



Municipality of Swakopmund

FILM PERMIT GUIDE





Location Filming in Swakopmund

A Film Permit Guide

The Swakopmund Council is strongly supportive of the screen industry in its many forms. However, it also recognizes that location filming requires a balance between the interests of the local community, both residents and businesses, and the need of the screen industry to share public space for film production.

Although the act of filming is not in itself subject to approvals or fees, local councils continue to have a key role in filmmaking management, specifically in relation to parking, traffic regulation and the use of council-managed land. Within the context of a presumption of approval, councils will also have a role in maintaining a balance between community interests, environmental, cultural and heritage protection and economic development.

Every film made in Swakopmund has the potential to enhance the opportunities for the ones to follow, by increasing our capacity for production, creating more jobs, demonstrating, and reinforcing the strength of our local skills base and making it more enticing for companies to invest in the infrastructure that keeps Swakopmund competitive.

In order to capture the images, the screen industries have to work in locations such as the buildings, the streets, and the landscapes where the stories take place. No studio set can replicate a harbour vista, a stunning beach, a vibrant street, an Atlantic Ocean, or a majestic dune landscape.

So, the screen industries must bring their workplace to the historic building, the unique restaurant, the lively shopping strip, the Swakopmund river, the quiet suburban street, or the deserted country road. And this workplace, like most workplaces, involves people, vehicles, parking, equipment, power supply, food areas, rest areas, toilets and change rooms.

When screen production comes to a regional area, the benefits are obvious: accommodation, food and fuel sales, employment and the consumption of goods and services. In metropolitan areas the direct benefits are less obvious, but screen industry personnel live and pay rates and taxes in every area of the city, shop in local shops, buy their petrol at local garages, hire local tradespeople, and go to local restaurants. Goods and services are hired and purchased from all over.

Unlike other industries, location filming is highly transient. Although there may be short term inconvenience to residents or businesses, like a polite visitor generally stays no more than a few days or hours and then leaves without a trace. At the heart of all successful filmmaking is effective collaboration - not only amongst the crew, but just as importantly, between the filmmaker and the community: local residents, local council, local businesses, police, and other Government agencies.

This guideline is intended to foster understanding between industry and stakeholders, to simplify procedures and build a good working relationship for Swakopmund as a whole.

1. OVERVIEW OF APPROVALS NEEDED

1.1 Why Approval is required to film in Swakopmund.

Council has a statutory responsibility to protect the environment and to represent its community. Filming on public land or infrastructure such as roads and parks raises the issue of Council's responsibility to manage filming activities in a manner that can balance public needs and the demands of the industry. This occurs through the issuing of approvals or permits for filming activities, as required by the Namibia's Film Commission and Swakopmund Municipal Council.

1.2 When is a Permit Required?

Principally concerned with location filming as opposed to filming within a studio, Council's permit processes are designed to manage all location filming, either on Council-owned land or which may impact on Council land, even where the actual activity of filming takes place on land other than Council land.

This includes (but is not limited to) activities that:

- interrupt traffic on municipal roads;
- interrupt pedestrians on sidewalks;
- require wires or cables running across or over sidewalks or municipal roads;
- require the use of generators, tripods or dolly's on sidewalks or municipal roads;
- impact on public use of, or access to public parking areas, community facilities, beaches, public open space; and
- generate noise and air pollution.

2. APPROVALS REQUIRED

Filming on private (or State) owned locations is generally a matter between the landowner and the film company, although approvals may be required for amongst other things, sets or structures. As a temporary activity, there are no zoning scheme requirements governing film activities. If a property zoned for residential purposes is utilized exclusively or predominantly for filming, the use of the property would be regarded as commercial.

2.1 Activities Requiring Council Approval

Many film related activities require Council's approval. These include, for example, partial or full road closures, the erection of sets and structures, the use of fire, fireworks, or pyrotechnics, etc.

2.2 Activities Requiring Approvals from other Agencies

Other film related activities legally require the approval of other authorities. These include, for example, filming on a road governed by the provincial authorities, the use of vehicles on dunes and beaches, filming at sea, the use of flora and fauna, or the use of aircraft. Many popular locations within Swakopmund, such as Dorob Park, fall outside the jurisdiction of the Swakopmund Municipal Council and are subject to the permit procedures of those authorities.

WHAT YOU NEED TO KNOW WHEN FILMING IN SWAKOPMUND

3.1 General

3.1.1 Crew Conduct

It is the responsibility of the film company to ensure that their staff/crew conduct themselves in a safe and professional manner in the course of their duties.

3.1.2 Filming Hours

Generally, location filming may only occur between 06:00–22:00, and these times should be adhered to. This includes the time required for the arrival and departure of cast and crew, as well as setting up and dismantling sets and equipment. In residential areas, production vehicles should not arrive earlier than the time stipulated on the permit. Filming on arterial roads and main roads shall not take place during the peak times of 06:00–09:30 and 15:30–18:30. Filming on public holidays and weekends will be considered on request.

Should it prove necessary to extend or alter the specified hours of filming, application may be made to offices of Swakopmund Municipality. Any such application is to be submitted well before the intended date of filming to allow for consultation, should it be deemed necessary.

3.2 Environmental Requirements

The following set of environmental guidelines is to be adhered to as minimum requirements during a shoot:

- Prevent damage to the natural environment.
- Prevent damage to national monuments, and cultural and historic sites.
- Protect indigenous fauna and flora.
- Do not feed or interfere with wild animals.
- Prevent air, soil or water pollution during filming.
- Legally dispose of rubble from set building and other waste products.
- Prevent soil erosion.
- Provide environmental education to film crews as required.
- Minimize wastage of resources and recycle where possible.

4. FILM-SENSITIVE LOCATIONS

4.1 Filming and Roads

Many shoots use roads or portions thereof as their sets. This has implications for traffic and pedestrian movement and safety. Control of traffic on public roads as a result of a shoot can take one of the following three forms, permission for which needs to be given by the relevant authority as part of the permit approval process.

The Swakopmund Municipality may require a Traffic Management Plan to be submitted. This document describes the actions that the film company will take to minimize risks to motorists and disruption to traffic movement, and will need to address issues such as:

- the nature of the road and its role in the local road hierarchy;
- the time of the filming activity;
- the nature and extent of traffic management required;
- the envisaged impact on normal traffic flow and movement;
- whether there are any other activities planned on the road at that time;
- whether alternative routes are available for traffic; and
- the impact on affected residents and businesses.

The Municipality of Swakopmund requires time to assess a traffic management plan for busier roads and for more complex film shoots.

4.2 Intermittent Closure of a Road to Traffic due to Filming

Most roads are either controlled by the Municipal Traffic Section or the Nampol Provincial Traffic Administration. Temporary closures of roads under the Municipality's jurisdiction are permitted subject to the provisions of the Road Closure Policy and may occur only under the supervision of Council's Traffic department.

4.3 Parking Management

All parking regulations shall be adhered to. Production vehicles must not block driveways or other access/egress ramps, fire hydrants or fire routes.

Parking bays may be hired from the Swakopmund Municipality at the applicable tariff. Parking in bays on location is limited to specified essential vehicles only, and the film company must arrange parking for all other vehicles in appropriate areas as determined. The use of a shuttle system to transport crew to the location is encouraged.

4.4 Road Signage

Any road traffic sign may only be removed on the day of the film shoot and a traffic officer must be present. As a temporary measure, the sign may be cut off at the base and be repaired immediately after the shoot is completed. All signs must be replaced in their original position and sidewalks must be reinstated to their original condition.

4.5 Film Companies' Directional Signs

All signage is to comply with Council's advertising guidelines.

Signs with the name of the film company and pointing in the direction of the location may be placed on pavements, but not on street poles or traffic light, regulatory, command or prohibition poles.

4.6 Shoots Affecting Municipal Infrastructure

4.6.1 Stormwater System

The storm water system may not be blocked off without prior permission and may not be damaged in any way. It may not be used during periods of rain. Responsibility for the safe usage of the storm water system lies with the film company. Assistance rendered by specialist storm water contractors will be for the film company's account, and all arrangements are to be made directly with the contractor.

4.6.2 Electricity

The film company to obtain permission from Erongo RED when any stakes for tents are to be driven into the ground, excavation is to take place, or filming is to be done near 132kV overhead lines.

4.6.3 Water Infrastructure

Council's Engineering department is to be contacted regarding their requirements for filming activity near any water infrastructure.

4.7 Construction of Sets and Structures

Permission for the construction of sets and other structures required for a film shoot, and the authority responsible for issuing such authorization determined by the type of set or structure involved, as listed below. The primary concern is to ensure that sets and structures do not affect public safety.

4.7.1 Habitable Structures

Shoots involving the construction of habitable structures fall under the auspices of the Building Regulations and require building plans for such structures to be submitted to the Swakopmund Municipal Council's Engineering Department for approval. Adequate time needs to be set aside for this process.

4.7.2 'Dummy Facades' and other lightweight structures are regarded as 'scaffolding'.

4.7.3 Temporary Tents

Temporary tents are usually required for catering purposes and are regulated by the Council's Corporate Services Department. The necessity for approval of any such structures will be determined in each case depending on the use and time involved.

4.8 Special Effects, Stunts and Related Activities

4.8.1 Special Effects and Stunts

The Swakopmund Municipality must be advised in advance in writing, with a letter of permission from the appropriate department of the Namibian Police and Council's Fire Brigade, when the use of explosives, flammable liquids or materials, or incendiary devices is planned in order to be able to co-ordinate the necessary approvals from the appropriate departments.

(Traffic, Fire, Roads and Disaster Management, Health). Namibian Police, Fire, Traffic or Disaster Management Officer(s) may be required to be present on set.

Information regarding all intended discharges is to be included in the application for distribution of alerts to the Emergency Call Centre by Disaster Management. All costs associated with these requirements are for the film company's account.

4.8.2 Smoke Machines

Prior approval must be obtained for the use of fire and/or smoke. Only non-toxic, non-pollutant smoke machines are permissible and all applicable safety precautions are to be complied with. Safety officers are to be on the set at all times.

4.8.3 Aircraft (Helicopters and Fixed Wing)

Aircraft will be permitted by special arrangement only. The film company is to ensure that the relevant permission for the use of an aircraft in an urban area is provided by the Civil Aviation Authority of Namibia and Swakopmund's Fire Brigade. Council is to be informed in advance of the intention to use an aircraft within the boundaries of Swakopmund. All Civil Aviation regulations and conditions imposed by Namibia's Civil Aviation Authority are to be complied with. Special Indemnity Forms may be requested and should be filed with Disaster Management by the operator of the aircraft.

Landing is only permitted at specified landing zones within Swakopmund, which will be determined during the application process by the relevant manager(s). A 100-meter open radius between the landing site and the nearest structure is required.

4.8.4 Motorized Watercraft

The use of motorized watercraft will also be permitted by special arrangement only. They are to maintain a mooring distance of no less than 100 meters offshore. Launching of watercraft may only take place at prescribed launch sites.

4.8.5 Drones

Drones will be permitted by special permission only. The film company is to ensure that Operators must ensure that they follow the following laws when flying in Swakopmund,

- Obtain permission to fly your drone from the aviation authority.
- Do not fly the drone higher than 150 feet
- Do not fly the drone over people or crowds of people
- Respect other people's privacy when flying the drone
- Do not fly the drone near military installations, power plants, or any other area that could cause concern for Swakopmund Municipal Council.
- Do not fly the drone within 5 miles of an airport or in areas where aircraft are operating
- Drones are to be fly during daylight hours and only fly in good weather conditions

4.10 Catering

All caterers are to be in possession of a Health – Conditional Certificate and relevant business license issued by the Health Department. Catering facilities must comply with the necessary requirements.

4.11 Cleaning Locations

Cleaning up of locations after film shoots is the responsibility of the film company. All waste and litter are to be removed from the location and disposed of in an authorized manner – it may not be deposited into refuse bins. Crews must clean the location at the end of the day with a minimum amount of noise and disruption and ensure that the area is returned to its original condition.

4.12 Minimizing Disruption to Surrounding Residents and Businesses

It is the film company's responsibility to ensure minimum disruption to residents and businesses when filming occurs, and due consideration is to be given to their rights at all times. They should be free from any negative environmental conditions resulting from filming, including spill-over lighting, exhaust fumes or noise that may affect their ability to enjoy their property or run their business, unless they have given their consent.

Pedestrian and vehicular access to their premises must also be maintained. In this regard, the following are to be adhered to:

- **Lighting:** Lighting is to be orientated away from neighboring residents unless they have been consulted and have provided their consent.
- **Noise:** Noise-generating activities are to be regulated no-one may cause a “disturbing noise” or carry out activities (including the discharge of explosives, firearms, or similar device) which may cause a “noise nuisance”, without the permission of the local authority concerned.
- **Generators:** Only silent generators are allowed unless otherwise approved. They must be placed so that noise emissions and exhaust fumes do not disturb or cause a nuisance to residents and visitors.

The film company is under no obligation to provide compensation unless it voluntarily agrees to do so with residents or businesses affected by a shoot. Disruption of parking as a result of a film permit does not require compensation unless otherwise agreed with the applicable persons.

5. APPLICATION GUIDELINES

The following guidelines provide a comprehensive outline for Feature Films, commercial and Documentaries so that space and facilities in Swakopmund can be used by external media production organizations as locations for filming without disruption or cost to the Municipality of Swakopmund.

These guidelines consider:

- Application needs to be done in writing, on the approved application form, stating the dates and exact location of filming within the boundaries of Swakopmund.
- Proof of approval by the Namibian Film Commission needs to be attached to the application.
- Proof of insurance
- Minimizing disruption of normal activities in Swakopmund.
- Providing and controlling general access to locations
- Preserving the reputation and public image of Swakopmund.

The guidelines do not apply to news and coverage of Swakopmund events and/or activities.

When news and public affairs coverage includes complex documentary filming, the above guidelines will apply, including fees, and assistance which may be provided.

All other requests to use buildings, ground, and facilities for the purposes of filming will be handled by the Events & Film Liaison Official of the Municipality.

The Traffic Section of the Municipality will coordinate access to all areas in town, except for private property.

- Film location requests will not be approved which seriously disrupt the normal activities of the town.
- For interior locations, approval must be received from the administrative officer(s) of the division(s) occupying the space requested.
- No major set construction or alteration of buildings will be permitted. Any set decoration must be clearly specified in writing and all areas occupied in connection with the filming must be returned to their normal condition.
- A program script must be submitted prior to the commencement of filming so that the Events & Film Liaison can ascertain that such filming will not damage the reputation or image of Swakopmund. In the event that a script is not available, a storyboard and detailed outline must be provided.
- Requests for filming must normally be made at least two (2) weeks in advance, and under no circumstances will a request be accepted fewer than ten (10) days in advance.
- Notwithstanding the terms and conditions of these guidelines, the Municipality of Swakopmund, has the right to refuse any request for filming in Swakopmund or on the property of the Municipality.

- Factors in such a decision may include but are not limited to the reputation and financial security of the production agency, and the history of previous dealings with that agency.
- The applicable filming fees needs to be paid in advance before any filming will take place.
- Council has to be indemnified and therefore the application indemnity form provided with your approval needs to be completed, signed, and returned before any filming takes place.

Filming Location Fees:

The location fee may be reduced and/or waived for non-commercial production agencies and public broadcasting institutions producing education and public interest programs, including documentaries upon approval by Council.

The cost of any additional services provided by Swakopmund Municipality, including Council owned property, parking, street closures, beach area, parks, etc., will be charged in addition to the location fee as per tariffs schedule in Council's Annual Budget. The Swakopmund Municipality, in accordance with general policies and procedures, will decide which of these services are required for any film production.

The costs schedule below reflects the costs which may be charged by Council in considering applications by filmmakers for approvals. The table provides a schedule of fees for applications for approvals.

Category	Criteria	Unit
Micro Shoot	<ul style="list-style-type: none"> ▪ 1 - 3 Vehicles / or 8 or less people ▪ No disruption is caused to the Council's Stakeholders, retailers or motorist or other events in the vicinity of the activities ▪ Activities are contained to footways or public open space areas or interior only ▪ Public safety is maintained at the locations at all times during the conduct of the activities ▪ Vehicles associated with the conduct of the activities are legally parked at all times and are not driven onto sidewalks, parks, or areas. ▪ 1 - 2 locations/venues 	Per day or part thereof
Small Shoot	<ul style="list-style-type: none"> ▪ 4 - 6 Vehicles and/or 9 – 15 or less people ▪ Not more than 4 vehicles/trucks/vans ▪ No construction ▪ Minimal equipment/lighting ▪ Small or no unit base required ▪ 3 – 4 locations 	Per day or part thereof
Medium Shoot	<ul style="list-style-type: none"> ▪ 7 – 10 vehicles and/or 16 to 30 people ▪ Some construction ▪ Equipment used ▪ Unit base required ▪ 4 – 5 locations/venues 	Per day or part thereof
Large Shoot	<ul style="list-style-type: none"> ▪ 10 – 20 Vehicles and/or 31 to 60 people ▪ Construction ▪ Unit base required ▪ 8 – 10 locations/venues ▪ Significant construction ▪ Extensive equipment ▪ 5 – 6 locations 	Per day or part thereof
Very Large Shoot	<ul style="list-style-type: none"> ▪ More than 21 vehicles and/or more than 60 people ▪ Significant construction ▪ Extensive equipment ▪ More than 6 locations 	Per day or part thereof

Other Services		
Dedicate space for film related activities	Spaces such as parking areas, public open areas, street areas/closures	Per m ² per day or part thereof.

Note: Tariffs/Charges for services to filming location fees and services rendered by other departments are contained in the Tariff Schedule of Council's Annual Budget. (e.g., of other services, water, recreation and parks, traffic, property lease, traffic assistance).

Insurance

The producer shall take out and keep in full force and effect through the term of filming, general liability insurance including without limitation contractual liability insurance and tenants' legal liability insurance, against claims of personal injury, bodily injury including death, property damage or loss arising out of the operations of the producer.

Code of Conduct for Location Filming in Swakopmund

At the heart of all successful filming is an effective collaboration – not only among the crew, but just as importantly, between the filmmaker and the community: local residents, local councils, local businesses, and other Government agencies.

This Code of Conduct aims to reinforce positive relationships between filmmakers and the general community by detailing a 'best practice's guide to location filming. It was developed in consultation with key industry guilds and associations to reflect the professional standards of Australian screen practitioners.

Successful location filming depends on constructive relations with affected members of the community. This imposes obligations on all involved in the production to respect the local community and ensure that despite any inconvenience, their experience is not an unpleasant one.

BEFORE THE SHOOT

Notification

- Obtain relevant approvals for the activity to be conducted.
- Advise residents and businesses in the area by letter box drop of what is planned, when and where. Include details and conditions of the filming approval and provide a contact name and number at the production office and the location.
- The letters should be delivered in time for people to make further inquiries if they feel the need.
- When filming for an extended period or undertaking activities with a high impact on community amenity, allow for community feedback on the proposed arrangements.
- When filming on private land, the local Council, police, and community must be notified of the filming activity, even if specific approvals for filming are not required.

- Particular consideration needs to be given to businesses whose trade could be adversely affected by filming activities.

Brief cast and crew on special conditions

- The film crew should all be thoroughly briefed on the nature and practical application of the approval given and any conditions or requirements attached to the filming activity whether by agreement with the Council the location or other property owners or imposed by the local council or other relevant authority.

Parking

- Contact the local council early on to organize parking plans for essential vehicles and unit set up and see if there is a need for a traffic management plan.
- Consult directly with the community over parking issues where appropriate. This may include arranging alternative parking for residents and assistance in access to vehicles and transport arrangements in some high-density residential locations.

Health and Safety and risk assessment

- Carry out hazard and risk assessments of any locations or premises to be used for filming or film related activities. A location shoot is a workplace and occupational health and safety requirements must be observed.
- Make sure the production has appropriate levels of public liability insurance and all necessary licenses and permits relating to filming activities.

DURING THE SHOOT

Parking

- All crew, cast and extras must park in accordance with normal requirements unless special arrangements have been approved by the local council or Police.
- Vehicles associated with the production should comply with traffic and parking regulations and not park in disabled parking spots, driveways, or restricted zones.
- Find nearby parking spaces for non-essential vehicles if you are going to be at a location for a number of days.
- Trucks should not be parked in front of active restaurants.
- Generator trucks should not be parked in front of residential buildings.
- Make sure that trucks and other vehicles fit under trees to avoid damage to branches.

Noise

- Keep noise to a minimum, particularly when arriving in a neighborhood before 7am or during night shoots.
- Make sure generators are silenced.
- Truck engines should not be left idling under residents' windows.
- Avoid playing car radios loudly and be aware of the noise level of walkietalkies near residences and businesses.
- Get appropriate permissions for music play back.

Traffic

- Production personnel must co-operate with state agencies and local council to maintain efficient traffic flows and the safety of other road users.
- Traffic stopping and traffic diversions must be carried out by properly authorized personnel and in accordance with a traffic management plan agreed by local council and if necessary RTA.
- Pedestrian traffic should not be obstructed at any time unless stipulated in the permit and all cables are to be channeled neatly and safely.

Shops and businesses

- Do not loiter in front of shops or residences and block the access of the local community.
- Do not block buildings or keep equipment in front of buildings that are not working directly with the shoot. Do not stack equipment in front of closed shopfronts when there is an early call – the business owners will need to open on time and receive deliveries.
- Crews should be encouraged to patronize local businesses during breaks.

Evidence of permits on site

- Copies of Council's and other approvals should be available on location at all times. They should be held by the location manager or the unit manager, who should be identifiable by all crew members.
- The Production must comply with the provisions of approvals.
- Consult with the local council or other approving authority if there are material changes to filming plans in case an amended approval is required.

Emergency and essential services access

- Access to fire exits or utilities (e.g., electricity, water, telephone lines) and emergency vehicle access must not be impeded.

Maintain regular communication

- Maintain regular communication with the local council or approving authority's Film Contact Officer and report any damage to the site as soon as possible.
- Be available to verify that the conditions of approval are met.

Removal of litter

- Remove all litter before the end of each day's filming.

Risk management and occupational health and safety

- Abide by film industry safety practices, especially in relation to special effects, stunts and the use of firearms and weapons.

AFTER THE SHOOT

- Leave the location clean and tidy and in its pre-filming condition.
- Only leave fixtures and fittings at the location where this is requested or approved by the local council.
- Report any damage
- Undertake a site inspection with the Council or approving authority's Film Office if required.

Thank you for honouring this Code of Conduct. The implications of lack of compliance are significant. This may be in relation to public safety, community support and council cooperation, as well as to future filmmakers who will follow in the location footsteps of other productions. Failure to comply may also result in the revocation of the relevant approvals associated with filming.

Other Requirements

Production agencies filming which need auxiliary sources must obtain such from the relevant agencies for their own account.

All arrangements, including the payment of the filming location fees, evidence of insurance, must be completed at least five (5) business days prior to the commencement of filming.

These Guidelines is adopted at the Ordinary Council meeting held on 24 November 2022, item 11.1.22

