

# COUNCIL POLICY



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| <b>Outdoor Events Policy</b>                                 | TRIM folder:   | 76/01/160 |
|  | Approval date: | 2011      |
|  | Approved by:   | Council   |
|  | Review Date    | 2014      |
| Responsible Officer:<br><b>Manager Culture &amp; Leisure</b> | Expiry Date    | NA        |
|  | Version No     | 1         |
| Authorising Officer:   | <b>CEO</b>     |           |

## 1. PURPOSE

To provide a framework through which the City of Port Phillip assesses and approves applications for outdoor events to be held in open space managed by Council within the municipality.

## 2. SCOPE

The policy applies to all external applications for events in outdoor space managed by Council within the municipality.

This policy does not apply to:

- indoor events;
- Council-organised events (such as the St Kilda Festival);
- community sporting club activities at sportsgrounds or casual sporting use of sportsgrounds;
- commercial recreational activities to which the Councils "Outdoor Commercial Recreational Activities Policy 2010" applies;
- weddings or private functions of less than 200 people;
- footpath trading;
- outdoor markets;
- street stalls, collections, raffles, busking or small promotional activities;
- neighbourhood street parties of less than 200 people.

## 3. REFERENCES

- City of Port Phillip Local Law No. 3 Community Amenity December 2008
- City of Port Phillip Council Plan 2009 - 2013
- City of Port Phillip Disability Action Plan 2008 – 2012
- City of Port Phillip Catani Gardens and Southern Foreshore Management Plan 2010

- City of Port Phillip Open Space Strategy 2009
- City of Port Phillip Outdoor Commercial Recreational Activities Policy 2010
- City of Port Phillip Festivals Framework (in development)
- City of Port Phillip Laneway Strategy (in development)
- City of Port Phillip Market Policy (in development)
- City of Port Phillip street stalls, collections, raffles and busking internal guidelines
- Crown Land (Reserves) Act 1978.

#### **4. DEFINITIONS**

In this policy:

- 4.1. "event" means an organised sporting, recreational, cultural, commercial or social gathering of people which is held on land managed by the Council;
- 4.2. "major event" means an event which involves:
  - estimated participation or attendance of more than 1000 people; and
  - a road closure requiring additional approvals from a government authority (such as Victoria Police or VicRoads); and
- 4.3. "long stay event" means an event conducted over two or more successive days.

#### **5. COUNCIL POLICY**

##### **5.1. POLICY PRINCIPLES**

- 5.1.1. Programmed activities and events are an important use of parks and open space where they:
  - support recreation and leisure opportunities;
  - encourage enjoyment of the park and foreshore by diverse users;
  - contribute to the local economy; and
  - contribute to an active and healthy community.
- 5.1.2. The programming of events in parks and open space must be balanced against:
  - local impacts on residents and traders;
  - the use of parks for informal rest and relaxation; and
  - the impact on the park and open space, especially in the case of heritage parks.
- 5.1.3. Major events and associated foreshore road closures during the peak season of November – March will usually be limited to approximately 12 events.

- 5.1.4. Major events will be scheduled so that major road closures take place in the same location no more than two weekends in a row.
- 5.1.5. Long stay events will usually be limited to no more than two per annum per site.

## 5.2. REQUIREMENT FOR PERMIT AND AGREEMENT

- 5.2.1. An event may only be conducted on Council managed land if
  - a permit has been issued under Community Amenity Local Law No. 3; and
  - the applicant has entered into an agreement with the Council in a form required by the Council.
- 5.2.2. In the case of a major event, the Council may require the agreement to be a licence under the Crown Land (Reserves) Act 1978.
- 5.2.3. Generally, permits will not be issued for a duration of more than 1 year. However, in some circumstances a multi-year permit may be considered by the Council, in relation to events held annually which have a history of high quality event management.

## 5.3. APPLICATION PROCESS

- 5.3.1. In general, major events on or near the foreshore which do not have a current multi-year permit must be applied for during the annual competitive expression of interest process.
- 5.3.2. Other events may be applied for all year round.
- 5.3.3. Applications must be in writing and provide all requirements requested on the application form.
- 5.3.4. For events of a commercial nature the following provisions apply
  - If required under any applicable guidelines or policies issued from time to time by the Department of Sustainability and Environment, Council will conduct a competitive expression of interest process prior to granting an event permit.
  - In all other cases, Council may choose whether or not to conduct a competitive expression of interest process prior to granting an event permit.

## 5.4. APPLICATION REQUIREMENTS

An applicant for a permit or licence to conduct an event should demonstrate the following in their application:

- Community Benefit demonstrated through some or all of a range of:
  - Improving health and wellbeing
  - Delivery of social and/or cultural outcomes
  - Encouraging participation by City of Port Phillip residents including children, young people, older adults, women and people with disabilities
  - Sustainable tourism
  - Positive economic impact for the local community

- Partnerships with existing local clubs, businesses and community interests
  - Activating underutilised public space
  - Providing a diversity of events
- Control of Community Impact demonstrated through all of:
  - Managing competing demands for use of the public domain, so a balance of opportunities are provided for the whole community
  - Limited disruptions for local community accessing space
  - Protection of the amenity of residents in event locations
  - Impacts ameliorated for residents as far as practicable
- Ability to produce event demonstrated through all of:
  - History of event organisers
  - Risk management and safety practices
  - Other endorsements or certification where relevant
- Control of Environmental Impact demonstrated through all of:
  - Minimal and temporary impact on environment
  - Sustainable use of public space
  - Protection of fauna and flora.
  - Avoiding overuse of any open space
- Site suitability demonstrated through:
  - Availability of suitable amenities as relevant
  - Where possible, choice of a site which is relatively less activated or which has relatively fewer events scheduled.

## 5.5. EVENT APPROVAL

- 5.5.1. Major recreational events on or near the foreshore will be the subject of an annual advertised expression of interest process.
- 5.5.2. If the Council officer considers that there are special and urgent circumstances, a major foreshore event or a long stay event demonstrating significant community benefit may be approved by officers under delegation.
- 5.5.3. Major event and long stay event applications made through the advertised annual competitive expression of interest process will be considered at a Council meeting.
- 5.5.4. Generally, except in exceptional circumstances, the Council will not:
  - approve more than 12 major events with road closures on the foreshore over the period from November – March in any year;
  - approve more than two long stay events per annum per site;
  - schedule major events so that major road closures take place in the same location on more than two weekends in a row.
- 5.5.5. Other event applications will be considered under officer delegation throughout the year.

## 5.6. LIMITATIONS/RESTRICTIONS

- 5.6.1. The following activities are not permitted as it is considered they pose unacceptable safety, amenity or environmental concerns:
- Aircraft and helicopter landings (except in emergencies)
  - Bonfires (exemption for cultural significance)
  - Fireworks.
- 5.6.2. The following events and activities are not permitted under this policy:
- Events promoting tobacco or gambling
  - Events for which the main purpose is alcohol promotion
  - Activities which are directly opposed to objectives in the Council Plan.
- 5.6.3. All events must comply with relevant government standards and regulations.
- 5.6.4. All signage and other uses must comply with the Port Phillip planning scheme and the applicant must obtain a planning permit if required.
- 5.6.5. All parking and vehicle usage is subject to Council parking restrictions, local laws and state road rules. If required by the Council, the applicant must develop and implement site management and traffic management plans in accordance with Council's requirements.
- 5.6.6. Mass helium balloon release will only be permitted on if the balloons are made from biodegradable products.
- 5.6.7. Events involving endangered animals, or cruelty to animals, are not permitted.
- 5.6.8. The distribution of promotional samples must occur a minimum of 100m away from kiosks and restaurants selling similar products.
- 5.6.9. Applicants must not use heritage gardens in a way that would detract from their heritage values will be provided with a higher level of protection against potential damage or overuse. They will be used in accordance with any applicable management plans.
- 5.6.10. Events which are purely of a commercial nature with no additional community benefit will not be permitted.

## 5.7. REQUIREMENTS

- 5.7.1. Events must meet all legal requirements, including obtaining approvals related to building occupancy, health, and liquor licensing.
- 5.7.2. Council officers may consult other agencies as they consider appropriate, including Victoria Police and VicRoads, in considering applications and imposing conditions.
- 5.7.3. Road closures and on-road events will require a traffic management plan and are subject to approval from a Council traffic engineer. The following will be considered when approving road closures:
- Number per year
  - Reccurring closures for the same section of road
- 5.7.4. All major events require public liability insurance indemnifying Council and other events will require insurance as requested by officers.

- 5.7.5. Council officers may require applicants to develop and implement other relevant documents including risk management, emergency management, site and waste management plans.

#### **5.8. FEES**

- 5.8.1. Fees will be set through the annual Council budget process, or as varied by Council resolution.
- 5.8.2. Fees for community or charity events may be reduced or waived as negotiated.
- 5.8.3. Event organisers will be required to reimburse council for the cost of any restoration or repairs which are required as a result of the event and/or its associated activities. A bond in advance may be required.
- 5.8.4. In determining the licence fee or other amount to be paid by the applicant for an event of a commercial nature, the Council may have regard to any applicable guidelines or policies issued from time to time by the Department of Sustainability and Environment.

#### **6. ATTACHMENTS**

- NIL