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| **Council policy title:**  | Events in Public Places Policy 2024 |
| **Council policy sponsor:** | Director Environment, Recreation and Infrastructure  |
| **Adopted by:** | Bayside City Council |
| **Date adopted:** | 21 May 2024  |
| **Scheduled review:** | June 2027  |
| **Document reference:**  | DOC/24/114601 |

1. Why does this policy exist?

This policy exists to ensure Council can balance the rights and responsibilities of event organisers, participants and community members.

1. Policy intent

The intent of the Events in Public Places Policy (the Policy) is to:

* Establish Council’s role in facilitating and supporting community events.
* Achieve a balance between the rights of participants to partake in a variety of events and the rights of residents to enjoy their local amenity.
* Establish the management framework for the conduct of events on Council owned or managed public open space; and
* Ensure compliance with relevant legislation and Local Laws.
1. Policy purpose

This Policy:

* Supports the conduct of celebrations, festivals and events that benefit the community and drive economic growth through increase visitation to the area.
* Ensures there is a consistent, transparent, simple and equitable process for the approval of events and issue of events permits; and
* Encourages high quality, safe and sustainable events.
1. Glossary - Definitions and Abbreviations

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| **Term** | **Definition** |
| Events | Occasions that fit the scope described in Section 5 |
| Road Race Event  | Walking, cycling and or running events that on roads within the Municipality.  |
| Arterial Road  | Major road governed by The Department of Transport.  |

1. Scope
	1. The Policy applies to all event owners and/or organisers including events organised by commercial, community and charitable organisations, schools, special interest groups, Council or Individuals.
	2. Event Types - The Policy applies to events as described below:
* Festivals
* Markets
* Music
* Cultural
* Fun Runs
* Commercial triathlons and marathons
* Aquathons
* Charity Events
* Other large social events.
	1. The Policy applies to events conducted in the following locations:
* Council owned and/or managed open space where a space is booked or reserved.
* Public Roadways.
* Roadways that are owned by the Department of Transport.
* Private land where public space (roadway, footpath, nature strip or park) is impacted by the event or used for parking of vehicles, storage of equipment, erection of infrastructure, implementation of traffic management plans or any other purpose.
	1. The Policy applies to events:
* Where a road must be closed.
* With 100 or more attendees.
* A significant structure erected.
* Private events where Council assets are impacted.
* A space is reserved.

The Policy does not apply to family/community gatherings where none of the above applies and attendees is less than 100 people (e.g. a family picnic)

1. Policy statement

Events play an important role in community life. Communities come together to celebrate annual events, enjoy festivals and conduct recreation activities. Events play a significant role in building community identity and cohesion.

As Council owns many public spaces where events take place it has a role in facilitating events while also managing and mitigating risks and minimising any adverse impacts on residents, businesses, visitors, open space and the environment.

The following Policy statement is designed to recognise Council’s complex role in balancing the right and responsibilities of event organisers, participants and community members.

Council welcomes and actively encourages appropriate events that:

* Build strong communities and supports local community groups.
* Support community health and wellbeing.
* Contribute to economic development.
* Strengthen participation in inclusive activities.
* Build the image of the municipality.
* Incorporate access, diversity and inclusion.
* Support sustainability and have minimal impact on the environment.

Council also:

* Strives to make it easy to stage events in Bayside.
* Acknowledges it has a role to support events of benefit to greater Melbourne.
* Balances it’s support for events with protection of resident and public amenity.
* Encourages community groups to be involved in the delivery of events, where appropriate.
	1. Road Events

Cycling and running/walking events, that include major road closures are popular activities in Melbourne, and Beach Road, The Esplanade and St Kilda Street are popular venues for these events to be undertaken. However, this is a major access route both for people living in the area and for visitors to our popular beaches. To achieve a balance between the opportunity to participate in these events and the preservation of local amenity, a limit has been placed on the number of events that can be conducted at different times of the year.

A maximum of six (6) road events will be permitted along Beach Road, The Esplanade and St Kilda Street each calendar year.

Applications for community road events using other roads (not Beach Road, The Esplanade or St Kilda Street) will be assessed on application but will not exceed two (2) road events at the same location, occurring between November and March each year and two (2) road events occurring between April and October each year.

Events requiring road closures will not be staged or permitted to occur at the same location of road and/or reserve on consecutive weekends.

Events on Beach Road, The Esplanade or St Kilda Street are not able to commence prior to 6.00am. The road is to be open and ready for use by 11:30am. Events on other roads and requests for a later opening time, will be assessed on application and approved by the Manager of Open Space and Recreation.

The Department of Transport are responsible for the final approval for the closure of all arterial roads within Bayside.

* 1. Payment of Fees

Event fees will be determined annually as part of Council’s annual budget process.

All fees payable in relation to events must be paid prior to issue of a permit. No fees will be waived prior to an event.

* 1. Indemnity

The event organiser conducts an event at their own risk and must indemnify and hold harmless the Council against all claims resulting from any damage, loss, death or injury in connection with the open space used and the use and occupation of the open space by the casual user.

* 1. Compliance

The event organiser must comply with all conditions of the permit issued for the event.

* 1. Sustainable Events

Council is committed to strengthening the sustainability of events within Bayside. The Sustainability Event Guidelines encourages all event organisers to produce events that are in line with Council’s commitments to ban single-use plastics, maintain carbon neutrality and lead in sustainability.

1. Monitoring, evaluation & review

Councils Events officer will review quarterly:

* The number of event applications.
* The number and type of events conducted.
* Compliance with this Policy.
* Revenue from events.
* Event Permits issued within required timeframes.
1. Roles & Responsibilities

The Manager Open Space and Recreation is responsible for:

* Provision of high-quality information and support to event organisers.
* Ensuring compliance with this Policy, Councils Event and Sustainability guidelines and other legislative requirements.
* Advice to senior management in relation to events and the impact of this Policy.

Other Council Departments that issue other permits that may be needed to stage an event are responsible for:

* Supporting the Open Space and Recreation Department to enable high quality customer service to event organisers.
* Issuing of permits in a timely manner.
1. Related documents
	1. Victorian Legislation:
* [Crown Land (Reserves) Act 1978](https://www.legislation.vic.gov.au/in-force/acts/crown-land-reserves-act-1978/130)
* [Local Government Act 1989](https://www.legislation.vic.gov.au/in-force/acts/local-government-act-1989/162)
* [Building Act 1993](https://www.legislation.vic.gov.au/in-force/acts/building-act-1993/136)
* [Food Act 1984](https://www.legislation.vic.gov.au/in-force/acts/food-act-1984/117)
* [Road Management Act 2004](https://www.legislation.vic.gov.au/in-force/acts/road-management-act-2004/064)
* [Planning and Environment Act 1987](https://www.legislation.vic.gov.au/in-force/acts/planning-and-environment-act-1987/155)
* [Major Sporting Events Act 2009](https://content.legislation.vic.gov.au/sites/default/files/c9ce2661-5288-3516-aca1-0a9e439f3fb8_09-30a.pdf)
* [Occupational Health and Safety Act 2004](https://baysidecitycouncil-my.sharepoint.com/personal/gstarke_bayside_vic_gov_au/Documents/Desktop/Occupational%20Health%20and%20Safety%20Act%202004)
* [Liquor Control Reform Act 1998](https://www.legislation.vic.gov.au/in-force/acts/liquor-control-reform-act-1998/109)
* [Working with Children Act 2005](https://www.legislation.vic.gov.au/as-made/acts/working-children-act-2005)
* [Fundraising Act 1998](https://www.legislation.vic.gov.au/in-force/acts/fundraising-act-1998/042)

Please note: This policy is current as at the date of approval. Refer to Council’s website (<https://www.bayside.vic.gov.au/council/plans-strategies-and-policies>) to ensure this is the latest version.

**Compliance Considerations**

**Human Rights Charter**This Policy has been assessed against the principles of the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) and is considered to be compatible with the Charter. In assessing the proposed changes, consideration has also been given to the *Equal Opportunity Act 2010.*

**Equity Impact Statement**

The implications of this policy have been assessed and are compliant with the requirements of the *Gender Equality Act 2020*.

**Governance Principles**

In the development of this Policy, the requirements of the Governance Principles as per the *Local Government Act 2020* have been considered and are summarised below:

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| **LGA S 9.1** | **Governance Principle** | **Consideration** |
| a) | Compliance with the law | No legal implications relative to the Policy. |
| b) | Achieve best outcomes for the community | With the guiding principles in place, we will be taking a collaborative approach across the organisation and in the community to provide a balance for events within the Municipality.  |
| c) | Promote the sustainability of the municipality | The Sustainability Events Guidelines encourages all event organisers to produce events that are in line with Council’s commitments.  |
| d) | Engage the community in strategic planning and decision making | The Policy was initially prepared in response to a review undertaken in July 2011 that identified Council’s policy in relation to events and event management was in need of detailed examination and revision |
| e) | Strive for innovation and continuous improvement | The Policy is due to be renewed every three years. This will ensure the Policy is continuously updated to reflect the needs of the events industry and community.  |
| f) | Collaborate with all other levels of government and government agencies | Events Officer meets and collaborates with other Local Government Officers once a month regarding community events.  |
| g) | Secure the ongoing financial viability of Council | All events undertaken on Council land will be required to pay a Permit fee in line with Councils adopted Fees and Charges. No fees will be waived prior to an event.  |
| h) | Strategic planning and decision making must take into account plans and policies in operation at all levels. | The Policy considers all linked Victorian legislation and Council strategies outlined in Section 9.  |
| i) | Council decisions, actions and information must be transparent. | Bayside staff and Councillors involved in the preparation of the Policy have no conflict of interest or disclose for transparency. |