
SALDANHA BAY MUNICIPAL (SBM) EVENT PERMITTING POLICY

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EXECUTIVE SUMMARY

Events are important for the Saldanha Bay Municipal (SBM) area as it showcases the unique aspects relating to the West Coast culture or character, and it also promotes positive messages to visitors. It is generally hosted throughout the year with a definite peak season extending during the festive season, with increased levels of event activities occurring from September to February. The SBM area is also well-known for a number of significant events that usually take place throughout the municipal jurisdiction on an annual basis.

The hosting of events has in recent times become an increasingly important feature for the Saldanha Bay Municipality (SBM) as a result of key new assets attracting a lot of interest. The Saldanha stadium and the Multi-Purpose Centre have now firmly been established as quality complexes and it is rapidly becoming the centre of attraction for strategic sporting events. These newly established municipal assets add enormous value to events and due to the mammoth impact, compel the SBM to use it as tourism and economic conduit to divert noteworthy sporting activities to the SBM area. It also needs to be underlined that further investment in the Saldanha stadium is a requisite, based on all those successful sporting events that have been transpired to date. Furthermore, events contribute to local communities by providing opportunities for economic growth and fostering local community enhancement, since communities are central for making events successful.

Events are also an integral part of tourism and assist to address seasonality and sustainability challenges as well as other tourism essentials. The Local Economic Development Department is responsible for the facilitation of events at the SBM but is doing it in collaboration with other relevant stakeholders, including tourism, other spheres of government, event organisers, business and communities. For this purpose, the By-law related to events was adopted and applies to all events held within the area of jurisdiction of the SBM.

With the increasing demand for events in the SBM area, the development of an event policy has become a necessity. The By-law relating to events is currently the only guiding document with the event application process and a policy will certainly compliment and support the by-law. This policy will thus provide a framework for the various role-players, in terms of current and future events, processes and the SBM events calendar.

DEFINITIONS

In this Policy, unless the context otherwise indicates –

“community” means the local community of the Municipality;

“Council” means the Saldanha Bay Municipality;

“District Municipality” means the West Coast District Municipality;

“event” means any gathering of a category under the Classification and guideline processing times section as set out in Schedule A, in a venue as defined herein for any of the purposed listed below—

(a) a sporting, recreational or entertainment event, including live acts;

(b) an educational, cultural or religious event;

(c) a business event including any marketing, public relations, promotional or exhibition event;

(d) a charitable event, including any conference or organisational or community event;

(e) filming which is of such a nature that it may have an effect on traffic or pedestrians or that it may draw spectators; or

(f) any other similar event such as a flash mob, live act, and a religious activity or any similar activity that is planned and that involves a gathering of people, and **includes**:

- an event in a public place or on public or private property; and
- an event hosted at a stadium, venue or along a route or within their respective precincts, but **excludes** –
 - an event on private property which will not –
 - adversely impact a public place or public property;
 - require a municipal service;
 - involve the erection and utilisation of temporary structures;
 - generate air pollution or utilise amplified sound that will be audible to the surrounding
- community; or
- have any adverse implications for public safety, the environment or the surrounding community;
 - a wedding procession; and
 - a funeral and funeral procession;

“event risk categorisation” means the categorisation by a South African Police Service official delegated by the National Police Commissioner, relating to the safety and security associated with an event as defined in section 6 of the Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010);

“event permit” means an event permit issued in accordance with section 9.6.2.4.1;

“event organiser” means the designated person or representative of the group, party or legal entity who is responsible for and in charge of, plans, manages, supervises, and conducts the event;

“public place” means any land, building or facility, or any portion thereof, including any apparatus therein or thereon, owned or controlled by the municipality, to which the public has access, whether on payment of admission fees or not;

“Local Municipality” means the Saldanha Bay Municipality;

“Municipal Event Committee” means the committee contemplated in section 9.2.2;

“Municipal Events Officer” means the municipal employee;

“Municipal Manager” means the person appointed as municipal manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998);

“Municipality” means the Saldanha Bay Municipality, established by Provincial Notice 488 of 2000 issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998);

“venue” means any area or place for the purposes of hosting an event, where seating or standing spectator capacity is provided and within which other permanent or temporary structures may be erected;

“remotely piloted aircraft system” means an unmanned aircraft which is piloted from a remote pilot station, and includes –

- the associated remote pilot station;
- the required C2 Link; and
- any other component as specified in a type design,

but excludes a –

- I. model aircraft; and
- II. toy aircraft.

OBJECTIVE OF THE POLICY

The objective of the SBM Events Policy is to back the facilitation of the event application process and the enforcement of the bylaw relating to events. This policy will also back the co-ordination and collaboration between all role-players, foster partnerships and to facilitate all requirement obligations, expectations and responsibilities of all involved in the event application process.

AIMS OF THE POLICY

By focusing on further unlocking the human, natural, and other assets that are abundantly present in the SBM jurisdictional area, the SBM Events Policy aims to assist in increasing, in a sustainable manner, growth, job creation, investments, and social inclusivity through effective and efficient event permitting, while at the same time providing policy and legislative certainty, removing red tape, and facilitating the ease of doing business.

This Policy is aligned to the constitutional mandate and powers of municipalities within the framework of developmental local government.

CONTEXT FOR POLICY DEVELOPMENT

The hosting of events in the Saldanha Bay Municipal Area had grown reasonably over the past years but was curtailed recently by the various lockdowns or related limitations on business and recreational activities brought about by regulations aimed at restraining the spread of the COVID-19 virus. Events are an integral part of tourism, and most municipalities did benefit from the recovery measures implemented by the national and provincial governments aiming to revive this industry post-COVID.

The SBM also presented some assistance to the local tourism industry in the form of various incentives, and the municipality later eased event restrictions to allow a degree of strict monitoring activities in order to provide some kind of income to those who were hardest hit by the pandemic. Tourism is recovering at a rapid pace, and the SBM has therefore noticed an increase in event applications locally.

Hence, significant annual events, together with newly established strategic municipal assets, contribute to the attraction of event goers from all over South Africa and overseas. With the increasing demand for events in the SBM area, the development of an event policy has become a necessity. The above background provides the context for the development and adoption of this Policy.

PROBLEM STATEMENT

Faced with the need to further strengthen the events sector as drivers for economic development, job creation, investments and social cohesion, the SBM has realised the importance of establishing the necessary municipal framework to manage event permitting, whilst simultaneously assisting event organisers to experience the SBM as a destination of choice for the hosting of events. Through the implementation of the SBM Events Policy, the SBM is able to perform its constitutionally determined role to facilitate and regulate economic development initiatives within its jurisdictional area, which includes local tourism and events.

PURPOSE AND INTENT OF POLICY

The purpose of the SBM Events Policy is to provide guidance to prospective event organisers and municipal officials on event permit applications and related matters. The Policy is intended at enhancing the ease of doing business with the SBM by –

- providing for the necessary municipal structures and systems to facilitate event permit applications;
- regulating event permit application, consideration, approval and related processes based on the current bylaw relating to events;
- providing policy and legislative certainty regarding additional permissions, approvals, processes and implementation arrangements that may be required in terms of existing legislation; and
- increasing, in a sustainable manner, growth, job creation, investments and social inclusivity through effective and efficient event permitting.

VISION

To make the SBM area the preferred area for events.

SCOPE AND APPLICATION

The SBM Events Policy applies to the area of jurisdiction of the SBM and is applicable to all instances of events as contained in the above definitions.

This policy does not detract from any provisions or requirements of national or provincial legislation, nor of any existing municipal policy and by-law effective in the jurisdictional area of the Municipality.

PRINCIPLES

This policy is underpinned by the following principles:

- improved service delivery;
- ease of doing business;
- policy and legislative certainty;
- job creation;
- sustainable economic growth; and
- transformation, equity and inclusivity.

In the application of this Policy, the SBM will ensure full compliance with the above-mentioned principles.

REGULATORY CONTEXT AND STRATEGIC ALIGNMENT

NATIONAL FRAMEWORK FOR TOURISM AND EVENTS

This section provides a non-exhaustive list of the national tourism policy and legislative framework in order to identify the manner in which events are dealt within the tourism context. This is followed by a list of key national policy, legislative and programme frameworks that focus on events. In conclusion, a brief description is given of the national legislative framework that enables the Municipality to adopt this Policy and pass a municipal by-law relating to events.

The national policy and legislative framework dealing with tourism and events in general is comprised of the:

- Safety at Sports and Recreational Events Act 2 of 2010
- Tourism Act, 2013 (Act 3 of 2013);
- National Tourism Sector Strategy 2016 – 2026; and
- Regulations on Norms and Standards for the Safe Operations of the Tourism Sector in the Context of the Coronavirus Covid-19 and Beyond.¹

There are a number of national Acts which provide for financial and other forms of assistance in respect of events. ²

NATIONAL LEGISLATIVE PROVISIONS ENABLING MUNICIPALITIES TO ADOPT POLICIES AND MAKE BY-LAWS

The Constitution of the Republic of South Africa, 1996, determines that events are key incidences of the functional areas of tourism and economic development:

- both tourism and industrial promotion are functional areas of concurrent national and provincial legislative (and executive) competence;
- provincial cultural matters are a functional area of exclusive provincial legislative (and executive) competence; and
- local tourism is a local government matter, in respect of which both national Parliament and provincial legislatures may enact legislation aimed at ensuring the effective performance by, and the monitoring and support of, municipalities of their local tourism functions.

In terms of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998), the District Municipality must aim at achieving the integrated, sustainable and equitable social and economic development of its area as a whole by, amongst others, building the capacity of all local municipalities (including the Local Municipality) within its area of jurisdiction.

The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) determines that the Council has the duty to promote and undertake development. The Council exercises its executive and legislative authority by, amongst others:

- developing and adopting policies;
- promoting and undertaking development;
- implementing applicable national and provincial legislation and its own by-laws;
- imposing and recovering rates, taxes, levies, duties, service fees and surcharges on fees, including setting and implementing tariff, rates and tax and debt collection policies; and
- passing by-laws and taking decisions on any of the matters mentioned above.

In addition, the Saldanha Bay Municipality's Integrated Development Plan (IDP) must, amongst others, include its development priorities and objectives, local economic development aims, development strategies and operational strategies.

Kindly therefore the regulatory context as mentioned in the events policy, should further include and be guided by inter alia the following legislative prescripts –

- The Constitution of the Republic of South Africa: Act 108, 1995, section 156 (1) (a), read with Part B of Schedule 4
- Safety at Sports and Recreation Events, 2010 (Act, no. 2 of 2010)
- The Disaster Management Act, 2002 (Act no. 57 of 2002)
- The National Environmental Management Act, 1998 (Act no.107 of 1998)
- Local Government Municipal Finance Management Act 2003, (Act No.56 of 2003)
- Occupational Health and Safety Act, 1993 (Act no. 85 of 1993)
- Private Security Industry Regulation Act, 2001 (Act 56 of 2001)
- National Health Act, 2003 (Act no. 61 of 2003)

- SANS 10400 of 1990 Application of National Building Regulations
- Fire Brigade Service Act, 1987 (Act No 99 of 1987)
- National Road Traffic Act, 1996 (Act no. 93 of 1996)
- Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)
- The Land Use Planning Act, 2014 (Act 3 of 2014)
- SBM Zoning Schemes
- Regulation of Gatherings Act, 1993, (Act no. 205 of 1993)
- SBM System of Delegations
- SBM Integrated Development Plan
- By-Law on Land Use Planning, 2022
- By-Law Relating to Events, 2022
- Fire Safety By-Law, 2022
- By-Law Relating to Outdoor Advertising and Signage
- Parking Management By-Law, 2022
- By-Law relating to the Use of Remotely Piloted Aircraft and Model Aircraft in Public Places and Streets, 2022
- By-Law Relating to Prevention of Public Nuisances and the Keeping of Animals, 2022
- By-Law on Liquor Trading Days and Hours, 2022
- Any other relevant legislation, By-Law or procedure

TRANSVERSAL NATIONAL LEGISLATIVE INSTRUMENTS

In addition to the national policy and legislative framework dealing with tourism, events and the municipal functions outlined above, there are a number of transversal national legislative instruments dealing with a wide range of matters that have an impact on events. These include, but are not limited to, the following categories:

Local government:

- Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
- Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
- Safety at Sports and Recreational Events Act 2010.
- Safety at Sports and Recreational Events Act 2 of 2010
- National Environmental Management Act, 1998 (Act 107 of 1998)
- National Environmental Management: Air Quality Act
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008)
- National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004)
- National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003)
- Road Traffic Management Corporation Act
- Firearms Control Act, 2000
- National Heritage Resources Act, 1999 (Act 25 of 1999)
- National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

MUNICIPAL FUNCTIONS RELATING TO EVENTS

The SBM Events Policy establishes the SBM as the authority for the approval of events and as a controlling body for events within its area of jurisdiction. The main functions of the SBM relating to events in its jurisdictional area are to:

- establish the necessary structures and systems to fulfil its mandate;
- attract events through marketing and communications initiatives and interventions;
- consider applications and issue permits for events;
- facilitate events by coordinating the responsibilities of all role players;
- ensure access to municipal services during events;
- support events through targeted financial and non-financial means;
- ensure health, safety, environmental and regulatory compliance before, during and after events; and
- bid for events.

MUNICIPAL STRUCTURES AND SYSTEMS

The Municipality must establish and put in place the necessary structures and systems to facilitate the event permitting objectives of this Policy.

MUNICIPAL EVENTS OFFICER

The SBM must appoint or designate a municipal employee with the necessary skills and experience as the Municipal Events Officer. The Municipal Events Officer is delegated by the relevant director with the overall responsibility for events in the jurisdiction of the SBM in line with this Policy. The Municipal Events Officer has the following powers, functions and duties:

- facilitate, coordinate and support events in the Municipality;
- act as the central point of contact in the Municipality for event organisers;
- act as liaison and intermediary between event organisers and municipal directorates;
- facilitate communication and coordination between event organisers, municipal directorates and other stakeholders;
- act as chairperson and coordinate the activities of the Municipal Event Committee;
- coordinate the submission, review, consideration, and approval or rejection of event permit applications;
- determine and set permit conditions in consultation with the Municipal Event Committee;
- issue event permits;
- assist event organisers with regard to additional permissions, approvals and processes that may be required;
- coordinate the Municipality's operational requirements with regard to events;

- coordinate and facilitate the execution of events in line with permits;
- ensure compliance with permit conditions, municipal by-laws and relevant provincial and national legislation before, during and after events;
- coordinate responses to non-compliance by event organisers;
- coordinate reporting, monitoring and evaluation of events;
- pursue standardisation of event permitting, planning and monitoring procedures within the Municipality, the District Municipality, the Province and the broader events industry;
- coordinate, develop and manage this Policy and the Event Permitting By-law; and
- perform such other functions as may be provided for in this Policy.

The Municipal Events Officer may request the Director in consultation with the Municipal Manager to provide him or her with dedicated project-specific support in the case of complex events. When considering such requests, the Director and Municipal Manager must take into account the potential economic and reputational benefits of the project for the Municipality. If approved, a multi-disciplinary team comprising relevant staff members may be assigned to the project to assist the Municipal Events Officer in the execution of his or her powers, functions and duties.

The Municipality may provide for the permanent appointment or assignment of administrative and operational staff members to support the Municipal Events Officer

MUNICIPAL EVENT COMMITTEE

The Municipality must establish a Municipal Event Committee. The core responsibility of this committee is to discuss risk related issues at the triangle/safety meeting which is chaired by the Municipal Events Officer. However, in the case of much bigger events, the bylaw requires a liaison's forum meeting which takes place in a similar fashion as the triangle/safety meetings. Representatives of the following entities may be invited to attend safety or liaison's meetings of the Municipal Event Committee:

- district disaster management;
- district health services; (if needed)
- district environmental services;
- district fire services;
- district economic development and tourism;
- South African Police Service;
- Western Cape Traffic Police;
- Municipal Traffic; and
- Such other municipal departments, entities or stakeholders as may be determined by the Municipal Events Officer.

DETAILS OF MUNICIPAL EVENTS OFFICER

The contact details of the Municipal Events Officer must be made available to event organisers and on the SBM website. These include the physical office address, email address and telephone number, as well as an emergency after hours telephone number.

EVENT APPLICATION REGISTER

Event Application Register must be established and maintained by the Municipal Events Officer in which all event applications received, and all permits issued, must be recorded.

EVENT CALENDAR

An Events Calendar must be established and maintained by the Municipal Events Officer in which all approved events in the jurisdiction of the SBM must be recorded. The Event Calendar must be published on the Saldanha Bay Municipality's website. The Event Calendar will assist –

- potential applicants to determine the availability of dates, locations and venues for events; and
- the SBM with operational planning, resource allocation and coordination of events, and must be consulted during the planning of municipal events and during the consideration of event permit applications.

EVENT LOCATION PORTFOLIO

An Events Location Portfolio must be developed and maintained by the Municipal Events Officer in which all event locations in the jurisdiction of the SBM must be recorded. The Portfolio must be published on the Municipality's website.

The Portfolio will –

- provide event organisers with images, physical locations, access details, facilities, contact details and other relevant information of event locations in the jurisdiction of the SBM; and
- assist in the marketing of the SBM as an event location of choice.

The Municipality must engage with relevant stakeholders to expand and improve the portfolio of event locations in the jurisdiction of the SBM. Public and private stakeholders, including venues, nature reserves and tourism organisations, are encouraged to submit locations and related information for inclusion in the Event Location Portfolio.

The SBM may cooperate with stakeholders in the event industry to develop voluntary norms and standards to assist in developing event-friendly, accessible and marketable locations and venues in the jurisdiction of the SBM.

DIRECTORY OF LOCAL SUPPLIERS, GOODS AND SERVICES

A Directory of Local Suppliers, Goods and Services must be developed and maintained by the Municipal Events Officer in consultation with the local business chamber to assist event organisers in obtaining goods and services. Event organisers are encouraged to procure from local businesses and utilise local service providers in order to support the local economy. The Directory of Local Suppliers, Goods and Services must be published on the Municipality's website.

This is a major risk if suppliers are not properly vetted as this may lead to reputational damage if the service is not delivered at the standard required or if there are under or no performance by Events Organizer. Furthermore, consideration must be given to the POPIA act and information that can be made available. However, the SBM do not have a dedicated supplier database and make use of the CSD. On the other hand, the Supply Chain department cannot utilise the current vendor performance information as a measure for vetting.

CODE OF CONDUCT

A Code of Conduct for Event Organisers must be developed by the Municipal Events Officer in consultation with the Municipal Event Committee and other stakeholders. The purpose of the Code of Conduct is to guide event organisers' conduct in relation to the public, the environment and the Municipality.

MARKETING OF MUNICIPALITY

The municipal corporate affairs directorate, in consultation with the Municipal Events Officer and the local tourism association, is responsible for the marketing of the Municipality as an event friendly destination. In this regard, the directorate must, amongst others –

- utilise efficient and effective marketing and communication initiatives and interventions, including social media, to promote the Municipality's event sector; and
- schedule regular engagements with local and provincial tourism and event industry role-players to encourage collaboration and coordination of marketing initiatives.

The SBM also needs to reserve space for artists to showcase their talent, emulating a similar initiative as in Darling.

REQUIREMENT FOR EVENT PERMIT

Event permits are required to conduct events in the jurisdiction of the Municipality. Subject to the specific exclusions contemplated in the definition of event in section 1, a valid event permit is required in order to conduct –

- an event of 20 persons or more in a public place or on public property; and
- any event in a public space or on public or private property which will –

- adversely impact a public place or public property;
- require a municipal service;
- involve the erection and utilisation of temporary structures;
- generate air pollution or utilise amplified sound that will be audible to the surrounding
- community; or
- have any adverse implications for public safety, the environment or the surrounding
- community.

No person may conduct any event as set out above without a valid event permit issued by the Municipality. Notwithstanding the above, the Municipality may require an event organiser to apply for an event permit where the potential impact or risk attached to such event is, in the opinion of the Municipal Events Officer, of such a nature to necessitate it. Event organisers are accordingly encouraged to contact the Municipal Events Officer to ascertain whether a permit will be required for a proposed event.

The SBM must acknowledge a distinction between major established events and small local events and therefore make provision to assist upcoming event organisers with the event application process. It would also be appropriate to design a much easier process for small local upcoming event organisers without compromising any risk factors, but it must be done in consultation with all affected departments.

CLASSIFICATION AND GUIDELINE PROCESSING TIMES

The following categories and guideline based on the current SBM Bylaw relating to events processing times for event permit applications are applicable in order to enable the Municipality to properly process applications and to facilitate operational planning:

SCHEDULE A <i>(Section 4(3))</i>						BYLAE A <i>(Artikel 4(3))</i>					
CATEGORIES AND TIMEFRAMES APPLICABLE TO EVENTS						KATEGORIE EN TYDSRAAMWERKE VAN TOEPASSING OP GELEENTHEDE					
Category	Number of attendees	Minimum time before an event to submit an application	Minimum time for municipality to respond	Appeal to be lodged by applicant within:	Appeal to be decided within:	Kategorie	Aantal besoekers	Minimum tydperk waarbinne 'n aansoek ingedien moet word voor geleentheid	Minimum tyd waarbinne munisipaliteit moet reageer	Appel deur applikant ingedien te word binne:	Appel aangehoor te word binne:
Small	<2000 (more than 20 people)	30 working days	10 working days	72 hours of receipt of notice of refusal	72 hours of receipt of appeal	Klein	<2000 (meer as 20 persone)	30 werksdae	10 werksdae	72 uur vanaf ontvangs van kennisgewing van weiering	72 uur vanaf ontvangs van appel
Medium	2000–10 000	60 working days	15 working days	72 hours of receipt of notice of refusal	72 hours of receipt of appeal	Medium	2000–10 000	60 werksdae	15 werksdae	72 uur vanaf ontvangs van kennisgewing van weiering	72 uur vanaf ontvangs van appel
Large	>10000	90 working days	20 working days	72 hours of receipt of notice of refusal	Within 72 hours of receipt of appeal	Groot	10 000	90 werksdae	20 werksdae	72 uur vanaf ontvangs van kennisgewing van weiering	Binne 72 uur vanaf ontvangs van appel

The Municipal Events Officer and Municipal Event Committee will endeavour to review, consider and process permit applications as speedily as possible having regard to the guideline processing times above. Event organisers must, however, be mindful that additional municipal or third-party permissions, approvals and/or processes may be required before the approved event may commence.

The Municipal Events Officer acts as the central point of contact, liaison, intermediary and repository for all additional municipal permissions, approvals and processes that may be required, and will coordinate with the members of the Municipal Event Committee and the relevant municipal directorates to ensure that any applications in this regard are processed timeously. However, in the case of any additional third-party permissions, approvals and processes being required for a specific event, the Municipal Events Officer can only perform an advisory role.

The identification of, and application for, all additional third-party permissions, approvals and processes that may be required remain the sole responsibility of the event organiser, who must also take into account the applicable processing times as determined by the third parties concerned. Event organisers are accordingly encouraged to contact the Municipal Events Officer or submit their event applications well in advance of the guideline processing times above in order to ascertain whether any additional permissions, approvals or processes may be required for the proposed event.

PERMIT APPLICATION

DESIGNATION OF EVENT ORGANISER

A key individual must be designated as the event organiser by the entity, organisation, body or group applying for the event permit. As the designated event organiser, such individual is responsible for and in charge of, plans, manages, supervises and conducts, and is accountable for the event. An event organiser must be 18 years of age or older, and must possess the necessary capacity, resourcing and events-related experience to organise the proposed event.

APPLICATION PROCESS

The permit application process consists of the following stages:

- I. completion and submission of application;
- II. review of application;
- III. consideration of application; and
- IV. decision on application.

COMPLETION AND SUBMISSION OF APPLICATION

The first step in the application process is the completion and submission of the required Event Permit Application prescribed documents. The Municipal Events Officer must provide the event organiser with the relevant prescribed forms, documentation, formats and/or other requirements for the application. As per agreement with relevant role players, the Economic Development Office will be the first point of communication and therefore all documentation from various departments, will be distributed from this office.

The event organiser must –

- complete all relevant Event Permit Application forms and documentation;
- attach all other prescribed documentation, certificates and permits; and
- submit the complete application to the Municipal Events Office/Economic Development Department.

The SBM Event Plan/Application Form is based on the bylaw relating to event requirements, meaning if the application form is completed, it provides bylaw adherence automatically. The following prescribed documents as reflected on the SBM Event Checklist must be submitted before approval can be issued:

Events Submission checklist				
Below required submissions for event approval as per Events By-Law				
	Items to be submitted:	submitted	Not submitted	Not applicable
1.	Email/ Letter requesting to host event			
2.	SBM Event Plan			
3.	Risk Category			
4.	Public Liability Insurance			
5.	Permission Letter for venue			
6.	Fire Department stamp			
7.	Indemnity Form			
8.	First Aid Details			
9.	Site Plan			
10.	Liquor Licence			
11.	Food Certificate			
12.	Engineer Certificate (temporary Structure)			
13.	Water Plan			
14.	Security Details			
15.	Traffic Approval			
16.	Safety plan (low risk)			

The checklist provides further information on the proposed event and must indicate whether the event organiser: –

- or any party involved in the proposed event has in the past been issued with a compliance notice in terms of the SBM Bylaw relating to events; and
- intends to apply for municipal financial or non-financial support; and
- the relevance of any of the following for the proposed event:
 - utilisation of outdoor advertising and other municipal advertising channels;
 - land use planning implications;
 - erection of temporary structures;
 - buildings or permanent structures;
 - provision of municipal services;
 - utilisation of municipal properties, venues or facilities;
 - impact on municipal electricity supply infrastructure and systems;
 - utilisation of municipal parks, municipal reserves and municipal coastal areas;
 - impact on, or utilisation of, public roads and traffic;
 - utilisation of, or provision of, catering services or food vending services to the public;
 - sale of liquor;
 - generation of excessive noise;
 - utilisation of fireworks, special effects or smoke machines or performance of stunts and other potentially dangerous acts;
 - utilisation of ammunition, explosives, flammable liquids or materials, incendiary devices and fire;
 - utilisation of motorised watercraft;
 - utilisation of fixed wing aircraft and helicopters;
 - utilisation of remotely piloted aircraft systems (RPAS);
 - involvement of animals;
 - involvement of children; and
 - impact on, or utilisation of, protected areas, environmentally sensitive areas, coastal areas and national and provincial parks and reserves.
- Signed resolution: A resolution by the individual (if different from event organiser), members, directors or trustees authorising the individual designated as the event organiser to act on behalf of such individual, entity, organisation, body or group concerned.
- Signed Code of Conduct: The event organiser must agree to, sign and submit the Code of Conduct as contemplated in section 8.2.8.
- Signed indemnity form: The event organiser must complete, sign and submit an indemnity form in order to indemnify the Municipality against all actions, lawsuits, proceedings, claims, demands, costs and expenses arising out of any approval given or permission granted to such event organiser.
- Such additional documents as the SBM may prescribe.
- Event organisers are exempted from application fees as an incentive of the SBM to attract more event goers.

The complete application must be submitted to the Economic Development Department/Municipal Events Officer by email or in physical format.

REVIEW OF APPLICATION

Taking into account the information contained in the application, the Municipal Events Officer must –

- verify the particulars of the event organiser and other parties against the Non-compliance Register;
- confirm the category of the proposed event in accordance with the classification framework in section 9.5;
- verify the proposed dates against the Event Calendar;
- verify the proposed location/venue against the Event Restrictions Schedule and, in the case of a municipal property, venue or facility, confirm the availability thereof with the municipal directorate concerned;
- verify that the resolution, Code of Conduct and indemnity form have been signed;
- review the event plan and other required documentation as reflected on the completed checklist; and in the case of an event, determine if –
 - a safety/triangle/liaison's forum meeting was held between the security forces and the event organiser; or
 - an event risk categorisation has been issued by the relevant Police Station and simultaneously determine the type of risk categorisation.

If the Municipal Events Officer is satisfied that –

- the event organiser has complied with the permit application requirements;
- no additional information is required; and
- the application can be considered for approval or rejected.

DIRECT REFERRAL TO MANAGER ECONOMIC DEVELOPMENT & TOURISM SUPPORT

If the Municipal Events Officer is satisfied that –

- the event organiser has complied with the permit application requirements;
- no additional information is required; and
- in the case of an event, neither a public consultation process nor an event risk categorisation is required, he/she must refer the application to the designated Manager Economic Development and Tourism Support together with his/her recommendation that the application be approved or rejected.

ADDITIONAL INFORMATION AND PROCESSES REQUIRED BEFORE REFERRAL TO MUNICIPAL EVENT COMMITTEE

If the Municipal Events Officer determines that –

- the proposed date or location/venue is not available;
- the event organiser has not complied with the permit application requirements;
- additional information is required; or
- in the case of an event, an event risk categorisation is required.

A feedback on Application Letter must be issued informing the event organiser accordingly. Before an application will be referred to the Economic Development Manager for consideration and decision, the event organiser must –

- provide an alternative date or location/venue to the Municipal Events Officer;
- comply with all permit application requirements;
- provide the required additional information to the Municipal Events Officer; or
- ensure that the required event risk categorisation has been submitted and provide confirmation thereof to the Municipal Events Officer, as the case may be.

Once all the necessary information and confirmations have been received, the Municipal Events Officer must refer the application to the Manager of Economic Development and Tourism with his or her recommendation that the application be approved or rejected.

CONSIDERATION OF APPLICATION

The Manager of Economic Development & Tourism must consider and assess each application on its own merit in an objective, rational and reasonable manner. The Manager Economic Development & Tourism must take the following factors into consideration:

- the Municipality's strategic objectives, by-laws, policies, guidelines and procedures;
- the District Municipality's by-laws, policies, guidelines and procedures;
- provincial and national legislation, regulations and guidelines;
- the recommendation of the Municipal Events Officer;
- the classification of the proposed event;
- the event risk categorisation (if applicable);
- the scale and nature of the impact on public safety, the environment and the surrounding community,
- health, safety and security, traffic, noise and other nuisance considerations;
- the availability of sufficient municipal and emergency services;
- the potential contribution to economic development;
- the history of the event organiser or event (if any);
- any public comments received and public sentiment in general;
- any additional municipal permissions, approvals and processes that may be required as contemplated in section 9.7.1;
- any additional third-party permissions, approvals and processes that may be required as contemplated in section 9.7.2;
- whether the concerns that the Municipal Event Committee may have, can be satisfactorily addressed; and
- any other relevant factors as it deems necessary.

The Manager Economic Development & Tourism may, through the Municipal Events Officer, request the event organiser to –

- clarify or amend submitted information; and
- submit such additional information as may be necessary to consider the application.

DECISION ON APPLICATION

The Manager Economic Development & Tourism must, after considering the application, decide to approve or reject the application.

APPROVAL OF APPLICATION, CONDITIONS AND PERMITTING

- If the Manager Economic Development & Tourism decides to approve the application, it – may attach such conditions as it deems necessary to minimise potential adverse implications for public safety, the environment and the surrounding community; and
- must make the commencement of such /event conditional to the event organiser obtaining or finalising all the required additional municipal and third_ party permissions, approvals and processes that may be required for such event.

Following the determination of any conditions, the Municipal Events Officer must –

- issue the permit;
- attach such conditions to the permit as have been determined, if any; and
- forward an electronic version of the permit and attached conditions, if applicable, to the event organiser.

The event organiser must be able to present the permit, either electronically or by means of a printout, for inspection at all times.

The approved application, the permit and the conditions attached to such permit constitute a binding contract between the Municipality and the event organiser and must always be complied with.

The approval of an application is subject to the event organiser complying with any conditions attached to the permit. The event may only commence if all the required additional municipal and third-party permissions, approvals and processes have been obtained or finalised.

REJECTION OF APPLICATION

The Manager Economic Development & Tourism may reject an application based on objective, rational and reasonable reasons. Such reasons may include the following:

- application not submitted timeously;
- non-availability of the venue on confirmation by the relevant department;
- application or additional information not received, not compliant or do not satisfactorily address concerns;

- event organiser or another party involved in the proposed event recorded in the Non-Compliance Register;
- proposed dates conflict with other planned or approved events in the Municipal Event Calendar;
- proposed location/venue restricted in terms of the Event Restrictions Schedule or not available on the proposed dates;
- scale and nature of the impact on public safety, the environment and the surrounding community deemed to be excessively detrimental;
- compelling health, safety and security, traffic, noise or other nuisance concerns;
- unavailability of sufficient municipal services and emergency services to support the proposed event;
- purpose or objectives of the proposed event considered to be for an illegal purpose or harmful to the moral welfare of the community; or
- overwhelming public objection to, or negative sentiment towards, the proposed event.

If the Municipal Event Committee decides to reject an application, the Municipal Events Officer must inform the event organiser in writing and provide reasons for the decision. The event organiser has the right to appeal such a decision.

ADDITIONAL PERMISSIONS, APPROVALS AND PROCESSES

Depending on the nature of the event and as indicated in the conditions attached to an event permit, certain additional permissions, approvals and/or processes may be required before an event may commence. These additional permissions, approvals and/or processes are required primarily in terms of transversal national and provincial legislative instruments and municipal by-laws and policies that deal with a wide range of matters that have an impact on events. These can be divided into the following two categories:

- additional municipal permissions, approvals and processes (required by municipal directorates); and
- additional third-party permissions, approvals and processes (required by parties other than the Municipality).

ADDITIONAL MUNICIPAL PERMISSIONS, APPROVALS AND PROCESSES THAT MAY BE REQUIRED

This section deals with additional permissions, approvals and processes that may be required by the municipal directorates concerned.

The Municipal Events Officer acts as the central point of contact, liaison, intermediary and repository for all additional municipal permissions, approvals and processes that may be required. In this regard, the Municipal Events Officer is responsible for –

- providing the event organiser with the necessary application forms, application timeframes and fee schedules;
- receiving the completed application forms and prescribed fees from the event organiser;
- submitting the completed application forms and prescribed fees to the relevant municipal directorates;
- liaising between the relevant municipal directorates and the event organiser;
- obtaining confirmation of any permissions and approvals that have been granted and processes that have been finalised, or refusals, as the case may be; and
- providing such confirmations or refusals, as the case may be, to the event organiser.

The event may only commence after the required additional municipal permissions, approvals and processes, as indicated in the conditions attached to an event permit, have been obtained or finalised.

INSURANCE

- The event organiser may be required to take out appropriate – indemnity cover against third party liability claims; and
- specialised risk insurance providing blanket liability or specific cover for stunts, special effects, pyrotechnics or any other activity which may put health and safety at risk.

The cover must be valid for the entire event period. The event may only commence after the event organiser has submitted a copy of the liability insurance to the Municipal Events Officer.

CONTINGENCY PLAN

The event organiser may be required to submit a contingency plan setting out actions to be taken in response to incidents at the event which might prejudice public safety or disrupt normal operations, including, but not limited to the –

- involvement of safety and security services;
- involvement of municipal services;
- involvement of emergency services and/or emergency care practitioners;
- contact details of such services; and
- contact details of a person whom the public may contact to report any matter relating to the event.

PUBLIC NOTICE

The event organiser may, after being granted an event permit, be required to notify affected residents and businesses, or the public in general, of the approved event.

Such notification may take the form of a letter drop to affected residents and businesses or a notice published in the local newspaper at least 72 hours prior to the commencement of the event. The letter or notice must include the name and contact details of the event organiser, the location/venue, dates and times, the number of persons, vehicles, implements or other apparatus that will be utilised, details on any roads that may be affected and municipal services that may be impacted, and the contact details of the Municipal Events Officer and emergency services. A copy of the letter or notice must be submitted to the Municipal Events Officer.

LAND USE PLANNING

In certain instances, the event organizer may be required to submit an application in terms of the provisions of the Saldanha Bay Municipality By-Law on Land-Use Planning in order to obtain land use planning approval from the municipal planning directorate where the event will take place on land that is not appropriately zoned. Cognisance should be taken that the land use planning application may require public participation/ advertising for public comment, and this may result in extended processing for finalisation. The event may only commence after approval has been granted by all the authorities concerned and must comply with all related conditions of approval.

TEMPORARY STRUCTURES

The event organiser may be required to submit an engineering certificate/permit been sought or sighted for the erection or construction of temporary habitable structures, stages, seating stands, sets, tents, scaffolding and other similar structures. The engineering certificate or permit must be issued by a structural engineer or someone with similar authority upon assessing the structure.

Depending on the nature of the structure concerned, the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and the Occupational Health and Safety Act, 1993 (Act 85 of 1993), may apply.

The erection or construction of a temporary habitable structure, stage, seating stand, set, tent, scaffolding, or other similar structure may only commence after permission has been granted by all the authorities concerned, in this case the municipality, after a proper inspection has been conducted and all requirements have been complied with.

MUNICIPAL SERVICES

The SBM may provide municipal services for the event. The event organizer must submit an application to the Municipal Events Officer or indicate on the municipal event plan which municipal services will be required. The Municipal Events Officer must confirm the availability of the relevant municipal services with the relevant municipal directorates or refer the event organiser to ensure that sufficient services are available for the event. The provision and utilisation of municipal services must be in line with

the relevant municipal policies and by-laws and against payment of the prescribed fees.

MUNICIPAL PROPERTIES, VENUES OR FACILITIES

With the advent of most festive seasons, an increase in event applications is detectable, which leads to a much higher demand for municipal venues or facilities such as sportsgrounds and resorts. The following sports grounds and resorts are mostly used for event purposes in the SBM jurisdiction:

- Saldanha sportsground;
- Vredenburg sportsground;
- Hopefield Sportsgrounds; and
- Tabakbaai & Cape Columbine resorts.

Most of these event venue requests entail the hosting of a music festival with alcohol as part of their event package to attract festival goers. Also taking into consideration is the duration of these events, which can last up to midnight before closing time, and what is more critical is that all these municipal sportsgrounds are located within residential areas. Given the previous incidents relating to noise, broken glasses on the field surface, and alcohol abuse that led to conflict at the Saldanha, Vredenburg, and Hopefield Sportsgrounds and the concerns of these councillors for those specific wards as well as the complaints of adjacent residents, there was a short period of uncertainty as to whether sports grounds can still be used for event purposes.

Given the current venue shortage for events, a strong municipal focus was placed on future solutions to address this particular challenge. With the reluctance of the municipality to allow sports grounds as venues for events due to the above-mentioned consequences, venue applications were mostly channelled to resorts as an alternative event venue.

This policy therefore proposes that the SBM swiftly identify venues within its jurisdiction for events in order to avoid complaints from residents where these municipal facilities are located.

In the interim, provision is granted for the use of municipal sports grounds and resorts for event purposes, subject to adherence to the following conditions:

- Event organizers must ensure that all events promptly **close by 23:00 at night**.
- Event goers must not be allowed to bring in liquor, as stated in the relevant bylaw.
- They must maintain a zero tolerance for all types of glass containers.
- Only plastic or foam glasses must be allowed during events.
- No cooler boxes will be allowed at any municipal venue that will be used for event purposes.
- If event organizers intend to sell liquor at their events, an area needs to be designated for a beer tent equipped with all necessities and security for regulations.

- Underage people must not be allowed to enter these beer tents and be prohibited from purchasing any liquor.
- Only a person with a legal liquor license must operate these beer tents.
- Residents adjacent to the venue must be informed in writing about the intended event at least a week prior to the event, and the necessary signatures must be gathered.
- The affected ward councillor must be informed beforehand for his or her notification.
- Environmental requirements need to be adhered to if applicable, and liaison with the relevant officials is a requisite.

Event organisers are also required to conform to all the above conditions, and non-adherence will aggregate their future chances of getting approval from the municipality.

MUNICIPAL PARKS, RESERVES AND COASTAL AREAS

The event organiser must submit an application to the Municipal Events Officer in order to obtain permission from the municipal sports and recreation directorate to conduct the event in a municipal park, municipal reserve, or municipal coastal area. Comments from the municipal Environmental Officer must be solicited to ensure the following:

- prevent damage to the natural environment;
- protect of indigenous fauna and flora;
- prevent the feeding of, and interference with, wild animals;
- prevent air, soil or water pollution;
- prevent soil erosion;
- minimise wastage of resources and promote recycling;
- ensure that waste is legally and correctly disposed of; and
- provide environmental education to event crews as required.

Event organisers must take note of the specific third-party permissions, approvals or processes that may be required if such municipal park, reserve or coastal area is classified as a protected area, environmentally sensitive area or coastal area. If such third-party permission, approval or process is mandatory, it must be obtained or finalised by the event organiser and confirmation thereof submitted to the Municipal Events Officer as part of the application to be considered by the relevant directorate.

Small municipal parks located in residential areas must be available for smaller events such as flea markets and bazaars. The event application requirements must be scaled down in order to simplify the process and simultaneously remove unnecessary red tape. A scaling down of requirements must be initiated by the Municipal Event Officer in consultation with the Manager of Economic Development and Tourism as well as the Municipal Event Committee. Approval should only be issued once sufficient

parking is available, mobile toilets have been secured based on estimated attendees, and a much shorter list of relevant forms can be required.

MUNICIPAL PUBLIC ROADS

The event organiser may be required to submit an application to the Municipal Events Officer in order to obtain approval from the municipal traffic directorate where municipal public roads will be utilised for, or markedly impacted by the event.

Such application must include a traffic plan consisting of a detailed description of the intended activity and the control measures in place, including:

- the nature of the road and its role in the local road hierarchy;
- the date, time and duration of the event;
- the nature and extent of traffic management services required;
- the envisaged impact on normal traffic flow and movement;
- an indication if intermittent traffic stopping, intermittent lane or road closures, or full lane or road closure will be required;
- an indication of any other activities planned for the road at that time;
- an indication of alternative routes available for traffic;
- the impact on affected residents and businesses;
- an indication of traffic signs that will have to be temporarily removed; and parking arrangements.

The event organiser must comply with any conditions that may be imposed by the municipal traffic directorate.

EXCESSIVE NOISE

If there is reason to believe that the event may cause a disturbing noise or noise nuisance, the event organiser may be required to submit an application to the Municipal Events Officer in order to obtain an excessive noise exemption from the Municipal Event Committee in terms of Regulation 12(1)(b) of the Western Cape Noise Control Regulations, 2013.

An application must include comprehensive reasons for the application. The Municipal Events Officer must invite interested and affected parties to submit written representations and provide the event organiser with an opportunity to respond. The Municipal Event Committee must subsequently consider the application and may request the event organiser to provide a noise impact assessment before making a decision. If the Municipal Event Committee is of the opinion that the application has merit, an exemption may be granted subject to such conditions as the Municipal Event Committee may determine. The event organiser may also be required to notify affected residents and businesses, or the public in general.

Also based on the By Law with reference to Public nuisances Chapter 3, Clause 1 (a), (g), (l) and (o) (vi) it must be noted that

No person may,

- (a) do work on or any premises in such a manner that it interferes with the convenience of comfort of a person or that it becomes a source of danger to any person;
- (g) disturb the comfort, convenience, peace or quiet of other people by the use of electrical appliances
- (l) by an action or omission, directly or indirectly, allow that a nuisance be created or continued;
- (o) Cause a nuisance by –
- (vi) playing loud music or the use of music instruments on any premises.

Based on the By Law with reference to Sporting facilities, Clause 7 (x) (y) and (z) it must be noted that

No person,

- (x) bring into or onto a facility any substance or matter which may endanger the safety of people, or which may be used to disrupt proceedings at or spoil the peaceful enjoyment of the facility,
- (y) bring into or onto a facility intoxicating liquor or drugs, except with the permission of the municipality, or
- (z) be drunk or under the influence of drugs having a narcotic effect or behave or conduct himself or herself in a manner which may disrupt a sporting activity.

FIREWORKS, SPECIAL EFFECTS, SMOKE MACHINES, STUNTS AND OTHER POTENTIALLY DANGEROUS ACTS

The event organiser may be required to submit an application to the Municipal Events Officer in order to obtain approval from the Municipal Event Committee if the event will involve fireworks, special effects, smoke machines, stunts and other potentially dangerous acts (excluding explosives, flammable liquids or materials, incendiary devices or fire).

The application must contain information on all intended actions and planning thereof with safety measurements, and the details of the certified pyro-technician or smoke machine operator that will be handling such devices, if applicable.

The Municipal Event Committee must consider the application in consultation with the relevant municipal directorates. If permission is granted, the Municipal Events Officer must coordinate the approvals and operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general; and
- apply for and obtain an excessive noise exemption.

AMMUNITION, EXPLOSIVES, FLAMMABLE LIQUIDS OR MATERIALS, INCENDIARY DEVICES AND FIRE

The event organiser must, after obtaining permission from the South African Police Service, submit an application to the Municipal Events Officer in order to obtain permission from the municipal community safety directorate for the utilisation of explosives, flammable liquids or materials, incendiary devices or fire as part of the event.

The application must –

- include a copy of the South African Police Service permission; and
- contain information on all intended discharges, a description of the actions and planning thereof with safety measurements, and the details of the certified pyro-technician that will be handling such

The Municipal Event Committee must consider the application in consultation with the relevant municipal directorates. If the Municipal Event Committee approves the application, the Municipal Events Officer must coordinate the approvals and operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general; and
- apply for and obtain an excessive noise exemption.

FIXED WING AIRCRAFT AND HELICOPTERS

The event organiser must, after obtaining permission from the South African Civil Aviation Authority (CAA), submit an application to the Municipal Events Officer in order to obtain permission from the municipal community safety directorate for the use of aircraft in a municipal urban area as part of the event.

The application must –

- include a copy of the CAA permission; and
- contain information on all proposed landing zones and safety measurements, taking into account that a minimum open radius of 100 metres is required between the landing zone and the nearest structure.

The Municipal Event Committee must consider the application in consultation with the municipal community safety directorate. If permission is granted, the Municipal Events Officer must coordinate the operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general; and
- arrange for the operator of the aircraft to sign an indemnity form.

REMOTELY PILOTED AIRCRAFT SYSTEMS

Where a remotely piloted aircraft system (RPAS) will be utilised as part of the event, the event organiser must –

- inform the Municipal Events Officer; and
- submit a copy of a valid –
- remotely piloted aircraft letter of approval (RLA); and
- RPAS operator's certificate (ROC) or air services licence.

MOTORISED WATERCRAFT

The event organiser must submit an application to the Municipal Events Officer for the use of motorised watercraft at sea or on a lagoons, estuary, dam, lake or other inland water mass during the event. The application must include a copy of a valid –

- permit for motorised watercraft; and
- skipper licence issued by the South African Maritime Safety Authority (SAMSA).

The Municipal Event Committee must consider the application and make a decision. Event organisers must also take note of the specific requirements relating to –

- municipal dams and other municipal water infrastructure; and
- protected areas, environmentally sensitive areas, coastal areas and national, provincial and municipal parks and reserves.

CHILDREN

Where a child under 15 years of age will be employed to perform advertising, artistic or cultural activities as part of the event, the event organiser must –

- inform the Municipal Events Officer; and
- submit proof of the permit of the employer of such child as contemplated in Sectoral Determination 10 issued in terms of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997).

ANIMALS

Where a domestic, performing or wild animal will be employed, exhibited or trained, or utilised for safeguarding purposes, as part of the event, the event organiser must–

- inform the Municipal Events Officer; and
- submit proof of the license of the person in charge of such animal.

The event organiser may be required to arrange for a registered animal welfare inspector to oversee the handling of such animals.

Where an animal forms part of the event, the provisions of the –

- Performing Animals Protection Act, 1935 (Act 24 of 1935);
- Societies for the Prevention of Cruelty to Animals Act, 1993 (Act 169 of 1993);
- Animals Protection Act, 1962 (Act 71 of 1962); and
- Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974), may apply.

Event organisers must also take note of the specific requirements relating to events in protected areas, environmentally sensitive areas, coastal areas and national, provincial and municipal parks and reserves.

OUTDOOR ADVERTISING AND OTHER MUNICIPAL ADVERTISING CHANNELS

The event organiser must apply to the Municipal Events Officer in order to obtain permission or conditional approval from the relevant municipal directorates to –

- place posters and to erect outdoor billboards and flag poles as provided for in the Municipality's Outdoor Advertising By-law. The event organiser must also ensure that any outdoor advertising activity complies with the provisions of said By-law; and
- utilise municipal advertising channels; and
- to advertise his/her event on any media platforms before commencement of the event and to obtain a temporary liquor license for event purposes.

CATERING (ONLY APPLICABLE TO EVENTS)

This section is only applicable to catering and food vending services provided to the public at events. Any person or entity intending to provide catering or food vending services to the public at an event, must be in possession of a valid licence and certificate of acceptability issued by the Municipality. The event organiser must –

- inform the Municipal Events Officer if public catering or food vending services will be utilised during the event; and
- submit proof of the licence and certificate of acceptability issued by the Municipality.

If the proposed caterer or food vendor is not in possession of a valid licence and Certificate of Acceptability, the event organiser must submit an application to the Municipal Events Officer in order to obtain a licence and a certificate of acceptability from the relevant municipal directorate before such food services may be rendered.

People enquiring about a Certificate of Acceptability should know that it is a process that requires time and that they need to apply well in advance. No Certificate of Acceptability will be issued without an inspection that confirms the compliance of the food premises; whether it is formal or informal. In the past, we had event organisers that came to our office for CoA's, the Friday before the event.

Regulation 638 under the Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972) which requires a CoA for all food handling also makes it clear that these food handlers should be educated on basic food safety and hygiene. It would be great if the Municipal Event Officer have a relationship with our office and EHP's where we can discuss and plan for such education sessions before events.

Another issue that EHP's have, is that they sometimes struggle to get access to these special events and the only way that they can actually ensure that the food stalls comply and that the requirements as discussed during the education session are adhered to, is when they are on-site during the event. Event organisers should be informed about this and requested to make the necessary arrangements.

SALE OF LIQUOR (ONLY APPLICABLE TO EVENTS)

This section is only applicable to the sale and micro-manufacturing of liquor at events. Section 48(4) of the Western Cape Liquor Act, 2008, does not provide for micro-manufacturing at events. An event liquor licence can only ever be granted for on, off, or both on and off consumption.

The event organiser must –

- inform the Municipal Events Officer if the event will involve the sale of liquor to the public; and
- submit proof of the licence to the Municipal Events Officer.

The provisions of the Western Cape Liquor Act, 2008 (Act 4 of 2008), apply.

An event liquor license application turns on, where the premises are owned by someone other than the applicant, the consent of the owner of the premises where the event will be held that the applicant may use those premises for the purpose of the license applied for. Where the owner is the municipality, the Saldanha Bay Municipality would want the WCLA in those cases to assume that the municipality supports the application or want the WCLA to read the consent as its comments in support of the application.

According to the Saldanha Bay Municipal By-law on trading hours, in the case of event liquor license, trading times are determined by the WCLA. The Presiding Officer of the Liquor Licensing Tribunal in these cases is guided by the nature of the event and the concerns that may be raised by way of comments from the public, SAPA or the municipality which may warrant trading hours that are more restrictive. It is therefore crucial that any consent by the SBM permitting the event takes cognisance of this.

NATIONAL AND PROVINCIAL PUBLIC ROADS

The event organiser must apply for and obtain permission from the Western Cape Traffic Police where national or provincial public roads will be utilised for or impacted the event.

The event organiser must –

- provide confirmation of such permission to the Municipal Events Officer; and
- comply with any conditions that may be imposed by the Western Cape Traffic Police.

PROTECTED AREAS, ENVIRONMENTALLY SENSITIVE AREAS, COASTAL AREAS AND NATIONAL AND PROVINCIAL PARKS AND RESERVES

Depending on the area in which the event will be conducted and the potential impact of the event, the provisions of the –

- National Environmental Management Act, 1998 (Act 107 of 1998);
- National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003);
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008);
- Environmental Impact Assessment Regulations, 2014;
- Guidelines on the Implementation of Regulations pertaining to the Control of Vehicles in the Coastal Zone, 2004;
- Marine Living Resources Act, 1998 (Act 18 of 1998);
- National Forests Act, 1998 (Act 84 of 1998); and
- Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974), may apply when conducting events in protected areas, environmentally sensitive areas, coastal areas, and national and provincial parks and reserves.

The event organiser must contact the relevant authorities well in advance to enquire if any additional permissions, approvals or processes are required for events in such a protected area, environmentally sensitive area or coastal area.

When an event is to be conducted in a national or provincial park or reserve, the event organiser must also obtain permission from South African National Parks or Cape Nature, as the case may be.

If the event is to be conducted in a municipal park, reserve or coastal area which is classified as a protected area, environmentally sensitive area or coastal area in terms of any of the legislative instruments referred to above, the event organiser must –

- provide confirmation of any permission obtained to the Municipal Events Officer; and
- comply with any conditions that may be imposed by the authorities concerned.

EVENT RISK CATEGORISATION BY THE SOUTH AFRICAN POLICE SERVICE (ONLY APPLICABLE TO EVENTS)

The event risk categorisation is very critical aspects on the event, as it also assists on proper planning in securing such an event. The South African Police Service commit in support through events categorisations.

An event risk categorisation must be conducted for certain events only.

Where the proposed event is to be conducted –

- in a stadium with a safe seated or standing spectator capacity of 2000 persons or more as certified by the Municipality;

- in a venue with a seating or standing spectator capacity of 2000 persons or more;
- in the form of a race or a procession along a route; or
- within a precinct of a stadium, venue or route as referred to above, the provisions of the Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010) apply; and
- In a hall set up with clear indication of the hall capacity.

The event organiser, who must be 21 years or older as prescribed by the Act, must apply to the South African Police Service for an event risk categorisation for the proposed event. Where an event has been categorised as high-risk, the event organiser must, at least 30 days before the planned event, apply for a high-risk event safety certificate from the South African Police Service.

If granted, the event organiser must ensure that all terms and conditions as may be specified in the certificate are complied with. Where an event has been categorised as medium-risk or high-risk, an event safety and security planning / liaison's meeting for the event must be arranged where an authorised Police representative is in attendance. An official of the municipal disaster management directorate must form part of such a meeting.

Where an event has been categorised as low risk, the event organiser must ensure that a safety officer is appointed, a written safety plan is prepared and implemented, and the local police station is informed of the event details. The submission and processing times are determined by the Act.

The event organiser must –

- provide confirmation of the event risk categorisation to the Municipal Events Officer; and
- comply with any conditions that may be imposed by the South African Police Service.

IMPLEMENTATION ARRANGEMENTS

The following implementation arrangements are applicable in the preparation for, during, and after the event.

MARKETING

The event organiser may commence marketing as soon as the event permit application has been submitted, taking into account that an application is only deemed to be approved once an event permit has been issued. If the event application is still in process, the event organizer must apply for conditional approval in order to advertise or market his or her event, and he or she can only do this once a conditional approval letter has been issued by the SBM.

WEATHER

A permit is valid for the specified dates and times only. However, where the event is entirely or substantially dependent on the weather or other factors, the Municipal Events Officer may, on written request by the event organiser and on good cause shown, consider granting limited flexibility in this regard. Such flexibility is, however, subject to the provisions of any other additional municipal and/or third-party permissions, approvals and processes that may have already been obtained or finalised.

SIGNBOARDS

In accordance with the relevant municipal by-law, event company signboards with the name of the event company and pointing in the direction of the location/venue may be placed on street poles one day before the commencement of the event. No placement is allowed on traffic lights, regulatory, command or prohibition poles. Signboards must be removed within one day of the conclusion of the event, failing which the Municipality will remove same at the event organiser's expense.

GENERATORS, LIGHTING AND CABLING

The event organiser must ensure that generators, lighting and cabling is positioned or placed in such a manner that noise emissions, light pollution, exhaust fumes or cabling do not disturb, cause a nuisance or become a health or safety hazard to the public. Permission must be obtained to run cables across public walkways and private properties. The Electrical Department must be informed beforehand, and where this service is required from SBM, a temporary connection must be completed, and the applicable fees must be paid.

In terms of the legislation, the event organiser is accountable for the electrical installation, even being temporary. This actually mean that they have to take responsibility for the generators, cabling and lighting they use beyond the "Point of Connection" on the electrical distribution network. The Electrical Department cannot take accountability on their behalf by giving permission to cross public or private properties.

The Electrical Department is also limited to provide network supply within the limitations of load shedding, and therefore cannot ensure continuous supply. The event organiser must be responsible to provide backup generation if required. The SBM do not have the capability to provide back-up generation or to manage it.

The Electrical Department standby staff will not be available for fault beyond the "Point of Connection" and event organiser will have to arrange for this. (trips due to the user electrical equipment)

DISMANTLING, CLEARING AND CLEANING OF EVENT LOCATIONS OR VENUES

The event organiser is responsible for dismantling all structures, clearing all objects and cleaning all locations and venues utilised during the event. Dismantling, clearing and cleaning must be conducted with the minimum amount of noise and disruption to residents, businesses and the public. All waste and litter must be removed and disposed of in the required manner in line with the municipal waste by-law. The Municipal Events Officer must provide the event organiser with the locations of relevant municipal waste drop-off points.

The Waste Management Department has an SBM Events Waste Management Guideline and SBM Events Management application form should an event requires additional waste bins or skips. The Waste Department also makes provision for recycling at events and reserved specific bins for this purpose.

PROCUREMENT OF LOCAL GOODS AND SERVICES

The municipality encourages event organisers to procure from local businesses and utilise local service providers in order to support the local economy. The Municipal Events Officer must provide a copy of the Directory of Local Suppliers, Goods and Services to the event organiser.

ENSURING COMPLIANCE

RIGHT OF INSPECTION, ENTRY AND MONITORING

The Municipal Events Officer, a member of the Municipal Event Committee and any other municipal official authorised to do so may inspect, enter and monitor the event to ensure compliance with the permit conditions, the Code of Conduct and the Municipality's by-laws.

DISPUTE MANAGEMENT

Disputes must be managed informally between the Municipal Events Officer and the event organiser, failing which a compliance notice may be issued.

COMPLIANCE NOTICE AND PERMIT SUSPENSION

The Municipal Events Officer and any municipal official authorised to do so may serve a compliance notice on the event organiser instructing him/her to comply with the permit conditions, the Code of Conduct and the SBM's by-laws. The compliance notice must contain reasons, remedial actions to be taken, timeframes for compliance and the potential consequences of continued non-compliance. The event permit may be suspended pending full compliance with such notice.

REVOCATION OF PERMIT AND SHUTTING DOWN OF EVENT

In the case of continued non-compliance, the Municipal Events Officer in consultation with the relevant manager and director may revoke the event permit by notice to the

event organiser. As soon as a permit is revoked, the event organiser must cease all activities and shut down such event, failing which the municipal protection services may take the necessary action. The event organiser may be held liable for any resultant costs associated with revoking the permit and shutting down the event, and additional applicable punitive measures may be implemented. An event permit may also be revoked and/or the event shut down in the event of an emergency.

RECORDING OF PARTICULARS IN NON-COMPLIANCE REGISTER

When a compliance notice has been issued or a permit has been revoked, the particulars of the event organiser and other contravening parties, as well as the nature and details of the transgression, must be recorded in the Non-compliance Register. The event organiser and other contravening parties must be informed in writing of such inclusion by the Municipal Events Officer. The affected individual or other party may –

- appeal their inclusion in the Non-compliance Register; and
- after a period of three years and on good cause shown, request the Municipal Event Committee in writing to consider their removal from the Register.

FINANCIAL AND NON-FINANCIAL SUPPORT FOR EVENTS

The Municipality may, on application and on a case-by-case basis, decide to provide support to an event. Priority or strategic support areas may be identified, with such support targeting specific types of events.

Municipal support may be of a financial or non-financial nature, or a combination of both. In the event of municipal financial support, different financial funding models and financial/legal funding facilitation methods may be provided for, including the allocation of municipal conditional grants.

BIDDING AND HOSTING BY MUNICIPALITY

The SBM may bid, or co-bid with other municipalities or the Western Cape Government, to host major national or international events, provided that such events must be aligned to the SBM's strategic objectives. The SBM may, from time to time, host events to give effect to its local economic and community development mandates, and to promote the SBM's tourism potential, strategic assets and facilities. Municipal events generally include –

- community cultural events;
- community sports events;
- economic development events;
- service delivery events;
- business events;
- media launches; and
- hospitality at municipal or third-party events.

The hosting of any /event and the procurement of any goods and services in support of such /event by the SBM are subjected to budget availability and budgetary approval and must be conducted in line with the municipal Supply Chain Management Policy and related processes. The SBM may develop guidelines to effectively manage municipal event bidding and hosting.

RELATIONSHIP BETWEEN MUNICIPALITY AND OTHER STAKEHOLDERS

Effective cooperation and coordination between the Municipality and other stakeholders involved in event planning, permitting and implementation are essential to ensure the effective and efficient implementation of the Policy. Communication and coordination between the Municipal Events Officer, Municipal Event Committee and the above stakeholders must be conducted through existing municipal and intergovernmental structures as far as possible.

MONITORING, EVALUATION AND REVIEW

The Municipal Event Committee must monitor and evaluate the implementation of the Policy. Monitoring and evaluation must take into consideration several matters, with specific focus on what is working and what is not as far as the implementation of the Policy is concerned. The members of the Municipal Event Committee, in their capacity as representatives of the municipal and external departments concerned, must report and advise of any blockages experienced in policy implementation.

The Municipal Event Committee may also –

- develop and provide a standard questionnaire to be completed by event organisers to provide feedback and make recommendations to the Municipality; and
- conduct research or cause research to be conducted on events, including the impact of events on the SBM and its area of jurisdiction. The Policy must be monitored and evaluated in terms of outputs, outcomes and impacts.

The outputs include:

- number of applications for events received by the Municipality;
- number of applications for events considered and decided on within the guideline processing times;
- number of event applications approved, and permits issued;
- number of events conducted in municipal area;
- number and nature of compliance notices issued;
- number of events cancelled by Municipality due to non-compliance; and
- number of events supported by the Municipality.

The outcomes include:

- effective, efficient and streamlined event application and permitting process;
- favourable perception of the Municipality as an event-friendly municipality; and
- increase in local tourism attributable to events in the municipal area.

The impacts include an increased contribution by events to local economic and socio-economic development in the municipal area.

In the short term, the Policy must be reviewed as the need arises. The review process must be informed by –

- the monitoring, evaluation and research as contemplated above;
- lessons learnt in the implementation of the Policy; and
- any policy or legislative changes that may impact on event permitting in the Municipality.

Any proposed amendments to the Policy must be submitted to Council for consideration and approval.

OFFENCES AND PENALTIES

Any person who –

- conducts an event without a valid event permit;
- contravenes a provision of the Event By-law; or
- contravenes a provision of any other municipal By-law, is guilty of an offence and may, on conviction, be liable to the payment of a fine or banning to host future events.

Transgressions in terms of any national or provincial legislation must be handled by the relevant authority concerned. Hence, transgression in the case SBM bylaws, Law Enforcement is the relevant section to enforce these bylaws in line with the decisions taken at the safety/triangle/liaison's meeting of the Municipal Events Committee.

APPEALS

An event organiser or a party involved in the event who is aggrieved by a decision taken in terms of this Policy, may appeal such a decision as contemplated in section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

LIABILITY

The Municipality is not liable for any damages or compensation arising from any event conducted by a third party in the area of jurisdiction of the Municipality.

REGULATION OF EVENTS

The Event Permitting By-law provides for the regulation of matters pertaining to event permitting within the jurisdiction of the Municipality.

STANDARD FORMS AND LISTS

The Municipality may develop such prescribed or standard forms and other documents as may be needed to contribute to effective, efficient and streamlined event permitting processes.