



SHIRE OF DENMARK

TOWN PLANNING SCHEME POLICY No.38

**EVENTS, CONCERTS AND
OTHER ORGANISED GATHERINGS**

ADOPTED AT THE ORDINARY COUNCIL MEETING ON 22 JUNE 2010

15 September 2020 - Attachment 8.2.5a

1. INTRODUCTION

The Shire of Denmark welcomes the conduct of events and concerts to provide an opportunity for visiting artists to perform to residents and visitors. These events range from one-off open-air concerts at venues such as wineries to other events such as the regular market days that have been successfully run by the Arts Council for many years. All of these allow us to experience different cultural and civic events and in many cases display local talents and produce that increases our exposure and generates interest in the local area.

The Shire has a responsibility to ensure that premises and organisers' of concerts, events and organised gatherings satisfy the basic statutory requirements for such events; and to ensure that the identifiable risks to any patron or staff/volunteer is minimised.

Council seeks to ensure that events cause the minimum of inconvenience or nuisance to the community. Large events like concerts can create nuisance by generating traffic and noise (loud music) and the unruly behaviour of some patrons. It is important that organisers' and patrons respect their surroundings and act in a responsible manner to reduce any problems from occurring. The control of patrons is the responsibility of the organiser and their demonstrated capacity to successfully achieve this objective will form a major part of the application assessment procedure.

Each event is different and the specific approvals required will depend upon the type of event and it is recommended that organisers consult early in the planning stages with staff to determine the required approvals needed to conduct the event.

In general, if an event is within a facility that has a permanent approval for events such as clubrooms, civic centre, hotel or winery then formal approval may not be required. If your event is not within a permanent facility that is approved to conduct events then an event application must be submitted to the Shire for approval. Council remains the key organisation as far as events approval is concerned and is involved in most events.

2. OBJECTIVES OF THE POLICY

The objectives of the Policy are:

- To set standards for the conduct of events within the Shire of Denmark.
- To require the organisers of all category A and B events (refer below for definition) to submit details for events and demonstrate compliance with all relevant standards to ensure an enjoyable and safe environment is available for patrons.
- To ensure events are sited and conducted to minimise any adverse impacts on the amenity of the area and nearby land or roads.

3. DEFINITIONS AND APPLICATION OF THE POLICY

For the purpose of this Policy, the term event(s) are defined as follows:

Event(s) are any organised gathering of more than 300 people for private unhosted entertainment or gathering of people brought together for a common purpose by some prearrangement. It shall include both annual and on-off temporary events.

This policy applies to all events and land within the Shire of Denmark.

4. APPLICATION REQUIREMENTS

The Policy defines A, B and C categories for events. Those events included in the A and B categories require formal approval to be issued by the Shire of Denmark. Applications for Category A events that are classified as High Risk Type will be required to be advertised for public comment as part of the assessment process and may take up to 90 -120 days to be completed. It is important that all applicants for high risk events take time to prepare their application and ensure the proposal contains all relevant details as staff will return incomplete applications.

Minor events (Category C) do not require formal approval however; the Shire expects that the organisers will still achieve aims of the Policy.

For events that occur more than once in a single calendar year, a single yearly approval can be granted.

5. POLICY STATEMENT

All proposals for events within the Shire of Denmark shall be assigned a category from the attributes set out in the following Table. The event application and approval requirements shall be then be determined by Council in accordance with the Table, unless Council determines otherwise.

Events Description and Type	Category	Risk Type	Event Attributes	Event Application Requirements	Event Approval Requirements
<p>This category includes small events including private ceremonious functions such as weddings, birthdays, family reunions etc. and public events such as recitals, carols by candlelight and outdoor pantomimes' etc.</p> <p>The venue and operators have the necessary approvals for licences to conduct the activity.</p>	C	Low	<ul style="list-style-type: none"> • Small event • Number of People 300-499 • Low risk • History of similar events with nil or only minor medical incidents at similar events • No alcohol or is an existing licensed premises • No temporary structures required • Internal venue with formal seats • Existing registered food handling premises • Existing registered premises under Public Buildings legislation • No camping 	<p>No approvals required. However, individuals are encouraged to implement a basic events risk management plan for any events (refer note 3).</p>	<p>Planning Consent is not required. However, all events must comply with the following Council requirements: Health (Public Buildings) Regulations 1992.</p>
<p>This category includes events such as indoor/outdoor markets, small concerts/recitals, wine/food festivals, classical concerts, fairs, agricultural shows etc. These events are usually organised by a local volunteer organisation and may have operated successfully for many years.</p> <p>The venues have generally been successfully utilised in the past for similar events.</p>	B	Medium	<ul style="list-style-type: none"> • Medium sized event • Number of People 500 – 2,000 • Medium Risk • History of unusual expectation of serious medical incidents and/or serious medical incidents at similar events • Liquor license maybe required. Alcohol use not prevalent (may be licensed or BYO) • Similar events conducted on-site • Operates for a maximum of 4 hours • Temporary structures required • Internal venue with formal seats or outdoor venue with formalised areas for patrons/staff • Requires food handling • Requires temporary registration under Public Buildings legislation • No camping 	<p>Site plan of event (showing toilet facilities, licensed areas, stages, first aid facilities, event control, parking, access/egress points etc).</p> <p>Written details on noise management, dust management, crowd control/evacuation plan, traffic management, fire fighting details and emergency management.</p> <p>The provision of a basic events risk management plan will be required (refer note 3).</p>	<p>Planning Consent approval required.</p> <p>All events to comply with the following Council requirements:</p> <ul style="list-style-type: none"> • Health (Public Buildings) Regulations 1992. • Building Code of Australia. • Environmental Protection (Noise) Regulations 1997. • Health (Food Hygiene) Regulations 1993 (if applicable). • Fire Management Plan. • Traffic Management Plan.

Events Description and Type	Category	Risk Type	Event Attributes	Event Application Requirements	Event Approval Requirements
<p>This category includes events such as indoor/outdoor high profile concerts, classical concerts, rave parties and high profile sporting events. These events require considerable organisation and coordination by the operators to ensure that there is minimal disruption to adjoining and nearby landowners before, during and after the event.</p> <p>The suitability of the site to cater for the event will be assessed given that it is generally the first time a venue has been utilised.</p>	A	High	<ul style="list-style-type: none"> • Large event • Number of People 2,001+ • High/Extreme Risk • History of serious medical incidents at similar events • No seating • Liquor license is required • No similar events conducted on-site • Operates in excess of 4 hours • Temporary structures required • Outdoor venue • Requires food handling • Requires temporary registration under Public Buildings legislation • Camping proposed on-site 	<p>Site plan of event (showing toilet facilities, licensed areas, stages, first aid facilities, event control, parking, access/egress points etc).</p> <p>Written details on noise management, dust management, crowd control/evacuation plan, traffic management, fire fighting details and emergency management.</p> <p>The provision of a detailed events risk management plan will be required (refer note 3).</p>	<p>Planning Consent approval required.</p> <p>All events to comply with the following Council requirements:</p> <ul style="list-style-type: none"> • Health (Public Buildings) Regulations 1992. • Building Code of Australia. • Environmental Protection (Noise) Regulations 1997. • Health (Food Hygiene) Regulations 1993 (if applicable). • Fire Management Plan. • Traffic Management Plan. • Caravan and Camping Regulations.

NOTE 1: The Event Attributes are provided as a guide. Each application for an event that will ultimately determine the category and use type will be assessed on its individual merits by the Shire’s Planning and Environmental Health sections.

NOTE 2: This list is not exhaustive, and consultation with the Shire’s Planning and Environmental Health sections is recommended to determine any particular application requirements. Other approvals including a liquor licence (if it is intended that liquor is to be sold and supplied at an event) must be obtained from the Director of Liquor Licensing at the Department of Racing, Gaming and Liquor. If noise generated will exceed the allowable levels and the event would lose its character or usefulness if it had to meet the assigned levels, the CEO can issue an approval and set conditions for a non-complying event. Noise from “agricultural shows, fairs, fetes, exhibitions and like events” is “exempt noise” that is not required to meet the allowable noise limits. All food vendors are required to notify or be registered with the Shire and must display their authorisation sticker during the event.

NOTE 3: Please refer to the Department of Health - Guidelines for Concerts, Events and Organised Gatherings (December, 2009) to prepare a Basic Events Risk Management Plan.

6. OTHER INFORMATION SOURCES

Some useful sources of information for events planning and organisation can be found at the following agencies:

Department of Health (Environmental Health Directorate) - **The Guidelines for Concerts, Events and Organised Gatherings (December, 2009)** provides a simple comprehensive resource manual that identifies basic standards and safety measures for event organisers which are necessary to satisfy authorities such as Council's, Police, Department of the Environment and Conservation and emergency service organisations. The guidelines prescribe requirements for events and concerts to ensure that venues are safe for patrons, do not disturb neighbouring properties and provide details on incorporating risk management plans to reduce the risk of a disaster from occurring.

Contact Details:

Department of Health
Environmental Health Directorate
PO Box 8172
Perth Business Centre WA 6849
Email publicevents@health.wa.gov.au.

For further information regarding any aspects of this policy please do not hesitate to contact the Shire's Planning Department on 08 9848 0300 or email at enquiries@denmark.wa.gov.au.



Event Approval Policy

Objectives

The purpose of this policy is to set the standard for the planning and delivery of an event as defined in this policy. This policy will:

- Demonstrate compliance with all relevant standards to ensure a safe environment for patrons.
- Provide guidance on appropriate event types that are governed by this policy and levels of due diligence to be carried out in planning events. The Shire has an event application process that will identify which events need to go through this process, and
- Provide guidance on when fees and charges should be applied to an event booking.

Background

The Council recognises that events contribute to a sense of place and community pride and have many benefits including:

- Building community spirit, increasing local interest and participation, strengthening local values and traditions and encouraging volunteerism;
- Providing opportunities for recreation, entertainment, celebration and education;
- Enhancing the local economy by attracting and retaining visitors in the region;
- Increases tourism development and destination awareness;
- Provides economic development and growth opportunities for local businesses;

This policy applies to all Local Government facilities including parks and reserves that are available for booking.

Definitions

Public Event	Organised gatherings which are open to the public to attend and are either held on / in a Local Government facility or private land that is not being used for its primary purpose.
Private Function	Gatherings which are on / in a local government facility, are not open to the general public and are considered low risk activities. All medium, high / extreme risk rated events need to be treated as per the Public Event application process.
Event Organiser	The entity or person responsible for the event.
Fees	An amount payable to the Shire for the use of Shire services or facilities as per Council Fees and Charges Schedule.
Local Government Facility	Facility owned by the Shire or under the Shire's care, control and management. For example, public open areas, library, Recreation Centre, meeting rooms, reserves and beaches. (Does not include Council Leased property)
Approvals / Permits / Licences	Refers to the requirement to obtain approvals to undertake an activity including but not limited to service of alcohol, sale of food or drinks, food handling for public consumption, construction of temporary structures, interruption of traffic, high risk events, excessive noise.
Medium, High / Extreme Risk Events	An event that involves utilisation of Local Government facilities or private land that are not being used for their primary purpose and or are an event where a risk assessment results in medium, high or extreme risk of damage, injury or impact to property or public safety.

Roles and Responsibilities

- Local Government:**
- To respond to requests, provide advice on Council's policy, receive Event Application Forms, facilitate the approval process, process payments and assist with event applications as required, in a timely manner;
 - Assist organisations with event delivery if expressly authorised by Council or the Chief Executive Officer. Fees may apply.
- Event Organiser:**
- To submit an Event Application Form within appropriate timeframes with all necessary supporting documents;
 - To read, understand, sign and adhere to General and Special Conditions;
 - To pay nominated fees on approval; (where required);
 - To consider and record hazards and risks that may occur as a result of holding the event and implement strategies to mitigate residual risks in a Risk Management Plan;
 - To adhere to Work Health Safety (WHS) and any other relevant legislative requirements including Shire of Denmark Local Laws;
 - To manage the requirements of all event participants including stall holder permits, food notification form, liquor licensing, road closures and compliance for temporary structures and amusement structures;
 - To provide a Traffic Management Plan (when required);
 - To provide an Emergency Management Plan (when required);
 - To make good any damage resulting from an event;
 - To adhere to Sustainable Events Policy P100516.

Process

The online Event Application Form on the Shire's website directs the event organiser through a decision-making process that guides them to the required permissions / permits / licences /approvals and management plans that will be required for their event to obtain Shire approval. The supporting documentation to assist with the event application is the Shire of Denmark Event Approval Guide which is located on the Shire of Denmark website or from the Shire office upon request.

1. Applications will only be assessed if all supporting information is provided and the Event Application Form is signed by the Event Organiser within the timeframe.
2. Where Council receives two (2) applications for events; for the same time and location on or at a Local Government facility, preference will be granted to the Event Organiser who forwards the completed Event Application Form first.

Fees and Charges

Depending on the size and nature of the event, applicable fees may apply and are documented in the Council's Fees and Charges Schedule.

Supporting Documentation

Event Approval Guide
Event Application Form
Sustainable Events Policy