum period of six months. Interns must be professionally based in Queensland and the internship must take place in Queensland.

Internships will only be available on drama, documentary or animation projects for those positions identified in the skills audit (conducted annually).

For approved internships, the PFTC pays 80% of a level 1 award wage for the duration of the internship.

Traffic & Fire Services Rebate

This incentive may include services by Queensland Police and Fire personnel or Queensland based traffic control companies (at the discretion of the PFTC) that are used during the production for traffic control.

Rebates are available on projects with a minimum \$1 M (AUD) spend on production in Queensland attracted to film here.

The size of the rebate is based upon the value of the production's expenditure in Queensland.

- | | | |
|---------------------|------------|---------------------|
| • Expenditure up to | \$5 M AUD | Max \$10,000 rebate |
| • Expenditure up to | \$10 M AUD | Max \$30,000 rebate |
| • Expenditure over | \$10 M AUD | Max \$50,000 rebate |

To be eligible for incentives the Production Office must be registered in Queensland.

All applications are subject to approval by the PFTC's Industry Development Committee (IDC). IDC approval of applications is based on receipt of completed Application Forms and signed contracts two weeks prior to principal photography.

Upon IDC approval the PFTC will forward a letter stating confirmation (usually within three weeks).

Final payment is dependent on receipt and PFTC's satisfaction regarding deliverables.

For more details contact the PFTC or visit the PFTC website at www.pftc.com.au

COMMONWEALTH TAX ASSISTANCE

The Federal Government recently developed and refined the assistance available in respect of film production. Information on this tax assistance for film production as provided by Commonwealth Department of Communications Information Technology and the Arts (DCITA) is provided at Attachment 5. Prospective film production should seek independent legal and taxation advice on Commonwealth taxation matters.

LOCATIONS

South East Queensland offers wonderful locations from sand dunes, majestic mountains, towering forests, rolling green hills, spectacular waterfalls and lakes, fields of sunflowers, lush tropical jungles, sultry swamps, beautiful islands, azure seas, marinas, through to cosmopolitan cities to small country towns. The PFTC has an image gallery to show what South East Queensland has to offer.

The PFTC offer free advice and assistance regarding Queensland once the project is "greenlit" and has secured finance. The PFTC will professionally breakdown the script, undertake in-depth research and supply the production company with a hardcopy and digital pictorial presentation from PFTC's extensive location database.

If assistance is sought, production companies should provide the PFTC with:

- Name of the company.
- Contact details including title, street address, phone, fax and email address.
- Project title.
- Type of project (Feature, Movie of the Week, TV Series, TV Commercial, Documentary, Photo Shoot, etc).
- Schedule of the project including pre-production time and principal photography, etc.
- Indicative budget.
- A copy of the script.
- If assistance is required from the PFTC (incentive information, location presentation, specific research, Location Kit etc.)

FACILITIES

STUDIOS

Queensland has world-class studios on the Gold Coast, only 40 minutes south of Brisbane. The Warner Roadshow Movie World Studios currently provides six

purpose built soundstages, two water tanks, a two hundred acre backlot, wardrobe, make-up, production offices, a preview theatrette, post production facilities, paint and carpentry workshops, commissary and a processing laboratory. Two new soundstages, production offices and other support space are under construction and are expected to be complete before the end of 2002. At this time, the studios will be one of the largest in the southern hemisphere. For more information about the Warner Roadshow Movie World Studios visit their website www.movieworldstudios.com.au

Listings for a variety of studio space on offer throughout Queensland are contained in the PFTC Queensland Production Directory listed under studio/space.

The development of new studios in South East Queensland is under active consideration at present.

Warehouse spaces of varying sizes are available in most areas of Queensland, which can be used for production office space and set builds. The PFTC has assisted many productions that have successfully used all types of warehouse space.

POST PRODUCTION

An extra benefit when production takes place in South East Queensland is the professional expertise and experience to be found in the post-production industry. South East Queensland is the home for award winning animation, visual and special effects experts. Facilities include award winning online or offline editing, full foley, sound design, visual or special effects, high definition transfer, telecine, online conform and digital compositing or animation.

Listings for post production specialists and companies are in the PFTC Queensland Production Directory under the categories - post production services and supervisors, special effects, visual effects, animation, and editing.

CO-PRODUCTIONS

Australia has official co-production treaties with Canada, France, Germany, Ireland, Israel, Italy, New Zealand and the United Kingdom. Producers who are based in one of these countries should check the co-production status of their projects.

If eligible, official co-production projects become a national film of each of the producers' country and may be able to apply for government subsidies (federal and state).

The Australian Film Commission (AFC) administers Co-production treaties in Australia. For more information contact the AFC's Queensland representative or visit the AFC website (www.afc.gov.au).

WHAT THE INDUSTRY THINKS OF FILMING IN SEQ

Over the past 10 years hundreds of millions of dollars of production have been shot entirely or mainly in South East Queensland. The experience of producers to date has been very positive and many want to return to Queensland. Some examples of the experiences of filming in South East Queensland are provided below.

"I have just completed production on Scooby Doo for Warner Bros. This was a major production shooting 85 days plus 60 days of 2nd unit with extensive set construction, stunts, practical effects and visual effects. I found the crews and the production facilities to be first class. Queensland is such a refreshing and enjoyable place to live and work. The exchange rate, tax incentives and lower cost of living make Queensland ideal for filming."

Bob Engelman

Warner Bros/ Atlas Entertainment

"I've produced 37 movies for television around the world during the past three years, 11 of which were made in my favourite production venue, Australia. Of these 11 productions, 10 were shot in Queensland. With the reliable support of the Pacific Film and Television Commission, we've been able to find ideal locations, hire experienced crews and cast, talented actors, all who respected our need to seamlessly double American settings. The flight's a bit longer, that's true, but the extraordinary value we get in Australia makes the travel well worth it."

John Levoff

UPN/New Frontier Entertainment

"Coote/Hayes Productions has been fortunate over the past three years to be part of the Queensland production community. The depth of creative talent in all areas of film making is extraordinary and with the continued support of the Pacific Film and Television Commission I have no doubt that we will produce quality television in Queensland for many years to come."

Jeff Hayes

Coote/Hayes Productions

FILM INDUSTRY

UNDERSTANDING THE INDUSTRY

This section provides a brief overview of the film industry, its operations and some of the terminology used so that councils and council officers can appreciate its scope and potential benefits.

Best Practice process clearly shows that if there is an understanding and support of the industry and its benefits at the policy levels of council, the approval processes work much more effectively and difficulties are removed or minimised for councils and for production companies.

INTERNATIONAL

The film industry is big business. Film and television products comprise a major sector of the creative economy. The annual global revenue generated by film and television is currently \$252 billion. In Australia, revenue from film and video is worth over \$1.4 billion.⁴

The US accounts for some 85 per cent of world English speaking production and incorporates all elements of the supply, production and distribution chain. However on a per capita basis the Australian industry performs very well in international comparisons.

For the US, taking production offshore has been increasingly important in the past decade with 'runaway production' driven by locations, lower costs and less restrictive work practices. This market is valued at more than \$US3 billion annually. Canada is the major recipient, followed by Mexico, Ireland, UK and Australia. Canada attracts over 80 per cent of US runaway production and Australia about 6 per cent.

The film industry provides a unique combination of rapidly growing demand for content combined with the rapidly changing means by which to create that content. The convergence of image creation technologies has opened a wide range of delivery channels and business opportunities such as DVD, CD ROM, video, pay TV, video on demand, on-line web casts and downloads, as well as the related merchandise.

⁴ The data in this section is from the PFTC Draft Discussion Paper *The Ideas Business*, December 2001.

There are over 300 Film Commissions worldwide (similar to the PFTC) competing to attract production by promoting their locations, crews, facilities and offering national and state or local incentives.

Despite its size, the film industry remains a business largely based on key relationships of trust between a relatively limited number of people.

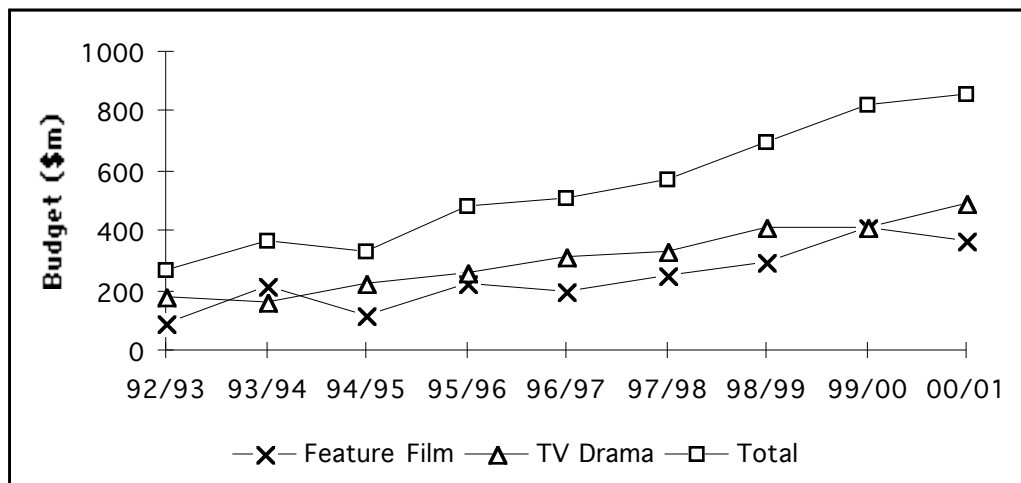
AUSTRALIA

Since 1992/1993, feature film production budgets in Australia have increased over three-fold and television drama has more than doubled.

Over the last five years (1996/97 to 2000/01), \$2,683 million was expended on feature film and television drama production in Australia (excluding short films, reality television and documentaries). Of this \$1,640 million (61%) was for Australian domestic production, \$395 million (15%) were co-productions and \$648 million (24%) was foreign funded production.

In 2000/01, Australian domestic productions accounted for \$312 million (51%), co-productions \$105 million (17 %) and foreign productions \$191million (32%) of total production expenditure. Trends are summarised in the chart below

Chart 1 Australian Feature Film and Television Drama Production by Type



Source AFC

Employment in the film industry has grown rapidly as a direct consequence of production levels. Employment in the Queensland film industry increased by 91 per cent from 1996/1997 to 1999/2000 compared with an increase of 58 per cent for the Australian industry.

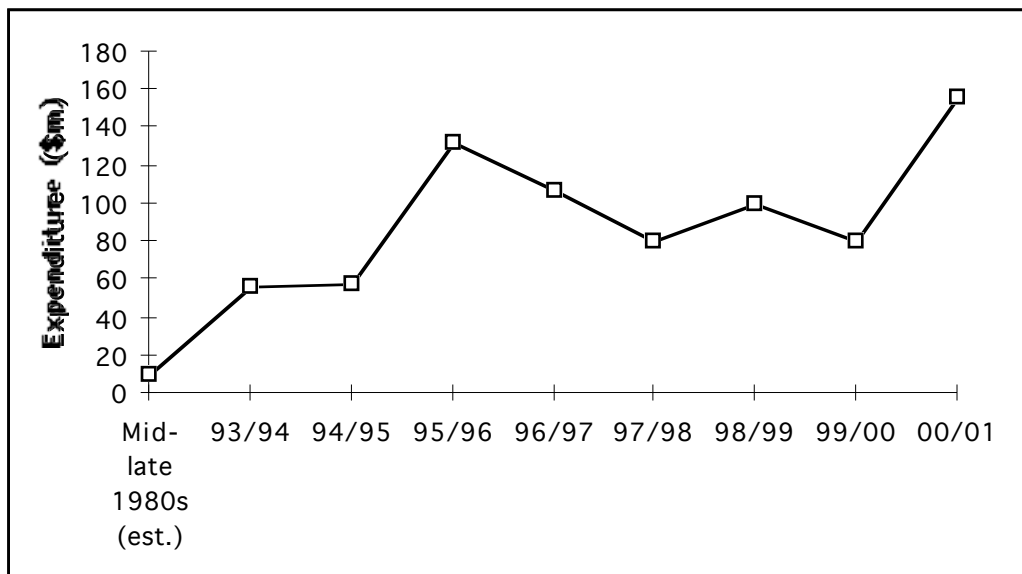
QUEENSLAND

PRODUCTION

The success of the film industry over the last decade has been significant considering the relatively short period of time in which the industry has been established. Film production expenditure has increased from some \$10-\$15 million a year just over a decade ago to average over \$100 million per year for the past four years.

In 2000/01, Queensland experienced its highest level of production, with production expenditure of over \$156m. This included major reality television productions such as *Big Brother* and *Survivor II*, the Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS) Accords, in addition to \$124m of major drama production as identified in the 2001 Australian Film Commission (AFC) Production Summary.

Chart 2 Queensland Production of Feature Film and Television Drama
Source PFTC



Queensland's share of national feature film and television drama production increased rapidly in the early 1990s, and has averaged nearly 20 per cent over the past four years.

The State has been very successful in attracting foreign production and co-productions, particularly telemovies and television series. These have provided significant training and employment opportunities and resulted in the establishment of production companies, post-production and visual effects businesses.

The Queensland Premier acknowledged that the film industry fits in well with the Government's Smart State philosophy. The film industry development is consistent with the following State Government priorities:

More Jobs for Queensland – Skills and Innovation – The Smart State

- Creates employment in one of the fastest growing sectors of the economy.
- Assists business and industry to create secure and sustainable jobs.
- Develops new skills in a rapidly growing sector.
- Helps develop a creative society.
- Encourages innovation, particularly in providing business opportunities and jobs in the rapidly growing computer generated imaging sector of the film industry.

Building Queensland's Regions

- Will attract film production to Queensland, and to the regions.
- Expands export markets and encourages value added industries.
- Showcases Queensland and promotes tourism.

Community Engagement and a Better Quality of Life

- Builds and enriches Queensland's arts and culture.
- Supports the Queensland Cultural Policy.

Valuing the Environment

- Is a clean industry with environmentally sustainable jobs.

In addition, local councils in South East Queensland are seeking to grow and diversify their economic base. In some government economic development strategies, the film and related content creation industries are highlighted as key industries.

REGIONAL PRODUCTION

Production takes place in many areas in Queensland, but is concentrated where facilities are available or locations most suitable, primarily in South East Queensland and Far North Queensland. Within South East Queensland, Gold Coast City, Brisbane City and Beaudesert Shire account for most location based film production.

Outside of South East Queensland, several regional areas throughout Queensland have benefited from film production. The destination of location

based production is predominantly determined by the production requirements and budget.

Below are some examples of film productions that have brought benefits to regional areas outside South East Queensland.

- Port Douglas *The Thin Red Line*
- *Paradise Found*
- *South Pacific*
- *Paradise Road*
- *Ocean Girl series I-IV*
- *The Island of Dr Moreau*
- Cairns *Amazon(2nd unit)*
- *Eco Challenge*
- *No Escape(Escape from Absolum)*
- Upper Herbert River *Survivor II: The Outback*
- St George *Paperback Hero*
- Whitsundays *Tales of the South Seas*
- *Dear Claudia*
- *Sabrina Down Under*
- Mt Isa *Singapore Sling*
- Charters Towers *RTLs Outback Adventure*
- Town of 1770 *Radiance*
- Clifton *Love of Lionel's Life*
- *Finding Hope*

Recognising the benefits of film production to local communities, several councils have developed location capabilities to complement that available from the PFTC. Several areas such as Brisbane, Gold Coast, Cairns, Port Douglas and the Sunshine Coast have developed film industry development strategies, encompassing the broader creative industries and proposals to attract investment appropriate to their areas.

INDUSTRY OPERATIONS

SCOPE

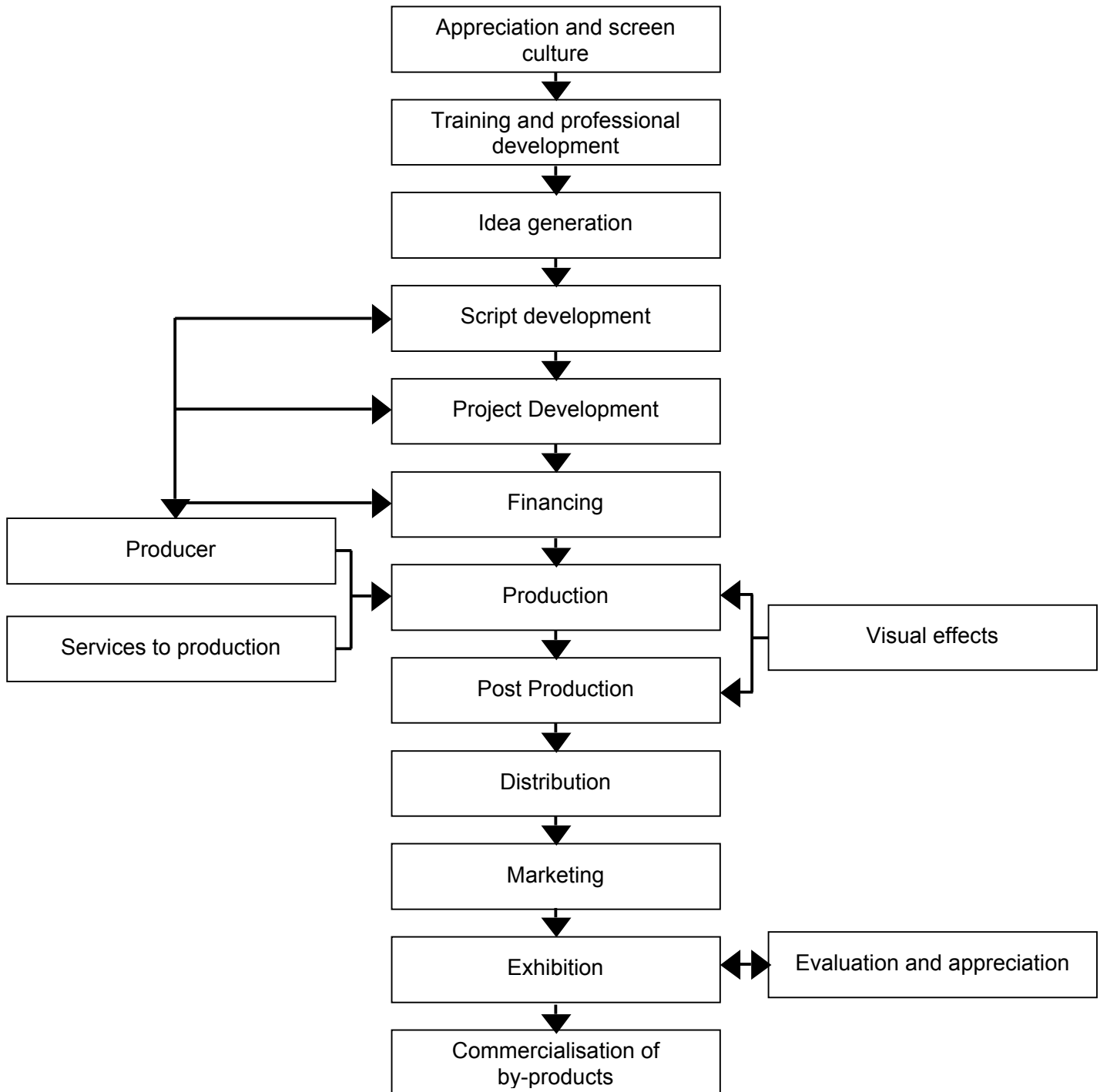
Film production types are wide and considering the convergence of digital technology to content creation and consumption, some of the boundaries are increasingly blurred. For the purposes of the Protocol, film production refers to the following which may involve some location filming:

- (a) Feature film.
- (b) Short film.
- (c) Television drama (telemovies, television series).
- (d) New media/multimedia.
- (e) Documentaries.
- (f) Lifestyle TV/infotainment.
- (g) TV commercials.
- (h) Reality TV.
- (i) Corporate/music video.
- (j) Student films.
- (k) Still photography.

INDUSTRY PROCESSES

The issues addressed in this Protocol represent only a part of a complex process of the creation, production, distribution, exhibition and appreciation of films. A simplified overview of the process is provided in the chart below.

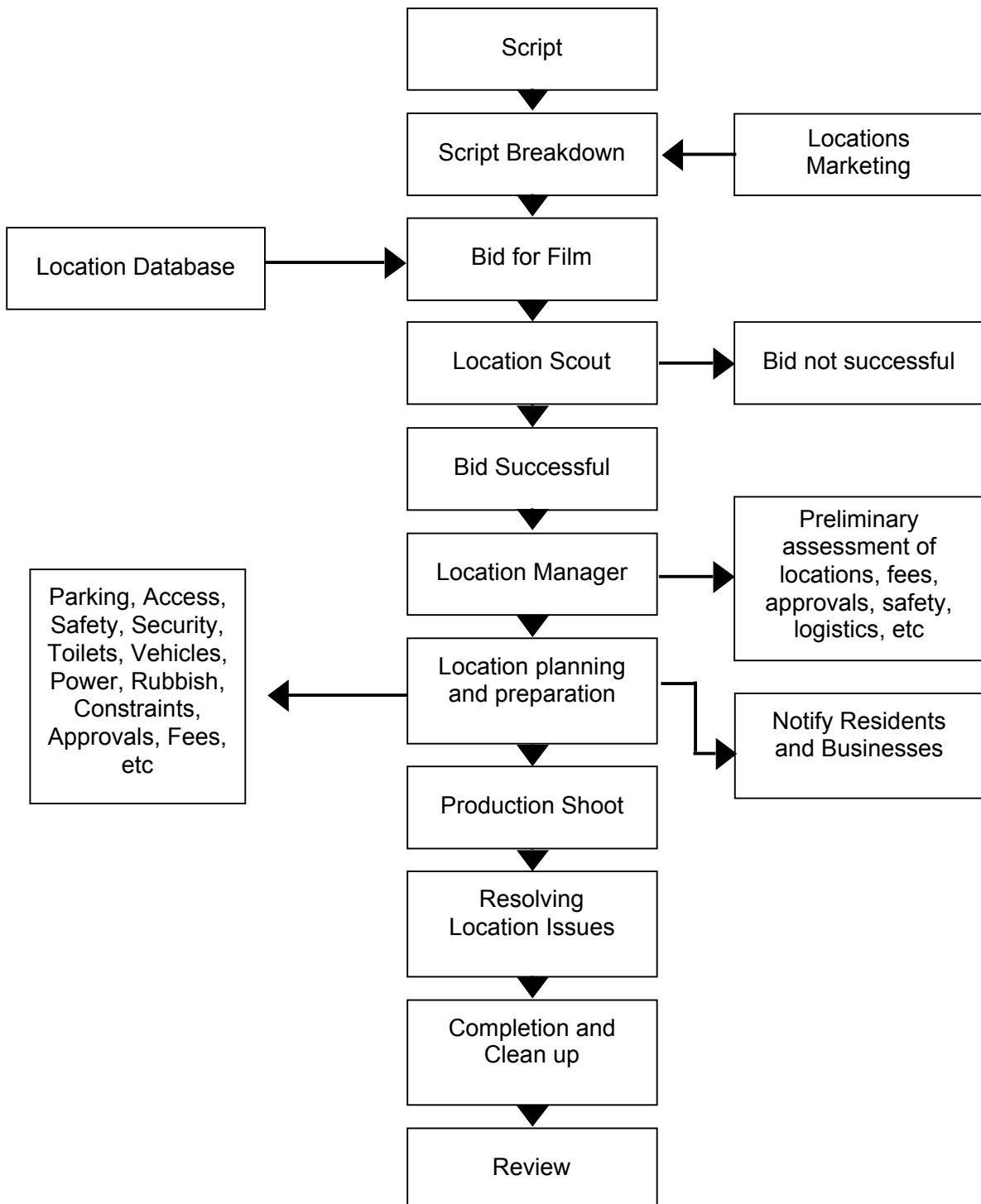
Chart 3 Simplified Film Production Process



LOCATION PROCESS

The locations process is a sub set of the wider film production and exhibition process and the typical process is described in more detail in the chart below.

Chart 4 Generalised Location Process



KEY FILM INDUSTRY PLAYERS

Normally councils will deal with the location manager as the prime point of contact. However the other key roles with whom the council may have some contact are outlined below. This group is mainly concerned with production issues as opposed to the artistic and creative aspects of the film. Writers and Directors do however have a major role in that the requirements of the story drive and define the requirement for locations.

Production Company

Company entity which is used for the production of the film.

Production Services Company

Company entity which provides services to the production company. Normally the production services company is a local company providing services for an overseas funded film.

Producer

Responsible for the film from concept to realisation. The final authority for financial and creative decisions. Often the instigator of the project.

Production Manager

The Production Manager (also the Unit Production Manager), reports to the Producer and is responsible for administrative, financial and technical aspects of filming. The Location Manager usually reports to the Production Manager.

Unit Manager

Responsible for setting up the Unit Base and is generally involved with ongoing communication between the location and the Unit Base. Any visitors to location are advised to speak to the Unit Manager.

Location Manager

The Location Manager finds suitable locations for filming and negotiates fees and dates for filming. Generally the main contact with councils and interface between the production company and councils. A Location Scout may assist the Location Manager in the initial location survey.

Transport Manager

Responsible for vehicles needed to support the production. May include Green Room, Make-up and Wardrobe vehicles. Many other crew provide their own vehicles.

Safety Officer

Responsible for the safety of the film crew and any other individual that may come in contact with the film crew or filming activities. Key task is to prepare and implement a Safety Report which outlines the responsibilities of the Production Company in regard to safety. It is the responsibility of the Safety Officer to ensure that the Production Company and all members of the cast and crew abide by the industry Safety Code.

STATE APPROVAL PROCESSES

INTRODUCTION

The Australian system of government comprises three levels, Commonwealth (Federal), State and Local, and has similarities to other federal systems of government such as the USA, Canada and Germany.

Most matters relating to film approval are either state or local responsibilities. The major Queensland state agencies involved in the film approval process are outlined below and the local government approval processes are outlined in Section 7.

As part of the preparation of the Protocol, the PFTC consulted the major State approving agencies with a view to ensuring that the agencies were aware of the importance of the film industry and needs of the industry. At the same time, it is important that film production companies are aware of the processes that the agencies must apply. Generally the State agencies are supportive of the film industry and will facilitate production subject to operational requirements and priorities. Although there is no common application form covering all agencies, the agencies prefer to have as much relevant information and advance notice as possible.

Contact details for all state approving agencies are provided at Attachment 3.

PFTC

The PFTC has three business units:

- Locations and International Production.
- Development and Production.
- Festivals and Events.

The PFTC has important roles in developing the Queensland industry and in promoting film appreciation through running a number of film festivals including the Brisbane International Film Festival.

DEPARTMENT OF NATURAL RESOURCES AND MINES

The Department of Natural Resources and Mines (DNRM) is the manager of much of the State's lands and also provides a wide range of information on private and public lands in the State.

Where the DNRM manages State lands, it is the approving authority in relation to locations filming. Production companies and location managers should contact the DNRM in relation to:

- Accessing the State Basic Land Information Management System (BLIMS) in relation to cadastral, property, survey and valuation information that is likely to provide a very useful first step in assessing alternative locations. BLIMS may be accessed at a modest cost at www.dnr.qld.gov.au or at the offices of DNRM.
- Seeking approval for filming on lands managed by DNRM.

Where DNRM managed lands are used, the Department may impose conditions for the use and apply charges.

The DNRM is responsible for the approval of explosives and pyrotechnics used in film production and the BLIMS should identify the native title status of the lands considered for locations filming.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works (DPW) is responsible for building and maintenance of many public buildings in Queensland. Where compatible with their prime functional use, DPW will facilitate filming at these locations at no cost.

QUEENSLAND POLICE SERVICE

The Queensland Police Service (QPS) is involved in film production in several ways through providing public safety services (the cost of part of which may be recoverable under the Traffic & Fire Services Rebate scheme) and in approving the representation of Queensland police in film and television production.

The costs of QPS resources (such as vehicles, personnel, uniforms, animals, etc) are summarised in Attachment 6. Where these services and facilities are required, apply initially to the QPS Media and Public Relations Branch.

Where a film seeks to represent police, particularly Queensland Police, the QPS has a role to ensure that the program is suitable for the Service's involvement and there is appropriate representation of police and their image. In this case,

apply in writing to the QPS Media and Public Relations Branch setting out timing, location, requirements, a synopsis of the production and the parts of the script with any reference to police.

Should film production companies want police for road closures or public safety reasons (not for safety issues on the set), apply directly to the local police station provided the police and/or vehicles will not be filmed or seen in any way. Involvement of QPS in any role is subject to operational requirements and priorities.

QUEENSLAND FIRE AND RESCUE SERVICE

Queensland Fire and Rescue Service (QFRS) facilities and services are available to filmmakers on a commercial basis subject to operational requirements and priorities. Services and facilities (such as fire trucks, other vehicles, pumps, personnel etc), may be required for public safety reasons or for representation in a production.

Where representation in a production is required, the QFRS has requirements broadly in line with those of the Queensland Police as outlined above. In this case, and where services and facilities are required, apply to the Commercial Development Unit of QFRS. The QFRS will provide a quote for the services and facilities required. Some of the QFRS public safety related costs may be recoverable under the Traffic & Fire Services Rebate scheme.

QUEENSLAND PARKS AND WILDLIFE SERVICE

The Queensland Parks and Wildlife Service has prepared the following application and assessment process as a guide to commercial filming in national parks and protected areas within South East Queensland.

Application

1. Complete the Queensland Parks and Wildlife Service (QPWS) Commercial Activity Permit application form which is available online at: www.epa.qld.gov.au or from QPWS regional office, 55 Priors Pocket Road Moggill Q 4069. Phone (07) 3202 0200 and ask for the Commercial Activities Permit Officer.
2. When completing the application provide as much detail as possible, include the exact location within the protected area, all equipment and vehicles to be used, activities to be undertaken during filming, number of people involved, and space required etc. Additional details may be provided as an attachment to the application form. This information allows QPWS

officers to access the impact the shoot will have on the environment, and to progress the application as quickly as possible.

3. For short-term shoots of limited duration, daily fees for each day of filming may be forwarded with the application fee. If exact filming dates are uncertain, daily fees must be paid within 30 days of completion of filming and accompanied by a Statutory Declaration detailing *actual* film dates.
4. Under legislation and QPWS Policy, \$10 million public liability insurance is required prior to issue of commercial activities permits if 6 or more people or any structures are involved in the activity. There is no provision to vary the requirement or the amount. A copy of the policy plus a Certificate of Currency on the insurance company's letter should be included with the application. A Certificate of Currency on an insurance broker's letterhead will not be accepted

Note that a structure is defined as any equipment or construction placed on a protected area to facilitate filming or photography. A structure includes, but is not limited to, a tower, platform, power source or wiring, vehicle, shelter or building. (A tripod used to support a camera, or a simple bird hide large enough to shelter one person, will not be defined as a structure.)

5. Send completed application form, fees and any other information required to:
Commercial Activity Permit Officer
Queensland Parks and Wildlife Service
PO Box 42
Kenmore, Qld 4069
6. The application will be recorded and be assessed by QPWS protected area managers. When the assessment is completed by QPWS protected area managers, the application will either be issued as per application, issued with conditions, or refused.
7. On completion of filming, the permit holder is required to complete a Statutory Declaration stating the number of filming days undertaken. The Statutory Declaration is to be sent to QPWS with any outstanding fees.

Assessment

The Factors considered in the assessment of your permit application are ecological sustainability and that the activity meets the management principles of national parks, in particular:

- To provide to the greatest possible extent, for the permanent preservation of the area's natural condition and the protection of the area's cultural resources and values.
- Present the area's cultural and natural resources and their values.

- Ensure that the only use of the area is nature-based and ecologically sustainable. Note that some locations may be utilised by wildlife at particular times of the year eg migratory shorebirds overwintering in Moreton Bay before returning to Siberia. These locations may be deemed 'out of bounds' to crews and air traffic for parts of the year.
- Environmental impacts potentially resulting from the proposed activities.
- Activity is consistent with the management plans and policies for the location.
- Impact on Cultural Heritage values and known Cultural Heritage sites.
- Foreseeable visitor hazards associated with the proposed activities.
- Impact on the general amenity, access or enjoyment of other park visitors.
- Safety issues.
- Feasibility for the proposed activities to be carried out at alternative sites external to the protected area requested.

Attachment 7 provides details of the costs of filming in national parks and protected areas within South East Queensland.

ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency (EPA) administers a number of different pieces of legislation, some of which may be triggered by filmmakers during film production. The EPA has prepared the following information in relation to locations based film production.

Historically, separate business units within the EPA have administered the legislation. Clients who required multiple authorities were obliged to deal with each individual unit to obtain each separate authority.

In order to provide more efficient customer service, the EPA has established the Licensing and Permit Co-ordination Unit (LPCU). This unit will be operational to process filming applications by mid to late 2002. The LPCU will provide the first point of contact for all permit types and will provide a number of services to clients.

1. Information

The LPCU will provide information to clients on permit requirements for activities under all legislation administered by the EPA.

2. Pre-lodgement

For complex projects, such as large scale filming, the LPCU can arrange for pre-lodgement meetings between clients and EPA representatives from relevant business units. Pre-lodgement is intended as a less formal process than the application process, where clients and the EPA can sit down and discuss all aspects of the proposal from both sides.

This will provide the client with a clear understanding of which permits are triggered by a proposal and what kind of information they will need to supply. Should there be any aspect of a project proposal that is likely to meet with refusal, the client can be advised of this likelihood prior to making application and paying associated fees.

3. Applications

All applications will be processed initially through the LPCU. Applications will be assessed and a project manager assigned to oversee each project as a whole, no matter how many individual authorities are required.

The project manager will be the one point of contact for the client and will co-ordinate each aspect of the project with individual business units. All required authorities will be issued together when all approvals are complete. Examples of activities which may trigger permit requirement.

Use of Animals and Plants

The use of certain types of wildlife may require one or more authorisations. Bringing animals and plants into protected areas will require written approval in all cases. Use of native animals outside protected areas may require further authorisation, depending on the circumstances under which they are used.

Some exotic (non-native) wildlife is prohibited in Queensland. Written authorisation will be required before use of these species. A copy of prohibited wildlife as listed in Schedule 7 of the Nature Conservation (Wildlife) Regulation 1994.

Construction of works in, over, through or across tidal waters

Approvals are required under Section 86 of the Harbours Act, for temporary or permanent works on tidal lands. Works will include such structures as pontoons, jetties, boat ramps, slipways and retaining walls. A comprehensive guideline can be obtained by contacting the LPCU.

Other examples include use of pyrotechnics, use of lands administered under the Beach Protection Act, use of Recreation Areas, aerial landings or low level flights.

The activities listed above provide some examples only of activities, which may require authorisations under legislation administered by the EPA and is not all inclusive.

For this reason, it is essential that you provide as much detail as possible of all activities to be undertaken during filming, so the EPA can properly assess your permit at the initial application stage. This will ensure that all necessary authorisations are dealt with in the shortest possible timeframe.

OTHER AGENCIES

Where other specialised or unusual state controlled locations are sought, the first step should be to consult the BLIMS data base and/or Queensland Government Directories to determine property and management details and then contact the agency directly. The PFTC may also be able to assist in these cases.

For locations filming that may impact on major roads, obtain a Traffic Control Application Form from the Department of Main Roads Traffic Management Centres in Nerang, Brisbane, Mooloolaba and Toowoomba.

Subject to operational needs and the requirements of the productions, for example for stunts, Queensland Ambulance Service may be able to provide on-site services for hire. Requests should be made to the Queensland Ambulance Service.

LOCAL APPROVAL PROCESSES

EXISTING SITUATION

As most film production in Queensland has taken place in South East Queensland, a number of councils within this areas have well developed location approval processes, in particular Gold Coast City and Beaudesert Shire. Brisbane City and other councils are developing similar approval processes.

This Film Protocol Policy is designed to assist councils to develop their own approval processes and develop a greater level of consistency between councils within South East Queensland. While recognising that every film is different and each local council is responsible for its own approval processes, ideally the greater level of consistency will allow the region and Queensland to be promoted as “film friendly”.

This Protocol is intended for the guidance of councils and the film industry and does not represent any agreement with an applicant that approvals will be given by councils or that the approval will be granted on terms and conditions satisfactory to the applicants.

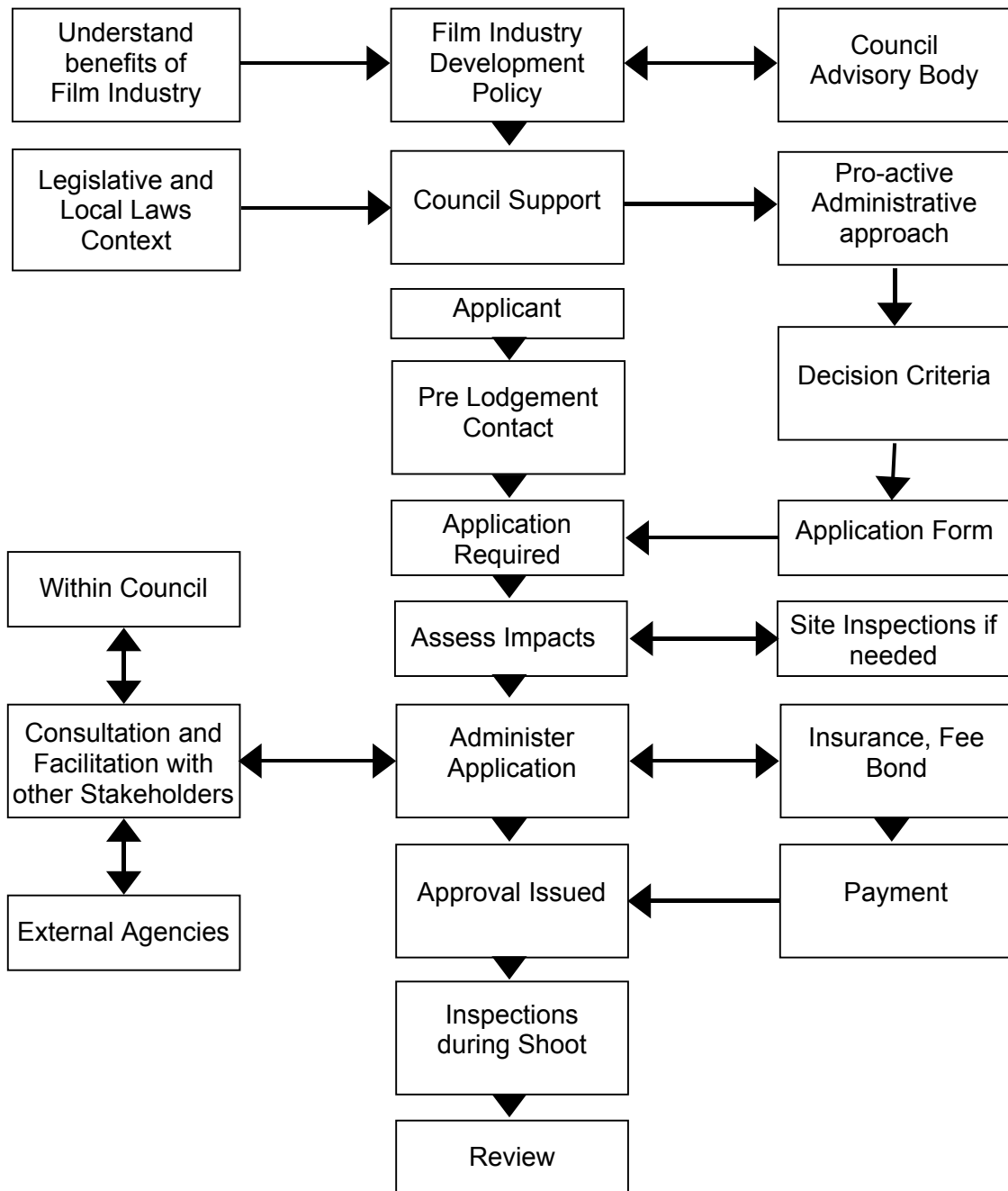
RECOMMENDED APPROACH

The recommended approach outlined below and summarised in Chart 5 reflects:

- The views of the PFTC.
- Industry views, particularly those of location managers.
- The experience and input from councils in South East Queensland with well developed approvals process.
- Best practice from other parts of Australia and internationally.

The following Chart shows the interdependency of the development of council policy towards the film industry and the implementation of that policy in the location approval process.

Chart 5 Council Film Approval Process Overview



APPROVALS CHECKLIST

SUPPORT FROM COUNCIL

Where councils understand the benefits and support the film industry, approvals and administrative processes tend to be flexible and work speedily. Some councils also have Advisory Bodies to assist with the development of policy and to improve links between the industry and the council.

The Film Protocol Policy will go some way to providing a base level of understanding of the industry and the benefits it can bring to regions and to councils. In addition, councils should develop a film industry policy for their own area to provide the basis and framework for pro-active administrative processes.

This Protocol is intended for the guidance of Councils and the Film Industry and does not represent any agreement with an applicant that approvals will be given by Councils or that the approval will be granted on terms and conditions satisfactory to the applicants.

IDENTIFY STAFF RESPONSIBILITIES

Councils will need to identify staff with the responsibility to administer the Film Policy and film location approval processes. To date, these functions have tended to be taken up initially by the councils' Economic Development or Marketing Departments. Once policy settings are in place and the systems bedded down, the responsibility has sometimes shifted to operational areas dealing with other council approvals processes.

At times there are several areas from councils involved in the approval process. A model that works well is to have a "one stop shop" to ensure one point of contact with the industry and close working arrangements between the areas typically involved such as Policy, Economic Development, Marketing and Operational areas of council.

Local government officers responsible for the film location approval function need to have a good understanding of the needs of the industry, of which this Protocol provides an overview.

Attachment 2 provides phone, mail and internet addresses for each of the councils in the SEQROC area.

PROJECT INITIATION

Normally an application for a film project seeking location approval will be initiated by a phone call from the Location Manager to the Council staff member responsible.

DEVELOP THE APPLICATION FORM

Councils will need to develop an Application Form seeking approval for filming on council controlled lands, or to modify an Application Form for the council's own purposes. The Form needs to be structured to obtain the information council needs so that council staff can undertake the necessary risk assessment as a basis for considering the application. A suggested sample Application Form is provided at Attachment 8.

Council needs to determine whether an application is necessary, ie the threshold levels, and if so the information needed to make a decision.

Essentially council needs to know the following general information.

- The applicant and contact details.
- Type of production.
- Location of filming.
- Timing of filming.
- Special requirements.
- Likely impacts and on whom.
- Likely benefits for the local area.
- Risk management.

Subject to any threshold levels established by policy of council, there should be no exceptions to the requirement for approval for location filming on council controlled property.

COUNCIL INFORMATION REQUIREMENTS

Councils need to collect the minimum information necessary to allow an informed decision on the issues, to assess the risks and to determine how the council will manage the risks to arrive at a balanced decision between the needs of the film industry and the needs of communities. The information that is typically required is set out below.

Applicant and Contact Details

- Production Company name.
- Production Services Company if applicable.
- Location Manager or main contact.

Type of Production

- Feature Film.
- Television Series.
- Documentary.
- Television Commercial.
- Short Film.
- Student film.
- Photo Shoot.

Filming Location

- Preferred locations based on a map reference with sufficient detail to identify area.
- Alternative locations, should problems emerge with the preferred location.

Timing

- Dates and times, and alternatives if known.

Special requirements

- For example night filming, lights, noise, smoke, street, road or path closures, animals, Police and/or Fire/Rescue presence.

Impacts

- Scale of production, number of cast and crew, number of vehicles, sanitation, waste.

Local Benefits

- Employment of cast and crew, local goods and services used.

Risk Management

- Public Liability Insurance current certificate, Safety Plan, Workplace Health and safety issues, Evacuation Plan if needed, Bond required, animal control, Police and Fire presence, Catering, Road safety, Sanitation and Waste addressed, Building and planning issues if applicable and Signage.

A sample Application Form is provided at Attachment 8. It needs to be recognised that the production company or location manager may not initially know all information sought in the Application Form. Scope has been provided to add additional information as it becomes available with the further development of the project.

APPLICATION PROCESSING REQUIREMENTS

Timing of applications is critical and the time for processing is often the most contentious issue for councils. When filming starts the expenditure rate is very high and could be over a million dollars per week. Any delays in the processing approvals or amendments to approvals can have very serious implications for the production.

As it is usually necessary for the council film contact to obtain inputs from a range of council functions, it is in the interest of the applicant to provide as much information as possible as early as possible in the initial application. The completed application should be submitted 7 days before shooting for small low impact productions and 14 days for larger high impact productions. It is in the councils' interests to develop efficient cross function approval processes.

Despite the best location planning, the capacity to fast track applications or to amend an original approval is sometimes required for a film production. When this arises additional fees may be payable for fast tracking approvals or amendments.

Most application forms are presently paper based, but an increasing number in the USA are on-line. Where the volume warrants, councils could consider a move towards an on-line application system.

While this Protocol provides general guidelines applicable to most productions, every film is different, and the unexpected and unplanned is likely to occur. Accordingly, council officers need to exercise flexibility and adaptability in dealing with issues as they arise. In particular television commercial productions are likely to experience much shorter lead times than feature films, to be smaller and to have only a short production period. The impacts are also likely to be correspondingly lower. As such the approval time line for television commercial productions may be less than the time periods identified above for larger productions with longer lead times.

FEES

It is critical that the processes are efficient and the fee structures are competitive otherwise productions will go elsewhere. The object of the Protocol and the fees component in particular is to attract location filming to Queensland so that the areas providing the locations and Queensland generally receive the flow-on economic benefits.

Councils increasingly operate based on user pays charging, however the practices vary in relation to film location approval.

The following charging basis has industry and council support.

- An application fee of \$240 for each application for a location approval.

- A two tier process charge differentiating between simple and larger or longer complex location shoots to reflect the amount of time Officers' spend on the approval process. The processing fees are \$240 for the simple applications for filming of 1 to 5 days and for multiple locations of a complex nature a fee of \$240 per site is charged.
- No fee is charged for the right to film on council controlled lands, apart from any existing fee that is charged to any party for the use of the land or facility.
- Where a long running production is involved (with location shooting extending over several weeks), council considers each case on its merits and negotiates a fee.
- Applications to modify the initial approval are dealt with on a case by case basis, but reflecting the principle of the cost recovery of the amount of Officers' time involved in re processing the approval.

Some councils waive fees for non profit organisations, for productions that promote their own areas such as providing tourism or other benefits or for student films.

Each council will need to assess its own fee structure however the above model has been shown to work effectively and is very well regarded in the industry.

BONDS

Security Bonds covering the performance of the Production Company/Applicant of its obligations under any council approval (including the risk of damage to council property) should be considered as part of the risk assessment process and where appropriate charged to the Production Company/Applicant.

The size of the security bond should reflect the scale and probability of an adverse outcome and take into account the track record of the Production Company/Applicant.

TEMPORARY FILM SETS

Most approvals for locations filming should be regulated and approved under the Local Law powers of councils. Local Law powers are the most appropriate means of regulation as they are speedy, flexible, can deal with the great variation in filming requirements and have a more appropriate range of sanctions should these be necessary.

There may be some circumstances, usually involving very large productions, that may require set construction and/or the provision of temporary access on private land. The filming on the sets can be of variable time usually from several days to several months. Normally on completion of the filming, the sets and the

temporary access are removed. Councils need to regulate these temporary sets as with other aspects of locations based filming.

Temporary Buildings

Building certification will be required for the temporary sets.

Temporary Uses

Where councils have defined temporary buildings, these are customarily outside the Planning Scheme and are not regulated under the Scheme. In other cases where temporary buildings are defined as a use and are included in the Planning Scheme, they are exempt uses.

In the above cases temporary film sets would be included as a sub-class of temporary buildings and administered accordingly. Where councils do not have such temporary uses currently defined, and there is a need to regulate temporary film sets, the development of such definitions to include temporary film sets could be considered by councils. Based on advice from a range of SEQROC councils, the period currently defined for temporary buildings ranges from 6 months to 2 years.

Permanent Buildings and Uses

Permanent buildings and uses (such as film studios) are development and are regulated under Planning Schemes.

INSURANCE

Council's will ordinarily require as part of their approval process, that the applicant:

- Indemnify Council against any claims which the relevant Council may become liable in connection with or arising directly or indirectly out of the use by the Applicant of the Council site.
- Provide satisfactory evidence of appropriate insurance cover at the applicants expense from an insurer approved by the relevant Council.
- Ensure that the relevant Council is a "named insured" under any insurance cover as required above.

"Satisfactory evidence includes:

- A certified copy of the relevant insurance policies.
- A Certificate of Currency of that policy for the period the approval remains in place.
- Confirmation from the Insurer that the relevant council is a named insured.

Appropriate Insurance cover includes the following at such levels as shall be stipulated by the relevant council:

- Public Liability insurance.
- Property damage insurance covering all property on a location site whether owned by council, the Production Company or otherwise by any other entity or person.
- Workers compensation insurance.

The level of cover required will be a part of the risk assessment process and may vary between productions depending on their scale and the council's requirements. However as far as possible council's will try to use standard amounts where appropriate.

ADVICE TO AFFECTED PARTIES

For larger productions which are likely to have an impact on surrounding residences or businesses, it is normal practice to require the production company to letter box drop the affected properties advising of the proposed filming, the dates, times, vehicle movements, approvals in place and provide contacts. Attachment 9 provides an example of a community notification letter that production companies may use to advise nearby residents and businesses.

For more contentious productions there may be benefit in the production and the council having a public meeting or using other forms of media to ensure wider information coverage.

If the filming is likely to result in road closures or other actions that will affect the trade of businesses, the production company would need to negotiate compensation with the affected parties. Where State services such as Police and Fire and Rescue are required, the production company will need to contact these agencies directly. Contact numbers for State Agencies are provided in Attachment 3.

SAFETY

Safety is of paramount importance to the council, to the production company, to other businesses providing services to the production and to their respective employees. The film and television industry is governed by a Safety Code which should be complied with by all those involved in the production. Commitment to this Code and the associated Film and Television Industry Safety Guidance Notes should be part of the production's Safety Plan and be identified in the application.

APPROVAL

The approval by council may be unconditional or subject to specified conditions. During shooting visits by council staff may be necessary to ensure that the conditions are being met.

The approval needs to be such that both the council and the production company have a clear understanding of their respective rights and obligations.

OTHER REQUIREMENTS

A raft of other requirements can affect location based filming covering such issues as food, firearms and explosives, environment protection, Occupational Health and Safety, lifts and scaffolding. These issues are a mixture of Federal and State responsibilities and it is the production company's responsibility to ensure that all requirements are met.

AFTER THE SHOOT

Following the completion of the shoot, the production company should clean up and return the area used to its original condition. If this is not the case then negotiation with the Location Manager or production company should begin immediately. Council should prepare an assessment of the repair costs and these costs deducted from the Bond or otherwise covered by the production company's insurance.

It is desirable that the production company and/or the Location Manager meet with the responsible council officer to review performance and to define areas of improvement in either the processes or outcomes. Through this evaluation, the council can develop a database of the performance by production companies and Location Managers and all parties can progressively improve the process.

A cooperative positive approach is most likely to ensure that the location remains available for future productions.

WHAT TO DO WHEN THINGS GO WRONG

Film production generally takes place in a high stress atmosphere, involving high rates of expenditure, long hours of work and where filming may be affected by illness, weather, noise, equipment breakdowns and a host of other unexpected problems. These factors often lead to the need to reschedule the time and place of location based filming.

Disputes need to be resolved quickly and professionally. If the dispute cannot be initially resolved, contact the PFTC which may be able to mediate.

IMPROVING COMMUNICATION

The Protocol provides the basis for improved cooperation and communication between the PFTC, SEQROC members and the industry. Apart from making the region more film friendly, one possible outcome of the improved communication is the development of a more comprehensive database covering all aspects of film production in Queensland.

The PFTC may be in the position to provide more “early warning” information to councils on the likelihood of productions filming in a particular area. Also councils, through SEQROC, could provide information to the PFTC on non-drama productions such as television commercials, documentaries and other productions approaching them directly for location approval in their areas.

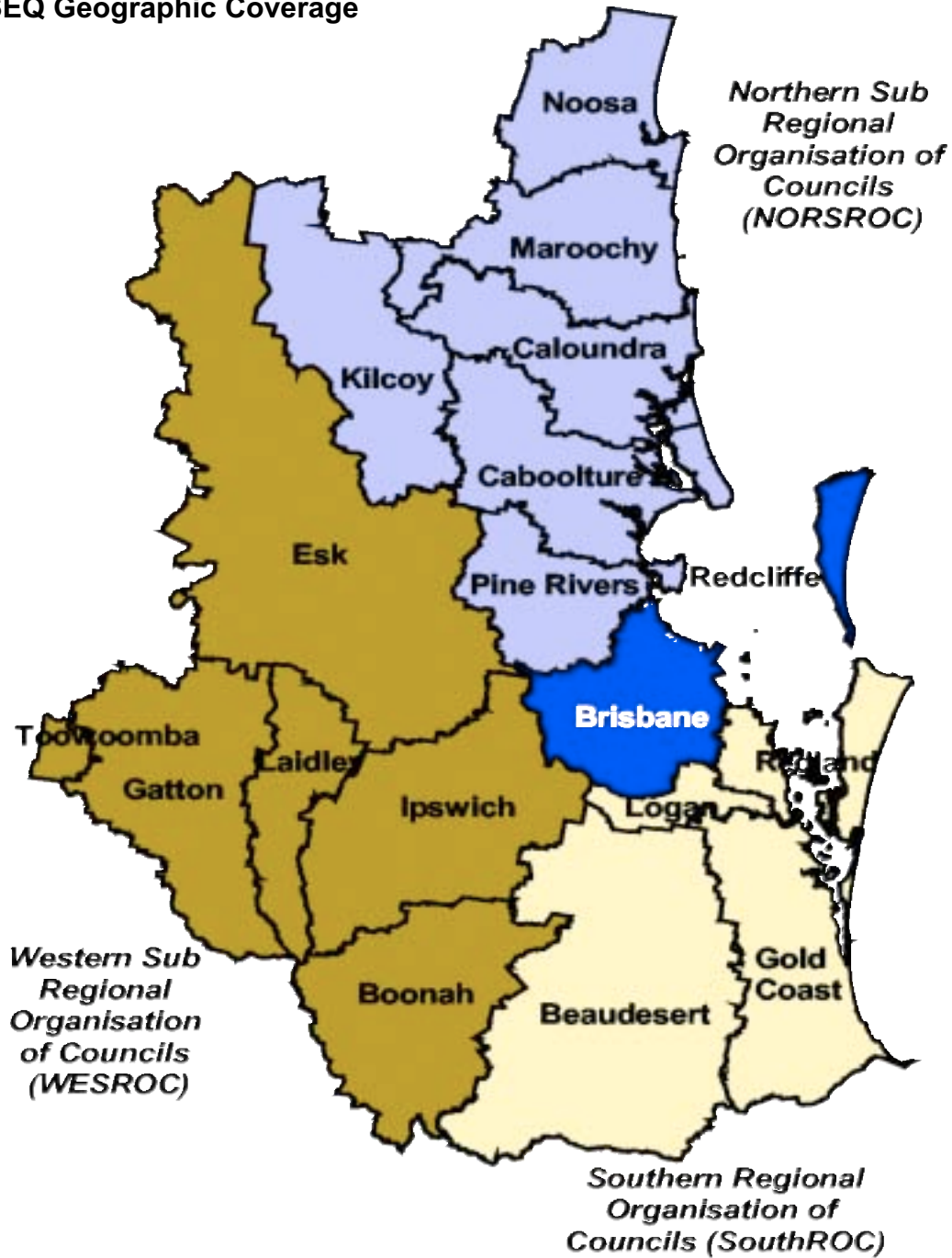
The information sharing may be facilitated using the SEQROC and PFTC web sites as data clearing-houses.

ATTACHMENTS

1. South East Queensland Geographic Coverage
2. South East Queensland Local Council Contacts
3. State Government Agency Contacts
4. Film and Television Productions Shot In South East Queensland
5. Federal Tax Offset Scheme
6. Film Studio Facilities In South East Queensland
7. Queensland Police Service Costs
8. Queensland Parks and Wildlife Service Fees
9. Sample Application Form
10. Sample Production Company Notification Letter

Attachment 1

SEQ Geographic Coverage



Attachment 2

SEQ Local Council Contacts

| Council | Officer/Title Postal Address | Contact Information |
|-----------------------------|--|---|
| Beaudesert Shire Council | Mr Stephen Jones Economic Development Manager PO Box 25 BEAUDESERT QLD 4285 | Tel: 61 7 5540 5152 Fax: 61 7 5540 5314 Email: stephen.j@bsc.qld.gov.au Web: www.bsc.qld.gov.au |
| Boonah Shire Council | Mark Pattermore Director of Planning and Community Services PO Box 97 BOONAH QLD 4310 | Tel: 61 7 5463 3048 Fax: 61 7 5463 2650 Email: mail@boonah.qld.gov.au Web: www.boonah.net |
| Brisbane City Council | Allan Richardson Events Operations Manager GPO Box 1434 BRISBANE QLD 4001 | Tel: 61 7 3403 7921 Fax: 61 7 3403 7920 Mob: 61 418 880 684 Email: eamm@brisbane.qld.gov.au Web: www.brisbane.qld.gov.au |
| Caboolture Shire Council | Ms Ros Kamradt Economic Development Officer PO Box 159 CABOOLTURE QLD 4510 | Tel: 61 7 5420 0325 Fax: 61 7 5420 0388 Email: kamradtr@caboolture.qld.gov.au Web: www.caboolture.qld.gov.au |
| Caloundra City Council | Mr Gregory Trotman Manager - Economic Development PO Box 117 CALOUNDRA QLD 4551 | Tel: 61 7 5420 8980 Fax: 61 7 5420 8985 Email: g.trotman@caloundra.qld.gov.au Web: www.caloundra.qld.gov.au |
| Esk Shire Council | Mr Warren Oxnam Manager, Planning & Economic Development PO Box 117 ESK QLD 4312 | Tel: 61 7 5424 1200 Fax: 61 7 5424 1529 Email: woxnam@esk.qld.gov.au Web: www.esk.qld.gov.au |
| Gatton Shire Council | No Representative PO Box 82 GATTON QLD 4343 | Tel: 61 7 5462 4000 Web: www.gatton.qld.gov.au |
| Gold Coast City Council | John Shewell. Senior Local Law Officer - Regulated Purposes Licensing and Approvals section PO Box 5042 GOLD COAST MC QLD 9729 | Tel: 61 7 5581 6415 Fax: 61 7 5581 6898 Email: jshewell@goldcoast.qld.gov.au Web: www.goldcoast.qld.gov.au |

| | | |
|---------------------------|--|--|
| Ipswich City Council | Kym Mutzelburg Public Relations Officer PO Box 191 IPSWICH QLD 4305 | Tel: 61 7 3810 6246 Fax: 61 7 3810 6732 Email: kmutzelbur@ipswich.qld.gov.au Web: www.ipswich.qld.gov.au |
| Kilcoy Shire Council | Murray Hilton Chief Executive Officer PO Box 83 KILCOY QLD 4515 | Tel: 61 7 5422 4900 Fax: 61 7 5422 4999 Email: mhilton@kilcoy.qld.gov.au Web: www.kilcoy.qld.gov.au |
| Laidley Shire Council | No Representative Locked Bag 1 LAIDLEY QLD 4341 | Tel: 61 7 5465 1166 Web: www.laidley.qld.gov.au |
| Logan City Council | Mr Tom Cass Economic Development Coordinator PO Box 226 WOODRIDGE QLD 4414 | Tel: 61 7 3826 5407 Fax: 61 7 3826 5290 Mob: 61 411 869103 Email: tomcass@logan.qld.gov.au Web: www.logan.qld.gov.au |
| Maroochy Shire Council | Mr Michael Whereat Planning Officer PO Box 76 NAMBOUR QLD 4560 | Tel: 61 7 5475 8501 Fax: 61 7 5441 8392 Email: whereatm@maroochy.qld.gov.au Web: www.maroochy.qld.gov.au |
| Noosa Shire Council | Shane Adamson Manager – Land Use PO Box 414 TEWANTIN QLD 4560 | Tel: 61 7 5449 5225 Fax: Email: mlu@noosa.qld.gov.au Web: www.noosa.qld.gov.au |
| Pine Rivers Shire Council | Mr Cameron Russell Manager, Economic Development PO Box 5070 STRATHPINE QLD 4500 | Tel: 61 7 3480 6383 Fax: 61 7 3205 0758 Email: cameronr@prsc.qld.gov.au Web: www.prsc.qld.gov.au |
| Redcliffe Shire Council | No Representative PO Box 66 REDCLIFFE QLD 4020 | Tel: 61 7 3283 0233 Web: www.redcliffe.qld.gov.au |
| Redland Shire Council | Mr Brett Stone Economic Development Coordinator PO Box 21 CLEVELAND QLD 4163 | Tel: 61 7 3829 8999 Mob: 61 409 309277 Email: bretts@redland.qld.gov.au Web: www.redland.qld.gov.au |
| Toowoomba City Council | No Representative PO Box 3021 TOOWOOMBА QLD 4350 | Tel: 61 7 4688 6611 Web: www.toowoomba.qld.gov.au |

Attachment 3

State Government Agency Contacts

Pacific Film and Television Commission

Executive Manager, Locations and International Production
Level 15, 111 George Street
Brisbane, Qld 4000

PO Box 94
Albert Street
Brisbane, Qld 4002

Tel 61 7 3224 4114
Fax 61 7 3224 6717
www.pftc.com.au

Queensland Fire and Rescue Service

Director
Commercial Development Unit
Howard Smith Drive
Whyte Island Qld 4178

GPO Box 1425
Brisbane, Qld 4001

Tel 1300 650 028 (Australia only)
Fax 61 7 3109 1001
www.emergency.qld.gov.au

Queensland Police Service

Public Relations Manager
Media and Public Relations Branch
GPO Box 1440
Brisbane Qld 4001

Police Headquarters
100 Roma Street
Brisbane, Qld 4000

Tel 61 7 3364 4191
Fax 61 7 3364 6268
www.police.qld.gov.au

Queensland Ambulance Service

Marketing Manager

GPO Box 1425
Brisbane, Qld 4001

Tel: 61 7 3247 8228

Fax: 61 7 3831 8356

www.ambulance.qld.gov.au

Department of Public Works

Senior Lease Manager

Building Division

Department of Public Works

GPO Box 2457

Brisbane 4001

Tel 61 7 3224 6023

Fax 61 7 3225 8108

www.publicworks.qld.gov.au

Department of Natural Resources and Mines

North Coast District

South East Region

Centenary Square Building

52-64 Currie Street

Nambour, Qld 4560

Tel 61 7 54512263

Fax 61 7 5451 2260

www.dnr.qld.gov.au

Queensland Parks and Wildlife Service

Commercial Activities Permit Officer

QPWS Regional Office

55 Priors Pocket Road

Moggill, Qld 4069

Tel 61 7 3202 0200

www.env.qld.gov.au

Environment Protection Authority

Project Officer
Licence and Permits Coordination Unit
Environmental Protection Authority

PO Box 155
Brisbane, Albert Street, Qld 4002

Tel 61 7 3115 9605

Fax 61 7 3115 9600

www.env.qld.gov.au

Department of Main Roads

Traffic Management Control Centres

Gold Coast/Beaudesert area

16-18 White Street

Nerang, 4211

Tel 61 7 55838259

Brisbane Metropolitan area

33 Harvey Street North

Eagle Farm, Qld 4009

Tel 61 7 3632 2800

Sunshine Coast area

Parkyn Parade

Mooloolaba, Qld 4557

Tel 61 7 5477 8450

www.mainroads.qld.gov.au

Attachment 4

Film and Television Productions Shot in South East Queensland (1992/2002)¹

Feature Films

2001/02

Great Raid
Swimming Upstream
Ghost Ship
Collision Course
Inspector Gadget II
Blurred

2000/01

The Third Circle(CubbyHouse)
Hildegarde
Scooby Doo
He Died with a Felafel in His Hand

1999/2000

Spud Monkey
Two Become One
Walk The Talk

1998/99

Waste
Walking Emily Home
Feeling
City Loop (aka Bored Olives)
Pitch Black

1997/98

Misery Guts
Meteorite
Paperback Hero

1996/97

Mirabeau (aka Angkor)
The Real Macaw
Joey
Black Ice

¹ Pacific Film and Television Commission. 2002. www.pftc.com.au

1995/96

Little White
First Strike
Acri
The Phantom

1994/95

The Last Bullet
Sahara
Mighty Morphin
In Pursuit of Honor
Blackwater Trail

1993/94

Tunnel Vision
Lightning Jack
Street Fighter
Rough Diamonds

1992/93

Singapore Sling
Traps

Television Production 1992/2002²

2001 to 2002

Lost in Oz - Pilot
Fat Cow Motel
The Mole
Lost World 3rd series
Beastmaster 3rd series

2000/01

Beastmaster 2
The Wilde Girls
Beastmaster 3
Big Brother
Border Patrol
Counterstrike
Cybergirl
Smooth Sailing
The Outsider
A Ring of Endless Light
Code 1114
The Diamond of Jeru

² Pacific Film and Television Commission. 2002. www.pftc.com.au

1999/2000

Max Knight: Ultra Spy
Big Breakfast
Flipper 4
Lost World 2
Beastmaster 2
Beastmaster
The Love of Lionel's Life
Survivor Series
The Product
Curse of the Talisman
The Dreaming
Chameleon 3 Dark Angel
Stepsister from the Planet Weird
Rubicon
Rip Girls (aka Wahines)
Monster
Dream Home
Changing Lives
The Magician

1998/99

Lost World
Beastmaster
Chameleon
Chameleon 2
Dr Jeckyll & Mr Hyde - Pilot
Green Sails (Pilot)
In the Box
Silent Predators (aka Diamondback)
Lost World (Pilot)

1997/98

Casino Reef
Project X
Mercedes
Medivac Series 3

1996/97

Flotsam & Jetsam
Medivac Series II
Pacific Drive Series II
Flipper Series II
Soap Opera Home Drama
20,000 Leagues Under The
Roar

1995/96

BH Family Robinson
Wildlife II
Thornbirds
Kline's Bottle
Kitu & Woofl
Flipper
Fire Series II
The Wayne Manifesto
The Place of the Dead
Medivac
Tanker Incident
Pacific Drive

1994/95

Fire Series I
Space
Lizzies Library

1993/94

Paradise Beach II
Desperate Journey
Breaking Strain
Time Trax II
Wild Life

1992/93

Time Trax I
The Flood etc
Skippy II
Paradise Beach
Official Denial
Mercy Mission
Irresistible Force

Attachment 5

FEDERAL TAX OFFSET SCHEME

The following is the Fact Sheet released by the Commonwealth Department of Communications Information Technology and the Arts on the rebate scheme.

12.5% Refundable Tax Offset For Large Film Productions

Australia is fast becoming one of the most popular destinations for filmmaking in the world. The diversity of our locations, the skills and flexibility of our crews and creative teams, the internationally recognised standards of our technical facilities and post-production services all combine to make Australia a world-class location for filmmaking.

The Commonwealth Government of Australia has introduced a refundable tax offset for film production in Australia that provides an additional financial incentive for the producers of large budget films to locate in Australia.

In establishing the tax offset, the Government recognises the economic, employment and skills development opportunities that large scale productions bring to Australia - and to Australians working in the film industry.

The tax offset has been designed to ensure that Australia remains competitive in attracting high budget film productions, and is aimed at providing increased opportunities for Australian casts, crew, post-production companies and other services to participate in these productions.

The tax offset is to be applied at a fixed rate of 12.5 per cent of a qualifying film's Australian production expenditure. This incentive is expected to amount to approximately 10 per cent of a film's total cost of production - depending upon the proportion of qualifying Australian expenditure.

WHAT ARE THE ELIGIBILITY REQUIREMENTS?

Commencement

An eligible film must have been completed - in a form ready for distribution or exhibition to the general public - on or after 4 September 2001.

Levels of expenditure

The key criterion to access the tax offset is a minimum level of qualifying Australian expenditure of A\$15 million on the production of the film.

Once this criterion is satisfied there are a further two categories of eligibility:

- Where the film's qualifying Australian production expenditure is between A\$15 million and A\$50 million, the producers will be required to spend a minimum of 70 per cent of the film's total production

expenditure on film production activity in Australia to qualify for the tax offset; and

- Eligible film productions that spend A\$50 million or more in Australia will qualify regardless of the percentage ratio of Australian expenditure to the film's overall production expenditure.

Eligible genres

The only formats eligible for the tax offset are feature films, telemovies and mini-series.

Exclusion of access to other incentives

Where a producer has chosen to access the tax offset in relation to an eligible film, no other Commonwealth Government film finance or tax incentive will be available for the project.

This refers to deductions under Divisions 10B or 10BA of the *Income Tax Assessment Act 1936*, or by way of Australian Film Finance Corporation funding.

In addition, a Film Licensed Investment Company (FLIC) will only be able to invest its non-concessional capital in a film production that qualifies for, and claims, the refundable tax offset.

WHO IS ELIGIBLE FOR THE TAX OFFSET?

A film production company is eligible to apply for the tax offset if it is an Australian resident company or a foreign corporation with an Australian Business Number (ABN) that is operating with a permanent establishment in Australia - both when it lodges the income tax return and when the tax offset is due to be credited.

An eligible film production company is further defined in accordance with the two categories of film eligibility:

- Where the film's qualifying Australian production expenditure is between A\$15 million and A\$50 million, the producer will be the company responsible for all the activities undertaken to make the film world-wide; and
- For those in the A\$50 million or more category, the producer will be the company that is responsible for all the activities involved in making the film in Australia.

Where several production companies are involved in producing a film, the company that is eligible to claim the tax offset is the one that can be defined as above.

Eligibility for the tax offset extends to the production company that completes an eligible film having taken over the making of it from another company or companies. In these cases, the production company is also taken to have

incurred the production expenditure of the previous companies for the purposes of the tax offset.

HOW IS TOTAL PRODUCTION EXPENDITURE DEFINED FOR THE TAX OFFSET?

The definition of total production expenditure provides the base against which the 70 per cent minimum qualifying Australian production expenditure will be assessed where Australian expenditure is between A\$15 million and A\$50 million.

A film's production expenditure is defined as the expenditure incurred or reasonably attributable to actually making the film from pre-production up to the point that it is ready to be distributed, broadcast or exhibited to the general public.

Some costs have been excluded in order to focus the benefit of the tax offset explicitly on expenditure that occurs in the activity of making a film. The following costs are excluded from total production expenditure:

- Financing and development.
- Copyright acquisition.
- General business overheads that are not incurred in relation to making the film.
- Distribution, publicity and promotion.
- Deferments, profit participation, residuals* and advances (*except where the residual is paid out before the film is completed).
- depreciating asset acquisition.

To encourage producers to undertake these activities in Australia, some of these exclusions such as copyright acquisition, business overheads, development and certain publicity costs, can be factored back in where they are Australian expenditure and counted towards total production expenditure (see definition of qualifying Australian production expenditure below).

WHAT IS QUALIFYING AUSTRALIAN PRODUCTION EXPENDITURE?

Qualifying Australian production expenditure defines those costs that are eligible for the 12.5 per cent tax offset, and is the production expenditure for the film incurred or reasonably attributable to:

- Goods and services provided in Australia.
- The use of land located in Australia.
- The use of goods located in Australia at the time they are used in making the film.

There are a number of specific inclusions to this definition, which include the following:

- Australian development expenditure.

- Copyright expenditure where copyright is held by an Australian citizen or a person resident in Australia.
- Appropriate share of general business overheads which are Australian business overheads.
- Publicity material, for use in publicising or otherwise promoting the film, where the copyright in the material is held by an Australian citizen or a person resident in Australia.
- A person's travel to Australia to undertake activities in relation to making a film if their remuneration is qualifying Australian production expenditure.

There are a number of exclusions to this definition where costs are not eligible as qualifying Australian production expenditure, including the following:

- Expenditure incurred when the production company is neither an Australian resident company, nor a foreign corporation with an ABN operating with a permanent establishment in Australia.
- The salaries of those personnel other than cast who work in Australia on the production of the film for less than two consecutive calendar weeks.

WHAT IS THE VALUE OF THE TAX OFFSET?

An eligible film falling in the A\$15 million to A\$50 million qualifying Australian production expenditure category would receive a benefit worth 8.75 per cent of total production costs when the minimum 70 per cent of the production budget is spent in Australia.

- The reduction in costs increases to 10 per cent if 80 per cent of the budget is spent in Australia, up to the full 12.5 per cent if the film is produced wholly in Australia.

An eligible film with qualifying Australian production expenditure of A\$50 million and over need not meet the 70 per cent requirement. A film with a total budget of \$200 million, for example, would qualify for the tax offset if it spends \$100 million in Australia, as although this is only 50 per cent of the total production budget, it exceeds the A\$50 million threshold for Australian production expenditure.

In this example, the tax offset would provide a reduction of \$12.5 million or 6.25 per cent of the film's overall production cost.

Administration Process

Film producers will need to apply to the **Commonwealth Department of Communications, Information Technology and the Arts** for a certificate of eligibility issued by the Minister for the Arts.

- Final certification guarantees the film producer's eligibility for the tax offset. A producer should apply for final certification following the completion of the film.
- Film producers also have the option of applying for a provisional certificate during the film's production. While a provisional certificate will not provide a guarantee of getting a final certificate it may assist in identifying those costs which can be counted towards qualifying Australian production expenditure.

Details of the application process for provisional and final certification together with guidelines for the tax offset are currently being developed and are anticipated to be available before July 2002. Please email: film.taxoffset@dcita.gov.au in the first instance if you would like to receive a copy of this documentation when it is finalised.

Applications received will be considered by an advisory board of industry representatives and Commonwealth Government officials to determine eligibility for the tax offset.

Final certification of a film's eligibility will be subject to verification that it meets the key eligibility criteria.

Following final certification, the film's production company would seek to apply the level of the tax offset against the company's Australian tax liabilities for the income year in which the film was completed. Where the level of the tax offset exceeds the tax liability accrued in the production of the film, the remaining amount will be refunded to the applicant.

The Minister for the Arts may revoke a certificate under defined circumstances - fraud or serious misrepresentation - and will write to the production company stating the reasons for the revocation noting that an application may be made to the Administrative Appeals Tribunal to review the decision.

Timeframe For Accessing The Tax Offset

Although applicants will not be able to access the tax offset until the administrative arrangements have been finalised, it is anticipated that applications will be able to be lodged for the income year 2001-02.

Detailed information about the arrangements that are established will be available towards the end of this financial year.

The information contained in this fact sheet has been drawn from the *Taxation Laws Amendment (Film Incentives) Act 2002*, which is the final authority. The legislation amends the *Income Tax Assessment Act 1997* to create a new Division 376 which gives effect to the tax offset. If there is a variance in this fact sheet from the legislation, the legislation has priority.

Review Of The Tax Offset

The tax offset will be reviewed by 4 September 2006 to evaluate its effectiveness as an incentive to attract large budget film productions to locate in Australia. The review will also examine the benefits and opportunities the tax offset has afforded the Australian film industry.

Contacts

For further information on the tax offset, please contact:

Film Tax Offset Section
Department of Communications, Information Technology and the Arts
GPO Box 2154
CANBERRA ACT 2601

Mark Taylor

Tel: + 61 2 6271 1594

Fax: + 61 2 6271 1688

Email: film.taxoffset@dcita.gov.au

Website: www.dcita.gov.au

April 2002

Raelene Glenn

Tel: + 61 2 6271 1067

Attachment 6

Queensland Police Service Costs (at June 2002)**Uniform Costs (indicative only and exclusive of GST)**

- Police Cap with Badge - \$72
- Police Felt Hat with Badge - \$80
- Police Shirt - \$35
- Police Trousers - \$72

The film/TV company must sign an indemnity proforma, which includes an agreement that all items of uniform are to be returned on completion of the production, for which no refund is given.

'Specials' Costs

Special Services per hour \$64.30 covers Police Escorts, Wide load Escorts, Road Works, and Traffic Direction.

Mileage Rates

- Police vehicles 61 cents per km
- Motor Cycles 22 cents per km

Vessels

- Outboard motor less than 15hp - \$12.75 per hour
- Outboard motor not more than 50hp - \$32.40 per hour
- Outboard motor more than 50hp - \$118.35 per hour
- Diesel windboard power - \$190.45

Horse

\$5.10 per hour

Attachment 7

Queensland Parks And Wildlife Service Fees

Commercial Activity Permits For Filming

Protected area Fees and Charges (As per Schedule 6 Nature Conservation

Regulation 1994)

(Fees from 1 July 2002)

| | |
|--|--------------------------------|
| Camping Permit | |
| a) each night - each person over 5 years | \$3.95 (including GST* 10%) |
| | Total \$3.95 |
| Commercial Activity Permit for filming or photography no structures involved | |
| a) 1 or 2 people involved | |
| (i) application fees | |
| (ii) daily site fee | NIL |
| | \$21.60 |
| b) 3 to 5 people involved | |
| (i) application fees | |
| (ii) daily site fee | \$108.00 |
| | \$53.40 |
| c) 6 or more people involved | |
| (i) application fees | |
| (ii) daily site fee | \$216.00 |
| | \$108.00 |
| Commercial Activity Permit for filming or photography any kind of structures involved | |
| a) 1 or 5 people involved - | |
| (i) application fees | |
| (ii) daily site fee | |
| b) 5 to 25 people involved - | \$108.00 |
| (i) application fees | \$108.00 |
| (ii) daily site fee | |
| c) 26 to 50 people involved - | \$539.50 |
| (i) application fees | \$539.50 |
| (ii) daily site fee | |
| d) 51 or more people involved - | \$1,079.00 |
| (i) application fees | \$1,079.00 |
| (ii) daily site fee | |

| | |
|-----------------------------------|----------------------|
| e) Ranger supervision (per hour) | \$2,158.00 |
| | \$2,158.00 |
| | \$60.00 |
| | + GST* 10% 6.00 |
| | Total \$66.00 |

Please Note: Application fees are non refundable.

* GST is a Commonwealth tax

Attachment 8

Sample Application Form

SEQ Council

ABN xx xxx xxx xxx

Mail address

Phone 61 7 xxxx xxxx

Street Address

Fax 61 7 xxxx xxxx

General email address

www.council.qld.gov.au

Film Locations Application

Direct phone and fax numbers for Council film approvals

Tel 61 7 xxxx xxxx

Fax 61 7 xxxx xxxx

Email xxxx@council.qld.gov.au

Instructions for Applicant

The Application Form is in three parts.

Part A seeks information about the production company, the production and other information that is attached to the production or production company.

Part B seeks information about the location and timing of production with space provided for up to 5 sets of time and location. If approval is sought for more locations and times, please copy this section, complete the details and attach with the application.

Part C is for the Council's use.

Please complete form, writing in block letters or tick appropriate boxes. Where needed, provide additional information. Provide as much information as possible with the initial application, and other information as it becomes available. The need for Council to seek additional information may slow the approval. Call the Council's film locations approval number on 61 7 xxxx xxxx to clarify any matters.

PART A

Applicant Details

Production Company

ABN

Mail address

Production Services Company (if applicable)

ABN

Mail address

.....

Contacts

Name

Role in production

Postal address

Phone

Fax

Mobile

Email address

Type of Production (Tick box)

Feature film Television Series

Short Film Documentary

Student film Television Commercial

Still Photography Corporate Video

Other, please specify

Synopsis of Production

.....

.....

Production Details (If known now please provide now)

Shooting days..... Number of Crew.....
Number of Cast.....
Number Commercial Film Vehicles
Trucks..... Cars

Insurances

Public Liability (Attach Certificate of Currency for \$xx,000,000)
Other Insurances (Describe and Attach Certificate of Currency for \$xx,000,000)

.....
.....

The Council will need to be noted as an interested party on the policy. (Council will advise on the form of the notation). The sum insured is to be a minimum of \$XX,000,000.00.

Unless the public liability insurance Certificate of Currency for the correct amount has been received, the application will not be approved.

Application Fee

1 day \$xxx
2-5 days \$xxx

For periods of over 5 days please contact XXX on 07 xxxx xxxx for a quote.

Performance Bond

Based on the assessment of the application, the Council may impose a Performance Bond to cover risk of damage to Council property. This amount will be advised to you and will be returned on the completion of shooting provided there is no damage. Where damage occurs, and it is not fixed at the direction of Council, the Council will assess the cost of the damage and deduct it from the Bond.

Applicant Signature
Name (Please print).....

PART B

Production Schedule

Exact times for which approval is sought.

| Shooting dates(dd/mm) | Time (hours for start/complete) |
|-----------------------|---------------------------------|
| Day 1 ___/___ | ___/___ |
| Day 2 ___/___ | ___/___ |
| Day 3 ___/___ | ___/___ |
| Day 4 ___/___ | ___/___ |
| Day 5 ___/___ | ___/___ |

For longer than five days, state period.

.....

.....

.....

Exact places for which approval is sought.(Attach copy of maps/street directory if necessary)

.....

.....

.....

Special Requirements (Tick if required and describe)

- Night Shoots
- Lights
- Noise
- Explosives
- Smoke
- Animals
- Road/path closure
- Other, please specify
-
-

Risk Management Arrangements (Tick if required and describe)

- Safety Plan
- Animal control
- Police/Fire/Rescue
- Building Approval
- Letter Box Drop
- Other publicity
- Sanitation
- Waste

PART C

Office Use

Additional Information Sought and Provided

| Date | Sought | Provided |
|-------|--------|----------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Receipt for Application Fee

Amount \$.....
 Number
 Date ____/____/____
 Account

Receipt for Performance Bond

Amount \$.....
 Number
 Date ____/____/____
 Account

Approval

Approved Conditional Approval

Conditions

.....

.....

Not Approved

Performance Review

- Advised PFTC/SEQROC
- Problems
- Pre Shoot Visits
- Shoot Visit
- Post Shoot Visit
- Review

Return of Performance Bond

Amount \$.....
Number

Date ___/___/___

Account

Attachment 9

Sample Production Company Notification Letter

Date <Ensure that adequate notice is given>

SEQ Films Pty Ltd
Beautiful One Day Street
Perfect, Qld.4000
Tel: (07) xxxx xxxx
Fax: (07) xxxx xxxx
Email: SEQFilms@SEQ.com.au

Dear Resident,

Re: <Name of Production>

SEQFilms has begun the production of a <type of production and name of production>.

SEQFilms has received approval from the <name of Council> to film <name of production> at <define locations and/or address> for filming at the following dates and times:

- <Insert dates and times>.
- <Insert dates and times>.

The filming will involve <briefly describe film sequences, traffic control arrangements and special effects to ensure that nearby residents and business owners are fully informed>. The production will involve <number and type of vehicles and parking arrangements, and number of crew and cast>. Security and traffic control will be undertaken by <name of organisation>.

Any inconvenience to you will be minimised.

Should you have any concerns or require any further information please contact me at SEQFilms on (07) xxxx xxxx or ask for me on the day. We look forward to your support.

Yours faithfully,

Xxx Xxxxxx
Location Manager