Outdoor events policy

Version 2, June 2022

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Policy governance

Responsible Service/Department:

Arts, Festivals and Events, City Growth and Culture

Adoption authorised:

Council

Date of adoption:

[Insert Text]

Date effective from:

[Insert Text]

Content Manager folder:

[Insert Text]

Content Manager file #:

[Insert Text]

Endorsed CEO or ELT member or department manager to make or approve document editorial amendments:

Manager City Growth and Culture

Annual desktop review date:

[Insert Text]

Review date:

[Insert Text]

Completion date:

[Insert Text]

Version number:

2

Stakeholder review and engagement:

[Insert Text]

Relevant Legislation:

Local Law No 1 (Community Amenity)

Associated Strategic Direction #:

Strategy 4 - Vibrant Port Phillip

Associated instruments:

Events Strategy, Outdoor Noise Management Guidelines, Sustainable Outdoor Events Guidelines, Outdoor Events Fee Subsidy Guidelines

Supersedes:

Outdoor Events Policy V1

Review History:

Name	Content Manager File Reference	Date	Description of Edits
Name of document	#	DD/MM/YYYY	**Description of changes**

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4. Purpose

4.1 The purpose of this policy is to provide a framework of guiding principles and decision-making criteria to manage a range of outdoor events across the municipality.

5. Outcomes

5.1 Curate an events calendar that meets the needs of the community, showcases our places and spaces, and presents Port Phillip as a premier choice for event promoters and attendees

5.2 Drive economic growth through an events calendar that increases visitation and tourism to the City and enhances its reputation as a destination, and quantify benefits through measurement

5.3 Host an annual events calendar that is representative, inclusive and accessible for our diverse community, supporting community cohesion and wellbeing

5.4 Actively create and support events and the events industry through the COVID recovery period, while prioritising COVID safety and public health at all times

5.5 Support our local creative industries and communities through events: showcasing their work, providing partnership opportunities and activating strategically to meet needs and fill gaps

5.6 Leverage and support Council's strategic vision and brand, seeking events that align with our direction and reflect the community's character and priorities

5.7 Aim to positively influence behaviour within our public spaces and enhance participation and engagement

5.8 Deliver and facilitate leading event practice that balances event impacts with residential amenity, including sustainable practice as a bayside municipality

6. Definitions

Table 1: Definitions of terms

Term	Definition
Council	City of Port Phillip
Event	A planned sporting, recreational, cultural, commercial or social gathering of people being held on Council managed land.
Major event	An event that involves any of the following: • Has an estimated participation or attendance of more than 2000 people • Requires a significant amount of infrastructure

Term	Definition
	• Has major road closures • Has identified high risks or safety concerns • Requires police resourcing • Is usually ticketed
Major road closure	A road closure of an arterial road disrupting the non-event community over a large area and requiring additional approvals from a government authority such as Victoria Police, Public Transport Victoria or VicRoads.
Large event	An event that: • Has an estimated participation or attendance of between 1000-2000 people • Requires a large amount of infrastructure • Has no major road closures
Medium event	An event that: • Has an estimated participation or attendance of between 500-1000 people • Requires a medium amount of infrastructure
Intermediate event	An event that: • Has an estimated participation or attendance of between 200-500 people • Requires a small to medium amount of infrastructure
Small event	An event that: • Has an estimated participation or attendance of up to 200 people • Requires limited to no infrastructure • Is a non-commercial operator, usually community groups with not-for-profit or deductible gift recipient status.

Term	Definition
	• Will have little to no impact on reserves, local residents or businesses
Wedding	An event that involves a legalised marriage ceremony and associated celebrations. Attendance under 200 people and uses limited infrastructure.
Corporate event	A hospitality or social event that is produced by, or for a commercial organisation for staff and acquaintances.
Community event	A free to attend event, produced by a local community group or trader/tourism association, which encourages local celebration and /or community capacity building.
Promotional event	An event which is promoting a product or service, characterised by: • Free samples, launching of new products, showcasing a service/product or competitions • Usually no charge to participants
Long stay event	An event conducted over 5 or more successive days
Market	An event where a group of stalls are selling goods. Markets can be one-off or they can operate on a regular basis.
Provisional approval	The event concept is approved and the date is being held while the event progresses to the next stage of assessment. An event is able to be marketed and tickets sold with provisional approval. An event permit is required before the event can proceed.
Event permit	A permit that allows for an activity to operate on Council managed public space and outlined conditions of this

Term	Definition
	approval. It is only issued once all plans are approved and all requirements have been met. It is granted under Council Local Law 1 (community amenity).
Event provider	This is the individual or organisation responsible for producing the event or activity. This will usually be the person/organisation listed on the event application form or the permit holder.

7. Responsibilities

Table 2: Responsibilities of roles

Role	Responsibility
Role 1	Definition for Role 1

8. Scope

8.1 The policy applies to all outdoor events, promotions and markets on Council managed public space within the municipality. Including (but not limited to) events which are run by private organisations, businesses, schools, special interest groups or community groups.

8.2 The policy does not apply to activity permitted under a separate section of the Local Law including seasonal use of sports grounds, commercial recreational activities or filming.

9. Requirement for permit

An event may only be conducted on Council managed land if:

- A permit has been issued under Local Law No 1 (Community Amenity)
- The applicant has entered into an agreement with the Council in a form required by the Council.

9.2 Generally, permits will be issued for a duration of one year/event. Established events which have a history of high quality event management in the City of Port Phillip and meet Council Plan objectives, may be considered for multi-year provisional approvals.

Prioritised criteria

10.1 The annual Expression of Interest for Major Events will use weighted scores for each application to provide recommendations for approval.

Business support, economic development and strengthening of creative industries

- Increase in visitation, profile and awareness of the area
- Increased patronage for local business and services
- Opportunity for business to broaden reach and attract new audiences
- Direct and indirect employment opportunities
- Opportunities to foster and promote local artists and creative industries, encouraging partnerships and collaborations

Social and cultural benefit

- Opportunity for community strengthening, connection and social benefit
- Opportunity to increase engagement with, and pride in, the local area
- Increase interaction with local community, including local artists, community groups and facilities
- Increase in civic participation and contribution
- Increase usage and activity at key activity centres and open space, and opportunities to change behaviour or perceptions within key areas

Premium Sites

South Beach Reserve, St Kilda

In order to be permitted to use the entirety of the site:

- Events must attract a minimum of 4,000 patrons per day
- Events that can show strong alignment to the following selection criteria:
  - Increase in visitation, profile and awareness of the area
  - Increased patronage for local business and services
  - Increase usage and activity at key activity centres and open space, and opportunities to change behaviour or perceptions within key areas

Events that can provide opportunities to foster and promote local artists and creative industries, encouraging partnerships and collaborations will also be highly regarded. Events that do not meet the above conditions will only be considered if they occupy less than 50% of the site.

Triangle Site, St Kilda

In order to be permitted to use up to 50% of the site outside of summer:

- Events must show they would face difficulties being sited on grass
- Events should trial potential future cultural use of the site
- Events that can show strong alignment to the following selection criteria:
  - Increased patronage for a significant portion of local business and services
  - Opportunity for business to broaden reach and attract new audiences
  - Opportunities to foster and promote local artists and creative industries, encouraging partnerships and collaborations
  - Support for live music or games and play based activities

If greater than 50% of the site is required, or any part of the site in summer, officers will inform Councillors for an initial response

Catani Gardens, St Kilda
In order to be permitted to stage an event in Catani Gardens:

- Events must comply with all Heritage Victoria obligations and application requirements
- Events must show strong alignment to the following selection criteria:
  - Increase in visitation, profile and awareness of the area
  - Increased patronage for local business and services
  - Opportunities to foster and promote local artists and creative industries, encouraging partnerships and collaborations
  - Opportunity for community strengthening, connection and social benefit

11. Application process

11.1 All events must complete an application form and pay applicable fees before assessment commences.

11.2 Applications can be made through the following processes:

- Annual **Expression of Interest** (EOI) for major events and markets. This is the main application process to build the major events calendar. It is open to all activities but is focused on major events which will be held in highly contested areas. Events approved through this process will secure early approval for the upcoming season and the process allows for multi-year permitting. Activities in this process would usually include:
  - Major events
  - Major road closure events
  - Long stay events
  - Ticketed events attracting over 1000 participants
  - Long term markets

- **General Application - Major Event and Markets.** Major events and markets demonstrating professional operations may be approved through the general application process and will be considered when there is availability. This may occur after the EOI process is complete.

- **General Application – General Events.** All other events, markets and activities can apply throughout the year outside the annual EOI process. Events which would usually apply through this process include:
  - Medium, Intermediate and Small Events
  - Weddings and Corporate Events
  - Community Events
  - Promotions

12. Approval and Permitting

12.1 The approval process can run from one week for small activities to four months for major events/markets applying through the annual EOI .

12.2 Assessment and permitting of events and markets will include a variety of stakeholders across Council and when relevant will involve consultation with other agencies, including Victoria Police, Parks Victoria, DELWP and VicRoads.

12.3 Approval is via officer delegation at the following levels:

- Annual EOI – CEO or General Manager
- Major Events and Markets – Manager City Growth and Culture
- General Events – Coordinator Events, Partnerships and Industry Development

12.4 Provisional approval is provided once the concept, date and site have been approved. The event will only be able to operate on Council managed land once final approval and the event permit is issued.

12.5 After provisional approval, the usual permitting process will run from one week to six months. Timeframes are dependent on the complexity and size of the activity.

12.6 An Event Permit will only be issued after all requirements are met. Including but not limited to:

- all documentation received and approved
- all processes/procedures are approved
- approval received from all stakeholders
- payment of invoices is made in full.

12.7 Post-event reviews will be undertaken for all major events as part of an ongoing improvement process.

13. Operational and Safety Requirements

13.1 The following is required to receive an event permit:

- Event Management plans must be approved by Council including (but not limited to) risk management, emergency management, noise management, site plans, security provisions and waste management

- Events must meet all legal and regulatory requirements, including (but not limited to) obtaining approvals related to building permits, music licences, food services, and liquor licensing

- All major events require public liability insurance of $20M indemnifying Council. Other events require a minimum of $10M or as requested by Council Officers.

- Road closures and on-road events require a professionally produced traffic management plan, suitably qualified traffic controllers and marshals, and are subject to approval from Council Traffic Engineers. Major road closures are required to be delivered by an experienced traffic management company, with approvals from VicRoads for any arterial road changes.

- Major events must be delivered by a professional event provider who has the relevant experience and ability to deliver high quality, safe events with impact mitigation as required.

- Use equipment and infrastructure that is well maintained, structurally sound, safe and has the ability to withstand exposure to climatic conditions

- Event contractors are the responsibility of the event provider and must be appropriately qualified and insured.

13.2 All events are required to:

- Minimise negative impact and overuse of our public spaces
  - Have management strategies in place to minimise potential impacts on the local community as far as practicable
  - Have minimal and temporary impact on sites, protect the natural environment in a sustainable way and protect Council assets.

- Promote a healthy, safe and welcoming experience
  - Meet all Council, State and National regulatory requirements
  - Have all necessary approvals from other relevant regulatory bodies, such as Victoria Police, WorkSafe and Parks Victoria.
  - Noise management must be suitably managed in alignment with the *Outdoor events noise management guidelines.*
  - Public order must be maintained with suitable security requirements in place.

- Have a meaningful commitment to minimising their impact on the environment
  - Activities are encouraged to be both socially and environmentally responsible
  - Have a commitment to minimising the impact of the event on the environment
  - Develop sustainability policies and practices that reduce the overall generation of waste (particularly single use plastics) and maximise diversion from landfill.
  - Port Phillip is committed to sustainable practices at outdoor events and requires event operators to operate in line with our *Sustainable outdoor events guidelines*. These requirements include:
    - Helium balloons are not permitted and organisers are encouraged to find alternatives to all types of balloons
    - A recycling stream must be included as part of the waste management plan
    - Styrofoam, single use plastic bags and single use straws cannot be used.

- Align to the Council Plan, Outdoor Events Policy, Events Strategy and all other relevant Council policies, resolutions and guidelines.

13.3 Generally, excluding exceptional circumstances, the Council will not:

- Approve more than 13 externally produced major road closures along the foreshore over any financial year;

- Schedule events so that major road closures take place in the same location no more than two weekends in a row.

13.4 The following activities will not be permitted:

- Events promoting tobacco or gambling
- Events which are discriminatory in nature
- Events involving exotic (non-domesticated) animals, or potential cruelty to animals
- Activities which are directly opposed to objectives in the Council Plan.

13.5 It is the responsibility of the event provider to seek and gain all approvals relating to their event.

13.6 Heritage gardens will be provided with a higher level of protection against potential damage or overuse. They will be used in accordance with all applicable management plans and approval will be sought as appropriate from Heritage Victoria.

13.7 Events with fireworks or any form of pyrotechnics will be required to:

- Notify surrounding residents 10 days prior to their event,
- Have appropriate crowd control and exclusion zones in place, and
- Have all approvals from the required regulatory bodies including FRV, CASA and WorkSafe

13.8 Council may decline, cancel or modify events at any stage due to:

- Safety concerns
- Extreme weather
- Identified high risks
- Unsafe practices
- Illegal practices
- If the event differs from the original application
- The event does not meet the requirements of this policy or the outlined requirements of provisional approval. Including but not limited to payment of invoices, meeting deadlines, other agency approvals and/or submission of appropriate documentation.
- In the event of a State Emergency

13.9 Council reserve the right decline any event or activity which is not in line with this policy.

14. Permit Approval Deadlines

14.1 Event information and documentation deadlines will be set at provisional approval stage. Failure to meet these deadlines will result in additional fees and/or cancelation of an event.

15. Fees

15.1 Fees are set through the annual Council budget process, or as varied by Council resolution.

15.2 Event fees are payable to the Council before the commencement of the event.

15.3 Event providers are responsible for all event related costs.

Fee Subsidy Program

15.4 A fee subsidy program is available. Event fee subsidies aim to provide opportunities for eligible outdoor events to apply for support through providing discounts on event permit fees.
15.5 Events may be considered eligible for fee subsidies if they meet the following conditions

- Support the prioritised places and spaces within the Events Strategy
- Have a deductible gift recipient (DGR) status or have significant fundraising commitments where the beneficiary is aligned to the Council Plan. Requests for waivers based on fundraising efforts will be assessed on their merits, and can only be approved by the Manager City Growth and Culture
- Are produced by local community, sporting or trader groups
- Are receiving funding or resourcing from City of Port Phillip or are linked to key Council programs
- Offer free activities/access for the local community
- Are low impact and require low officer time involvement
- As part of trialling or testing new event sites, concepts or initiatives within the municipality

15.6 Events eligible for fee subsidies will need to apply following an application process outlined in the *Outdoor events fee subsidy guidelines*.

Other event related costs/fees

15.7 Event providers are 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. All repairs will be undertaken by approved Council contractors.
15.8 A bond in advance may be required. This may be for protection of Council assets, noise control or both.
15.9 Additional fees may be applied for other approvals, such as Building Permits (for large structures or fencing.)

16. Cancelations and Refunds

16.1 Deposits are non-refundable.
16.2 Refund timeframes will be outlined in provisional approval and/or permit approval documentation.
16.3 Refunds will not be given to cancellations due to acts of nature and/or bad weather. The possibility of inclement weather needs to be taken into account in the planning process.
16.4 Cancelations and requests for refunds are only accepted in writing.
16.5 The event provider is responsible for notifying Council, contractors, ticketholders and the general public of any cancellations.

17. Termination

17.1 The Council reserves the right to terminate an event permit if:

- permit conditions are breached

- any laws are broken
- significant safety issues are identified and unable to be mitigated
- a misrepresentation is identified in an application.
- a State of Emergency is declared

17.2 Fines may be applied for breaching conditions or the local law.

18. Appeal process

18.1 Appeals regarding the event permitting process are to be addressed in writing to either the Coordinator Events, partnerships and Industry Development or the Manager City Growth and Culture.

18.2 Appeals will be assessed against this Policy and the Events Strategy.

18.3 Appeals will be considered by an internal working group and where applicable with the input of external regulatory bodies.

18.4 The outcome will be issued in writing.

19. Relevant policy, regulations or legislation

- Council Plan 2021-31
- Port Phillip Local Law No 1 (Community Amenity)
- Events Strategy
- Act and Adapt : Sustainable Environment Strategy
- Art and Soul - Creative and Prosperous City Strategy
- Municipal Public Health and Wellbeing Plan
- Access and Inclusion Plan
- Catani Gardens and Southern Foreshore Management Plan
- Places for People: Public Space Strategy 2022-32
- Foreshore Management Plan
- Sport and Recreation Strategy
- Child Safe Policy
- Reconciliation Action Plan
- First Peoples Arts Policy

20. Attachments

- Outdoor events noise management guidelines
- Outdoor events fee subsidy guidelines
- Sustainable outdoor events guidelines