



## COMMERCIAL FILMING POLICY

### 1. OVERVIEW

Commercial filming on land and water managed by the Rottnest Island Authority (RIA) assists, where possible, in promoting a strong, positive image of Rottnest Island's environmental, cultural and tourism significance.

The taking of photographs and filming on the land and waters of Rottnest Island, as managed by the Rottnest Island Authority, is encouraged as a passive recreation activity provided that it is carried out in a manner that does not compromise day-to-day management activities.

### 2. OBJECTIVES

- 2.1 To promote community awareness, understanding and support for recreational, environmental, cultural and heritage values consistent with the *Rottnest Island Authority Act 1987*.
- 2.2 To ensure that such activity is carried out in a manner that does not compromise RIA regulations and day-to-day management activities.
- 2.3 To provide clear and consistent guidelines for commercial film makers and photographers based on sound, broadly agreed principles.
- 2.4 To provide a framework where commercial filming and photographic activities reflects both the needs for the RIA to manage its lands and surrounding waters in a sustainable manner, and the commercial needs of the film and photography industry.
- 2.5 To encourage a responsible and cooperative working relationship between Commercial film makers/photographers and the RIA.

### 3. SCOPE

The Commercial Filming Policy defines "commercial filming" as any filming which is undertaken for promotion of a product or service regardless of medium or format (eg video clips, digital, magnetic tape, celluloid, still, motion). Commercial filming includes still photography for advertising purposes, commercials, production filming, documentaries, educational films; Government sponsored filming and tourism promotions. Commercial filming activities envisages the usage of film crews, props, sets, models etc., and/or the utilisation of RIA staff and resources, beyond that made available to normal visitors to the Island.

This policy does not apply to the taking of photographs, film and videos where the principal intent of the activity is the pursuit of personal or private interests.

This includes personal or private activities that may be the subject of a commercial transaction subsequent to that activity taking place. Examples of such activities may include but are not confined to: engaging in hobby activities, the development of personal photography skills, the display, reproduction and/or distribution of positive images of the

Island via postcards, calendars, galleries, publications and websites. These activities can occur without the seeking of approval and the payment of fees.

#### **4. DEFINITIONS**

**Rottnest Island Authority Act 1987** – Rottnest Island is a A-Class Reserve governed by the *Rottnest Island Authority Act 1987* (the Act) which creates the Rottnest Island Authority as a statutory body to control and manage the Island, reporting to the Minister for Tourism.

**Commercial filming** is defined as still, digital or video images taken for promotion of a product or service regardless of medium or format (eg digital, magnetic tape, celluloid, still, motion). Commercial filming activities envisages the usage of film crews, props, sets, models etc., and/or the utilisation of RIA staff and resources, beyond that made available to normal visitors to the island.

**Documentary filming** - television and cinema productions that are creative interpretation of reality or fact often dealing with travel, science and historical subjects.

**Educational films** - filming for the Department of Education, Universities or TAFE.

**Production filming** - filming for theatre, television and cinema productions that are produced for commercial release.

#### **5. POLICY STATEMENT/S**

Filming of areas managed by the RIA can make a significant contribution towards helping to raise awareness of Rottnest Island as a significant visitor attraction.

It is the policy of the RIA that:

- The activity of commercial filming does not damage the environment, conflict with the enjoyment of other users, compromise the safety of film makers and other Island users, incorrectly present information or promote inappropriate activities.
- Commercial film makers consult with the RIA in advance and that procedures are in place to ensure the protection of natural and cultural values are observed by commercial film makers on the island and its surrounding waters.
- Commercial filming on RIA managed land and waters requires approval through the issue of an appropriate authorisation, except news of the day and current affairs. Approval will be issued for a specific time period. If commercial filming continues after the specified date, additional approval will be required.
- All commercial filming requires the payment of a fee. All charges will be reviewed on an annual basis in line with changes to CPI, the cost to the RIA of assessing and managing the activities, and prevailing market forces.
- Charges can be waived or reduced at the discretion of the Chief Executive Officer for educational and tourism films that are likely to increase appreciation, awareness and understanding of the natural or cultural environment and which benefit RIA's objectives.
- Commercial filming is acceptable if it portrays the area in a manner which is consistent with the purpose for which the land is vested (ie if it does not demean the area).

- Requests for commercial filming can vary in scale, locations and other requirements, and each application will be assessed individually.

## **6. ROLES AND RESPONSIBILITIES**

Responsibility for administering the Policy rests with the Chief Executive Officer with delegated authority to the Marketing Manager. All applications will be referred to the Marketing Manager (in the first instance) for approval and consideration of special requirements. A condition of approval will be that there is no deviation from the conditions unless there is prior written approval from the delegated managers. All commercial film makers will be expected to abide by the RIA policies and regulations.

## **7. STATUTORY COMPLIANCE and RELEVANT DOCUMENTATION**

The policy reflects the requirements of:

- The Rottnest Island Authority Act 1987.
- The Rottnest Island Authority Regulations 1988.

## **8. EFFECTIVE DATE**

The policy is effective from 1 *July 2012*

## **9. REVIEW DATE**

The policy is to be reviewed every two years.



## COMMERCIAL FILMING GUIDELINES

### 1. Approval Authority

Responsibility for administering the Policy rests with the Chief Executive Officer (CEO) with delegated authority to the Marketing Manager. All applications will be referred to the Marketing Manager (in the first instance) for approval and consideration of special requirements. A condition of approval will be that there is no deviation from the conditions unless there is prior written approval from the delegated managers. All commercial film makers will be expected to abide by the Rottneest Island Authority (RIA) policies and regulations.

The approval can be granted following the completion of the application form with the provision of relevant information.

### 2. When approval is not required

- 2.1 Television, print news of the day and current affairs (electronic and print) will not require approval or the payment of fees. However, television and newspaper media are required to contact the Public Affairs Manager prior to filming to determine any special requirements such as media accreditation, relevant management issues etc. The Public Affairs Manager should then follow the media guidelines as defined in the RIA Media Policy.
- 2.2 Commercial filming/photography are undertaken by persons employed or contracted by the RIA.
- 2.3 Commercial filming/photography of Rottneest Island occurs from a vessel or aircraft, in waters or within airspace that is outside the boundary of the RIA.
- 2.4 When filming/photography is undertaken whereby the principal intent of the activity is the pursuit of personal or private interests.

### 3. Commercial Filming Approval

The attached Commercial Filming approval must be completed by the parties concerned. It must be completed even where fees have been waived.

Extra conditions of approval in response to local management issues may be attached to this agreement at the discretion of the CEO or the Marketing Manager.

Any other permits required for filming activities should also be brought to the attention of the applicant, via the conditions of the approval.

Following the completion of the approval form, **a copy should be forwarded to the Marketing Manager**

#### **4. Acceptable commercial filming activities**

Commercial filming is acceptable if it portrays the area in a manner which is consistent with the objectives of this policy (including any conditions of approval) and the objectives of the RIA. Any variation from these objectives must be negotiated before approval is granted and be stated clearly in the conditions of approval.

The major factors to be considered when assessing the merits of applications for commercial filming on Rottnest Island are:

- a) Complies with all the Acts and Regulations as contained in the *Rottnest Island Authority Act 1987* and the *Rottnest Island Authority Regulations 1988*;
- b) compatibility of such filming with the objectives of the RIA;
- c) environmental impacts;
- d) impacts on visitor services; and
- e) safety of participants and visitors.

#### **5. Prohibited Activities**

- 5.1 Any filming activities must conform to the provisions of the *Rottnest Island Authority Act 1987* and the *Rottnest Island Authority Regulations 1988*.
- 5.2 No filming of Aboriginal heritage areas without the written consent of the Rottnest Island Authority and the Department of Aboriginal Affairs.

#### **6. Booking the Filming Session**

- 6.1 Thirty days notice for Commercials, Production Films and Documentary production and 14 days notice for still photography for advertising purposes is required prior to the proposed commencement date. The RIA will require a brief rundown of the content and a filming schedule, if there is any doubt a full script can be requested.
- 6.2 Bookings should be made via the Marketing Manager. The Marketing Manager should consult other relevant RIA staff to ensure availability of the proposed venue and supervisory personnel and to identify any relevant site management issues.
- 6.3 Requests which are submitted with less than the required notice will still be considered if they can be dealt with within the timeframe available. This is at the discretion of the CEO and the delegated manager.

#### **7. Fee charged**

Under the *Rottnest Island Authority Act 1987*, a fee can be charged for filming and photography conducted on Rottnest Island and its surrounding waters.

- 7.1 Fees may vary according to the supervision requirement, location of the filming, the scale of the production and other factors (see Schedule of Fees).
- 7.2 Tourism promotions and educational films which feature areas managed by the RIA and which are likely to increase appreciation, awareness and understanding of the natural, or cultural environment and which benefit RIA policies on public information and

community education, will be encouraged and charges including those for management supervision may be waived or reduced.

7.3 Fees may be waived or reduced for films in this category which are sponsored by Tourism Western Australian (TWA) or Tourism Australian (TA). These will be those productions which will have a major tourism benefit for the State and/or Nation. Waiver or reduction of fees in these cases will be decided on an individual basis following liaison between the CEO and the appropriate TWA/TA representative.

7.4 Still photography that is clearly associated with advertising a product or service will require approval and a fee will be charged.

## **8. Aerial Access**

Filming crews wishing to land on Rottnest Island should identify this fact when applying for Commercial Filming Approval. Helicopter landings will only be permitted for management purposes or activities in keeping with management objectives for the area or if otherwise approved by the Chief Executive Officer.

## **9. Safety**

The approval holder acknowledges and agrees to provide appropriate safety equipment and caution employees and other people participating in the commercial filming/photographic activity about the hazards likely to be encountered on RIA managed land and water.

## **10. Operations**

10.1 The approval holder acknowledges and agrees that this approval does not give them exclusive use or access to any site, facility or wildlife.

10.2 The approval holder agrees to:

- a) remove all equipment and completely clear and clean the location/s by the date of expiry of this approval with all rubbish to be removed unless bins are provided;
- b) not erect any facilities or structures, whether temporary or permanent, without written approval from the RIA;
- c) no lighting of fires other than in portable stoves;
- d) drive vehicles only on the designated roads or on such other areas as the RIA may approve;
- e) carry a copy of this approval at all times during filming/photography; and
- f) report on arrival to commence the commercial filming/photography to the nominated RIA authority.

## **11. Bond**

A bond may be required for the purpose of repairing any damage or cleaning up after the event. The amount will be determined in each case, based on the activities proposed and equipment involved.

## **12. Public Liability and Indemnity Insurance**

- 12.1 Public Liability Insurance: The party (both fee paying and fee exempt) carrying out the Commercial Filming must carry a minimum of \$10,000,000.00 public liability
- 12.2 The approval holder agrees that the RIA does not take any responsibility or liability for the security, loss, damage or otherwise of any vehicle, machinery, equipment or other goods or property owned by, or under the control of the approval holder except to the extent such claim, demand, action, suit or proceeding arises from negligent act, error or omission of the RIA.

## **13. Payment**

All approvals are subject to advance payment of all fees seven (7) days prior to approval start date. All fees are payable to the RIA.

## **14. Previewing of the Final Film**

- 14.1 Previewing of the final film product may be requested at the discretion of the CEO or the delegated Manager to ensure that the Island is portrayed in a manner consistent with the RIA's mission and objectives. (eg in the case of advertising material to be shown in Australia or overseas).
- 14.2 A copy of the film or selected photographs may be requested by the RIA for internal use or archival purposes if considered necessary by the CEO or delegated Manager. The costs of duplication will be borne by the RIA.

## **15. Acknowledgement**

The producers will be obliged to place the following in the credits, where credits are given:

**Produced with the assistance of the Rottneest Island Authority or**

**Produced with the assistance of the staff of the Rottneest Island Authority.**

## 16. SCHEDULE OF FEES

Category	Rate (incl.GST)	Comments
<b>Standard fees for non-stills photography</b>	Up to \$530.00 for the first day	These charges apply to advertising, commercials, feature films, documentaries and other educational and tourism films, except where non-standard charges or waiver or reduction of charges are deemed appropriate (see below).
<b>Standard fees for stills photography for advertising purposes</b>	A fee of \$275 for a full day or \$137.50 for a half day (5 hour period) will apply.	This applies to commercial still photography for advertising purposes.
<b>Flat fee for documentaries and promotional film</b>	\$1195.00 flat fee.	This applies where the documentary crew will be filming for more than three days, and the subject matter will benefit Rottnest Island Authority's objectives. Although they may not be able to afford to pay the standard fees, they should be making some contribution toward Rottnest Island management.
<b>Management fees</b>	\$106.00 per hour	This applies where a charge is made for management supervision, in cases where the Manager, Marine and Terrestrial Reserves, deems it necessary (for instance, in sensitive areas) or where the film maker requests assistance with transportation of crew and/or equipment.
<b>Waiver or reduction in fees</b>		Charges can be waived or reduced at the discretion of the CEO for educational and tourism films that are likely to increase appreciation, awareness and understanding of the natural or cultural environment and which benefit RIA's objectives. This waiver or reduction of charges would apply to Tourism Australia/Tourism Western Australia-sponsored productions on a case by case basis and some documentaries and television lifestyle programs, eg. <i>The Great Outdoors</i> , <i>Holiday</i> , or where the RIA is working closely with the film-makers on the script or the RIA will gain community education benefits.