

**ADMINISTRATION****10.1.4 EVENT APPLICATION - ZACCARIA CONCERTS AND TOURING PTY LTD  
– BY THE C 2017**

**File Ref:** SUB/2402  
**Attachments:** Executive Summary  
**Responsible Officer:** Mat Humfrey  
Chief Executive Officer  
**Author:** Garry Bird  
Manager Corporate & Community Services  
**Proposed Meeting Date:** 26 April 2017  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

To consider an application received from Zaccaria Concerts and Touring Pty Ltd, requesting approval for a concert at Cottesloe Beach on Sunday 29 October 2017 or Sunday 19 November 2017.

The event hopes to attract 6,000 patrons with the concert to operate between the hours of 3.00pm and 8.00pm.

An Executive Summary of the proposed event has been received and is attached for the information of the Elected Members.

**BACKGROUND**

Zaccaria Concerts and Touring Pty Ltd is a concert promoter in Australia and Asia with significant experience in the promotion and production of large scale concert events including outdoor concerts.

In November 2016, Australian artists John Butler Trio and Angus and Julia Stone performed at Cottesloe Beach for the inaugural By The C beach concert with hopes of creating an annual event.

*At the 2016 By The C event 'patrons were able to lay back on their picnic rugs and enjoy a glass of wine or a sampling of local food provided by specially curated food providers, as the ... music of ... Angus & Julia Stone drifted out along the salty sea breeze. As the day turned to dusk, patrons were then able to revel in the roots rock of Fremantle's very own John Butler Trio' as described by Zaccaria Concerts and Touring Pty Ltd.*

**STRATEGIC IMPLICATIONS**

*Strategic Community Plan 2013 to 2023*

Priority Area One: Protecting and Enhancing the Wellbeing of Residents and Visitors

Major Strategy 1.3: Identify places to host more cultural events and activities.

Consideration of the application to stage a concert event at Cottesloe Beach is in keeping with this stated strategic objective.

## **POLICY IMPLICATIONS**

### **Events Classification Policy**

The above Policy categorises events into four types with this application being classified as a commercial event, as an admission fee will be charged and the organisers of the event would retain the profits.

### **Outdoor Concerts and Large Public Events Policy**

The aim of this Policy is to '*manage the impacts of outdoor concerts and large public events on the community and the environment*'. The Policy states:

- a) *The Town of Cottesloe is committed to;*
  - ) *preserving the reasonable amenity of residents and businesses surrounding avenue used for the purpose of staging outdoor concerts and large public events, and*
  - ) *to ensuring that the reasonable community/society expectations to be entertained are met.*
- b) *All outdoor concerts and major public events shall comply with the Town of Cottesloe's Guide to Outdoor Concerts and Large Public Events.*
- c) *The Town will support up to two outdoor concerts only at any venue within a 12 month period.*
- d) *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.*
- e) *A Risk Management and Evacuation Plan, satisfactory venue maintenance procedure, sufficient crowd control and appropriate public liability cover are to be provided.*
- f) *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 CEO may request additional information or action as deemed appropriate.*
- g) *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 CEO upon satisfactory compliance with all statutory and other requirements at least 24 hours prior to the commencement of an event.*
- h) *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.*

The application is considered to be a permitted event in accordance with this Policy, subject to the restrictions and conditions imposed and final approvals, and as such warrants consideration by Council.

**Beach Policy**

The aim of this policy is to *‘provide guidelines for the Town of Cottesloe to enable consistency in decision making in relation to the beachfront’*.

The Policy defines a significant beach event as *‘an event which involves one or more agencies and which will result in more than 50 people, or any form of structure, being on the beachfront area (including the Marine Parade public areas)’*.

In regards to significant beach events as defined by the Policy, commercial events are not to be approved by the Chief Executive Officer and are to be referred to Council for approval, who has absolute discretion in whether approval should be granted or not.

The primary objectives of the Policy are, in summary, to protect and preserve the beach environment. In considering uses of the beach, *‘the primary consideration against which all uses are measured is the public interest, particularly for residents of Cottesloe, and safety having regard to the environmental parameters and limits of capacity of the beach reserve. In this context, the beach reserves are to be administered in the interest of residents of Cottesloe, the people of Western Australia and visitors to the metropolitan region’*. Although permissible under this Policy and others described above, it is a question for the Council to consider whether an event of this nature is in the interests of the general public.

A secondary objective of this Policy is to *‘identify and develop mechanisms to offset the cost of maintaining the beach area in order that the expenditure is not borne solely by residents and ratepayers of Cottesloe’*. Approval of the event and the subsequent revenue it generates would be in keeping with this secondary objective.

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Environmental Protection (Noise) Regulations 1997*

*Health (Public Buildings) Regulations 1992*

*Town of Cottesloe Local Government Property Local Law 2001*

*Town of Cottesloe Beaches and Beach Reserves Local Law 2012*

*Metropolitan Region Scheme*

Part 9 of the Beaches and Beach Reserves Local Law requires all beach events to be applied for in writing and may be refused by Council or approved with any conditions it so determines.

It is noted that approval from the Western Australian Planning Commission and the Department of Racing, Gaming and Liquor will also be required for the event.

**FINANCIAL IMPLICATIONS**

As the event is classified as commercial as per Council Policy, the following fees would apply:

|  |                  |
|--|------------------|
| Commercial (>500 to <1000 people) – Full Day | \$3,000 per day  |
| Commercial (>1000 ~ <2000 people) – Full Day | \$6,000 per day  |
| Commercial (<2000 ~ <3000 people) – Full Day | \$10,000 per day |
| Commercial (>3000 people) – Full Day         | \$15,000 per day |

The event organisers have indicated that they are anticipating 6,000 patrons and as such, a fee of \$15,000 would apply. A bond of \$5,000 would also be applicable. Other minor fees would also be levied such as a Noise Monitoring Fee and Environmental Protection (Noise) Regulations exemption application fee, as required.

If the application was approved by Council, this income would be in excess of budget forecasts for facility hire at Cottesloe Beach and could be used by Council for a specific activity or purpose if so desired. If not, the funds would form part of general revenue for the 2017/18 financial year.

### **STAFFING IMPLICATIONS**

There are no staffing implications arising from the Officers Recommendation.

### **SUSTAINABILITY IMPLICATIONS**

Such an event has the potential to impact on the beach environment and comprehensive waste and traffic management plans will alleviate much of this risk.

### **CONSULTATION**

Town of Cottesloe Staff and Elected Members  
Zaccaria Concerts and Touring  
Western Australian Planning Commission

It is recommended that a condition of any approval be support being obtained from the Cottesloe Surf Life Saving Club before final approval is issued.

Further, feedback received from the 2016 By The C event indicated that consultation with local businesses will need to be improved. This will be raised with the applicant and a consultation plan will be requested as part of the formal application.

### **STAFF COMMENT**

From the above, it can be ascertained that relevant Council policies and local laws would allow for an event of this nature to take place. Such an event would undoubtedly impact on the amenity of local residents and restrict access to the beach for the duration of the event. It is a question for Council to determine whether these impacts can be managed to an extent that the event can proceed.

Some of the risks posed by the event in terms of resident's amenity and adverse impact on the reputation of Council include:

- ) Waste Management
- ) Noise
- ) Traffic congestion
- ) Environmental impacts on surrounding dunes
- ) Restricted access to this popular beach area for the duration of the event
- ) Possible closure of Marine Parade
- ) Alcohol consumption in close proximity to the water

In regards to the above, Zaccaria Concerts and Touring Pty Ltd have demonstrated their awareness of these issues and invested considerable funds for the 2016 event to prepare appropriate management plans to mitigate these risks. It is the view of staff that these can be managed effectively to minimise their impact with the

exception of noise, where it is acknowledged that the music will exceed allowed levels and an exemption will be required. Assuming an exemption is granted, there are still measures that can be taken to minimise the level of noise such as the positioning of the stage taking into account prevailing winds.

There would be benefits to local businesses if the event was to proceed due to the large number of patrons the event would attract. These benefits would be most felt by those businesses located near the beachfront, although it could be reasonably expected that other businesses in the Town Centre would also have increased patronage on the day of the event.

A comprehensive proposal and associated documentation will be required from Zaccaria Concerts and Touring Pty Ltd 30 days prior to the date of the event to address issues associated with an event of this scale and they propose to manage them. This includes:

- ) Event application form;
- ) Location map;
- ) Site plan;
- ) Timeline (including bump in and bump out times);
- ) Waste Management Plan (including provisions for rubbish, recycling and toilets);
- ) Noise Management Plan (including approval for non-complying event in accordance with regulation 18 of the *Environmental Protection [Noise] Regulations* and the *Environmental Protection Act 1986*);
- ) Traffic Management Plan (including parking information to be provided to attendees and possible road closures);
- ) Risk Management Plan;
- ) Emergency Management Plan;
- ) Consultation plan (local Police, residents and businesses);
- ) Approval from the Department of Racing Gaming and Liquor for a liquor license;
- ) Public Liability Insurance Certificate of Currency;
- ) Structural engineering certifications;
- ) Certificate of electrical compliance;
- ) All food permit and stall holder applications.

Overall, the 2016 By The C event was a success. The event was well facilitated by Zaccaria Concerts and Touring who were able to rectify the minor issues that arose on the day. Staff monitored the event throughout the bump in, bump out and the duration of the event. There were very few incidents with security, Police and Rangers numbers being appropriate for the number of attendees.

After last year's event, feedback was received from 14 attendees and community members. Of this, nine were in support of the event with some expressing excitement at the possibility of it becoming an annual event.

It has been suggested by staff that there may be some merit in closing a section of Marine Parade to facilitate safe pedestrian access to the event. Such a measure would be considered further depending on ticket sales and the final Traffic Management Plan (to be received).

The applicant would need to obtain a Liquor Licence in order to sell alcohol at the event, with this application requiring Council approval before being submitted to the Department of Racing, Gaming and Liquor.

If Council was to approve the event and it was considered a success, Zaccaria Concerts have indicated they would like to stage similar events in the future at Cottesloe beach.

Having given due consideration to the proposal and being mindful of the risks associated with an event of this type, staff are of the view that the event should be granted conditional approval, subject to ongoing review of the various management plans.

### **VOTING**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Cr Rodda, seconded Cr Burke**

THAT Council provide in-principle support for the application by Zaccaria Concerts and Touring to stage a concert event at Cottesloe Beach on Sunday 29 October 2017 or 19 November 2017 and authorise the Chief Executive Officer to issue final approval of the event subject to the requirements of the Town of Cottesloe being met by the applicant 30 days prior to the event.

### **AMENDMENT**

**Moved Cr Boulter, seconded Cr Pyvis**

That a second point be added to the officer recommendation as follows:

THAT Town of Cottesloe officers and the proponent specifically address each of the five complaints arising from the previous concert in the management plan

**LOST 3/6**

**For: Crs Birnbrauer, Pyvis, Boulter**

**Against: Mayor Dawkins, Crs Angers, Burke, Rodda, Downes, Thomas**

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

**Moved Cr Rodda, seconded Cr Burke**

**THAT Council provide in-principle support for the application by Zaccaria Concerts and Touring to stage a concert event at Cottesloe Beach on Sunday 29 October 2017 or 19 November 2017 and authorise the Chief Executive Officer to issue final approval of the event subject to the requirements of the Town of Cottesloe being met by the applicant 30 days prior to the event.**

**CARRIED 6/3**

**For: Mayor Dawkins, Crs Angers, Burke, Rodda, Downes, Thomas**

**Against: Crs Birnbrauer, Pyvis, Boulter**



## BY THE C



“By the C” is the brainchild of **Zaccaria Concerts & Touring (ZCT)** who’s aim is to create a brand of event which delivers: A cultural gathering which showcases the best home-grown and international musicians and cultural attractions while placing a heavy emphasis on sustainability and the local community.

# zaccaria

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## CONCERTS & TOURING

**Zaccaria Concerts and Touring (ZCT)** is the culmination of many years of experience in the live music industry, having developed unrivaled expertise in the promotion and production of large scale concert events, including outdoor concerts. The

team consists of passionate people with extensive music industry backgrounds, focused on delivering a premium entertainment experience. ZCT have toured artists such as Mariah Carey, Lionel Richie and John Farnham to name a few, and promote and organise the highly successful “Castaway” boutique festival that is held on the beach at Rottnest Island every summer.

After many months of discussions and planning, and with the generous cooperation and support of the Town Of Cottesloe, ZCT was the first concert promoter to stage a concert event at the iconic Cottesloe Beach for nearly a decade. A highly successful concert event called **BY THE C** was born on November 20<sup>th</sup> 2016, and featured the popular and high profile Australian artists, John Butler Trio, and Angus & Julia Stone.



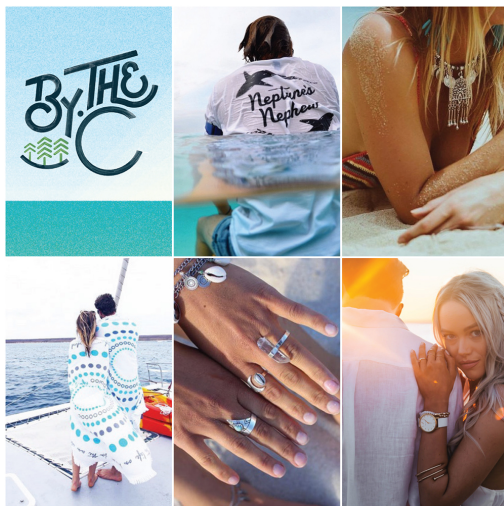
Some 5000 enthusiastic patrons attended the inaugural **BY THE C** and were in awe of the surroundings and environment created for this historical concert.



As well as general admission patrons, a special VIP experience was also created in conjunction with local venue, Indiana.

Patrons were able to lay back on their picnic rugs and enjoy a glass of wine or a sampling of local food provided by specially curated food providers, as the intimate, catchy folk music of brother-sister indie duo **Angus & Julia Stone** drifted out along the salty sea breeze. As the day turned to dusk, patrons were then able to revel in the roots rock of Fremantle's very own **John Butler Trio**.

Enjoying the stage right on the waterfront of stunning Cottesloe beach, those that attended kicked off their shoes for a dance in the sand or laid back and enjoyed the music while the sun set on what was be a beautiful Perth evening.



Also as part of BY THE C, local vendors from the Cottesloe and Fremantle areas were invited to display, exhibit and sell their locally made and environmentally friendly products.







**Castaway** is a successful project by ZCT that is now in its 3rd season. Castaway highlights Zaccaria's reputation and expertise in delivering a safe and well executed large scale event. Castaway had been the most well received boutique event to hit the Western Australian circuit in recent times and a first for Rottnest Island. Castaway's reputation has been bolstered by flawless reviews from all parties and stakeholders

involved on the island including The Rottnest Island Authority, WA Liquor Enforcement Unit, WA Police and all the local businesses that have seen positive effects from the influx in visitors to the area for the events. After 2015's successful debut for the event we have been invited back for a further two installments for the 2017/18 Summer season.

Zaccaria has been developing the Rottnest beach-front site for several years through their brand "Rotto Live" in conjunction with the RIA and Rottnest Hotel, presenting some of the best Australian talent including Icehouse, Jimmy Barnes, Tame Impala, The Presets, You Am I and Eskimo Joe amongst others. Through these experiences we are confident in our capabilities to deliver safe beachside events completely compliant with all local Liquor & Gaming, noise management, risk management and traffic management regulations.



### **BY THE C – one down, many more to come.**

*By The C* is a new cultural event located on the picturesque Cottesloe Beach. We aim to continue deliver a music and arts experience that engages local businesses and

organisations in the Cottesloe Beach vicinity while being respectful to the local flora and fauna. Our goal is for this event to be a showcase of just how magical Cottesloe Beach really is, that would make our East Coast neighbours envious and reinvigorate the 21+ year old demographic to return to their childhood playground.

### **Going Green**

Our core demographic are becoming much more conscientious of our effect on local flora and fauna and we will be investing to make sure *BY THE C* continues to have a minimal impact on the environment as possible. All of our marketing is done digitally through the use of social media and internet marketing to minimize wastage from marketing endeavours.

### **Noise Pollution**

As with all of our outdoor events, we will be engaging *Lloyd George Acoustics* to create a comprehensive Noise Management Plan and modelling to minimize noise pollution and impact on the local residence in compliance with our Reg 18 submission. Special consideration will also be put in planning our main stage position to further reduce impact on the local Cottesloe residents.

### **Keep It Local**

We aim to engage local foundation ICEA to promote awareness of the Indigenous heritage of Cottesloe and the cause that they serve in every way possible. We will also be reaching out to the local businesses to activate food and product stalls to add to the cultural experience of the day with a wide variety of vendors and offerings. We are currently in discussions with both North Cottesloe Surf Club and Cottesloe Surf Club to minimize any impact from this event on their regular activities as well as to work on ways to promote their organisations to this audience.

### **Arts, Crafts & Food**

We will also continue to reach out to local visual artists to showcase their wares as well as engaging the attendees with interactive showcases to round off the cultural experience delivered *BY THE C*. We have currently reached out to local arts organisation *Artgames* to request their involvement in the next *BY THE C*.

A wide range of food offerings are an essential part of any cultural event so we will endeavour to continue to include as many local food truck vendors and outlets from the Cottesloe area to be included in the event to make *BY THE C* a fully immersive community affair.

**In conclusion**, we believe that with the years of experience delivered by our team, and now with having already staged *BY THE C* successfully at Cottesloe Beach in 2016, *BY THE C* will be iconic event that becomes a staple on the Cottesloe calendar.

### **Zaccaria Concerts and Touring**

[www.zaccariaconcerts.com](http://www.zaccariaconcerts.com).

84 Brewer Street, Perth, Western Australia 6000.