



<b>Council Policy</b>	Event Conditions <b>(DRAFT)</b>		
<b>Reference</b>	Strategic Community Plan 2013-2023 Priority Area: 1 Major Strategy: 1.3	Corporate Business Plan 2020 - 2024 Priority Area: 1 Major Strategy: 1.4	
<b>Responsible Officer</b>	Executive Manager Corporate Services and Governance		
<b>Policy Area</b>	Corporate Services – Community		
<b>Council Adoption Date</b>		<b>Version Number</b>	V1
<b>Amendment Dates</b>		<b>Next Review Date</b>	2023

This Policy replaces all previous policies related to this topic.

## 1. Policy Purpose

- 1.1. This Policy provides authority for the Chief Executive Officer (CEO) to approve the use of Town of Cottesloe facilities and to approve event applications, subject to compliance with relevant legislation, local laws and policies.
- 1.2. This Policy aims to ensure that the primary usage of facilities under the control of the Town of Cottesloe remains for passive recreation that endeavours to not impede public access to facilities.

## 2. Policy Scope

- 2.1. Unless exempt under this Policy or any other Council Policy, **or by any decision of Council**, this Policy applies to all events held at Town facilities, including events produced by the Town.
- 2.2. This Policy applies in addition to any relevant legislation, legal requirements and Town of Cottesloe Local Laws and Policies, in place at the time an application is made.

## 3. Policy Requirements

- 3.1. **For an event to be approved the following criteria must be met:**



- 3.1.1 **The event complies** with all relevant legislation, local laws and policies at all times.
- 3.1.2 The applicant is required to hold public liability insurance, with cover no less than \$20 million.
- 3.1.3 The event will not cause a significant adverse environmental effect as determined by the **CEO**.
- 3.1.4 **The applicant shall ensure adequate** arrangements for recycling and waste removal as determined by the **CEO**.
- 3.1.5 Single use plastics, polystyrene or Styrofoam are not to be used, sold or distributed by the applicant (or any parties under the applicant's control or supervision) before, during or after the event. In exceptional circumstances (e.g. the use of medical equipment) the **CEO** on receipt of an application may consider the use of single use plastic items where there is no reasonable alternative.
- 3.1.6 The applicant (**and** any parties under the applicant's control or supervision) is not permitted to use or release gas filled balloons.
- 3.1.7 The applicant (**and** any parties under the applicant's control or supervision) is to ensure the event is smoke free.
- 3.1.8 **The event is to be conducted** consistent with the protection afforded to the full length of the Cottesloe Reef as a Fish Habitat Protection Area (FHPA).
- 3.1.9 **The applicant is to deal with** transport and/or parking with appropriate access/signage to and from the event, **to the satisfaction of the CEO**.
- 3.1.10 **The applicant is to** promote sustainable transport including walking, riding and public transport alternatives.
- 3.1.11 **The applicant is to** submit a Risk Management Plan or Assessment, as determined by the **CEO**.
- 3.1.12 **The applicant is to** provide satisfactory security and crowd control measures, as determined by the **CEO**.
- 3.1.13 No liquor is to be served unless authorised by the CEO. A valid licence from the Department of Racing, Gaming and Liquor is to be provided to the Town for comment prior to the event if the sale **or supply** of alcohol is to occur.



- 3.1.14 The applicant is to provide to neighbouring properties timely notification of the event taking place, to the Town's satisfaction, and provide them with a mechanism to provide feedback about the event.
  - 3.1.15 No private events are to be held on beaches. However, simple wedding ceremonies may be permitted where the CEO is satisfied that they will not unduly impact on the use of the facilities by other users.
  - 3.1.16 No private events involving the use of subcontractors may be held on Town facilities. However, small scale personal events such as children's birthday parties (1 -13 years) may be permitted where the CEO is satisfied that they will not unduly impact on the use of the facility by other users.
  - 3.1.17 The applicant shall comply with any other requirement of the CEO in relation to the specific event.
- 3.2. When considering events, the CEO:
- 3.2.1 Should not approve, in any 12 month period at any one location, more than two events requiring approval under Regulation 18 of the Environmental Protection (Noise) Regulations 1997. However, the CEO can approve more than two such events if satisfied, after appropriate consultation, that the majority of the affected residents have no objection to the holding of the additional events.
  - 3.2.2 May authorise up to one public commercial event (as per the Town's Event Classification Policy) per month at any location.
  - 3.2.3 May permit other commercial activity at Town Halls, as per the Civic Centre Hall Hire Policy.

## 4. Exemptions

- 4.1. This Policy does not apply to Cottesloe Civic Centre exclusive event and catering contractor, for events carried out under the relevant contract.

## 5. Definitions

- 5.1. **CEO** – Chief Executive Officer for the Town of Cottesloe or delegate;
- 5.2. **Facility/Facilities** – Any building, reserve or public open space that is owned by the Town or under the Town's care, control or management.



## **6. Relevant Legislation includes:**

- 6.1. *Health (Public Buildings) Regulations 1992*
- 6.2. *Food Act 2008*
- 6.3. *Health (Miscellaneous Provisions) Act 1911 and subsidiary regulations*
- 6.4. *Environmental Protection (Noise) Regulations 1997*
- 6.5. *Health Local Law 1997*
- 6.6. *Special Events Local Law 2006*
- 6.7. *Local Government Property Local Law 2001*
- 6.8. *Beaches and Beach Reserves Local Law 2012*
- 6.9. *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001*

## **7. Other Relevant Procedures/Key Documents include:**

- 7.1. Liquor (Licensed Premises) Policy
- 7.2. Event Classification Policy
- 7.3. Civic Centre Hall Hire Booking Policy
- 7.4. Beach Policy
- 7.5. Fireworks Policy
- 7.6. Schedule of Fees and Charges
- 7.7. Facility Hire – Conditions of Use
- 7.8. Event Application Form
- 7.9. Contract - Cottesloe Civic Centre exclusive event and catering contractor

## OUTDOOR CONCERTS AND LARGE PUBLIC EVENTS

### 1. Background

The Town of Cottesloe is an attractive location to hold an outdoor concert or large public event.

Whilst the Town recognises that the staging of outdoor concerts and other large public events can have significant benefits to the community at large, it acknowledges that they require effective management to avoid adverse impacts on nearby residential areas and the environment.

The Town, as an owner of some venues suitable for the staging of such events, has a responsibility to ensure that these venues are used in such a way so as to minimise the inconvenience or nuisance to residents, businesses and the general public. Further, the Town also has an obligation to encourage the legitimate use of suitable privately owned venues.

As the attraction for large public events in the Town grows the Town will be in a position whereby it can foresee and manage likely impacts on the community and the environment.

### 2. Aims

To manage the impacts of outdoor concerts and large public events on the community and the environment.

### 3. Objectives

To provide guidelines to:

- Facilitate the activities of promoters who wish to stage compliant events; establish protocols to ensure that applications for events comply with statutory requirements and are appropriately located, assessed and approved.
- Limit the Town's public liability risk that may result from outdoor concerts and large public events.
- Ensure that the Town and its staff adopt a consistent and coordinated approach in the assessment and approval of outdoor concerts and large public events held in the Town.
- Incorporate controls to minimise the impact of an event on the nearby residents.
- Above all, promote the safety of event patrons.

### 4. Policy

The Town of Cottesloe is committed to;

- Preserving the reasonable amenity of residents and businesses surrounding a venue used for the purpose of staging outdoor concerts and large public events.
- Ensuring that the reasonable community/society expectations to be entertained are met.

All outdoor concerts and major public events shall comply with the Town of Cottesloe's Guide to Outdoor Concerts and Large Public Events.

The Town will support up to two outdoor concerts only at any venue within a 12 month period.

The Town of Cottesloe requires the promoter to take all reasonable precautions with regards to public safety, health and the appropriate and sustainable use of the venue.

A Risk Management and Evacuation Plan, satisfactory venue maintenance procedure, sufficient crowd control and appropriate public liability cover are to be provided.

An application for an event is to be made to Council on the Event Application and Checklist Form not less than 90 days prior to an event. The Chief Executive Officer may request additional information or action as deemed appropriate.

The in-principle support of the Council of the Town of Cottesloe to stage an outdoor concert or large public event does not constitute an approval. Approval for an event will only be given by the Chief Executive Officer upon satisfactory compliance with all statutory and other requirements at least 24 hours prior to the commencement of an event.

This policy applies in addition to any relevant legislation, Standards Australia standards or any other legal requirement in place at the time an application is made.

Adopted	28 November 2005
Expected date of review	

## FIREWORKS

### 1. Objectives

The fireworks policy is intended to:

- Minimise distress and potential risk to the community and environment.
- Support uses of the beach that promote the public enjoyment of the beach.
- Ensure legislative requirements are met.

Observance of the policy will protect the quiet and amenity of the beach reserves and ensure that approved fireworks on Town of Cottesloe beach reserves have the required public notice, operate within restricted times and occur at a minimum distance of 500 metres from a protected place.

### 2. Background

The *Beaches and Beach Reserves Local Law 2012* provides that no person shall discharge any firework except as approved in writing by the Town.

The main issues to be taken into account when considering a fireworks event include:

- potential damage to sand dune vegetation caused by spectators and fireworks
- litter management and disposal
- adverse noise for adjacent residents and nesting birds
- public liability protection for the Town of Cottesloe

### 3. Definitions

‘Council’	means the council of the Town of Cottesloe.
‘Fireworks’	means firework displays held on beach reserves under the care, control and management of the Town of Cottesloe for the entertainment of particular recognised groups or the general public.
‘Function’	means without limiting the generality of such term, includes a carnival, show, fete, concert, exhibition, gymkhana, sporting event, a training or practice session in connection with a sport.
‘Allowed Times’	means the hours between 4.00pm and 8.30pm on any approved day.
‘Sensitive Place’	means a sensitive establishment for example, health care facility, nursing home, aged persons’ home, church, animal shelter, bird nesting site or menagerie.
‘Public Notice’	means notification of a fireworks event by a letterbox drop to all surrounding residents within 200 metres of the fireworks site and a display advertisement in the local paper, a minimum of 10 days prior to the event.

**4. Policy Statement**

Applications for fireworks on Council beach reserves will generally be approved by Council, at its absolute discretion, for New Years Day, Australia Day and Lunar New Year celebrations. Any approval granted is conditional upon Public Notice and all other State and Commonwealth legal requirements being met.

Applications for fireworks on days other than those listed above may be approved by Council at its absolute discretion. Approval may be subject to any conditions that Council deems appropriate.

Applications generally will not be approved for fireworks within 500 metres of a Sensitive Place or for hours outside Allowed Times or for events beginning later than 8.30pm.

Applications are to be in writing and received sixty days prior to the fireworks event.

Applications must address how the following risks are to be managed:

- potential damage to sand dune vegetation caused by spectators and fireworks
- litter management and disposal
- adverse noise for adjacent residents and nesting birds
- public liability protection (\$10 million minimum) for the Town of Cottesloe

Applications are to be accompanied by a map or aerial photo setting out the site of the fireworks event and showing a 200 metre and a 500 metre radius from the event site.

Adopted	25 June 2007
Reviewed	26 November 2012
Expected date of review	