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SUBMISSION TO THE NEW NATIONAL CULTURAL POLICY
Pillar 5: Reaching the Audience

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1. Purpose of This Submission

This submission addresses Pillar 5 of the next National Cultural Policy — Reaching the Audience — from the perspective of an accounting professional with direct experience in Australian screen production finance, including compliance work on Producer Offset, Location Offset and PDV Offset certifications for major production entities.

The central argument is straightforward: Australia invests hundreds of millions of dollars each year in publicly subsidised screen production and has no reliable mechanism to ensure that the Australians whose taxes fund that investment can actually watch the resulting work. This submission proposes a targeted, opt-in policy instrument — a Public Availability Window — to close that gap, using SBS On Demand as the delivery vehicle.

2. The Catalogue Problem: 213 Certificates, Unknown Audience Reach
2.1 The scale of public funding

Australia's screen production incentive framework is substantial. In 2024/25, according to Screen Australia's submission to the Senate Inquiry into the National Cultural Policy (October 2025) and its annual Drama Report:

Incentive	2024/25 figure
Producer Offset — total value of final certificates issued	AUD \$713 million
Producer Offset — final certificates issued	213 certificates
Location Offset — value and issued	Unknown
PDV Offset — value and issued	Unknown

Sources: Screen Australia, Submission to Senate Inquiry into the National Cultural Policy, October 2025 (aph.gov.au); Screen Australia Drama Report 2024/25, December 2025 (screenaustralia.gov.au) and 2025 Budget Portfolio Additional Estimates Statements 2024-2025.



2.2 The gap between production and public access

In 2024/25, 213 final Producer Offset certificates were issued. Yet only 34 Australian theatrical features entered production that same year — and the Drama Report itself notes that productions made for under \$1 million are not even captured in the report until they achieve a theatrical release or major festival screening, meaning the true number of certified productions without confirmed public visibility is larger than the headline figures suggest.

The Producer Offset is not limited to feature films. It covers television drama, documentary and other eligible formats, which accounts for the large gap between 213 certificates and 34 theatrical features. But across all those formats, the government currently has no structured mechanism to answer one basic question: once a final certificate is issued and the public subsidy is paid, how many Australians actually watched the resulting work? That data does not exist at a policy level.

2.3 Cactus: a case study in public funding without public access

Cactus (2008) illustrates the problem precisely. The film was produced with public funding from the Australian Film Commission and the NSW Film and Television Office. It starred Bryan Brown and Shane Jacobson — names that would attract an audience — and was distributed theatrically by Hoyts in Australia. It screened at the Munich International Film Festival, the Montreal World Film Festival and the Shanghai International Film Festival. It is listed in Screen Australia's own Screen Guide database as a completed Australian production.

It grossed approximately AUD \$151,000 at the Australian box office across its theatrical run. That is not a large audience for a publicly funded film. Seventeen years later, the situation has not improved: as of May 2026, Cactus is not available on any streaming platform in Australia — not free, not by subscription, not for rent, not for purchase. JustWatch, which aggregates availability across 95 Australian streaming services, reports no options exist. Reelgood confirms it is not available to stream, rent or buy.

A publicly funded Australian film, listed in Screen Australia's own database, screened at three international film festivals, starring two of Australia's most recognisable actors — and today, no Australian can watch it online by any means.

Cactus is not an isolated case. It is the predictable endpoint of a funding framework that measures success at the point of production and has no mechanism to measure cultural reach over time.

2.4 The SBS On Demand opportunity

SBS On Demand reaches 13.2 million Australians every month and recorded over 140 million viewing hours in the 12 months to October 2024, delivered free and with minimal advertising. These figures were presented by SBS at its 2024 industry Upfronts and reported by AdNews. SBS already operates a successful ad-supported model, authorised under the Special Broadcasting Service Act 1991, with advertising revenue reinvested into content acquisition and platform development.

SBS's content model includes a significant volume of acquired international programming. An opt-in Public Availability Window for publicly funded Australian productions would simultaneously address SBS's catalogue depth, expand free Australian audience access, and create for the first time a measurable accountability mechanism for public screen investment — without requiring new government expenditure.

3. Proposed Policy: The Public Availability Window

3.1 The core concept

The Public Availability Window is a voluntary opt-in certification condition available to productions receiving a final Producer Offset certificate or direct Screen Australia grant funding. Productions that elect to participate accept a 36-month SBS On Demand availability window commencing 24 months after first public release (theatrical, SVOD or broadcast). This commitment is disclosed at provisional certificate application stage and factored into production financing from the outset.

SBS pays a nominal licensing fee to the production entity. Advertising revenue generated during the window is retained by SBS, consistent with its existing charter and commercial model. No new government funding is required.

3.2 Why opt-in, not mandatory

A mandatory obligation would create immediate conflict with existing SVOD exclusivity agreements and the rights structures underpinning production financing. Productions entering the Producer Offset process often have distribution pre sales in place that are essential to financing; a compulsory public availability carve out would destabilise those agreements and discourage international co-production partners.

An opt-in model avoids these problems. It creates a positive incentive — the Australian Public Screen designation, SBS platform placement, and a nominal licensing fee — without disrupting existing rights. If uptake is strong and the mechanism demonstrably delivers audience outcomes, government can consider whether to make it a standard condition for productions above a defined public funding threshold, subject to a three-year review.

3.3 The existing backlog

The more immediate opportunity is the existing catalogue. There are years of Producer Offset certified Australian films sitting in distribution limbo, films like Cactus that completed their limited commercial run and quietly disappeared. These are not current release titles where commercial exclusivity matter, they are completed, certified, publicly subsidised works that most Australians have never had the chance to see and, in many cases, cannot now access by any means. There are many great films who were bought to life by passionate creatives who just didn't have the marketing budgets to compete.

A retrospective opt-in, administered through Screen Australia, would allow producers of completed certified works to elect into the SBS window immediately. This requires no legislative change, it requires a licensing framework facilitated by Screen Australia, between the rights owner and SBS, and a curation decision by SBS consistent with its charter obligations. The mechanism to carry ad-supported third-party content is already in place. What has been missing is the policy intent to connect it with the public funding system.

3.4 How it works in practice

Stage	Who acts	What happens
Provisional certificate application	Production entity	Elects opt-in — disclosed to all financiers and distributors upfront
Commercial window (months 1 to 24)	Producer / distributors	Full exclusivity — theatrical, SVOD, FTA, Pay TV. No SBS access.
SBS window opens (month 25)	SBS + producer	SBS pays nominal licensing fee; ad-supported streaming begins on SBS On Demand

SBS window operates (months 25 to 60)	SBS	Ad revenue retained by SBS per existing SBS Act 1991 model
Audience measurement	Screen Australia / ACMA	Unique Australian viewers reported annually as a Pillar 5 KPI
Retrospective backlog	Screen Australia / SBS	Opt-in licensing for certified titles already past commercial window — no legislation required

3.5 What this is not

This proposal is not a financial return mechanism for private investors. The Producer Offset is a refundable tax rebate administered through the ATO, the government holds no rights in the production and the production entity owns the IP. The advertising revenue generated through SBS flows to SBS, not to government or to private investors. The value is not financial; it is the delivery of cultural return on public investment in the form of measurable Australian audience access.

It is also not a replacement for commercial distribution. The 24-month holdback preserves the full commercial window intact.

4. The Accountability Gap This Proposal Addresses

Australia currently has no structured answer to the question: for every dollar of Producer Offset or Screen Australia funding invested in an Australian production, how many Australians watched it?

The Drama Report tracks expenditure by financial year. It does not track audience reach per title. Screen Australia's new Viewfinder research series, announced in its 2025 Strategic Framework, is welcomed, but it measures sector wide audience behaviour and attitudes, not title-level viewing data linked to specific funding decisions.

The Public Availability Window, with SBS On Demand viewership reporting as a mandatory element, would for the first time create a direct line of sight between a government funding decision and a cultural outcome measurable in Australian viewing hours. That is an appropriate accountability framework for a program that issued \$713 million in final certificates in a single year.

5. Specific Recommendations

1. Establish an Australian Public Screen opt-in designation as a condition available at provisional Producer Offset certificate application stage, committing the production entity to a 36-month SBS On Demand availability window commencing 24 months after first public release.
2. Direct Screen Australia and SBS to negotiate a standing licensing framework covering both new opt-in productions and retrospective opt-in of existing certified works whose commercial window has expired, no legislative change required for the retrospective catalogue.



3. Require Screen Australia and SBS to report annually on the number of unique Australian viewers accessing Australian Public Screen titles on SBS On Demand, as a mandatory Pillar 5 KPI under the next National Cultural Policy.
4. Require Screen Australia to maintain a register of all projects that have received a final Producer Offset certificate, matched against their current distribution and streaming status in Australia, making the scale of the catalogue gap visible and enabling ongoing policy evaluation.
5. Review the opt-in model after three years. If participation is strong and audience outcomes are measurable, consider whether the window should become a standard condition for productions receiving more than 20 percent of their total budget from public sources.

6. Summary

In 2024/25, the Australian Government issued 213 final Producer Offset certificates and contributed \$430 million to Australian drama production. That is significant public investment. The question the next National Cultural Policy must answer under Pillar 5 is not how much money flowed in the reporting on that is reasonably developed but how many Australians benefited culturally from what was made.

The story of Cactus is the story of that gap. A publicly funded Australian film, made with government money, screened at three international festivals, starring recognisable Australian talent and today unreachable by any Australian with a device and an internet connection. It is not the worst-case outcome; it is unfortunately the common one.

The Public Availability Window is a practical, low-cost, rights-respecting mechanism to change that. It uses existing infrastructure, SBS On Demand, the Producer Offset certification process, SBS's existing ad-supported model, and requires no new public expenditure. It addresses both the forward pipeline of new productions and the growing backlog of certified Australian films that have quietly disappeared from public view.

The test of a cultural policy is not the headline spend. It is whether the stories that policy funds are finding their audience. This proposal is designed to ensure they do.

I thank the Office for the Arts for this opportunity and welcome any follow-up.

Verified Sources

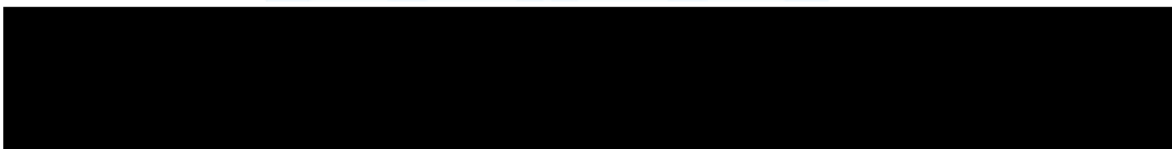
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Ideas by me, written with Claude, reviewed and fact checked by me.

Yours faithfully,
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Director

