Community Managed Events on Council Land Policy

Purpose

The purpose of the policy is to formalise a timely and coordinated approach for community and commercially managed Event Permit applications for events held on suitable Council owned or managed land. The policy outlines Council's commitment to support commercial entities, community groups and private event organisers to deliver appropriate events with demonstrable community benefit. The policy will also help provide an improved experience for the applicant, improved productivity of Council and assist with maintaining Council values.

Scope

1. The policy applies to all outdoor community managed events organised by commercial entities, community groups and private event organisers that take place on land owned or managed by Moonee Valley City Council that are (or involve):
    - Public gatherings of 100 or more people
    - A significant impact on traffic and/or parking conditions
    - The sale of food or drinks/alcohol
    - Use of electrical power or mechanical power supplies
    - Erection of temporary structures (e.g. marquees, stages, lighting etc)
    - Fireworks
    - Amusements and rides including slides, merry-go-rounds etc
    - Potential impact on the natural environment, Council infrastructure or nearby residents and businesses
    - One-off markets primarily for commercial trading
    - Private celebrations including weddings
2. This policy **does not** cover events that are:
    - Council organised and led events
    - Covered by an existing agreement with Council (e.g. sports ground allocation) unless the event falls outside the normal use of land under such an agreement and meets any of the triggers listed under item 1
    - Covered by a planning permit (e.g. regularly repeated markets)
    - Held entirely outside Council managed open land such as:
        - Private properties
        - School grounds

- Road reserves managed by VicRoads (i.e. arterial road)
- Any other land or open space not owned or managed by Council
- An enclosed space (including buildings on Council parks and reserves)

Permits and permissions which may be required:

- Community managed event permit
- Wedding, ceremonies and private celebration permit/permission
- Road closure and occupancy permits
- Physical activity permit
- Commercial filming permit

Policy statement

As stated in MV2040, Strategic Direction 8, Council is committed to being a city with things to see and do. Council will do this by supporting a rich program of festivals and events across the City of Moonee Valley to showcase our cultural institutions, natural attractions, and vibrant activity precincts. These events will celebrate local cultures, stimulate economic activity, and attract visitors and tourists.

To achieve these aims, Council will support commercial and community led events. The policy guides the use of Council managed land for events that are timely and that benefit the community in relation to the aspirations of MV2040, as well as considering safety, protection of Council amenities, and minimised disruption to others.

By continuing to support and facilitate suitable commercial and community led events, Council can further enhance its impact by increasing the range and number of events available for the community to attend.

Council will ensure that supported events align with Council's strategic direction, community expectations, responsible use of Council assets, and are compliant with all relevant legislation.

Policy principles

Council's role in community and commercial events

Council has the following roles regarding commercial, community and private events:

- As a manager of public land use
- As a statutory authority on several areas that are associated with the operation of events, such as statutory planning, building regulation, occupational health and safety, food safety, and public safety.
- As Supporter where Council provides support to community and commercial event organisers who wish to run an event within the municipality through the form of direct funding, in kind support or funds through a competitive grants program.

- As Enabler where Council provides permission and permits for community, commercial and private organisers wishing to hold events on Council land. This also refers to Council's role in providing guidance, support, and direction to event organisers to ensure events are well managed, safe and inclusive and adhere to Local Laws.
- As Partner where Council may partner with commercial or community groups to deliver events within the municipality. Support can be through a combination of funding and enabling actions. An Event Permit may still be necessary when partnering with Council to run an event.

Permissions

As per the Moonee Valley Planning Scheme (clause 62.03), a commercial, community or private event may only be conducted on Council managed land if:

- A permit has been issued under Local Laws (the Activities and General Amenities Local Law 2.1.1(b) which allows for the use of public land for events with the written permission of an authorised Council Officer) and;
- The applicant has entered into an agreement with the Council in a form required by the Council

Criteria for approving events

In assessing event permit and permission applications, Council will consider the alignment of the event to the strategic objectives outlined in the Festivals and Events Framework (Framework) The Framework outlines that event supported, enabled or presented by Council will have one or more the following purposes:

- The event will showcase cultural identity, and encourage creative enrichment and expression
- The event will enhance social connection and cohesion by bringing people together for celebration and reflection
- The event will help to stimulate the local economy, showcase local traders and encourage visitation to economic areas

Additionally, Council will ensure that:

- Council property and assets are protected
- Events are not in conflict with the Council Plan and General Purposes Local Law
- Events are responsibly managed, safely delivered, accessible, consider environmental sustainability, are professional and of a high quality
- There is a balance between enabling events to occur and residents' right to quiet enjoyment of public spaces
- There is a coordinated response to event proposals
- There is balance between equity of access for all event proponents and system that responds in a timely manner to new event proposals

Moonee Valley City Council will not:

- Knowingly permit events that include stalls that trade in illegal, toxic or counterfeit goods and products that are clearly sourced from 'unfair' trade labour operators
- Permit events or activities which are directly opposed to objectives in the Council Plan.

Sites for events

For this policy, public spaces refer to parks, playing fields, gardens, reserves, streets, footpaths, carparks, nature strips, public transport stops and stations which are owned or managed by Moonee Valley City Council. It does not include privately owned land.

Note that playing fields have limited availability due to their regular use by sport clubs.

Moonee Valley City Council will identify a list of public parks and gardens that may be potentially used for events and activities and outline suitability based on event scale, impact and the site amenities.

Council recognises public spaces across Moonee Valley have their own unique characteristics and distinct neighbourhood character and, as such, events proposed for these spaces need to be individually assessed to ensure the event is the right fit for the proposed location.

Application and approval process

Applications for all permit and permission types can be made through the Council website.

Permission for the use of public space for private events and weddings must be applied for and undertaken in accordance with the booking process and specific requirements as outlined on Council's website.

Permits for community managed events must be applied for and undertaken in accordance with the process outlined on Council's website and in line with the Community Managed Events on Council Land Procedure and this policy

Assessment and permitting of events will include a variety of stakeholders across Council and where relevant will involve consultation with other agencies, including Victoria Police, Parks Victoria, relevant State Departments and Department of Transport and Planning (formerly VicRoads).

Community Managed Events on Council Land Permits (Event Permits) will be assessed based on several different factors pertaining to their impact on the community and event site. Examples of impact may include but are not limited to; expected audience or participation size; high risk activities such as fireworks and inflatables; traffic and parking impacts; temporary structures; use of power; loud noise; impact on the environment/infrastructure; alcohol and the number of food/drink vendors.

Event Permits will be classified as Low, Medium, or High impact based on their overall impact as defined by the Event Impact Matrix. This document will be updated regularly to reflect best practice and will be publicly available to event organisers to assist them in understanding the planned impact of their event.

Additional information and requirements may be needed to assess an Event Permit application based on the impact level of the event.

Note that applications for one-off markets may be subject to additional requirements depending on their impact. Markets run on a regular basis may require a planning permit.

The application and approval process may take between 12 and 24 weeks and potentially longer for High impact events. Timeframes will be outlined on Council's website and will be dependent on the complexity and size of the event. Council aims to process permits for Low impact events within 30 days (from the date of all required documentation being submitted).

The following steps will be followed to assess potential events' suitability for an Event Permit:

1. Expression of interest

An expression of interest (EOI) will be required that includes a description of the proposed activity, proposed site, timing, and other information to assist in determining the impact level of the proposed event.

EOIs are assessed by Council and those that meet the criteria are assigned a preliminary impact level and invited to submit a detailed proposal for consideration.

2. Detailed application

Based on the preliminary level of impact assigned to the event in the EOI, the detailed application may require completion of, but is not limited to:

- An analysis of the event impact on the surrounding residents, businesses, and the environment
- Detailed site plans
- A noise management plan
- A risk management plan (detailing plausible risks and effective mitigation strategies)
- A safety/emergency management plan
- A waste and sustainability plan
- A traffic management plan, an active travel plan and a communications plan detailing how these will be managed
- FoodTrader / statement of trade documents for stallholders and vendors and/or liquor licencing where relevant
- Sufficient toilet facilities for expected attendee numbers
- A certificate of insurance to Council's minimum standards

The level of impact assigned to the event is subject to change during this stage as more information about the event is provided. Additional documents and information may be required to be submitted based on the level of impact of the event.

3. In principle approval

Applications that are recommended may be given “in principle approval” and then may be subject to other requirements such as public notification before the permit is finally issued.

4. Community Managed Events on Council Land Permit

The applicant will be offered an Event Permit and, once all documentation is complete and all fees and charges paid, the Event Permit will be issued.

Operational and Safety Requirements

Based on the level of impact on community and the site assigned to the event, the event permit applicant may be asked to demonstrate that any or all of the following has been completed, and may be asked to supply evidence upon request to receive an Event Permit:

- Event Management plans 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 event organisers are required to provide a Certificate of Currency for a public liability insurance to Council’s minimum standards. The insurance policy must cover the event and the types of activities featured in the event. The event organiser must indemnify Council against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be arising from their event.
- Event organisers are responsible for the safety of the event and are required to obtain from sub-contractors, suppliers, traders and performers copies of certificates of currency for PL insurance with an appropriate cover, based on a risk assessment performed by the event organiser
- A Traffic Management Plan may be required for the event and will need to be prepared and implemented by a qualified and experienced company or professionals who are accredited in traffic management. Event organisers are responsible in obtaining relevant approvals from Council, Department of Transport and Planning and funding resources for Traffic Management Plans.
- High impact 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 adheres to current Australian Standards and that is well maintained, structurally sound, safe and can withstand exposure to climatic conditions e.g., wind.

- Event contractors are the responsibility of the event provider and must be appropriately qualified and insured.
- Risk management documentation such as Job Safety Analysis and Safe Work Method Statement may need to be supplied for all amusement providers
- Placing pegs in the ground or digging is not permitted in Council parks and may not be permitted in other public places. All structures must be secured with weights rather than pegs. Domestic marquees sized 6m x 3m and under must be to Australian Standards and be weighted according to manufacturer's instructions.

Additionally:

- It is the responsibility of the event organiser to seek and gain all approvals relating to their event.
- Additional conditions may be placed on permits to protect parks, gardens, grounds, and turf depending on the event impact and activities.
- 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.
- Council may approve events with high-risk activities such as (but not limited to) fireworks, pyrotechnics, inflatables, amusements if deemed appropriate. Additional requirements and information may apply before a permit is approved and specific conditions may also be placed on the permit.
- Permitted events with fireworks or any form of pyrotechnics will be required to carry out specific conditions including (but not limited to):
    - notifying surrounding residents 10 days prior to their event
    - having appropriate crowd control and exclusion zones in place
    - having completed all relevant notifications and received all relevant approvals from the required regulatory bodies including FRV, CASA and WorkSafe.
    - All events will be subject to regular inspections by Council officers to ensure compliance with the provision and conditions of the issued permit and all other relevant government legislation including Occupation, Health and Safety.

Council may decline, cancel or modify events at any stage during the application process or after the permit has been approved due to:

- safety concerns
- extreme weather
- identified high risks
- unsafe practices
- illegal practices
- the event differing from the original application

- the event not meeting 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

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

Child Safe Standards

This policy aligns with Moonee Valley City Council's commitment to protecting children and young people from the risk of harm or abuse when they interact with us in person, online, visit our facilities, use our services and/or attend our events.

Council encourages all event organisers to understand their responsibilities in relation to the Child Safe Standards. Child safety is everyone's responsibility, and we aim to create an environment where children and young people feel safe, happy and empowered.

Community Notification

Based on the level of impact assigned to the event, Council may require proof of community notification of impacted residents and businesses as part of the conditions of the approved event. This may also involve notification to the broader community should the impact of the event merit a general notification.

Council may also require approved event organisers to pay for broader notifications including (but not limited to) Variable Message Sign boards, leaflets and digital channels as part of the conditions of their permit if there is deemed to be a significant impact on the local community through impacts including (but not limited to) amplified noise and road/parking impacts.

Sustainability

Event organisers can play a positive role in implementing and encouraging sustainable activities and behaviour. They can promote the use of public transport and active transport (walking and cycling) as the preferred mode of transport to and from events. They can also save water and reduce the amount of energy and waste at events and play a role in educating the public and raising awareness of sustainability issues.

Council will provide event permit applicants with event planning and delivery resources including tips and advice on how to make your event have a light footprint on the planet by having low waste, low carbon emissions and a low environmental impact. Resources will also include a comprehensive range of information and ideas along with a checklist for a sustainable event.

Fees

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

Event Permit fees are payable to the Council before the commencement of the event. Event providers are responsible for all event related costs.

Suitable applicants may make an application through the Moonee Valley grants program to offset a portion of their costs. Event fee subsidies may also be available for eligible event organisers.

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.

A bond in advance may be required. This may be for protection of Council assets, noise control or both. Additional fees may be applied for other approvals, such as Building Permits (for large structures or fencing).

Where it is envisaged that costs will be incurred by Council to facilitate delivery of the event, Council reserves the right to recover costs from the event organiser, in excess of the standard Permit Fees.

Cancellations

Deposits are non-refundable.

Refunds will not be given to cancellations due to acts of nature and/or bad weather. The possibility of inclement weather needs to be considered in the planning process.

Refund timeframes will be outlined in provisional approval and/or permit approval documentation.

Cancellations and requests for refunds are only accepted in writing. The event provider is responsible for notifying Council, contractors, ticketholders, and the general public of any cancellations.

Termination

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

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

Appeals

Appeals regarding the event permitting process are to be addressed in writing to Council. Appeals will be assessed against this policy and the Festivals and Events Framework.

Appeals will be considered by an internal group of stakeholders and where applicable with the input of external regulatory bodies. The outcome will be issued in writing.

Other relevant laws and policies

Events must meet all legal requirements, including (but not limited to) obtaining approvals related to building occupancy, health, and liquor licensing. See Related Legislation and reference sources.

Responsibilities

The following Council departments and business units have direct and / or supporting responsibilities associated with this policy:

Role	Responsibilities
Audit and Risk Committee	The Audit and Risk Committee provides an oversight function regarding: • Council's policies • Risk management system • Compliance controls • Audit functions
Councillors	Endorse Community Managed Events on Council Land Policy.
Executive Leadership Team	Provide clear direction across the organisation on expectations to support and enable this policy and deliverables.
Manager	Take necessary steps to ensure Council's compliance with this Policy including delegation of tasks to establish the commercial events process and make decisions where it may be required to deviate from the Policy or established event permit processes, including potential conflicts of interests or political sensitivities. Approve and support the Events Policy and permit application process.
Head of Festivals and Events	Support Festival and Events team to develop and establish the Events Policy and permit application process. Identify and resolve potential issues and responses.
Festival and Events Team	Manage the community and commercial event permit process and raise issues to Head of Festivals and Events and Manager Arts, Culture and Place as required.
Internal consultation referral group	Include within workplans ability to provide specialist advice within specified timeframes on event permit applications.

Role	Responsibilities
	Internal consultation referral group includes, but is not limited to: ○ Sport and Recreation ○ Risk Management ○ Local Laws ○ Parks and Gardens ○ Waste Management ○ Technical Permits ○ Environmental Health ○ Traffic and Transport
Communications	Support promotion of Moonee Valley as a destination for Commercial events.

Definitions

Term	Definition
Commercial Event	An event that is • Making use of council land for the purpose of running a commercial activity AND/OR • Run by a commercial entity. (A commercial entity means an organisation, institution, corporation or other legal entity whose purpose is to operate for profit.)
Community Event	An event that is: • Making use of council land to run activities that support community based activities AND/OR • Run by community groups, private organisations, non-profits or charities
Community Managed Event	The way in which events planned, led and delivered by the community including by commercial entities, community groups and private event organisers are described in the policy outlining the permitting system.

Term	Definition
Event	A planned occasion involving members of the community for the purpose of entertainment, recognition, celebration, social connection or other activities that are not services or programs. May be led by Council or community.
Event Impact: Low	An event that has: • An estimated attendance or participation of between 100 and 500 and/or • Low impact on the community and the event site as defined in the Event Impact Matrix (see Impact on Community definition)
Event Impact: Medium	An event that has: • An estimated attendance or participation of between 500 and 2,000 and/or • Medium impact on the community and the event site as defined in the Event Impact Matrix (see Impact on Community definition)
Event Impact: High	An event that has: • An estimated attendance or participation of more than 2,000 and/or • High impact on the community and the event site as defined in the Event Impact Matrix (see Impact on Community definition)
Event Organiser	In the context of event permitting, the event organiser is referring to the individual or organisation responsible for coordinating an event.
Event Permit	A permit that allows for an activity to operate on Council managed public space and outlined conditions of this approval. Permits are only issued once all plans are approved and all requirements are met. The Activities and General Amenities Local Law 2.1.1(b) allows for the use of public land for events with the written permission of an authorised Council Officer.
Festival	A collection of celebrations over one or more days, related to a central theme (i.e., a series of connected events). May be led by Council or community.
Impact on Community	Factors of an event which may impact on the community and event site as defined in the Event Impact Matrix. Examples may include but are not limited to: high risk

Term	Definition
	activities such fireworks and inflatables, traffic and parking impacts, temporary structures, noise, impact on the environment/infrastructure, the number of food/drink vendors.
Market	An event where a group of stalls are selling goods. Markets may be one off or they may operate on a regular basis.
Private Event	An event that is: • Making use of Council land for the purpose of a private non-commercial activities that is not related to council's business AND/OR • Run by an individual or group of individuals and are not usually associated with an organisation. E.g., Weddings, family celebrations, ceremonies

Related legislation and reference sources

- *Building Act 1993*
- *Crown Land (Reserves) Act 1978*
- *The Environment Protection Act 2017*
- *Filming Approval Act 2014*
- *Food Act 1984*
- *Fundraising Act 1998*
- *Liquor Control Reform Act 1998*
- *Local Government Act 2020*
- *Major Sporting Events Act 2009*
- *Occupational Health and Safety Act 2004*
- *Planning and Environment Act 1987*
- *Road Management Act 2004*
- *Working with Children Act 2005*
- *Child Wellbeing and Safety Act 2005*
- Activities and General Amenities Local Law Victorian Guidelines for Planning Safe and Public Events

Related Council documents

- MV2040 Strategy
- Community Vision, Council Plan and Health Plan 2021-2025
- Igniting Creativity in Moonee Valley 23 – 27
- Moonee Valley Planning Scheme
- Moonee Valley's Activities and General Amenities Local Law 2018-2028
- Municipal Emergency Management Plan
- Festivals and Events Framework

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Document control disclaimer
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Acknowledgement of Country
Moonee Valley City Council respectfully acknowledges the traditional custodians of this land – the Wurundjeri Woi-wurrung people of the Kulin Nation, their spirits, ancestors, elders and community members past and present.