



Additional Terms and Conditions for the conduct of Filming/Photography in Royal Botanic Gardens Victoria

Where conditions apply to one site specifically this is noted, otherwise all terms and conditions apply to filming/photography at both Royal Botanic Gardens Victoria's sites at Melbourne Gardens and Cranbourne Gardens.

General Conditions

1. All requirements of the Royal Botanic Gardens Regulations 2014 (the Regulations) must be observed. The Regulations are available at www.rbg.vic.gov.au. Any breach of the Regulations will be subject to a penalty infringement notice, ranging from 5 to 20 penalty units (currently, the value of each penalty unit is A\$147.61), depending on the Regulation breached.
2. Access to Melbourne Gardens is available between the hours of 7.30am and Sunset (Monday to Friday). Access to Cranbourne Gardens, including the Australian Garden, is available between the hours of 9:00am and 5:00pm (Monday to Friday). Filming outside these hours is subject to Royal Botanic Gardens Victoria's (RBGV's) approval and will incur additional fees. RBGV reserves the right to deny filming requests for weekends, public holidays and other peak visitation times.
3. Cast and crew are not permitted to enter into or walk on garden beds, to handle or pick any plants or to climb trees. No interference may be caused to flora and fauna of the Gardens.
4. The Applicant will be held responsible for any damage caused, and will be charged the costs of rectification of such damage to the site, plants, infrastructure, services or fittings. These include: a. trees/shrubs/lawns (the asset value of trees will be at RBGV's valuation using the Revised Burnley Tree Valuation Method or other appropriate method as chosen by RBGV) b. paths/kerbs/fences c. structures/sculptures d. gas/electricity/sewer/storm water/water reticulation or irrigation components, and e. communications services (cables and optic fibre).
5. No plant material is permitted to be brought onto either RBGV site unless prior approval is granted by RBGV. To gain approval, plant species or cultivar names and quantities must be provided, together with certification of pest and disease-free status.
6. A public liability insurance policy for no less than \$10 million must be arranged by the Applicant. A Certificate of Currency must be submitted with the Application for Filming/Photography Permit.
7. The Applicant or its authorised representative is to be on-site at all times during the shoot. A mobile telephone number for the on-site representative is to be supplied to RBGV prior to commencement of the shoot.

8. The site is available only to the Applicant whose name appears in the Permit. RBGV is to be advised in writing of any change to the details of your occupation of the site.
9. Your Permit to conduct Filming/Photography does not constitute an exclusive right of use of RBGV or any area of RBGV.
10. It is the Applicant's responsibility to ensure the safety of its staff and members of the public.
11. Additional specific conditions may be imposed and will be advised in a separate attachment to the Filming/Photography Permit.
12. Note that use of the areas outside Melbourne Gardens' boundary, including 'The Tan', Kings Domain and Birdwood Avenue, requires the permission of the City of Melbourne.

Structures & Equipment

13. All equipment intended to be brought onto the site must be declared on the Application Form. Failure to do so may result in cancellation of the Permit.
14. The Applicant must not alter, add or affix any item, sign or poster within RBGV without prior written approval. Items must not be attached to trees, buildings, heritage features or other fixed structures.
15. When operating dollies, cranes, movable arms or any other machinery, the immediate area is to be delineated by safety bollards or witches hats and made safe for the public.
16. All wheeled equipment, such as lighting trolleys, must be secured in a stationary position.
17. All structures and equipment must be secured with weights (pegs and/or stakes are not permitted under any circumstances).
18. All cables must run along the kerbside where possible and, when crossing a path, must be covered with cable-guard.
19. Unless specifically authorised by RBGV, no filming is permitted from garden beds (refer to point 3 above).

Vehicles

20. All vehicles entering RBGV must be roadworthy and must travel on access routes and paths designated and approved by RBGV. Vehicles must comply with the following restrictions:

- Maximum Speed 8 km/h (walking pace)
- Maximum Height 3m
- Maximum Width 2.5m
- Maximum Length 6m
- Maximum Gross Weight 7 tonnes.

Any intended variation to the above dimensions must be requested in writing for RBGV assessment and approval prior to the vehicle's arrival on site.

21. All drivers must hold a current Australian Driver's Licence, have received training and have demonstrated competence in operating the vehicle. All drivers must observe the following protocols when operating vehicles within the RBGV's sites:
 - Give way to pedestrians and fauna at all times
 - Hazard lights must be on
 - Drivers must have a zero blood alcohol level
 - The reversing of any vehicle must be supervised by a person, on the ground.
22. An agreed route to enter/exit the specific site will be confirmed before the shoot commences, and the Applicant will be advised in writing in the Filming/Photography Permit. Not all gates are of a uniform size and the crew must make themselves aware of any limitations prior to arrival of the vehicle.
23. Vehicles are not permitted to be driven onto lawns or garden beds.
24. Vehicles must comply with RBGV's hygiene standards and practices, as advised in the Filming/Photography Permit.

Noise & General Behaviour

25. The maximum allowable noise level is as stated in the State Environment Protection Policy (SEPP) N*2.
26. Behaviour that could be judged as unreasonable or unacceptable to visitors will not be permitted, including nudity, and offensive language or gestures.
27. All sites must be left in a clean and tidy condition.
28. No domestic animals are permitted on-site at Cranbourne Gardens.
29. All 'rabbit-proof' gates must be kept closed at all times at Cranbourne Gardens.

Occupational Health & Safety

30. Film Victoria has provided an online Safety Plan or OHS Management System to enable producers and production companies to manage health and safety for their productions in a simple and effective manner and ensure regulatory compliance in the State of Victoria. Please refer to <http://ohs.film.vic.gov.au> for more information.

Fees & Charges

Fees and Charges will be levied as follows, with the exception of Student and Not-for-Profit projects for which application fees and rates may not apply.

31. A non-refundable application fee of A\$108 is payable upon submission of this Application.
32. A fee will be levied for use of RBGV's lands and facilities, in accordance with the current Schedule of Fees (see Appendix 1).
33. Location fees for filming will vary depending on potential risk to and effect on RBGV's property and landscape and on the amenity of the visiting public. All filming/photography will be designated as high, medium or low impact depending on an assessment of the size of the crew, equipment and infrastructure required, the location of the shoot and the impact on the gardens' amenities, and will be charged accordingly on a sliding scale. Please ensure that all applications include all relevant information about the shoot so that RBGV can accurately assess its scope. Failure to adequately declare equipment and/or additional crew may result in the application of a Penalty Infringement Notice or revocation of the Filming/Photography Permit. Additional Terms and Conditions for the conduct of Filming/Photography in the Royal Botanic Gardens Victoria

34. Fees payable must be received by the due date to provide entry to RBGV. Should fees not be received on time, RBGV reserves the right to make the site available to any other hirer.
35. Upon confirmation of the booking, a refundable security bond between A\$500 and A\$2,000 will be payable to RBGV. The security bond amount will be determined according to RBGV's assessment of the level of risk and the impact on environmental, cultural, heritage and other assets, and to ensure that the Permit requirements are delivered as specified.
36. Additional fees may be levied, or part or all of the security bond withheld, should the shoot not be managed in accordance with the Permit and these Terms and Conditions, or where additional costs are incurred by the RBGV over and above the charges outlined in the Schedule of Fees (see Appendix 1).
37. Approval to film is not final until all outstanding fees are paid and a Permit issued to the Applicant by RBGV.
38. RBGV reserves the right to refuse any filming request that contravenes the Royal Botanic Gardens Regulations 2014 or that is contrary to the Mission of Royal Botanic Gardens Victoria. In addition, any out of business hours or public holiday applications may only be approved upon confirmation of the availability of RBGV resources to facilitate the requirements of the application at the nominated time(s).

Failure to adhere to any of these Terms and Conditions will result in cancellation of the Filming/Photography Permit and a penalty as provided for by Regulation 37 of the Royal Botanic Gardens Regulations 2014 (20 penalty units at A\$147.61 per unit = \$2,952.20).

APPENDIX 1

Commercial Filming/Photography Schedule of Fees (effective 1 January 2015)

Filming	Duration	Rate
High Impact	Full Day	\$2,725
	Half Day	\$1,363
Medium Impact	Full Day	\$2,044
	Half Day	\$1,022
Low Impact	Full Day	\$1,363
	Half Day	\$682
Commercial Photography	Duration	Rate
High Impact	Per Hour	\$276
Medium Impact	Per Hour	\$235
Low Impact	Per Hour	\$165
Other Charges	Duration	Rate
Application Fee (non-refundable)		\$108
Security Bond (refundable after site inspection)		\$500-\$2,000
Site representative (duration as agreed in writing, minimum 2 hours)	Per Hour	\$54
Late booking fee		50% of first day rate
Out of business hours surcharge	Pro-rata per Hour	25% of total fee
Public Holiday Surcharge		50% of full day or half day rate (as applicable)

Please Note:

1. All rates quoted are inclusive of GST.
2. Final charges will be provided upon assessment of the Application Form and must be paid in full before the Permit can be issued.
3. A half-day Permit is for up to 4 hours of filming.
4. A full-day Permit is for between 4 and 8 hours of filming.
5. Business hours for Melbourne Gardens are 7:30am to Sunset (Monday to Friday) and Cranbourne Gardens are 9:00am to 5:00pm (Monday to Friday).
6. Late fees will be charged on all filming/photography requests which are not received within the specified timelines. Low impact, medium impact and high impact applications must be received at least three (3), seven (7) and 15 business days respectively in advance of the planned commencement date of the filming/photography.