

# Council Policy

## Events



<b>Council Policy</b>	
Legal Authority	<i>Local Government Act 1995</i> <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Health (Public Buildings) Regulations 1992</i> <i>Environmental Protection (Noise) Regulations 1997</i> <i>Activities in Thoroughfares and Public Places and Trading</i> <i>Local Law 2011</i> <i>Local Government Property Local Law 2003</i>
Department	City Development and Sustainability

**1. Title**  
Events

**2. Purpose**

The purpose of this policy is to support the planning, development and delivery of public events to align with the City of Kwinana's vision of creating a unique and livable City that is celebrated for and connected by its diverse community, natural beauty and economic opportunities.

The City aims to deliver the following objectives:

- Create vibrant, active spaces and encourage community participation;
- Provide a decision-making framework that ensures a consistent and equitable approach in the assessment and approval of events;
- Provide controls that minimise adverse impacts of events on the community, City assets and the natural environment;
- Promote City of Kwinana as a destination for development and provide opportunities for local businesses;
- Support inclusion and growth of communities;
- Assist the community to host events through partnerships and funding;
- Encourage sustainable practices that minimise impacts on the environment;
- Manage the health and safety of people attending the event; and
- Manage compliance with relevant legislative requirements and standards.

**3. Scope**

This Policy applies to all public events held in the City of Kwinana including those on private land.

This Policy does not apply to:

- Private events not open to members of the public, such as private parties, weddings, funerals and the like.
- Seasonal use of sports fields by schools and registered sporting clubs for club related activities.
- Civic events delivered by the City.
- Programs delivered by the City.
- Minor fundraising activities by community groups such as sausage sizzles (approval required for provision of food).
- Mobile food vendors who are using designated trading areas covered under a separate policy or guideline.
- Major event defined under the *Major Events Act 2003*.
- Reoccurring event that is proposed to occur for more than 48 hours in the same venue over a period of time which may require a Development Approval

as a land use under the Town Planning Scheme.

#### **4. Definitions**

##### **Event**

An occurrence proposed to be held within the City on private or public land, either indoor or outdoor by an event organiser, or by the City, where 50 people or more assemble at a given time and place for entertainment, recreation, commercial or community purposes.

##### **Private Event**

An event that is private, normally by invitation and not open to the public such as private parties and weddings.

##### **Public Event**

An event open to the community or the public, whether ticketed or not.

##### **Major Event**

An event defined under the *Major Events Act 2023*, usually a large event of State, National or International significance and that is in the public interest to be considered by the Minister of Tourism.

##### **Civic Event**

Activities or functions hosted by the Mayor or Elected Members on behalf of the City to commemorate special occasions and honour individuals. Examples include citizenship ceremonies and official openings of City buildings.

##### **Program**

A recurrent activity that is operationally focused and delivered in an ongoing manner to a defined audience of less than 50 persons at any one time.

##### **Event Organiser**

Any person, group, organisation or business that is responsible for organising an event.

##### **Food Truck Event**

A type of prearranged recurring event held within the City on private or public land on a regular basis, by an event organiser, where mobile food vendors and temporary food stalls form the primary activity. A smaller number of entertainment, recreation, commercial or community activities may be part of the Food Truck Event.

##### **Market**

A type of prearranged recurring event held within the City on private or public land on a regular basis, either indoor or outdoor by an event organiser, supporting a mix of different trading or stallholder activities including a variety of entertainment, recreation, commercial or community activities.

#### **5. Policy statement**

##### **5.1 Assessment of Event Venue**

The City will provide venues and spaces for hire suitable for event purposes. These venues are reviewed regularly, the scheduling and frequency of use may need to allow for the rehabilitation of the venue or need to accommodate the primary purpose of the venue. The City reserves the right to approve events outside these principles if it considers that the benefits of doing so outweigh any potential impacts.

Where a venue or space is not specified in the City's booking system, the City will assess its suitability on a case-by-case basis.

Where the proposed event is to take place on land managed by an owner/s or authorities other than the City of Kwinana, written permission is required to be obtained before the City can determine the application.

Where the events encompass more than one venue e.g. triathlons, marathons or across Local Governments, the City may consult adjoining Local Government(s) before providing approval.

Event organisers are required to obtain approvals for each venue before lodging an event application.

## **5.2 Assessment of Events**

All events delivered within the City require approval from the City through an event application.

Assessment of an event application will be based on the following criteria:

- Suitability and purpose of the event activity;
- Suitability and experience of the event organiser;
- Accessibility and suitability of the event location and duration;
- The amenity of the event and likely impacts on surrounding residents; and
- Consideration of the social, environmental, economic, safety and reputational risks and benefits.

The City may refuse to approve events that:

- Promote alcohol, drug use, tobacco smoking (including vaping/e-cigarettes) or gambling as the main purpose;
- Involve cruelty to animals and endangered animals;
- Negatively impact on the City's reputation;
- Adversely conflict with other approved events or City events;
- Is organised by individuals, groups or organisation without appropriate experience and insurance for event management;
- Pose an unmitigated risk to the safety of the community; and
- Contravene to legislation, City local laws and policies.

The City may cancel an event approval due to extreme weather conditions or under the direction of the Executive Director of Public Health, Emergency Services or WA Police.

## **5.3 Additional Considerations for Food Truck Events and Markets**

Food Truck Events and Markets will be considered by the City's Events Assessment Unit, rather than an individual department.

Food Truck Events and Markets should not negatively impact on existing businesses. Location and suitability are at the discretion of the City's Events Assessment Unit.

Food Trucks and Markets will need to demonstrate that they:

- Contribute to Kwinana as a vibrant destination;
- Incorporate local business(es) and allow them to take an active role in the event.
- Create interesting and diverse activities to encourage people to stay longer in Kwinana;
- Engage, include and connect a range of people in our community including the City of Kwinana, providing diverse opportunities for engagement and participation; and

- Minimise community impact and maximise economic and community benefit.

The City may approve food truck events and markets for a maximum period of 12 months.

#### **5.4 Timeframe for Assessment of Event Applications**

The City may at its discretion refuse to accept an event application that has been submitted outside the nominated event approval timeframe as detailed in the Event Guideline.

The event application may be refused where further information and fees has been requested and not provided by the event applicant at least three business days before the event. For reoccurring events, this will be at least 10 business days before the event.

#### **5.5 Event Impact Assessment**

Events will be assessed according to their scale, complexity of activities and associated risk factors through a tiered framework to ensure the appropriate level of assessment and approval is applied to each event.

The level of impact will be assessed based on:

- Number of attendees at any one time;
- Number and type of trading activities and temporary facilities;
- Alcohol availability;
- Potential noise impact; and
- Impact on use of the roads.

The Event Guidelines provides further details on the framework used for the event impact assessment.

#### **5.6 Event Guidelines**

Event organisers are required to comply with all legal and City requirements as detailed in the Event Guidelines.

The Event Guidelines will be updated periodically to reflect any legislative and/or City operational changes.

The Director City Development and Sustainability has discretion to classify events that do not meet the above criteria.

#### **5.7 Approval**

The final written approval will only be issued once all applicable fees have been received (if applicable and see timeframe under 5.10 Fees and Charges), health and safety issues have been satisfactorily addressed either prior to the event with conditions of approval, or alternatively issued on the day of the event.

Approval will include but is not limited to a trader's permit, written letter and/or maximum accommodation certificate under the *Health (Public Buildings) Regulations 1992*.

Events that do not receive all relevant approvals cannot proceed. It is the responsibility of the Event Organiser to ensure all relevant approvals have been obtained from the City and other approving agencies. It is an offence to operate an event without a valid licence, permit or approval. Events that proceed without a formal approval or events that do not comply with the conditions and approval may

result in further formal compliance action.

Applications and approvals for an event are not transferable.

All appeals regarding the event process and approvals must be presented to Director City Development and Sustainability in writing.

## **5.8 Roles and Responsibilities**

### **1) The City**

The City will play various roles in the public community event process, which may include facilitator, promoter, funder, regulator and strategic partner. While the City recognises that a whole of organisation approach in supporting the delivery of events is required, City officers have specific roles and responsibilities within the assessment processes.

The City will provide advice and information to organisers at planning stage to assist in delivering best practice planning and management of events.

The City may consult with local community groups, key authorities, and other agencies including but not limited to Department of Health, WA Police, Public Transport Authority and Main Roads WA.

The City may provide financial support to Event Organisers through event sponsorship, a once-off grant or in-kind support subject to the City's Community Event Funding Policy.

City Authorised Officers may attend the event to carry out an inspection to check for compliance with the requirements and conditions of approval without any notification.

### **2) Event Organiser**

It is the responsibility of the event organiser to seek and obtain all approvals relating to the event prior to advertising.

The event organiser is required to clearly display the details of the event (including the person, group, organisation or business delivering the event) to ensure transparency and help manage any community concerns. Where the event will cause or likely to cause an impact on adjoining businesses or residents, the event organiser is required to provide community engagement and/or notification in the format advised by the City.

The event organiser may be asked to attend a pre-lodgment meeting and/or debrief meeting post event with the City.

Any event organiser without appropriate experience or event organisers of medium or high impact events may be asked to attend online training or information session before the City will assess and approve the event application.

The event organiser or an approved representative must be in attendance during the event.

Stallholders or traders are the responsibility of the event organiser. The City will communicate with the event organiser directly to manage any requirements. The event organiser is required to maintain a list of stallholders and traders and copies of public liability insurance certificate of currencies.

Food stallholders and traders permit applications will be assessed separately.

## **5.9 Commitments**

### **1) Safety**

The health and safety of all people attending events is a priority.

All health and safety issues should be satisfactorily addressed prior to final approval and commencement of the event.

The City is empowered to close events that are considered unsafe.

### **2) Sustainability**

The City is committed to sustainable waste management and will encourage all events to progress towards best practice and reducing carbon footprint where possible.

### **3) Smoke Free Events**

Smoking is not permitted at events organised by the City and all events conducted on City reserves, parks, oval and playing fields.

### **4) Inclusion**

The City is committed to treat all people equitably with respect and dignity, regardless of gender, sexual orientation, ability, language, ethnicity, religious belief, cultural background, age, education, socioeconomic background or other dimensions of diversity.

The City will encourage events to include activities that recognise Aboriginal and Torres Strait Islander culture and history.

The City will encourage events to be accessible and inclusive to everyone.

## **5.10 Fees and Charges**

The City will impose fees and charges on all events in accordance with the relevant Council adopted fees and charges or varied by Council resolution, unless exempted through the City's Community Funding Policy.

The City's Community Funding Policy provides different funding opportunities to support the community in delivering events that achieve the aspirations of the Strategic Community Plan.

Statutory fees apply for noise exemption approvals under the *Environmental Protection (Noise) Regulations 1997*.

Payment of invoices must be made in full at least three business days prior to the event commencement date. For recurring events, fees must be paid at least ten business days prior to the first event.

Refunds will not be provided on the event application and permit fees if the event does not go ahead.

Hire fees are outlined in the City's Fees and Charges and are charged at the time of booking the space(s). Cancellation Policy and Terms and Conditions of hire are provided at the time of the booking.

Event organisers 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.

## 6. References

Date of adoption and resolution No.	13/09/2023 #381
Review dates and resolution No.	N/A
Next review due date	13/09/2027
Related documents	<b>Acts/Regulations</b> <i>Local Government Act 1995</i> <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Public Health Act 2016</i> <i>Health (Public Buildings) Regulations 1992</i> <i>Environmental Protection (Noise) Regulations 1997</i> <i>Activities in Thoroughfares and Public Places and Trading Local Law 2011</i> <i>Local Government Property Local Law 2003</i>

**Note:** Changes to references may be made without the need to take the Policy to Council for review.