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Circular to Councils



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A GUIDE TO MAJOR AND SPECIAL EVENTS PLANNING

A new guide or practice note has been prepared to provide councils, event promoters and the general public with information about how to successfully facilitate major and special events for their communities. These events include street parades, motor races, cycling races, jazz festivals, cultural celebrations, sporting events, open air theatres and concerts, and balls or dance parties and can often attract large numbers of people.

A lot of time and effort goes into planning and promoting these events and they are often seen as a way of creating employment and providing economic benefits for the local community. Councils play a variety of roles, from event manager to consent authority, and have to weigh up the advantages and disadvantages for everyone in their community before they give approval for the event to go ahead.

Events are often complex and may depend on approvals from a range of different agencies. The key to staging a successful event is good communication, as early as possible in the process, between the promoter of the event and the local council and other consent authorities such as the Police and the Environment Protection Authority.

The Guide has been prepared by the Department in co-operation with the NSW Police Service, the Environment Protection Authority, and the Department of Urban Affairs and Planning.

The Guide recognises that major and special events are a form of 'development' and aims to promote good practice by promoters and councils so that the benefits of these events for the community are maximised and any negative social impacts are minimised or reduced. It explains the various approvals required from councils, the Police and the Environment Protection Authority and the policies and procedures that councils may have, or would like to develop, in relation to these events.

The Guide has three parts.

1. The **Introduction** has details about the nature of major and special events and how the impacts of these events can be assessed and managed.
2. **Part A** guides promoters through the legislation and various approvals that apply to events.
3. **Part B** provides information for councils about developing and implementing an events policy and improving the consultation process.

The Minister for Local Government recently launched the Guide at the 1997 Local Government Association annual conference in Port Macquarie. A copy of the Guide is attached to this Circular.

Further copies of the guide may be downloaded free of charge from the Department of Local Government website on the internet at **www.dlg.nsw.gov.au**.

As the Guide is freely available to promoters or interested members of the community on the internet, the Department will not be printing hardcopy editions. Councils may wish to make copies of the Guide available to promoters or interested members of the community, and cover their printing and copying costs by charging a nominal fee.

If you have any questions about the Guide please contact Ms Michelle Carnegie, Principal Policy Officer, on telephone (02) 9793 0827, facsimile number (02) 9793 0899 or email address carnegie.m@dlg.nsw.gov.au.



Garry Payne
Director General

PRACTICE NOTE

MAJOR AND SPECIAL EVENTS PLANNING

A Guide for Promoters and Councils

NSW DEPARTMENT OF LOCAL GOVERNMENT

IN CO-OPERATION WITH

NSW POLICE SERVICE

NSW ENVIRONMENT PROTECTION AUTHORITY

**NSW DEPARTMENT OF URBAN AFFAIRS AND
PLANNING**

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INTRODUCTION

This practice note or guide has been prepared to provide councils, event promoters and the general public with information about how to successfully facilitate major and special events for their communities. These events include street parades, motor races, cycling races, jazz festivals, cultural celebrations, sporting events, open air theatres and concerts, and balls or dance parties and can often attract large numbers of people.

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This guide recognises that major and special events are a form of 'development' and aims to promote good practice by promoters and councils so that the benefits of these events for the community are maximised and any negative social impacts are minimised or reduced. It explains the various approvals required from councils, the police and the Environment Protection Authority and the policies and procedures that councils may have, or would like to develop, in relation to these events.

The Department of Local Government, the Department of Urban Affairs and Planning, the Police Service of NSW, and the Environment Protection Authority of NSW have worked together to prepare this practice note. Our aim is promote a holistic approach to the planning of major and special events so that all the relevant matters are considered as part of a unified process rather than as a collection of isolated requirements and approvals.

Contact details for all the relevant authorities are included in the Contacts section in Part B of the guide.

IMPACTS OF MAJOR AND SPECIAL EVENTS

In many cases, towns compete to stage major and special events in the same way that they compete to attract businesses because of the perceived economic opportunities events can bring to an area.

A recent example is the Adelaide Grand Prix's shift from Adelaide to Melbourne. The issues surrounding Albert Park's transformation to a racetrack and the complaints of some residents received much media coverage and demonstrated the potential negative impacts major events can have on communities.

These impacts may be social, environmental, or economic and it is important to recognise that the benefits of events may be experienced by only a limited proportion of the community. While some members of the community may benefit from increased employment generated by an event, others may suffer a loss of business trade.

In the Albert Park example the event itself suffered the negative impact of a public transport strike because of the huge community opposition to the event. On a smaller scale, a neighbourhood may be subject to a range of negative impacts if a promoter has not organised sufficient transport for attendees travelling to and from an event.

On equity grounds the benefits of events should be shared and the disadvantages or costs of events minimised, managed, or compensated. Councils and promoters may employ a number of techniques to help them do this.

As the consent authority for an event, councils have a crucial role in ensuring that the appropriate cost-benefit factors have been taken into consideration. In approving or rejecting an application from a promoter, council is making a decision on behalf of the whole community and thereby authorising the likely impacts of that event.

If the event is unsuccessful, considerable local controversy can result and council's credibility within the community may suffer.

It is therefore important that negative impacts (perceived or real) are recognised, managed and preferably compensated as conditions of consent attached to council's approval. By undertaking an impact assessment which includes a social impact assessment, the social gains of events can be maximised and their benefits to the community can be sustained.

A useful summary of event impacts has been devised by Ritchie (1984) and is included at Appendix A. It outlines some of the positive and negative impacts which can arise from major public events by impact type and illustrates the dual nature of many impacts. There may also be costs for council in approving an event which need to be identified and assessed.

There is usually no clear cut 'right or wrong' decision in terms of weighting these impacts (for most events there will be negative impacts to be borne) but it must be clear that all impacts were identified and weighted in the decision making process.

Definitions of Social and Economic Impact Assessment

What is Economic Impact Assessment?

Many councils will already be familiar with the concept of economic impact assessment. It is commonly used to assess the benefits and costs of capital projects such as roads and buildings.

There are generally three methods of economic impact analysis used to assess major and special events:

Benefit/Cost Analysis - measurable benefits accruing from an event are set against the measurable costs of staging the event (these costs would include capital costs where appropriate). Intangible costs are usually included as well, even if no values are calculated. These costs would include any costs to Council.

Input-Output Analysis - this method attempts to measure the impact of the additional expenditure (both current and capital) on the relevant region and can only be attempted if reasonably up to date input-output tables are available for the region. Caution should be exercised in the use of employment impacts for major events as the effect on employment is usually short term. The results of the input-output analysis are used as measures of costs and benefits for the cost benefit analysis.

Other Econometric Models - these may be available but they are largely inappropriate for major events unless it is an extremely large event such as the Olympics.

What is Social Impact Assessment?

In recent years environmental impact assessments have become commonplace in considering projects in recognition of the significant environmental impacts which can arise from major projects and in line with global objectives of sustainable development.

Social impact assessment is an emerging technique which attempts to consider the human factors related to a particular project. It also helps in achieving the objectives of sustainable development.

Some definitions of Social Impact Assessment are:

'Social Impact Assessment is the analysis of how policies and actions affect social well being. It is a process in which proposed projects are examined for their possible effects on individuals, groups and communities.'

(Johnston, 1993)

'Social Impact Assessment refers to assessing (as in measuring or summarising) a broad range of impacts (or effects, or consequences) that are likely to be experienced by an equally broad range of social groups as a result of some course of action.'

(William Freudenberg, 1986)

In recognition of the need for Council decision making processes to take human factors into account, the Office on Social Policy and the Local Government and Shires Associations of New South Wales commissioned a Handbook for Councillors, Town Planners and Social Planners titled '*Social Impact Assessment for Local Government*' in 1995.

There is more detailed information on the social impact assessment and management process in Appendix B.

Why do a Social Impact Assessment for a major or special event?

Many councils and promoters are recognising the benefits of undertaking social impact assessment for major and special events. The NSW Government has also recognised the importance of this technique in, for example, their planning for the Sydney 2000 Olympics. The study '*Sydney Olympics 2000. Approaches and issues for management of social impacts. A Report from the Office on Social Policy*' was commissioned by the Social Policy Directorate and published in August 1993.

There are a number of reasons for undertaking a social impact assessment for a major or special event:

- it is consistent with a commitment to better customer service, good management and consultation practice;
- it provides an opportunity for community input that will help maintain support and ownership of the event;
- it enables the council and promoter to address both real and perceived social concerns;
- it allows broad input and commentary on how to maximise positive benefits and minimise negative impacts, as well as offering suggestions on mitigation strategies;
- it helps elicit community and corporate support and understanding of the benefits the event will have for the local area. (from Deakin, 1993)

Some useful case study references include:

Coates, John D (1984) ***Community Economic Impact of the 1984 Olympic Games in Los Angeles and Southern California***, Los Angeles, Economic Research Associates

Day, Phil (1988) ***The Big Party Syndrome: A Study of the Impact of Special Events and Inner Urban Change in Brisbane***, Department of Social Work, University of Queensland

Economic Information Resources Consulting Pty Ltd (1990) ***1996 Melbourne Olympic Games: A Preliminary Social Impact Assessment***.

Social Policy Directorate. (August 1993) ***Sydney Olympics 2000. Approaches and issues for management of social impacts. A Report from the Office on Social Policy***.

Burns, JPA and others, eds, ***Adelaide Grand Prix, the Impact of a Special Event***, Adelaide, Centre for South Australian Economic Studies

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Armidale City Council *Standard Practice Note - Events Management*

LARP Solutions - Making It Easier To Get There. A toolkit for local government. Commonwealth Department of Housing and Regional Development, 1995.

Sydney Olympics 2000. Approaches and issues for management of social impacts. A Report from the Office on Social Policy. Social Policy Directorate. (August 1993)

Burns, J P A and Mules T J (1986) "A Framework for the Analysis of Major Special Events" in Burns, JPA and others, eds, *Adelaide Grand Prix, the Impact of a Special Event*, Adelaide, Centre for South Australian Economic Studies

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Health Department of Western Australia (1995) *Operational Guidelines for Rave Parties, Concerts and Large Public Events*

Johnston, C (1993) NSW Office on Social Policy *Report/notes on the social impact assessment professional development course* held at Technology Park, Bentley, WA in 1993.

KPMG Peat Marwick and Centre for South Australian Economic Studies (1993) *Sydney Olympics 2000: economic impact study*

Letting People Know. Best Practice Guideline, August 1995, NSW Department of Urban Affairs and Planning

Lodging a Development Application. Five ways to Reduce Delays... Prepared by Perumal Murphy for the Department of Planning, 1989.

Newcastle City Council *Local Applications Mediation Programme*

Newcastle City Council *Proposed Guidelines and Constitution for a Neighbourhood Committee System - Information Pack*

STRATEGIC PLANNING, John Mant, PPM Consultants Pty Limited and PHILLIPS FOX, Solicitors, May 1995

THE NORTH SYDNEY STRATEGY as adopted by Council 21 August 1995

Land and Environment Court of New South Wales, *South Sydney City Council v Paul Dainty Corporation Pty Ltd and the Sydney Cricket and Sports Ground Trust*, Talbot J, 23-27 April 1992

Land and Environment Court of New South Wales, *Gosford City Council v Popran Creek Pty Limited & Anor*, Stein J, 15 December 1995

NSW Office on Social Policy (1993) *Better Service through Consultation . Best Practice Paper 1.*

NSW Office on Social Policy (1993) *Resourcing Consultation . Best Practice Paper 2.*

Maywald,S (1989) *Consulting with your Community. A guide to effective and equitable community consultation techniques for local government and associated organisations*

APPENDICES

APPENDIX A

Types of Impacts of Hallmark Events (Ritchie, 1984, p4):

Physical Impacts:

- + Construction of new facilities
- + Improvement of local infrastructure
- Environmental damage
- Overcrowding/congested access to infrastructure [*eg: public transport*]

Socio-Cultural Impacts:

- + Increase in permanent level of local interest and participation in type of activity associated with event
- + Strengthening of city's tradition and values
- Commercialisation of activities which might be of a private or personal nature
- Modification of nature of event to accommodate tourism

Psychological Impacts:

- + Increased local pride and community spirit
- + Increased awareness of non-local perceptions
- Tendency toward defensive attitude toward host city
- Possibility of misunderstandings leading to varying degrees of host/visitor hostility

Economic Impacts:

- + Increased expenditures
- + creation of employment
- Price increases during event
- Real estate speculation

Tourism/commercial impacts

- + increased awareness of city as a travel destination
- + Increased knowledge of potential for investment and commercial activity in city
- Acquisition of a poor reputation as a result of inadequate facilities or improper facilities or improper practices.
- negative reactions from existing enterprises due to new competition

Political impacts:

- + Enhanced international recognition of city and its values
- + Propagation of political values held by population
- Economic exploitation of local population to satisfy ambitions of political elite
- Distortion of true nature of event to reflect values of political system of the day

APPENDIX B

The Social Impact Assessment and Management Process

There are three stages to this process:

- Impact Assessment (pre-decision and pre-event),
- the Decision to approve the event (or not to), and
- Impact Management (during and after the event).

Impact Assessment

- Scoping
Gilpin (1995) presents a contemporary definition of scoping:

A procedure, carried out as early as possible, to help ensure that an EA focuses on key environmental issues associated with a proposed activity or development; scoping involves meetings between the proponent and planning or environmental agencies, members of the public, and other interests likely to be affected. The result should determine the scope and depth of the significant issues to be examined in the forthcoming EIS.

- Profiling
 - baseline data
 - historical studies, social plans, demographic tables
 - cultural plans, community organisations, where people meet and play
 - local knowledge, indigenous knowledge
 - similar projects elsewhere - comparative data
- Formulating alternatives
 - Basic principle is to compare the development options with the 'no-go' option
 - Can be political - which options are included and which are excluded?
 - What is the range of feasible options?
- Projecting and estimating effects
 - The detail on the expected impacts from the alternatives:
 - * who will be affected? The equity dimension
 - * in what way?
 - * how long will impacts last?
 - * what social change would occur anyway? (without the development)
 - Assessment of preferred option
 - * relies on decision criteria and weighting
 - * may be partly or wholly a political decision

The decision

- Deciding
-

Impact management

- Impact management planning
 - The 'poor relation' of impact assessment generally
 - Impact management Plan - to include changes in project design, mitigation measures, and monitoring procedures.
 - key issue is defining who is responsible.
- Monitoring and mitigating
 - Mitigation strategies:
 - avoid
 - minimise
 - compensate
 - Monitoring program - especially for unanticipated or cumulative impacts
- Evaluating
 - Review of social impacts after the fact - what impacts did occur and were the negative impacts effectively mitigated?
 - Evaluation of social impact assessment process as a whole - what worked and what hindered the process? Lessons to be learnt for future social impact assessment
 - Retrospective social impact assessment - provides the knowledge base for the comparative approach.

(Local Government and Shires Associations, 1995)

Methods of investigating social impacts

Johnston (1993) identified three main methods of investigating social impacts:

- ◆ a comparative needs study (community needs before and after change)
- ◆ a social environment study (effects of changes in the community, such as the built environment or human environment)
- ◆ a social dynamics study (how the fabric of a community might be altered)
(Johnston, 1993)

Management of Impacts

The key to a successful event is managing the impacts effectively. In particular, the identified negative impacts of the proposed event need to be appropriately monitored and mitigated.

Council's decision to approve an event in their community follows a sound and balanced consideration of the likely economic, social and environmental impacts of the event on the local community. Approvals may be granted with conditions attached to ensure that impacts identified by council are monitored and mitigated by the promoter, and that the impacts of a given event are evaluated to inform future policy on events.

Is there a cost for council?

Council also needs to assess the potential costs to council of a proposed event. These may be up-front costs in terms of constructing new facilities or could be costs for damage to public places or for waste removal as a result of an event.

If council is considering constructing a new facility or upgrading a facility for a proposed event it is particularly important that the costs can be justified to the community. The benefits of the event would need to be substantial to justify such costs.

In terms of costs associated with damage or waste, council needs to set appropriate bonds. These need to be collected from promoters before the event to cover any costs which may arise. The conditions of approval should also reflect council's expectations in terms of protection of property during the event and clean - up following the event.

PRACTICE NOTE

**MAJOR AND SPECIAL EVENTS
PLANNING**

A Guide for Promoters

PART A
**Approvals Required for
Events**

NSW DEPARTMENT OF LOCAL GOVERNMENT

IN CO-OPERATION WITH

NSW POLICE SERVICE

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IS COUNCIL APPROVAL REQUIRED?

Speaking to your council

If you are interested in staging an event, it is essential that you make contact with the responsible council for the proposed location as early as possible. There is a listing of NSW councils in the CONTACTS section of this practice note.

Councils have a variety of different organisational structures, policies and processes. You will need to make sure that you arrange to speak with all the relevant sections of council involved in approving your event .

The Department of Local Government survey of councils in June 1997 identified a range of different sections of council which handle events. The section of council most often responsible for events was Environmental Services (25% of councils), followed by Planning and Development Services (14% of councils), Corporate Services (14% of councils) and Community Services(13% of councils). The survey findings also indicated that 15% of councils had employed dedicated Events Managers.

Before you have preliminary discussions with council you should put together the following details about the proposed event:

crowd		public transport	
duration		Safety	
electricity		Security	
emergency vehicle access		Timing	
first aid		Toilets	
impacts		Traffic	
insurance		Transport	
location		Waste	
noise			
parking			

As an applicant, it is important that you can demonstrate to the council that you have identified and assessed all the economic, social and environmental impacts of the proposed event and that you will be able to manage these impacts effectively.

Does council have a policy or guidelines on events?

In June 1997, only 7% of councils had an events policy in place.

If you are a promoter seeking to stage an event in an area you should ask the relevant council if they have an events policy. If they do, make sure you obtain a copy before lodging your application. The policy will usually outline the requirements for an application as well as the type of events that may be prohibited in the area.

If the council does not have an events policy, you will need to speak to the relevant officer within council about council's decision making processes for approving events.

You should also be aware that a council's events policy may apply to certain locations or types of events only, or may have a particular status in council's decision making process. Also, most events policies will advise that the criteria outlined will apply in most cases, not all, and that the council may apply discretion in considering event applications. For example, the council may require additional details on a proposed event as well as what is specified in the events policy.

What process does council have in relation to events?

It is important to speak with the relevant council about a proposed event well in advance so that there is sufficient time for council to process your application and make a decision. Some councils will require a development application for any event so you may have to provide a statement of environmental effects. Others may require differing applications for different types of events. There are also various delegations for decision making processes within councils.

In general, it is good practice to lodge your application with the relevant council at least 4 months before the event is due to be held. Some councils will require even more notice, especially if it is a major event. This period is recommended because the applications may need council approval and most councils only meet monthly. If the application is rejected, there will still be time to arrange an alternative venue. This period also allows time for you to get approvals from other agencies such as the EPA or Police.

Your application should have as much information as possible about the type of event and the way that it will be run. It is the promoter's responsibility to organise the event and it will increase your chances of approval if the initial application shows that the event is being well planned. You should also submit details of previous events with which you have been associated.

Managing Impacts

As a promoter, your application to council should include an outline of the likely impacts of the proposed event and an impact management plan to monitor and mitigate these impacts. This information demonstrates to the council that you understand the various impacts of the event on the local community and have prepared strategies for managing these impacts.

Summary of key steps:

Establish contact:

- Who is the relevant contact person in council to speak to about events?
- Which divisions/sections of council will be involved in considering the event application?

Have your information available:

- Have all details about the event been considered and are you able to advise council of them?
- Have you considered the likely impacts of your event and can you demonstrate how they will be managed?

Approvals legislation used by councils

There are two pieces of legislation that apply to council approvals for public events:

- ◆ **the Environmental Planning and Assessment Act 1979**
 - Development Applications - s90 matters for consideration
- ◆ **the Local Government Act 1993**
 - specific approvals regarding temporary structures, waste, and entertainment uses (s68)
 - Local Approvals Policies (s89,158,160,167)

However, the legislation does not require that all councils follow exactly the same approach in requiring and considering an application for the staging of an event.

If you are a promoter who has staged a particular event in one area, this means that you may find that the same processes and conditions may not apply in another area.

Therefore, if you are considering staging an event, you will need to make contact with the local council well in advance of the proposed event to find out about their particular policies and processes.

There are a number of options for councils to choose from when processing applications for public events. The approach a council adopts will depend on their local environment, the needs of their community, and their vision for the future. As a promoter you need to speak to the council about how your event fits into this context and whether it is compatible with council's local policies.

Within the legislative framework councils may:

- ◆ require submission of a development application for all or some types of events as defined in their Local Environmental Plan
- ◆ require submission of an application under the Local Government Act for all or some types of events or particular components of the event, eg: construct a temporary structure for the purpose of public entertainment.
- ◆ add matters for consideration relating to events or a local events policy to Part 2 of their Local Approvals Policy, which guides their decision making process.

Is development approval under the EP&A Act required?

The Council's local planning instrument known as a Local Environmental Plan or LEP, will determine whether a development application is required to obtain development consent, or if the use is a prohibited activity.

While LEPs vary greatly between local government areas, development consent requirements are usually presented in the form of a land use table. For example Wollongong City Council intends to require development consent for the following major events:

- a) rock concerts
- b) circuses
- c) special public entertainment events not related to sporting, beach or entertainment facilities

However other LEPs are much less specific and you may need advice from the council to determine if a major event, or certain aspects of the event, require a development application to be lodged to obtain development consent.

The survey of councils indicated that only 2% of councils, that is 3 councils, had specific control over events through their LEP. Annexure C provides further explanation of the land use provisions of an LEP.

What other policies may be relevant to a major or special event?

State Environmental Planning Policies (SEPPs) involve matters of state and regional significance and may be relevant to the event depending on its location.

There are also Regional Environmental Planning Policies (REPPs) involving specified regions or areas of regional significance.

Development Control Plans, which often take the form of a local guideline or policy document, are developed and approved at the local council level.

The survey of councils practice in relation to events showed that of those councils with an events policy, only one council is currently expressing it in a Development Control Plan.

Development control plans are placed on exhibition for public comment and any submissions are taken into consideration before council resolves to adopt the plan. A development control plan can guide the promoter by making clear council's policy on issues that arise from major events. A further advantage of the DCP is that it can be amended to reflect changes in the types of events taking place in an area.

If council has prepared a DCP that is relevant to conducting a major event, this document should be consulted and discussed by Council and the applicant.

Useful Reference:

Recently a DCP on events has been developed by Wollongong City Council as a Draft Technical Policy on Major and Special Events.

What matters are taken into consideration by council when determining an application for a major event under the EP&A Act?

The process of lodging an application involves the applicant and the council having a clear understanding of the event, not only in terms of what will take place but also in terms of understanding any possible adverse impacts and the measures that will mitigate these impacts.

Part 4 of the EP&A Act covers development applications to a council. Matters that the consent authority considers when reviewing a development application are listed in s90 of the EP&A Act. s90 also requires consideration of any DCPs which may relate to the proposed event. Only 8% of councils with an events policy had a DCP.

The type of information required in a development application is contained in Schedule 5 of the 1994 Regulation to the Environmental Planning and Assessment Act, 1979.

A Statement of Environmental Effects will be required as part of the Development Application.

Council, as the consent authority, is required to either grant consent to an application, unconditionally or subject to conditions, or refuse the application. The applicant has the right of appeal to the Land and Environment Court if the application is refused or they do not agree with the conditions of consent.

How long should it take council to deal with the application?

The Environmental Planning and Assessment Act 1979 (Part 4, Division 1, cl96) requires that the consent authority for a development application (usually council) must determine the application within a period of 40 days. However if the development application is complex, processing can take longer. Following that period of time the application is deemed to have been refused and the applicant has the right to appeal to the Land and Environment Court.

What other issues might need to be considered?

A council may require a Development Application for an event on the basis that events are a form of development.

There are a number of court cases which have considered events as a form of 'development' as defined by the EP&A Act. The Act defines development as follows:

'development' in relation to land means

- (a) the erection of a building on that land;**
- (b) the carrying out of a work in, on, over or under that land;**
- (c) the use of that land or of a building or work on that land; and**
- (d) the subdivision of that land,**

but does not include any development of a class or description prescribed by the regulations for the purposes of this definition

Reference Cases include:

Land and Environment Court of New South Wales, ***South Sydney City Council v Paul Dainty Corporation Pty Ltd and the Sydney Cricket and Sports Ground Trust***, Talbot J, 23-27 April 1992

The proposed concert was "development" for the purpose of the Environmental Planning and Assessment Act and the City of Sydney Planning Scheme Ordinance and was contrary to the provisions of s76 of the Environmental Planning and Assessment Act.

Land and Environment Court of New South Wales, ***Gosford City Council v Popran Creek Pty Limited & Anor***, Stein J, 15 December 1995

The proposed event (Happy Valley Open Air Festival) was within the definition of development under the EP&A Act and prohibited by the zonings for the subject land. Also the promoter had failed to obtain council approval for erection of temporary structures. Injunction granted - the event was cancelled.

Is approval required under the Local Government Act?

There are a range of approvals under section 68 of the Local Government Act that may be required for the staging of a major event. The more common approvals include:

- Part A4 Approval** - Install a temporary structure on land
- Part A8 Approval** - Use a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment.
- Part D2 Approval** - Direct or procure a theatrical, musical or other entertainment for the public
- Part D3 Approval** - Construct a temporary enclosure for the purpose of entertainment
- Part D4 Approval** - For fee or reward, play a musical instrument or sing
- Part D5 Approval** - Set up, operate or use a loudspeaker or sound amplifying device
- Part F5 Approval** - Install or operate amusement devices (within the meaning of the Construction Safety Act 1912)
- Part F6 Approval** - Install or operate amusement devices prescribed by the regulations in premises

A complete list of Local Government Act approvals is included in Annexure D.

You will need to confirm with council which approvals will be required for your event.

What matters will council take into consideration when deciding to approve an application under the Local Government Act?

Section 89 of the Local Government Act outlines the matters that council must consider when making a decision.

89 Matters for consideration

- (1) In determining an application, the council:
 - (a) must not approve the application if the activity or the carrying out of the activity for which approval is sought would not comply with the requirements of any relevant regulation, and
 - (b) must take into consideration any criteria in a local policy adopted under Part 3 by the council which are relevant to the subject-matter of the application.
- (2) If no such requirements are prescribed and no such criteria are adopted, the council in determining an application is to take into consideration all matters relevant to the application and is to seek to give effect to the applicant's objectives to the extent to which they are compatible with the public interest.
- (3) Without limiting subsection (2), in considering the public interest the matters the council is to consider include:
 - (a) protection of the environment, and
 - (b) protection of public health, safety and convenience, and
 - (c) any items of cultural and heritage significance which might be affected.

These include requirements of any relevant regulation and/or criteria included in a local approvals policy (LAP). Councils are able to include locally derived matters for consideration within Part 2 of their local approvals policy. These may be consistent with council's policy on events.

However where there is no relevant regulation or Council does not have any criteria in a LAP then the public interest must also be considered. The public interest specifically includes consideration of the protection of the environment, protection of public health, safety and convenience and any items of cultural and heritage significance which may be affected.

What are the main Local Government regulations that must be considered when staging an event?

Temporary Structures

The Local Government (Approvals) Regulations require that particular matters be taken into consideration for the installation of temporary structures and the use of a building or temporary structure as a place of public entertainment.

- **For the installation of temporary structures** - this includes whether the structures is structurally sound and capable of withstanding loads and fire safety provisions (see cl16 Approvals Regulation in Notebox following).
- **For the use of a building or temporary structure as a place of public entertainment** - this includes whether consent was given under the EP&A Act and whether the purpose contravenes the provisions of that Act or any environmental planning instrument (see Notebox cl 18 (Approvals)Reg)

In addition the Local Government (Approvals) Regulations require that a condition of an approval for the use of a building or a temporary structure as a place of public entertainment must include standard management and use conditions as set out in Schedule 2 of the Local Government (Approvals) Regulations (see Annexure B).

Amusement Devices

If the proposed event involves the use of amusement devices, approvals will also be required under Division 5 of the Local Government Act (cl 141 - 143) to ensure that the device will be situated on firm ground and that appropriate safety and insurance provisions have been made.

Accreditation

There is an opportunity within s120 of the Local Government Act 1993 for accreditation of structures by the Director - General of the Department of Local Government. This could be relevant to event promoters intending to use the same structures in a range of locations and would remove the need to obtain approval for the structures from each council. Of course, approval of each proposed location for the event would still be required from each council.

Division 5

Accreditation of components, processes, designs and temporary structures

120 Application for accreditation

- (1) Any person may apply to the Director-General for the accreditation of any component, process, design or temporary structure relating to an activity which is subject to the approval under this Part of a council.

Definitions

There is a list of relevant definitions in Annexure E.

NOTEBOX

Local Government (Approvals) Regulation 1993

Matters to be taken into consideration by council in determining whether to approve the installation of a temporary structure on land

16. (1) In determining an application for approval to install a temporary structure on land the council must take into consideration whether the structure:
- (a) will be structurally sound and capable of withstanding the loadings likely to arise from its use; and
 - (b) will contain reasonable provision for the safety of persons proposed to be accommodated in the structure, in the event of fire, particularly in relation to egress; and
 - (c) will contain reasonable provision for the prevention or suppression of fire and the prevention of the spread of fire.
- (2) This clause does not apply to a temporary structure that is accredited under Division 5 of Part 1 of Chapter 7 of the Act.

Matters to be taken into consideration by council in determining whether to approve the use of a building or temporary structure as a place of public entertainment

18. (1) In determining an application for approval to use a building or temporary structure as a place of public entertainment the council must take the following matters into consideration:
- (a) whether any consent required under the Environmental Planning and Assessment Act 1979 for the use of the building or structure for the purpose has been given;
 - (b) whether the use of the building or structure for the purpose contravenes provisions of that Act or of any environmental planning instrument within the meaning of that Act, in so far as the Act or instrument applies to the land.
- (2) If the application relates to an existing building, the council must not approve the use of the building as a place of public entertainment unless the council, having regard to the circumstances of the case, is of the opinion that the building, with such alterations as it may require:
- (a) will be structurally sound and capable of withstanding the loadings likely to arise from the use, and
 - (b) will contain reasonable provision for the safety of persons proposed to be accommodated in the building, in the event of fire, particularly in relation to egress, and
 - (c) will contain reasonable provision for the prevention or suppression of fire and the prevention of the spread of fire.

Division 5 - Amusement devices

Definitions

141. In this Division:
amusement device has the same meaning as it has in the Construction Safety Act 1912.

Standards to be met for approval

142. The council must not approve an application for an approval to install or operate an amusement device unless the council is satisfied:

- (a) that the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason; and
- (b) that the device is registered under the Construction Safety Regulations 1950; and
- (c) that the device is to be or has been erected in accordance with all conditions relating to its erection set out in the current certificate of registration issued for the device under the Construction Safety Regulations 1950.

Compliance with standards

143. It is a condition of an approval to install or operate an amusement device, that the activity approved, and any building or work associated with or carried out in connection with the activity, complies with the following standards:

- (a) the ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason;
- (b) the device is registered under the Construction Safety Regulations 1950;
- (c) the device is erected in accordance with all conditions relating to its erection set out in the current certificate of registration issued for the device under the Construction Safety Regulations 1950.

Insurance

144. It is a condition of an approval to install or operate an amusement device that there must be in force a contract of insurance or indemnity which indemnifies to an unlimited extent (or up to an amount of not less than \$5,000,000 in respect of each accident) each person who would be liable for damages for death or personal injury arising out of the operation or use of the device and any total or partial failure or collapse of the device against that liability.

Division 9 - Accreditation

Form of application

69. An application for the accreditation of a component, process, design or temporary structure must:

- (a) be in writing; and
- (b) include a description of the component, process, design or temporary structure to which the application relates; and
- (c) be accompanied by a copy of a certificate of accreditation issued by the Building Accreditation Authority of Victoria, if it is so accredited, or

if it is not, documentary evidence of any test procedures, results, performances or appraisals relevant to the proposed accreditation that have been obtained from a recognised appraisal body.

Local Government Act 1993

Division 5

Accreditation of components, processes, designs and temporary structures

120 Application for accreditation

- (1) Any person may apply to the Director-General for the accreditation of any component, process, design or temporary structure relating to an activity which is subject to the approval under this Part of a council.
- (2) An application must be made in the approved form and be accompanied by the approved fee.
- (3) Before deciding whether or not to grant an accreditation, the Director-General may require the applicant to submit such information relating to the component, process, design or temporary structure (including information describing any relevant method of installation, attachment or construction) as the Director-General considers appropriate.
- (4) The Director-General may refuse to consider an application but in that event must refund the fee paid.

121 Determination of application

- (1) The Director-General has a discretion to accredit a component, process, design or temporary structure.
- (2) An accreditation may be granted subject to such conditions and qualifications, and for such period, as the Director-General thinks fit.
- (3) In determining an application for accreditation, the Director-General may have regard to sources of information published or otherwise made available by such persons or bodies as the Director-General considers appropriate.
- (4) In granting an accreditation, the Director-General must state the provisions of any regulation which the accredited component, process, design or temporary structure satisfies or with which the accredited component, process, design or temporary structure complies.

What policies or plans might be relevant to the staging of an event?

If council has adopted a Development Control Plan or a Local Approvals Policy in relation to the staging of major events, these must be consulted. These policies will have been publicly exhibited and will have a significant bearing on Council's decision on a proposed event.

If the proposed event is to take place on public land then consideration will also have to be given to any Plan of Management that affects that land. The LG Act 1993 requires that Plans of Management should be in place for all public land that has been classified as community land. Details of the mandatory and optional content of these Plans of Management are included in 'Public Land Management - Practice Note 1' DLG Sept 1993.

Councils and promoters need to discuss fully the nature and scope of any event so that all the consents and approvals required for an event can be identified at an early stage. All parties then have a clear understanding of what is required, the process, and how long these approvals and consents may take to obtain.

What conditions are applied to approvals for events?

It is a statutory requirement for any approval, in addition to any conditions attached by the council, that standard management and use conditions for places of public entertainment must be complied with. These are set out in Schedule 2 to the *Local Government (Approvals) Regulation 1993*. A copy of Schedule 2 is attached for reference at Annexure B. The management and use conditions detail requirements for fire safety officers; trained people for stage performances etc.

These requirements also generally apply to temporary structures used as places of public entertainment. For temporary structures an application for an A4 approval should accompany the A8 approval application (for the tent or marquee).

Are there any activities which are exempt from approval?

Approval for the use of a temporary structure as a place of public entertainment is not required if the installation of the temporary structure has been approved, the temporary structure is accredited and the provisions of accreditation and Schedule 2 (see Annexure B) relating to the management and use of the structure are complied with at all times (see Local Government Approvals Regulation cl70 below).

Local Government (Approvals) Regulation 1993 Division 10 - Exemptions

Activities for which approval is not required

70. The following activities may be carried out without the prior approval of the council subject to such conditions as are specified:

(a)–(e) * * * * *

(f) Use of temporary structures as places of public entertainment. The use of a temporary structure as a place of public entertainment, or the permission of the use of a temporary structure as a place of public entertainment, if:

(i) the installation of the temporary structure on the land on which it is situated is the subject of an approval; and

(ii) the temporary structure is accredited under Division 5 of Part 1 of Chapter 7 of the Act; and

(iii) any conditions to which the accreditation is subject are complied with at all times while the temporary structure is being used as a place of public entertainment; and

(iv) the provisions of Schedule 2 are complied with at all times while the temporary structure is being used as a place of public entertainment.

(g) Change of use of an existing building to a use that is not consistent with its current classification (where new use is use of building as place of public entertainment). A change of use of an existing building, or part of an existing building, (being a building that does not exceed 25 metres in height) to a new use that is not consistent with the current classification of the building or part but only if:

(i) the new use is the use of the building or part as a place of public entertainment and that use has been approved by the council (pursuant to clause 18), and

(ii) the council's approval has effect for a period not exceeding 72 hours, or for a longer period (not exceeding 7 days) that the council determines in the circumstances of the case is of such a short duration as to make it unnecessary to also approve a change of use.

(h) Use of class 9b buildings for public meetings. The use of a building that is a class 9b building for the purpose of a public meeting, or the permission of the use of a such a building for that purpose.

Can a Local Approvals Policy exempt a person from obtaining a council approval?

Section 162 of the Local Government Act states that a council does not have the power to adopt that part of a draft local approvals policy that specifies circumstances in which (if the policy were to be adopted) a person would be exempt from the necessity to obtain a particular approval of the council, unless the council has received the Director General's consent to the adoption of that part.

Summary of key considerations for promoters:

Council processes:

- Does council require a Development Application for the proposed event?
- Does council require another form of application for the proposed event?
- Are approvals under the Local Government Act relevant to the proposed event?
- Does the council's Local Approvals Policy consider events?

The site:

- Is the site environmentally sensitive? (may require Part 5 EP&A Act consideration?)
- Is the site subject to a Plan of Management?

The conduct of the event:

- Will the event be conducted in accordance with Schedule 2 of the Local Government (Approvals) Regulation 1993?

ARE POLICE APPROVALS REQUIRED?

Police play a major role in the success of major events. This section focuses on the process organisers need to follow when applying for Police approval to conduct an event and the requirements they may need to meet.

Good communication and cooperation with the local police is very important. They can give you advice on a range of issues and may impose certain conditions to ensure the safety of everyone involved in the event.

There are a number of mandatory requirements that event organisers have to meet before and during the staging of a major event. The following checklist explains these requirements and includes advice on how to avoid the potential pitfalls that confront competitors and event promoters during an event. There is a flow chart at the end of this section that will help you follow the sequence of questions.

Type of Event:

1. Will the event be conducted on a public street?
Yes - go to 'On Street Events'. No - go to 2.
2. Will be conducted within a closed area e.g. Sports ground, concert hall, etc?
Yes - go to 'Closed Venue Events'. No - got to 1.

On Street Events

“On Street Events” are governed by the Summary Offences Act and the Traffic Act, and the provisions of the legislation may change from time to time. Firstly, there are a number of definitions that need to be considered when deciding if an event is governed by the Traffic Act 1909 No.5.

Public Street: *means any street, road, lane, thoroughfare, footpath, or place open to or used by the public, and includes any place at the time open to or used by the public on the payment of money or otherwise.*

Motor Vehicle: *means any motor car, motor carriage, motor cycle or other vehicle propelled upon any public street wholly or partly by any volatile spirit, steam, gas, oil or electricity, or by any means other than human or animal power, and includes a trailer, but does not mean or include any vehicle used on a railway or tramway.*

Vehicle: *means any description of vehicle upon wheels except vehicles used on railways or tramways.*

Toy Vehicle: *means a vehicle other than a bicycle ordinarily used by a child for play or by an adult for recreational or sporting purposes which is designed to be propelled by human power and includes a scooter, skateboard, roller skates and similar toys.*

If an event organiser intends to hold a public assembly they need to complete a Schedule 1 Form under the Summary Offences Act. There is a copy of this form in Annexure A.

The New South Wales Police Service does not generally support the conduct of events on the State’s major road systems. There are inherent risk factors associated with this type of event, but each event will be considered on its merits.

When the Police receive an application to conduct an event, they have to consider a number of factors before approval is granted. Under normal conditions the Police Service will only support sporting events that are sanctioned by a State or National Authority, although they may consider those that are not.

3. Is the event a race between vehicles (car, bike, toy vehicle) or an attempt to break any vehicle speed record, or a trial of the speed of a vehicle, or a competitive trial designed to test the skill of any vehicle driver or the reliability or mechanical condition of any vehicle upon a public street?
Yes - go to 5. No - go to 4.

4. Is the event a race by foot (eg: walking race, marathon, etc.)?
Yes - go to 5. No - go to 6.

5. You need written approval to conduct such an event from the Commissioner of Police.
Now go to 9.
6. Is the event a fun run, walkathon, car rally, or bicycle ride?
Yes - go to 9. No - go to 7.
7. Is the event a march, street parade, protest, demonstration, or special occasion (eg: opening of bridges, tunnels, popular buildings etc) ?
Yes - go to 8. No - go back to 3 and re-check through 3-7.

Event Organiser:

8. You must apply to conduct the event (public assembly) under the Summary Offences Act 1988, by completing a 'Notice of Intention to Hold a Public Assembly' Schedule 1, (Annexure A) at your local police traffic office.
Now go to 9.
9. The event organiser is responsible for the event being conducted in accordance with the rules and regulations of the Traffic Act, 1909. You must make sure that the event is conducted in a safe manner with consideration given to the general public, spectators, officials and competitors. Initial contact should be made with the local police/traffic office to ensure the event does not conflict with other events scheduled for that day.

Ninety days before the event, the organiser should have:

- A. *Prepared a full management plan.*
- B. *Planned the course.*
- C. *Done a road survey.*
- D. *Obtained maps of the event route.*

Now go to 10.

Notifications:

10. Is the event to be conducted within the confines of a single police region? Check with your local police station about region boundaries.
Yes - go to 12. No - go to 11.

11. Does the event cross region boundaries? **Yes - go to 13. No - go to 10.**
12. At least 60 days before the event is to be held, you must notify in writing the Region Commander and the Region Traffic Co-ordinator of the area in which the event is to take place and apply for approval.
Now go to 14.
13. At least 60 days before the event is to be held you must notify in writing the Commander, State Operations Planning Unit. **Now go to 14.**

Applications:

14. When planning an event, there are a number of factors you need to consider that will help the event be approved by the relevant police authority.

For example:

- The expected weather conditions at the time of year the event is to be conducted.
- Does the event fall on a public holiday or during school holidays?
- What level of competitors do you expect to attract to the event, i.e International or local level?
- The timing of the event.

Now go to 15.

15. You need to provide the following information when you apply to conduct the event.

- ☞ A Full Management Plan, stipulating road closures, diversions, marshalling, officials, support vehicles and insurance details.
- ☞ Written consent of Local Government Authority in regard to road closures.
- ☞ Written consent of the R.T.A for the use of Freeways and/or the Sydney Harbour Bridge.
- ☞ Any other relevant information about the event, including, route, date, timing and number of participants.

Now go to 16.

16. The event is then considered by the appropriate police authority and may be approved if no objections are raised. A list of conditions may be imposed for the conduct of the event.

These conditions may include:

- ☞ The event may only be held in daylight hours.
- ☞ Any police directions are to be promptly obeyed.
- ☞ Organisers must supply sufficient marshals to control participants. Marshals must be over the age of 16, be competent and should be easily identifiable.
- ☞ Runners/Bike Riders are not permitted to run/ride on carriageway during periods of poor visibility.
- ☞ Escort vehicles must be appropriately positioned and marked with warnings etc.
- ☞ Road closures are to be controlled by police and assisted by suitably identified marshals.
- ☞ Barriers must be erected and suitably marked.
- ☞ Organisers must contact Emergency Services, churches, hotels, business and private premises, State Transit Authority and other bodies affected by the event. For example, effective public transport to and from the venue may need to be arranged for some attendees.
- ☞ Notification of the event must be published in the electronic and print media.
- ☞ Organiser must provide proof of Public Risk insurance of at least 10 million dollars.

Note: These conditions are imposed to ensure events are successful and the safety of competitors, spectators and the general public is protected.

Now go to 17.

17. If there is an objection to certain components of the event, alternatives are suggested so that the event may still continue. If there is complete objection to the conduct of the event, the application is sent to a higher police authority for determination.

Now go to 18.

18. The appropriate police authority will then respond to the applicant advising of any conditions imposed on the event. If these conditions are not complied with, the police may terminate the event in accordance with the Traffic Act.

Now go to 19.

19. If the event is approved, the organiser must provide at least 14 days notification to those affected by the conduct of the event, i.e: where there are road closures, diversions etc. For example, you may need to contact:

- ☞ Emergency Services:
 - > Fire Brigade
 - > Ambulance
 - > State Emergency Services
- ☞ Churches.
- ☞ Hotels, Motels, Clubs.
- ☞ State Transit Authority
- ☞ Businesses and residents along the route.

Note: Publishing the proposed route, any interruptions to the normal flow of traffic, and public transport arrangements in the print and electronic media will help with goodwill towards the event.

You must obtain written consent from affected corporate bodies and give this to the police co-ordinator with your application. You also need to satisfactorily resolve any concerns raised by these groups.

Now go to 20.

Police Assistance Required:

20. If police assistance is required with traffic control, event escorts, crowd control or security, the local commander will decide the level of police assistance required. You also need to find out if this assistance will be provided free of charge or whether the user-pay scheme will apply. Does the event require police assistance?

Yes - go to 21. No - go to 40.

21. Does the event fit into one of the following categories? For example:

- Is it conducted on behalf of a registered charitable organisation, where funds are raised on their behalf?
- Is it conducted 'In the public interest'?
- Is it being conducted where 'genuine financial hardship' exists?

There are set criteria which are used to decide whether or not to waive user-pay charges.

Yes - go to 22. No - go to 28.

22. Is the event to be conducted within the boundaries of a single police region? Contact your local police station to find out about police region boundaries. **Yes - go to 24. No - go to 23.**

23. Does the event cross police region boundaries?

Yes - go to 25. No - go to 22.

24. Apply to the Region Commander of the area in which the event is to be conducted for the 'user-pay' charges to be waived. Your application must include all the relevant information in support of the request. **Now go to 26.**

25. Apply to the Deputy Commissioner, Field Operations, for the 'user-pay' charges to be waived. Your application must include all the relevant information in support of the request. **Now go to 26.**

26. The relevant police authority will consider the application in line with the guidelines set down for the waiving of 'user-pay' charges. If the application is supported and approved for the waiving of charges, **go to 27.** If the application is rejected, **go to 28.**

27. 'User-Pay' charges have been waived for the conduct of this event. The appropriate police assistance, determined by the local commander, will be provided free of cost. Because charges have been waived for this event, this does not mean that they will be waived in future years. You will need to make a fresh application for each event. **Now go to 40.**
28. The 'User-Pay' scheme will be enforced and you will have to pay the applicable charges. The current charges are:

☞	Police salary (minimum 4 hours):	\$35.00 Per Hour.
☞	Police motor vehicles/cycles:	\$12.50 Per Hour.
☞	Police Dog & Police Officer:	\$46.00 Per Hour.
☞	Mounted Police:	
	Metropolitan Area:	\$43.00 Per Hour.
	Country Areas:	\$45.00 Per Hour
☞	Police Air Wing:	
	Single Engine Jet Ranger:	\$610.00 Per Hour

These charges are current as at 15.4.97. The user-pay scheme is currently being reviewed and the charges may change. Check with your local police station for up-to-date information.

Now go to 40.

Closed Venue Events

This type of event includes any sporting fixture, performance, exhibition, agriculture show, or similar event generally conducted in an enclosed area.

There are separate issues relating to the policing of this type of event both inside and outside the venue.

Policing within the Venue:

The Commissioner of Police is responsible for maintaining peace and good order throughout the community and the police are the only agency capable of enforcing the law in public places. The situation differs for sporting events, places of public entertainment and other 'restricted public places' where people have been invited to attend. An occupier has a duty to use reasonable care to protect invitees from injury while they are on his or her premises.

Organisers are responsible for providing adequate 'in-house' security at 'Closed Venue Events'. The security staff are responsible for managing:

- * spectator control
- * the use and possession of alcohol
- * the ejection of undesirable spectators
- * the protection of organisation officials
- * general spectator and participant safety.

However the Police also have a Common Law responsibility to protect life and property and may need to be in attendance at the event. The 'User-Pay' policing scheme is a separate issue and will be dealt with later in this document.

Policing outside the Venue:

When a major event is conducted within a closed venue, there may also be associated traffic problems and anti-social behaviour before and at the end of the event. Normal police arrangements will be organised for this. Police will regulate traffic, suppress anti-social behaviour, and generally enforce the law. It is therefore important that the event organiser contacts local police to make sure that these matters are sufficiently policed.

29. Does the size of the event and/or number of spectators and participants, indicate that the associated traffic will impact on the general flow of local traffic?

Yes - go to 32. No - go to 30. If the answer to 29 is yes, you must also answer 30 about law enforcement outside the event.

30. Does the anticipated number of spectators and/or participants indicate that policing will be needed to enforce the law and suppress anti-social behaviour before and after the event outside the boundaries of the venue?
Yes - go to 33. No - go to 31.
31. Will police be required for security, crowd control etc, inside the closed venue event?
Yes - go to 34. No - go to 40.

Notifications:

32. At least sixty days before the event, you must notify in writing the Police Traffic Co-ordinator of the area in which the event is to take place.
Now go to 30.
33. At least sixty days before the event, you must notify in writing the Police Commander of the area in which the event is to take place.
Now go to 31.

Police Assistance Required:

34. If police assistance is required with crowd control or security inside a closed area venue, you will need to find out if this assistance will be provided free of charge or whether the user-pay scheme will apply.
Now - go to 35.
35. Does the event fit into one of the following categories? For example:

- Is it conducted on behalf of a registered charitable organisation, where funds are raised on their behalf?
 - Is it conducted 'In the public interest'?
 - Is it being conducted where 'genuine financial hardship' exists?
- There are set criteria which are used to decide whether or not to waive the 'user-pay' charges.*

Yes - go to 36. No - go to 39.

36. Apply to the Region Commander of the area in which the event is to be conducted for the 'user-pay' charges to be waived. Your application must include all the relevant information in support of the request. **Now go to 37.**

37. The Region Commander will consider the application in line with the guidelines set down for the waiving of 'user-pay' charges. If the application is supported and approved for the waiving of charges, **go to 38**. If the application is rejected, **go to 39**.
38. 'User-Pay' charges have been waived for the conduct of this event. The appropriate police assistance, determined in consultation with police and the organiser, will be provided free of cost. Because charges have been waived for this event, this does not mean they will be waived in future years. You will need to make a fresh application for each event. **Now go to 40**.
39. The 'User-Pay' scheme will be enforced and you will have to pay the applicable charges. The current charges are:

☞	Police salary (minimum 4 hours): u\$35.00 Per Hour.
☞	Police motor vehicles/cycles: u\$12.50 Per Hour.
☞	Police Dog & Police Officer: u\$46.00 Per Hour.
☞	Mounted Police: Metropolitan Area: u\$43.00 Per Hour. Country Areas: u\$45.00 Per Hour
☞	Police Air Wing: Single Engine Jet Ranger: u\$610.00 Per Hour

These charges are current as at 15.4.97. The user-pay scheme is currently being reviewed and the charges may change. Check with your local police station for up-to-date information.

40. Conduct the event in accordance with the guidelines set down by the appropriate authorities. If you do not comply with the guidelines set down, and it can be seen that there is inherent danger to participants or other road users or the event is causing a major disruption to traffic, then police have the power under the Traffic Act to stop the event.

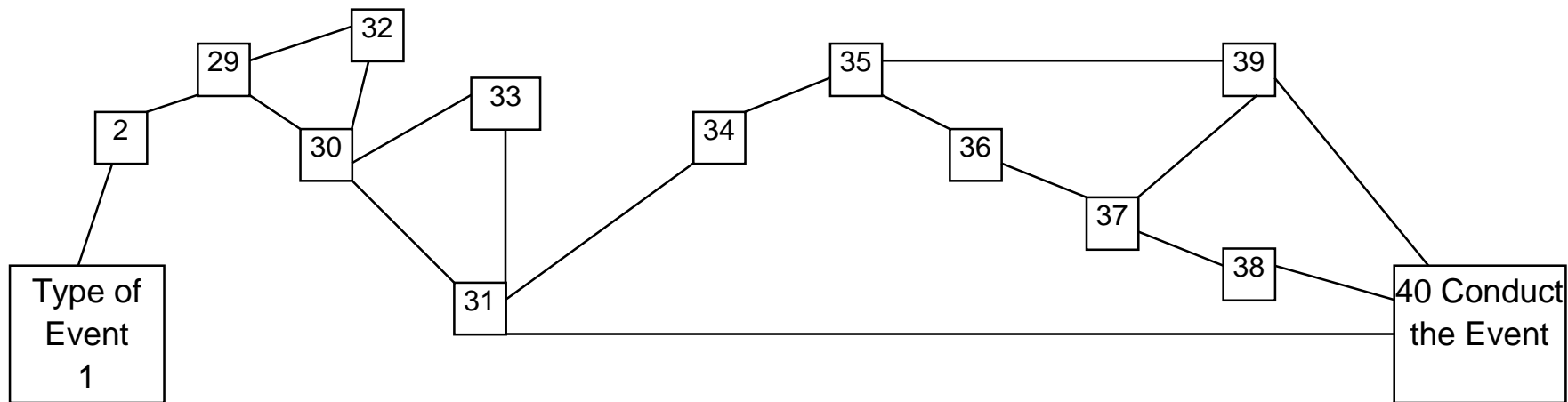
Conclusion

An event organiser has many responsibilities to ensure the successful staging of a major event. The information in this section outlines these responsibilities and will help event organisers to make their applications to the appropriate police authority and make sure that the event runs smoothly with minimal disruption to traffic and local businesses and residents.

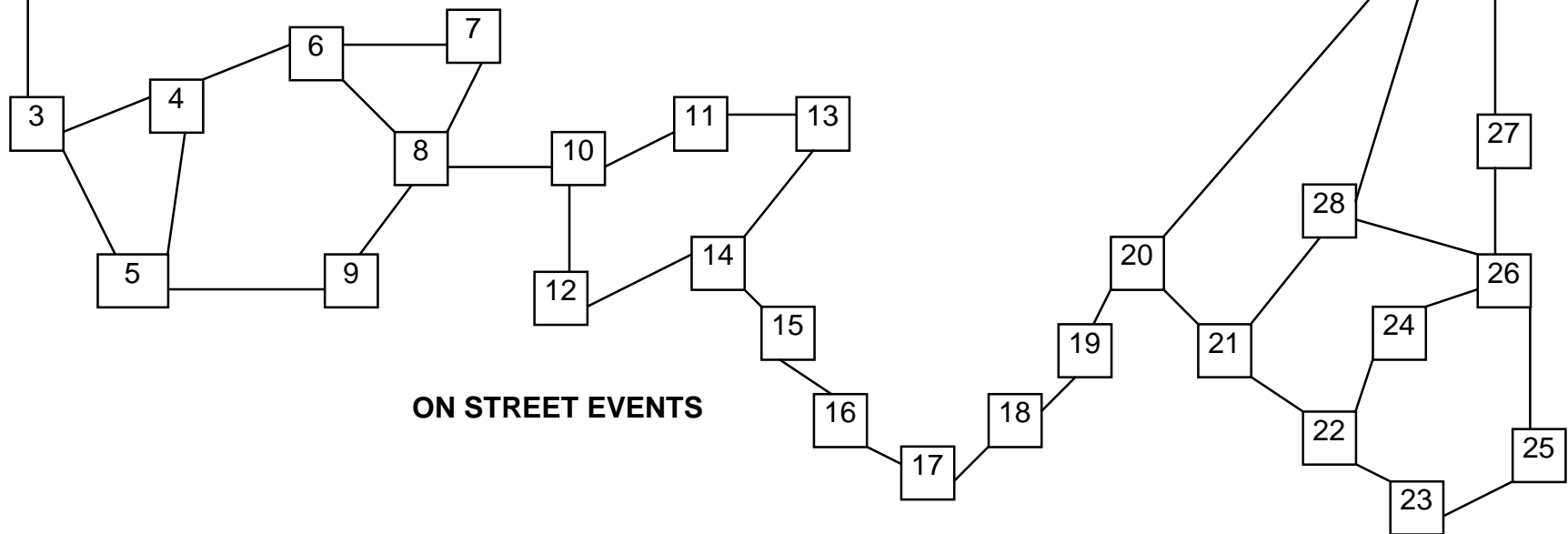
Communication and co-operation with local police is a key factor in the staging of a successful event.

If you need any further information, you should contact your local police station or the State Operations Planning Unit on (02) 9384-6250.

CLOSED VENUE EVENTS



ON STREET EVENTS



ARE ENVIRONMENT PROTECTION AUTHORITY APPROVALS REQUIRED?

Because the staging of major public events can have significant impacts on the environment, promoters may need to get formal approvals and licences from the Environment Protection Authority (EPA) and comply with the provisions of the Pollution Control Act 1970 and the Noise Control Act 1975.

What are Approvals and Licences?

An Approval is a formal written authority which must be obtained from the EPA **before** the start of activities likely to cause or increase noise emissions on premises scheduled under the Noise Control Act 1975. A Licence is usually required, subject to various exemptions, for the operation of the premises.

Approvals and Licences generally contain conditions that must be complied with to ensure that facilities are designed, built and operated in ways that minimise environmental impacts. These conditions may apply to air, water or noise pollution prevention measures. Fees are charged for applications for approvals and licences.

What premises relevant to major public events are scheduled under the Noise Control Act?

The following premises that may be used for public events are scheduled under the Noise Control Act:

- any premises used for motor vehicle races or motor vehicle speed or performance trails or competitions or practices for any such events
- any premises used for the arrival and departure of helicopters
- any premises used for open air concerts using amplification equipment and having a crowd capacity greater than 10,000 people
- any premises used for an amusement park and on which there is permanently erected or installed plant (including any motor, engine or turbine) supplying or capable of supplying, either alone or in aggregate, more than 400 kilowatts of mechanical power
- any premises used for shooting competitions, or practices, which involve the propelling of a projectile by means of an explosive, including pistol, gun and rifle shooting competitions.

If the premises fall under any of the categories listed above, an **Approval** must be obtained to carry out any work or modifications on the premises which are likely to cause or emit noise. A **Licence** is only required for scheduled premises within the Sydney metropolitan area. Some other exemptions to licensing also apply.

How is an application for an Approval or Licence initiated?

Contact your local EPA office and they will send you more detailed information and any necessary application forms. Your application may need to include some form of environmental impact assessment. Your local EPA office is also able to provide advice on Approval and Licensing requirements.

Who should apply for the Approval or Licence?

Approvals and Licences are issued in the name of the occupier of the premises. Where the applicant is a consultant or agent for the occupier, the details of the occupier as well as the applicant must be clearly stated.

The occupier must be an individual or a company (eg ABC Ltd). If the occupier has a trading name, this can be included, provided the details of the individual or company which owns the trading name are also mentioned.

How long does it take to obtain an Approval or Licence?

This depends on the adequacy and completeness of the information provided with the application, the complexity of the proposal and the environmental issues involved. Generally the EPA takes between one and four months to process an application.

What sort of noise conditions may be applied in an Approval or Licence?

Noise control conditions usually relate to the setting of limits for noise emanating from the premises. The limits depend on a variety of factors such as the proposed duration of the event, the time/s of day it is to be held, the distance from sensitive receptors, and whether those affected by the noise have been informed of and agree to the impact. The EPA is especially concerned where unduly high noise levels could impact sensitive receivers such as hospitals, schools, and child care centres.

The method for taking noise measurements is usually specified as part of the noise conditions. In some instances, such as open air concerts, the EPA may require the applicant to engage an acoustic consultant to conduct noise monitoring during the event.

Are noise control guidelines available from the EPA?

The EPA has published an Environmental Noise Control Manual. The Manual aims to facilitate the most effective use of noise control resources while simultaneously encouraging practicable and equitable solutions to noise problems.

It includes Noise Control Guidelines (NCG) for such things as motor sports, public address systems, open air entertainment and mobile vendors. The guidelines cover appropriate operating times and noise level restrictions and include some information about noise reduction techniques.

Copies of the Manual have been distributed to local councils and other authorities and are also available at most libraries. Local EPA offices are also able to provide information about Noise Control Guidelines.

What other environmental impacts may need to be considered?

Section 16 of the Clean Waters Act 1970 makes it an offence to pollute waters. The expression **pollute waters** has a wide meaning and includes placing matter in a position where it is likely to pollute waters. While there is no schedule of activities under the Clean Waters Act which need to be licensed, a person who holds a licence from the EPA and complies with all the conditions has a defence against prosecution for that licensed discharge. If a major public event is likely to result in pollution of waters or require the establishment of pollution control equipment to prevent water pollution, an Approval will be required and a Licence may be necessary to provide protection from prosecution. The local EPA office can provide more information on Approval and Licence requirements triggered by the Clean Waters Act 1970.

From time to time the EPA may be required to consider an application for an Approval or Licence for an event which is being dealt with under Part 5 of the Environmental Planning and Assessment Act 1979. In this case there are requirements for particular environmental assessments depending on the likely environmental impacts of the proposed activity (see Part 5 EP&A Act).

Managing Complaints

If event organisers establish an effective complaints procedure for dealing with complaints about the environmental impacts of an event, this helps them promptly identify and resolve any problems.

You should provide the public with information about the various responsibilities of the event organiser, the local council and relevant state agencies. This information should also include advice about how to make a complaint .

DURING THE EVENT

Promoter as first point of contact

The smooth running of an event relies depends on clear communication channels and a clear organisation of tasks. As part of the approval process, council, the Police, or the EPA may attach conditions to the running of the event.

Some examples of these conditions are:

Conduct

Established principles of control and communication should apply to the conduct phase including:

1. Provision for a single person in overall control.
 2. An appropriately defined headquarters location or control centre.
 3. Clear allocation of subordinate tasks to Sector managers or teams.
 4. Defined reporting relationships and communication channels.
 5. Again, optimum use should be made of proformas and checklists developed from [previous similar events.
 6. Improvements or lessons learned should be documented for future events.
- (Armidale City Council)

'The promoter or his agent must be contactable at all times by the local council or Police prior to and during the event. This person must be responsible for the event and have the authority to order the venue to be evacuated in an emergency.

Complaints 'hot line' numbers must be established and attended throughout the event. Ideally only one should be a mobile phone.'

(Health Department of Western Australia)

The developer must provide a community liaison officer and community liaison contact phone number, available on a 24 hour daily basis on the days of the event. Details of the name of the contact person and the contact telephone number must be advertised in the "Advertiser" a minimum of 14 days prior to the event and local residents notified by means of an individual letter drop to each household.

(Wollongong City Council)

Enforcement powers

The Police and the EPA have a number of enforcement powers related to the conduct of events and the satisfaction of conditions of approval. Detailed information on EPA enforcement powers is in the '*Environment Protection Manual PO1- Powers of Authorised Officers*', which is available from the EPA, or you can contact the EPA's Pollution Line on 131 555.

Councils also have a number of enforcement powers in relation to events.

Firstly, councils have the power to issue Orders under the Local Government Act 1993, which require or prohibit the doing of things to or on premises.

Order No. 15 -	may be issued immediately for life threatening hazards, or a threat to public health or safety not regulated under any other Act
Order No. 4 -	may be served on a building owner in relation to fire safety or fire awareness
Order No. 16 -	may be issued in an emergency for cessation of use or evacuation of premises

If a person fails to comply with an order, it is an offence under section 628 of the Local Government Act and can attract penalties of \$2,000 to \$5,000 (or double in the case of a corporation).

There are also sections within the Local Government Act which allow council to seek Court Orders and deal with the enforcement of Orders.

Section 673 allows councils to bring court proceedings for an order to remedy or restrain a breach of the Local Government Act.

Under **section 678**, where a person fails to comply with the terms of an order, council may do all such things as are necessary to give effect to the terms of the order. This includes authorising a council employee to turn off audio-visual equipment.

Under **section 125**, council has the power to apply to the court to abate a public nuisance or order a person responsible to abate it.

Under s123 of the EP&A Act councils also have the power to stop an event before it commences if there is likely to be a breach of planning law where the event would:

- be outside of the existing conditions of consent, or
- require consent, but it has not been obtained, or
- be prohibited in the relevant zone.

Following the event, any person could bring an action for a breach of the Act and seek the court to make appropriate orders, for example, to remedy environmental damage caused by an event.

Under s125 of the Act, where such an offence as non-compliance with the terms of consent or conditions attached to consent has been committed, council may bring a prosecution. Fines of up to \$100,000 can be awarded by the Land and Environment Court. Such offences can also be prosecuted in the Local Court with a maximum penalty of \$10,000.

CONTACTS

Listing of NSW Councils

There are 177 councils in NSW.

COUNCIL NAME & ADDRESS	PHONE	FAX
Albury City Council 553 Kiewa Street, Albury NSW 2640	060 238111	060 238190
Armidale City Council 135 Rusden Street, Armidale NSW 2350	067 70 3600	067 72 9275
The Council of the Municipality of Ashfield 260 Liverpool Road, Ashfield NSW 2131	02 9797 0222	02 9797 9980
Auburn Council Corner Queen & Susan Streets, Auburn NSW 2144	02 9735 1222	02 9643 1120
Ballina Shire Council Cnr Tamar And Cherry Streets, Ballina NSW 2478	066 86 4444	066 86 7035
Balranald Shire Council 70 Market Street, Balranald NSW 2715	03 5020 1300	03 5020 1620
Bankstown City Council The Mall, Bankstown NSW 2200	02 9707 9400	02 9707 9495
Barraba Shire Council 27 Alice Street, Barraba NSW 2347	067 821105	067 82 1471
Bathurst City Council Russell Street, Bathurst NSW 2795	063 31 1622	063 31 7211
The Council of the Shire of Baulkham Hills 129 Showground Road, Castle Hill NSW 2154	02 9843 0555	02 9843 0409
Bega Valley Shire Council Zingel Place, Bega NSW 2550	064 929400	064 92 3323

Bellingen Shire Council Hyde Street, Bellingen NSW 2454	066 557 300	066 552 310
Berrigan Shire Council 63-65 Chanter Street, Berrigan NSW 2712	058 852003	058 85 2092
Bingara Shire Council 33 Maitland Street, Bingara NSW 2404	067 24 1505	067 24 1771
Blacktown City Council 62 Flushcombe Road, Blacktown NSW 2148	02 9839 6000	02 9831 1961
Bland Shire Council Shire St, West Wyalong NSW 2671	069 72 2266	069 72 2145
Blayney Shire Council 91 Adelaide Street, Blayney NSW 2799	063 68 2104	063 68 3290
Blue Mountains City Council 2 Civic Place, Katoomba NSW 2780	047 820 777	047 820 506
Bogan Shire Council 81 Cobar Street, Nyngan NSW 2825	068 321503	068 32 1965
Bombala Council 13 Caveat Street, Bombala NSW 2632	064 58 3555	064 58 3777
Boorowa Council Market Street, Boorowa NSW 2586	063 85 3303	063 85 3562
The Council of the City of Botany Bay 141-143 Coward Street, Mascot NSW 2020	02 9317 0555	02 9317 0596
Bourke Shire Council 29 Mitchell Street, Bourke NSW 2840	068 72 2055	068 72 3030
Brewarrina Shire Council 57 Bathurst Street, Brewarrina NSW 2839	068 392 106	068 392 100
Broken Hill City Council Administrative Centre, Sulphide Street, Broken Hill NSW 2880	08 8080 2222	08 8088 1702
Burwood Council 2 Conder Street, Burwood NSW 2134	02 9747 2822	02 9744 6635

Byron Shire Council Station Street, Mullumbimby NSW 2482	066 26 7000	066 84 3018
Cabonne Council 99 - 101 Bank Street, Molong NSW 2866	063 668 303	063 668 799
Camden Council 37 John Street, Camden NSW 2570	046 55 2455	046 55 2770
Campbelltown City Council Civic Centre, Campbelltown NSW 2560	046 20 1510	046 20 1496
Canterbury City Council 137 Beamish Street, Campsie NSW 2194	02 9789 9300	02 9789 1542
Carrathool Shire Council Stipa Street, Goolgowi NSW 2652	069 65 1306	069 65 1379
Casino Council 98 Walker St, Casino NSW 2470	066 62 2622	066 62 5198
Central Darling Shire Council 20 Reid Street, Wilcannia NSW 2836	080 915909	080 91 5994
Cessnock City Council 1 North Avenue, Cessnock NSW 2325	049 90 2044	049 90 2384
Cobar Shire Council 36 Linsley Street, Cobar NSW 2835	068 36 2005	068 36 3574
Coffs Harbour City Council Administration Building, Cnr Coffs & Castle Streets, Coffs Harbour NSW 2450	066 48 4000	066 48 4199
Conargo Shire Council 122 End Street, Deniliquin NSW 2710	03 58 812 044	03 58 812 868
Concord Council Cnr Wellbank & Flavelle Streets, Concord NSW 2137	02 9736 4700	02 9736 4777
Coolah Shire Council 59 Binnia Street, Coolah NSW 2843	063 77 1209	063 77 1486
Coolamon Shire Council 55 Cowabbie Street, Coolamon NSW 2701	069 27 3206	069 27 3168

Cooma-Monaro Shire Council 81 Commissioner Street, Cooma NSW 2630	064 50 1777	064 50 1799
Coonabarabran Shire Council 20-22 Johns Street, Coonabarabran NSW 2357	068 42 1944	068 42 1337
Coonamble Shire Council 80 Castlereagh Street, Coonamble NSW 2829	068 22 1333	068 22 1626
Cootamundra Shire Council Wallendoon Street, Cootamundra NSW 2590	069 42 2744	069 42 3690
Copmanhurst Shire Council 42 Victoria Street, Grafton NSW 2460	066 42 2855	066 43 1573
Corowa Shire Council Corner Bow Street & Honour Avenue, Corowa NSW 2646	060 33 1277	060 33 3317
Cowra Shire Council Cnr Kendal & Darling Streets, Cowra NSW 2794	063 41 0100	063 42 4444
Crookwell Shire Council 44 Spring Street, Crookwell NSW 2583	048 32 1022	048 32 2066
Culcairn Shire Council 42 Balfour Street, Culcairn NSW 2660	060 29 8588	060 29 8607
Deniliquin Council Civic Centre, End Street, Deniliquin NSW 2710	03 5881 2444	03 5881 4415
Drummoyne Council Cnr Marlborough Street and Lyons Road, Drummoyne NSW 2047	02 9819 6555	02 9819 6803
Dubbo City Council Church Street, Dubbo NSW 2830	068 81 4222	068 84 2878

Dumaresq Shire Council 215 Beardy Street, Armidale NSW 2350	067 72 5622	067 72 9453
Dungog Shire Council 198 Dowling Street, Dungog NSW 2420	049 921 224	049 922 044
Eurobodalla Shire Council Cnr Vulcan and Campbell, Moruya NSW 2537	044 74 1000	044 74 1234
Evans Shire Council 7 Lee Street, Kelso NSW 2795	063 31 4200	063 31 2121
Fairfield City Council Avoca Road, Wakeley NSW 2176	02 9725 0222	02 9725 4249
Forbes Shire Council Court Street, Forbes NSW 2871	068 52 1822	068 52 4170
Gilgandra Shire Council Warren Road, Gilgandra NSW 2827	068 47 2709	068 47 2521
Glen Innes Municipal Council Grey Street, Glen Innes NSW 2370	067 32 2611	067 32 3764
Gloucester Shire Council 89 King Street, Gloucester NSW 2422	065 58 1601	065 58 2343
Gosford City Council 49 Mann Street, Gosford NSW 2250	043 258 222	043 232 477
Goulburn City Council Civic Centre, 184-194 Bourke Street, Goulburn NSW 2580	048 23 0444	048 23 0456
Grafton City Council 2 Prince Street, Grafton NSW 2460	066 43 0200	066 42 7647
Greater Lithgow City Council 180 Mort Street, Lithgow NSW 2790	063 52 1077	063 51 4259
Greater Taree City Council 2 Pulteney St, Taree NSW 2430	065 91 3399	065 91 3311
Great Lakes Council Breese Parade, Forster NSW 2428	065 91 6222	065 91 6200

Griffith City Council Neville Place, Griffith NSW 2680	069 62 1277	069 62 7161
Gundagai Shire Council Council Chambers, Sheridan Street, Gundagai NSW 2722	069 44 1266	069 44 1475
Gunnedah Shire Council 63 Elgin St, Gunnedah NSW 2380	067 42 0422	067 42 0523
Gunning Shire Council 123 Yass Street, Gunning NSW 2581	048 45 1312	048 45 1426
Guyra Shire Council Bradley Street, Guyra NSW 2365	067 79 1577	067 79 1221
Harden Shire Council 3 East Street, Harden NSW 2587	063 86 2305	063 86 2083
Hastings Council Cnr Lord & Burrawan Streets, Port Macquarie NSW 2444	065 83 2099	065 84 9367
Hawkesbury City Council George Street, Windsor NSW 2756	045 60 4444	045 60 4400
Hay Shire Council 134 Lachlan Street, Hay NSW 2711	069 93 1003	069 93 1288
Holbrook Shire Council 40 Young Street, Holbrook NSW 2644	060 36 2155	060 36 2683
Holroyd City Council 16 Memorial Avenue, Merrylands NSW 2160	02 9840 9840	02 9840 9734
The Council of the Shire of Hornsby 296 Pacific Highway, Hornsby NSW 2077	02 9847 6666	02 9847 6999
Hume Shire Council Hume Shire Chambers, 539 - 541 Kiewa Street, Albury NSW 2640	060 21 3177	060 21 6852

The Council of the Municipality of Hunters Hill Town Hall, 22 Alexandra Street, Hunters Hill NSW 2110	02 9816 1555	02 9809 7338
Hurstville City Council Civic Centre City Mall, McMahon Street, Hurstville NSW 2220	02 9330 6222	02 9330 6223
Inverell Shire Council 144 Otho Street, Inverell NSW 2360	06 722 1544	06 722 2352
Jerilderie Shire Council 35 Jerilderie Street, Jerilderie NSW 2716	03 5886 1200	03 5886 1701
Junee Shire Council Belmore Street, Junee NSW 2663	069 24 1277	069 24 2497
Kempsey Shire Council Cnr Elbow and Tozer Streets, West Kempsey NSW 2440	065 62 6077	065 62 8902
The Council of the Municipality of Kiama 11 Manning St, Kiama NSW 2533	042 32 0222	042 32 0255
Kogarah Municipal Council 2 Belgrave Street, Kogarah NSW 2217	02 9330 9400	02 9330 9560
Ku-ring-gai Municipal Council 818 Pacific Highway, Gordon NSW 2072	02 9498 0888	02 9498 0880
Kyogle Council Stratheden Street, Kyogle NSW 2474	066 32 1611	066 32 2228
Lachlan Shire Council 62-64 Molong Street, Condobolin NSW 2877	068 95 2377	068 95 3478
Lake Macquarie City Council Main Road, Speers Point NSW 2284	049 21 0333	049 58 7257
Lane Cove Council 48 Longueville Road, Lane Cove NSW 2066	02 9911 3555	02 9911 3600

Leeton Shire Council 23-25 Chelmsford Place, Leeton NSW 2705	069 53 2611	069 53 3337
Leichhardt Municipal Council 7-15 Wetherill Street, Leichhardt NSW 2040	02 9367 9222	02 9367 9111
Lismore City Council 43 Oliver Avenue, Goonellabah NSW 2480	066 25 0500	066 25 0400
Liverpool City Council Administration Centre, 1 Hoxton Park Road, Liverpool NSW 2170	02 9821 9222	02 9821 9333
Lockhart Shire Council 69 Green Street, Lockhart NSW 2656	069 20 5305	069 20 5247
Macleay Shire Council 50 River Street, Macleay NSW 2463	066 45 2266	066 45 3552
Maitland City Council 285-287 High Street, Maitland NSW 2320	049 34 9700	049 33 3209
Manilla Shire Council 210 Manilla Street, Manilla NSW 2346	067 85 1304	067 85 1981
Manly Council Town Hall, 1 Belgrave Street, Manly NSW 2095	02 9976 1500	02 9977 7380
Marrickville Council Administrative Centre, 2 Fisher Street, Petersham NSW 2049	02 9335 2000	02 9335 2029
Merriwa Shire Council Vennacher Street, Merriwa NSW 2329	065 48 2109	065 48 2340
Moree Plains Shire Council Civic Centre, 36 Balo Street, Moree NSW 2400	067 52 9511	067 52 3934
Mosman Municipal Council 1 Mosman Square, Mosman NSW 2088	02 9978 4000	02 9978 4132
Mudgee Shire Council 86 Market Street, Mudgee NSW 2850	063 72 5888	063 72 5815

Mulwaree Shire Council 28 Montague Street, Goulburn NSW 2580	048 21 1933	048 21 9668
Murray Shire Council 21-25 Conargo Street, Mathoura NSW 2710	058 843 302	058 843 417
Murrumbidgee Shire Council Carrington Street, Darlington Point NSW 2706	069 68 4166	069 68 4252
Murrurundi Shire Council 47 Mayne Street, Murrurundi NSW 2338	065 466 205	065 466 599
Muswellbrook Shire Council Administration Centre, Maitland Street, Muswellbrook NSW 2333	065 43 2866	065 43 3790
Nambucca Shire Council 44 Princess Street, Macksville NSW 2447	065 68 2555	065 68 2201
Narrabri Shire Council 46-48 Maitland Street, Narrabri NSW 2390	067 92 1699	067 92 3901
Narrandera Shire Council 141 East Street, Narrandera NSW 2700	069 59 2277	069 59 1884
Narromine Shire Council 124 Dandaloo Street, Narromine NSW 2821	068 89 1322	068 89 2579
Newcastle City Council 282 King Street, Newcastle NSW 2300	049 29 9111	049 29 6157
North Sydney Council 200 Miller Street, North Sydney NSW 2060	02 9936 8100	02 9936 8177
Nundle Shire Council Jenkins Street, Nundle NSW 2340	067 69 3205	067 69 3114
Nymboida Shire Council Corner Wharf & Through Streets, South Grafton NSW 2460	066 42 1866	066 43 1817
Oberon Council 137 Oberon Street, Oberon NSW 2787	063 36 1100	063 36 2061
Orange City Council Civic Centre, Byng St, Orange NSW 2800	063 61 5111	063 61 5199

Parkes Shire Council 2 Cecile Street, Parkes NSW 2870	068 62 8333	068 62 3946
Parramatta City Council Council Chambers, 30 Darcy St, Parramatta NSW 2124	02 9806 5000	02 9806 5917
Parry Shire Council 468 - 472 Peel Street, Tamworth NSW 2340	067 66 2908	067 66 8514
Penrith City Council Civic Centre, 601 High Street, Penrith NSW 2750	047 32 7777	047 32 7958
Pittwater Council Unit 11, 5 Vuko Place, Warriewood NSW 2102	02 9970 7222	02 9970 7150
Port Stephens Council 116 Pacific Highway, Raymond Terrace NSW 2324	049 800 255	049 87 3612
Queanbeyan City Council 257 Crawford Street, Queanbeyan NSW 2620	06 298 0211	06 299 1343
Quirindi Shire Council 60 Station Street, Quirindi NSW 2343	067 46 1755	067 463 255
Randwick City Council 30 Frances Street, Randwick NSW 2031	02 9399 0999	02 9319 1510
Richmond River Shire Council 68 Walker Street, Casino NSW 2470	066 62 2066	066 62 1342
Rockdale City Council 2 Bryant Street, Rockdale NSW 2216	02 9562 1666	02 9562 1777
Ryde City Council 2 Civic Centre, Devlin Street, Ryde NSW 2112	02 9952 8222	02 9952 8070

Rylstone Shire Council Louee Street, Rylstone NSW 2849	063 79 1205	063 79 1313
Scone Shire Council Cnr Liverpool & Main Streets, Scone NSW 2337	065 40 1100	065 45 2671
Severn Shire Council Church Street, Glen Innes NSW 2370	067 32 2555	067 32 3634
Shellharbour City Council Lamerton House, Lammerton Crescent, Blackbutt NSW 2529	042 21 6111	042 21 6016
Shoalhaven City Council Bridge Road, Nowra NSW 2541	044 29 3111	044 22 1816
Singleton Shire Council Queen Street, Singleton NSW 2330	065 78 7290	065 724 197
Snowy River Shire Council 2 Myack Street, Berridale NSW 2628	064 505 195	064 505 117
South Sydney City Council 140 Joynton Avenue, Zetland NSW 2017	02 9313 0111	02 9662 6965
Strathfield Municipal Council 65 Homebush Road, Strathfield NSW 2135	02 9746 0431	02 9764 1034
Sutherland Shire Council Eton Street, Sutherland NSW 2232	02 9710 0111	02 9710 0265
Sydney City Council 456 Kent Street, Sydney NSW 2000	02 9265 9333	02 9265 9222
Tallaganda Shire Council 144 Wallace St, Braidwood NSW 2622	048 42 2225	048 42 2669
Tamworth City Council Peel House, 24 Fitzroy Street, Tamworth NSW 2340	067 68 4555	067 68 4499
Temora Shire Council 105 Loftus Street, Temora NSW 2666	069 77 1099	069 77 2996

Tenterfield Shire Council 247 Rouse Street, Tenterfield NSW 2372	067 36 1744	067 36 2669
Tumbarumba Shire Council Crn Bridge & Winton Street, Tumbarumba NSW 2653	069 48 2022	069 48 2865
Tumut Shire Council 81 Capper Street, Tumut NSW 2720	069 47 1022	069 47 2141
Tweed Shire Council Tumbulgum Road, Murwillumbah NSW 2484	066 72 0400	066 72 0429
Ulmarra Shire Council 15 Coldstream Street, Ulmarra NSW 2462	066 44 5303	066 44 5366
Uralla Shire Council Salisbury Street, Uralla NSW 2358	067 78 4606	067 78 5073
Urana Shire Council William Street, Urana NSW 2645	069 20 8205	069 20 8060
Wagga Wagga City Council 165 Hammond Avenue, Wagga Wagga NSW 2650	069 23 5499	069 23 5400
The Council of the Shire of Wakool Tualka Terrace, Moulamein NSW 2733	058 87 5007	058 87 5103
Walcha Council 2 Hamilton Street, Walcha NSW 2354	067 77 2088	067 77 1181
Walgett Shire Council 77 Fox Street, Walgett NSW 2832	068 28 1399	068 28 1608
Warren Shire Council 115 Dubbo Street, Warren NSW 2824	068 47 4606	068 47 4584
Warringah Council Civic Centre, Pittwater Road, Dee Why NSW 2099	02 9982 0333	02 9971 4522
Waverley Council Cnr.Paul St & Bondi Rd, Bondi Junction NSW 2022	02 9369 8000	02 9387 1820

Weddin Shire Council Camp Street, Grenfell NSW 2810	063 43 1212	063 43 1203
Wellington Council Nanima Crescent, Wellington NSW 2820	068 45 2099	068 45 3354
Wentworth Shire Council Adelaide Street, Wentworth NSW 2648	03 5027 3203	03 5027 3082
Willoughby City Council Administrative Building, 411 Victoria Avenue, Chatswood NSW 2067	02 9777 1000	02 9412 3107
Windouran Shire Council 394 Hay Road, Deniliquin NSW 2710	058 812 422	058 814 154
Wingecarribee Shire Council Civic Centre, Elizabeth Street, Moss Vale NSW 2577	048 68 1066	048 69 1203
Wollondilly Shire Council 62-64 Menangle Street, Picton NSW 2571	046 77 1326	046 77 2339
Wollongong City Council 41 Burelli Street, Wollongong NSW 2500	042 277 111	042 277 277
Woollahra Municipal Council 536 New South Head Road, Double Bay NSW 2028	02 9391 7000	02 9391 7044
Wyong Shire Council 16 Hely Street, Wyong NSW 2259	043 50 5555	043 51 2098
Yallaroi Shire Council 52 Hope Street, Warialda NSW 2402	067 29 1016	067 29 1400
Yarrowlumla Shire Council 11 Farrer Place, Queanbeyan NSW 2620	06 29 71311	06 297 5854
Yass Shire Council 209 Comur Street, Yass NSW 2582	06 226 1477	06 226 2598
Young Shire Council Council Chambers, Boorowa St, Young NSW 2594	063 82 1688	063 82 4443

NSW Police Service

Contact should be made with the local station relevant to the proposed venue for an event. As there is currently a review process considering regional boundaries, it is not possible to list the Police regions at the time of printing this practice note.

If you have particular queries about the information contained in the chapter on Police approvals, the State Operations Unit may be able to assist. The Unit can be reached on telephone number (02) 9384 6250.

Environment Protection Authority

Pollution Line (24 hours)
131 555 (local call cost)

Air Pollution Index Updates
Sydney (02) 9795 5100
Newcastle (008) 817 838
Wollongong (008) 819 112

Beachwatch (daily information on beach water quality in Sydney)
(02) 9901 7996

EPA Offices

All EPA offices are open 8.30 am to 5.00 pm weekdays, except public holidays. An answering service is available at times when district offices are not attended.

Chatswood

Citadel Towers
799 Pacific Highway
PO Box 1135
Chatswood 2057
Phone: (02) 9795 5000
Fax: (02) 9325 5678

Bankstown

Civic Tower
Cnr Rickard Road & Jacobs Street
Locked Bag 1502
Bankstown 2200
Phone: (02) 9795 5000
Fax: (02) 9795 5002

Penrith

Suite 2, Level 1, Neale Court
311 High Street
Penrith 2750
Phone: (047) 21 3700
Fax: (047) 21 3259

Regional Offices

Albury

4th Floor

Albury City Council Chambers

553 Kiewa Street

PO Box 544

Albury 2640

Phone: (060) 41 4963

Fax: (060) 41 4973

Armidale

Level 1, NSW Government Offices

85 Faulkner Street

PO Box 494

Armidale 2350

Phone: (067) 73 7133

Fax: (067) 72 2336

Bathurst

219 Howick Street

PO Box 1388

Bathurst 2795

Phone: (063) 32 1838

Fax: (063) 32 2387

Dubbo

Level 2, NSW Government Offices

37-39 Carrington Street

Dubbo 2830

Phone: (068) 81 1390

Fax: (068) 82 9217

Grafton

NSW Government Offices

49 Victoria Street

PO Box 498

Grafton 2460

Phone: (066) 402 500

Fax: (066) 42 7743

Griffith

Suite 8, Level 1

Griffith City Plaza

130-140 Banna Avenue

Griffith 2680

Phone: (069) 64 1880

Fax: (069) 64 1885

Newcastle

Ground Floor, NSW Government Offices
117 Bull Street
Newcastle West 2302
PO Box 488G
Newcastle 2300
Phone: (049) 26 9971
Fax: (049) 29 6712

Queanbeyan

Suite 4, Robert Lowe Building
30 Lowe Street
PO Box 622
Queanbeyan 2620
Phone: (06) 299 3330
Fax: (06) 299 3525

Wollongong

Level 3, NSW Government Offices
84 Crown Street
Wollongong 2500
PO Box 513
Wollongong East 2520
Phone: (042) 26 8100
Fax: (042) 27 2348

District Offices**Buronga**

Unit 6/1 Silver City Highway
PO Box 386
Buronga 2739
Phone: (03) 5022 1096

Fax: (03) 5022 1096

Gosford

Suite 14, William Court
Cnr Paul Lane & William Street
Gosford 2250
Phone: (043) 23 9875
Fax: (043) 23 9879

Moree

Suite 15, Salina Court
161-165 Balo Street
Moree 2400
Phone: (067) 51 1519
Fax: (067) 51 1519

Murwillumbah

Suite 2A, Warina Walk Building
114 Main Street
PO Box 723
Murwillumbah 2484
Phone: (066) 72 6134
Fax: (066) 72 6134

Muswellbrook

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56 Brook Street
Muswellbrook 2333
Phone: (065) 42 5016
Fax: (065) 41 1634

Wyang

Shop 5
64 Pacific Highway
Wyang 2259
Phone: (043) 52 2762
Fax: (043) 52 2760

NSW Department of Local Government

This Department administers the Local Government Act 1993.

The Policy and Research Branch of the Department develops policy and conducts research to encourage good practice in the local government sector.

The Department is located at:

Civic Tower
66-72 Rickard Road
Bankstown NSW 2200

Mailing address: Locked Bag 1500
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Facsimile: (02) 9793 0899

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NSW Department of Urban Affairs and Planning

This Department administers the Environmental Planning and Assessment Act 1979.

The head office of the Department is located at

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1 Farrer Place
SYDNEY NSW 2000

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LIST OF PUBLICATIONS ON EVENTS BY NSW COUNCILS

This listing of publications on events by NSW councils has been derived from a recent survey of councils undertaken by the Department of Local Government.

Council Name	Publication Title
Armidale City Council	Standard Practice Note for Events Management
The Council of the Municipality of Ashfield	Info Pack for the Ashfield Carnival of cultures
Bankstown City Council	Calendar of Events Posters Brochures Media Advertising
Baulkham Hills Shire Council	Orange Blossom Festival Program of Events Australia Day Information Strategic Plans and numerous checklists for Publication 1 and 2 mentioned above OBF Event Management Guide Program of Activities - Youth Week, Seniors Wk etc
Blacktown City Council	Cities Marathon - Race Booklet - Results Sports Person - Info & Presentation Fliers Festival Programme Poetry & Prose Competition Fun Run Entry Forms Parade Programme School Holiday Programmes Family Fishing Entry Form/Flier Gardening Competition City Games
Blue Mountains City Council	Winter Magic Festival World Environment Day Town Birthday Celebrations Mardi Gras
Byron Shire Council	Australia Day brochures, events

Coffs Harbour City Council	Coffs Harbour International Stadium-Facility Guide Coffs Harbour-Events Calendar Sporting facilities Indoor Sports Stadium-Facilities & Services
Copmanhurst Shire Council	MARKET CODE
Dungog Shire Council	Brochure of Events
Forbes Shire Council	Special Events Calendar
Goulburn City Council	GRAB Festival Various arts exhibitions Touring Youth Week Celebrations
Ku-ring-gai Municipal Council	Ku-ring-gai Bicentennial Park Plan of Management St Ives Village Green Plan of Management Generic Plans of Management for open space areas Outdoor Major Events Policy for St Ives Showground
Maitland City Council	Special Events Policy Special Events Application form
Manly Council	Calendar of Events Brochures on Individual Events Guidelines for Special Events Beach Management Policies
Nambucca Shire Council	DIARY OF ANNUAL EVENTS APPRECIATION FOR USE OF PUBLIC LAND
Newcastle City Council	The Foreshore Usage Policy Conditions for use of a public reserve (plus appln. forms)
North Sydney Council	How to Organise a Community Event Cultural Calendar What's on in North Sydney Hire of Parks, Ovals and Reserves - Conditions of Hire
Shellharbour City Council	Food Regulations Insurance Guidelines Guidelines under Local Approval Form
Strathfield Municipal Council	Plan Of Management Community Lands

Sydney City Council	STREETS ALIVE BROCHURE GUIDELINES FOR CULTURAL STRATEGIC PARTNERS GUIDELINES FOR COMMUNITY GRANTS PROGRAM EVENTS CALENDER WHATS ON CITY LIFE
Tamworth City Council	WHATS ON - an events calendar A FESTIVAL HIGHLIGHTS BROCHURE FESTIVAL VISITOR KIT - events,accommodation local,accommodation district,coach FESTIVAL MEDIA KIT - facts and figures, many and varied story lines on artists etc
Tweed Shire Council	Code for sale of food at markets and one day events
Warringah Council	Reserves Bookings Guidelines Sponsorship Guidelines
Willoughby City Council	CALENDAR OF EVENTS 1997, MISCELLANEOUS FLYERS FOR COUNCIL RUN EVENTS. EG. FUN RUN, SPRING FESTIVAL.
Wollongong City Council	Major Events Policy

REFERENCES

Armidale City Council *Standard Practice Note - Events Management*

LARP Solutions - Making It Easier To Get There. A toolkit for local government. Commonwealth Department of Housing and Regional Development, 1995.

Sydney Olympics 2000. Approaches and issues for management of social impacts. A Report from the Office on Social Policy. Social Policy Directorate. (August 1993)

Burns, J P A and Mules T J (1986) "A Framework for the Analysis of Major Special Events" in Burns, JPA and others, eds, *Adelaide Grand Prix, the Impact of a Special Event*, Adelaide, Centre for South Australian Economic Studies

Coates, John D (1984) *Community Economic Impact of the 1984 Olympic Games in Los Angeles and Southern California*, Los Angeles, Economic Research Associates, October

Day, Phil (1988) *The Big Party Syndrome: A Study of the Impact of Special Events and Inner Urban Change in Brisbane*, Department of Social Work, University of Queensland, December

Economic Information Resources Consulting Pty Ltd (1990) *1996 Melbourne Olympic Games: A Preliminary Social Impact Assessment*, [Melbourne], September

Health Department of Western Australia (1995) *Operational Guidelines for Rave Parties, Concerts and Large Public Events*

Johnston, C (1993) NSW Office on Social Policy *Report/notes on the social impact assessment professional development course held at Technology Park, Bentley, WA in 1993.*

KPMG Peat Marwick and Centre for South Australian Economic Studies (1993) *Sydney Olympics 2000: economic impact study*

Letting People Know. Best Practice Guideline, August 1995, NSW Department of Urban Affairs and Planning

Lodging a Development Application. Five ways to Reduce Delays... Prepared by Perumal Murphy for the Department of Planning, 1989.

Newcastle City Council *Local Applications Mediation Programme*

Newcastle City Council *Proposed Guidelines and Constitution for a Neighbourhood Committee System - Information Pack*

STRATEGIC PLANNING, John Mant, PPM Consultants Pty Limited and PHILLIPS FOX, Solicitors, May 1995

THE NORTH SYDNEY STRATEGY as adopted by Council 21 August 1995

Land and Environment Court of New South Wales, *South Sydney City Council v Paul Dainty Corporation Pty Ltd and the Sydney Cricket and Sports Ground Trust*, Talbot J, 23-27 April 1992

Land and Environment Court of New South Wales, *Gosford City Council v Popran Creek Pty Limited & Anor*, Stein J, 15 December 1995

NSW Office on Social Policy (1993) *Better Service through Consultation . Best Practice Paper 1.*

NSW Office on Social Policy (1993) *Resourcing Consultation . Best Practice Paper 2.*

Maywald,S (1989) *Consulting with your Community. A guide to effective and equitable community consultation techniques for local government and associated organisations*

ANNEXURES

ANNEXURE A - Schedule 1 Form

SCHEDULE 1

(Sec.23)

SUMMARY OF OFFENCES ACT 1998

To The Commissioner of Police
Notice of Intention to Hold a Public Assembly

1. I,.....
.....
(name)

of.....
.....
(address)

on behalf of
(organisation)

notify the Commissioner of Police that on the
(day)

of.....1997.it is intended to hold
(month)

*(a) a public assembly, not being a procession, of approximately
..... (number) persons, which will assemble
at.....
(place)

at approximatelyam/pm,and disperse at
approximatelyam/pm
or

*(b) a public assembly, being a procession of approximately..... (number)
persons, which will assemble at approximatelyam/pm, and
at approximatelyam/pm the procession will commence and shall
proceed

.....
.....
.....

(Specify route, any stopping places and the approximate duration of any
stop; and the approximate time of termination. A diagram may be
attached.)

2. The purpose of the proposed assembly is
.....
.....

.....
.....
.....

3. The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly:

(i) There will be(number) of vehicle and/or floats involved.
The type and dimensions are as follows:

.....
.....
.....
.....

*(ii) There will be(number) of bands, musicians, entertainers etc. which will entertain or address the assembly.

*(iii) The following number and type of animals will be involved in the assembly.....

.....
.....
.....

*(iv) Other special characteristics of the proposed assembly are as follows.....

.....
.....
.....

4. I take responsibility for organising and conducting the proposed public assembly.

5. Notices for the purposes of the Summary of Offences Act 1988 may be served upon me at the following address.....Postcode.
Telephone No.....

***strike out whichever is not applicable**

Signed.....
Capacity/Title.....
Date.....

***ANNEXURE B - Schedule 2, Local Government (Approvals) Regulation
1993***

SCHEDULE 2 - MANAGEMENT AND USE OF PLACES OF PUBLIC ENTERTAINMENT

(Cl. 38)

Fire safety officers

1. (1) If a place of public entertainment has a grid or means of flying scenery over the stage and an approved capacity of more than 2 000 persons or, if the council so directs, there must be on duty, at all times while the place of public entertainment is open to the public for a stage performance, such number of competent fire safety officers as the council may determine in respect of the place of public entertainment.
- (2) A fire safety officer:
 - (a) must wear a distinctive uniform identifying that person as such; and
 - (b) must ensure that fire fighting equipment is in the correct location and is in an operative condition; and
 - (c) must report to the owner of the premises, or occupier, any fire hazard or situation which the fire safety officer considers may be prejudicial to public safety.
- (3) Whenever the public is in attendance at the premises, a fire safety officer is not to be required to carry out duties other than those referred to in subclause (2).

Stage hands

2. (1) There must be at least one suitably trained person in attendance in the stage area at all times during a stage performance for the purpose of operating, whenever necessary, the proscenium safety curtain, drencher system and smoke exhaust system.
- (2) Except where a fire safety officer is on duty in accordance with the requirements of clause 1 (1), the person referred to in subclause (1) must, in addition to the requirements of that subclause, perform the duties specified in clause 1 (2) (b) and (c).

Projection suites

3. (1) When a film is being screened at a place of public entertainment, at least one person trained in the operation of the projectors being used and in the use of the fire fighting equipment provided in the room where they are installed (the projection room) must be in attendance at the place of public entertainment.
- (2) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the Building Code of Australia, the person required by subclause (1) to be in attendance must actually be in the projection suite in which the projection room is located during the screening of a film.
- (3) No member of the public is to be present in the projection suite during the screening of a film.

Smoking and drinking

4. (1) Persons must not smoke or consume liquor in the auditorium, projection suite, stage area or wings or in a plant room, store room or property room.
- (2) Subclause (1) does not apply to smoking if the place of public entertainment is being used for the purposes of a public meeting or for the purposes of:
 - (a) a public entertainment being conducted at a place where meals or liquor are being served; or
 - (b) a public entertainment that consists of public dancing,and if the occupier of the place of public entertainment consents to persons smoking.
- (3) Subclause (1) does not apply to smoking by persons who are doing so as a necessary part of a performance being conducted on stage or in an auditorium.
- (4) Subclause (1) does not apply to the consumption of liquor:
 - (a) at licensed premises within the meaning of the Liquor Act 1982; or
 - (b) at premises in respect of which there is in force a permit that has been issued by a police officer of or above the rank of sergeant and that permits the consumption of liquor at those premises.

Naked flames

5. (1) A person must not:
 - (a) expose flame; or
 - (b) carry, or have in his or her possession, an explosive, flammable liquid or gas,in a place of public entertainment.
- (2) Subclause (1) does not apply to:
 - (a) the striking of matches or the use of cigarette lighters in connection with smoking where smoking is permitted in accordance with clause 4; or
 - (b) the exposure of flame in connection with the preparation and serving of meals in approved areas; or
 - (c) the exposure of flame in connection with the use of a heater; or
 - (d) the carrying of flammable liquid or gas in a cigarette lighter.
- (3) The council may, subject to such conditions as it may determine, permit the use of:
 - (a) exposed flame; or
 - (b) explosives; or
 - (c) flammable liquid or gas,by a performer or performers for the purpose of a performance being conducted.
- (4) If smoke, gas, other chemical or a similar substance is used for the purpose of a performance, it must be used in such a way as not to:
 - (a) create a hazard; or
 - (b) cause alarm or discomfort to the audience.

Dangerous performances

6. (1) Performances that involve danger to the public are not to be promoted or conducted.
- (2) In particular, a nitrate film must not be exhibited in a place of public entertainment.

Marking of aisles and cross-overs

7. If it is intended that the audience at a performance be seated on the floor, aisles and cross-overs are to be clearly defined on the floor.

Aisle lights to be energised

8. Aisle lights referred to in NSW Variation H 101.20.3 of the Building Code of Australia must be energised when the public is in attendance and the main auditorium lighting is dimmed or extinguished.

Locks

9. Any key-operated fastening fitted to an exit door or gate used by the public as a main entrance must be arranged so that, whenever the public is in attendance, the tongue or bolt is locked in the retracted position to enable the door or gate to yield to pressure from within.

Rope barriers

10. A rope barrier may be used across or at the side of an aisle, but only if:
- (a) it is secured with spring clips which become unfastened when pressure is exerted on the rope; and
 - (b) it has a centre fastening only; and
 - (c) it does not trail on the floor when released.

Proscenium curtains

11. If a proscenium safety curtain is installed:
- (a) there must be no obstruction to the opening or closing of the safety curtain; and
 - (b) the safety curtain must be operable at all times.

Council may require fire-safety information

12. The council may at any time require the owner or occupier of the building to furnish a certificate from the National Building Technology Centre, or other approved testing authority, as to the early fire hazard or flammability properties of the finish of a wall, ceiling or floor, or of a curtain, blind or cinematograph screen.

Copy of approval

13. A copy of the approval for the place of public entertainment must be conspicuously displayed in the place of public entertainment.

Application of Schedule to temporary structures

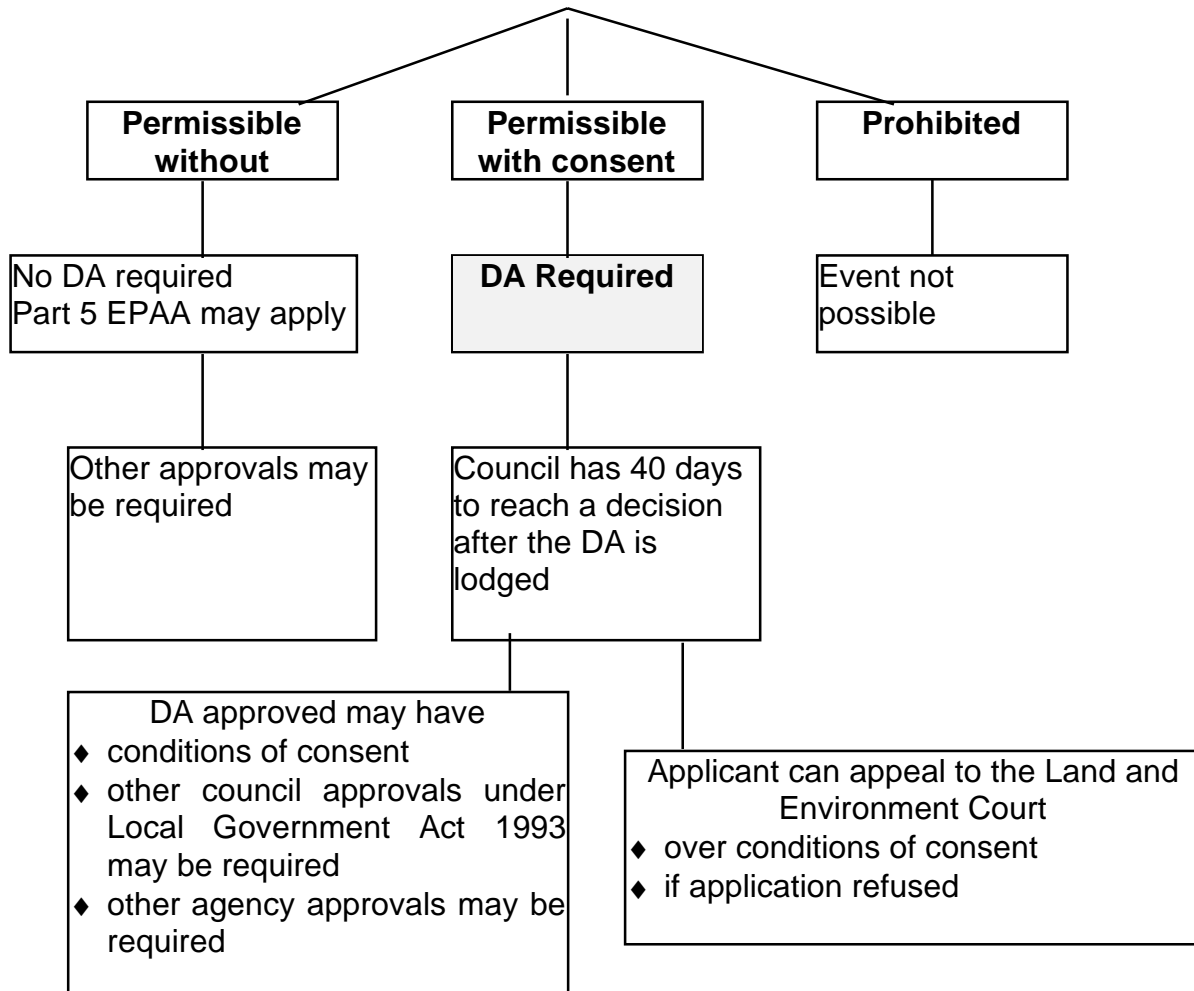
14. (1) This Schedule applies to temporary structures in the same way as it applies to places of public entertainment.
- (2) This Schedule does not apply to a class 1 or class 10 building.

NOTES

Local Government (Approvals) Regulation 1993 published in Gazette of 1.7.1993 and amended in Gazette of 27.5.1994, by Act No. 44, 1994, in Gazettes of 10.6.1994, 17.6.1994, 26.8.1994, 2.12.1994, 23.6.1995, 18.8.1995, 25.8.1995, 15.12.1995, 22.12.1995 and 15.11.1996.

ANNEXURE C - Examining planning instruments

The relevant local planning instrument will define whether an event is:



Where the event is permissible without development consent

- other forms of approval will still be required by Council and/or State agencies
- Part 5 of the EP&A Act may apply. This requires the determining authority (usually council) to decide if the event may have any significant environmental impact (s111 of the EP&A Act) in issuing any other form of approval that is required. The applicant may be required to prepare a review of environmental effects of the event. This could apply to events proposed in areas which have threatened species, for example.

Where the event is permissible with development consent

- other forms of approval will still be required by Council and/or State agencies
- a DA must be lodged with Council
- Council has 40 days to determine the application, otherwise it is deemed to be refused. (Not all applications can be dealt with within 40 days and submitting your application as early as possible assists council in having the matter determined in adequate time. Councils can continue to deal with applications after 40 days but a right of appeal to the Land and Environment Court is available after this time).

Where the event is Prohibited

Where the zoning prohibits activities in the area which includes the event, then the event cannot take place at that area at all.

ANNEXURE D - Local Government Act Approvals

the Local Government Act 1993
Administered by the NSW Department of Local Government

Section 68 approvals

Within section 68 of the Local Government 1993 there are a range of approvals relating to entertainment which all councils apply to events.

Part 1 Approvals

Division 1 What activities require approval?

68 What activities, generally, require the approval of the council?

- (1) A person may carry out an activity specified in the following Table only with the prior approval of the council, except in so far as this Act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval.

TABLE APPROVALS	
PART A BUILDINGS, TEMPORARY STRUCTURES OR MOVEABLE DWELLING	
1	Erect a building
2	Demolish a building
3	Install a manufactured home, moveable dwelling or associated structure on land
4	Install a temporary structure on land
5	Enclose a public place in connection with the erection or demolition of a building
6	Use or occupy a building before it has been completed in accordance with the plans and specifications approved by the council
7	Change the use of a building or part of a building to a use that is not consistent with the current classification of the building as prescribed by the regulations
8	Use a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment
PART D COMMUNITY LAND	
1	Engage in a trade or business
2	Direct or procure a theatrical, musical or other entertainment for the public
3	Construct a temporary enclosure for the purpose of entertainment
4	For fee or reward, play a musical instrument or sing
5	Set up, operate or use a loudspeaker or sound amplifying device
6	Deliver a public address or hold a religious service or public meeting
PART F OTHER ACTIVITIES	
1	Operate a public car park
2	Operate a caravan park or camping ground
3	Operate a manufactured home estate
4	Install a domestic oil or solid fuel heating appliance, other than a portable appliance
5	Install or operate amusement devices (within the meaning of the Construction Safety Act 1912)
6	Install or operate amusement devices prescribed by the regulations in premises
7	Use a standing vehicle or any article for the purpose of selling any article in a public place
8	Operate an undertaker's business
9	Operate a mortuary
10	Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations

ANNEXURE E - Definitions

Amusement device

Local Government (Approvals) Regulation 1993

141. In this Division:

amusement device has the same meaning as it has in the Construction Safety Act 1912.

Construction Safety Act 1912.

3 Definitions

(1) In this Act, unless the context or subject-matter otherwise requires:

Amusement device means anything mobile or fixed made available to members of the public on which, or on any part of which, or by means of which, they may ascend or descend, or be carried, transported, raised, lowered or supported for the purposes of amusement, games, recreation, sightseeing or entertainment but does not include:

- (a) anything that:
 - (i) is not power-operated, or
 - (ii) may only be operated by manual power, unless a fee is payable for its use, or for entry therein or thereon, or for entry to the place where it is situated,
- (b) a conveyor, crane, escalator, hoist, lift or moving walk,
- (c) a railway system in so far as it uses a locomotive for its motive power and has a track gauge of 600 mm or more,
- (d) a vehicle required to be registered under the Motor Traffic Act 1909,
- (e) a vessel used on waters navigable for the purpose of trade,
- (f) an aircraft subject to the regulations made under the Air Navigation Act 1920 of the Parliament of the Commonwealth and any Act amending or replacing that Act, or
- (g) anything prescribed as being excluded from this definition.

Entertainment

Local Government Act 1993

entertainment includes:

- (a) amusement provided by means of any ride or device or by any other means (such as pin-ball machines and video games), and
- (b) an exhibition, sporting event or contest,

but does not include amusement provided by means of an approved amusement device (within the meaning of the Liquor Act 1982) or poker machine (within the meaning of the Registered Clubs Act 1976), and does not include anything that is declared by the regulations not to be entertainment for the purposes of this definition.

Place of public entertainment

Local Government Act 1993

place of public entertainment means:

- (a) a drive-in theatre, or
- (b) an open-air theatre, or
- (c) a theatre or public hall, or
- (d) licensed premises.

Public entertainment

Local Government Act 1993

public entertainment:

- (a) means entertainment to which admission may ordinarily be gained by members of the public on payment of money, or other consideration, as the price or condition of admission and an entertainment does not cease to be a public entertainment merely because:
 - (i) some (but not all) persons may be admitted to the entertainment otherwise than on payment of money, or other consideration, as the price or condition of admission, or
 - (ii) such payment, or other consideration, is demanded as the charge for a meal or other refreshment, or for any other service or thing, before admission to the entertainment is granted or as the charge for the entertainment after admission to the entertainment has been granted, and
- (b) includes a public meeting.
- (c) (Repealed)

Public land

Local Government Act 1993

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the Crown Lands Act 1989 applies, or
- (c) a common, or
- (d) land subject to the Trustees of Schools of Arts Enabling Act 1902.

Temporary structure

Local Government Act 1993

temporary structure includes:

- (a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent, and
- (b) a mobile structure.

PRACTICE NOTE

**MAJOR AND SPECIAL EVENTS
PLANNING**

A Guide for Councils

PART B
**Council Policy and
Practice in Relation to
Events**

NSW DEPARTMENT OF LOCAL GOVERNMENT

IN CO-OPERATION WITH

NSW POLICE SERVICE

NSW ENVIRONMENT PROTECTION AUTHORITY

**NSW DEPARTMENT OF URBAN AFFAIRS AND
PLANNING**

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COUNCILS, WHERE ARE YOU NOW AND WHERE DO YOU WANT TO BE?

A Proactive Approach to Strategic Planning

Many councils use strategic planning approaches for a range of issues or areas. North Sydney used the following format to prepare a strategy for their local government area:

THE NORTH SYDNEY STRATEGY as adopted by Council 21 August 1995

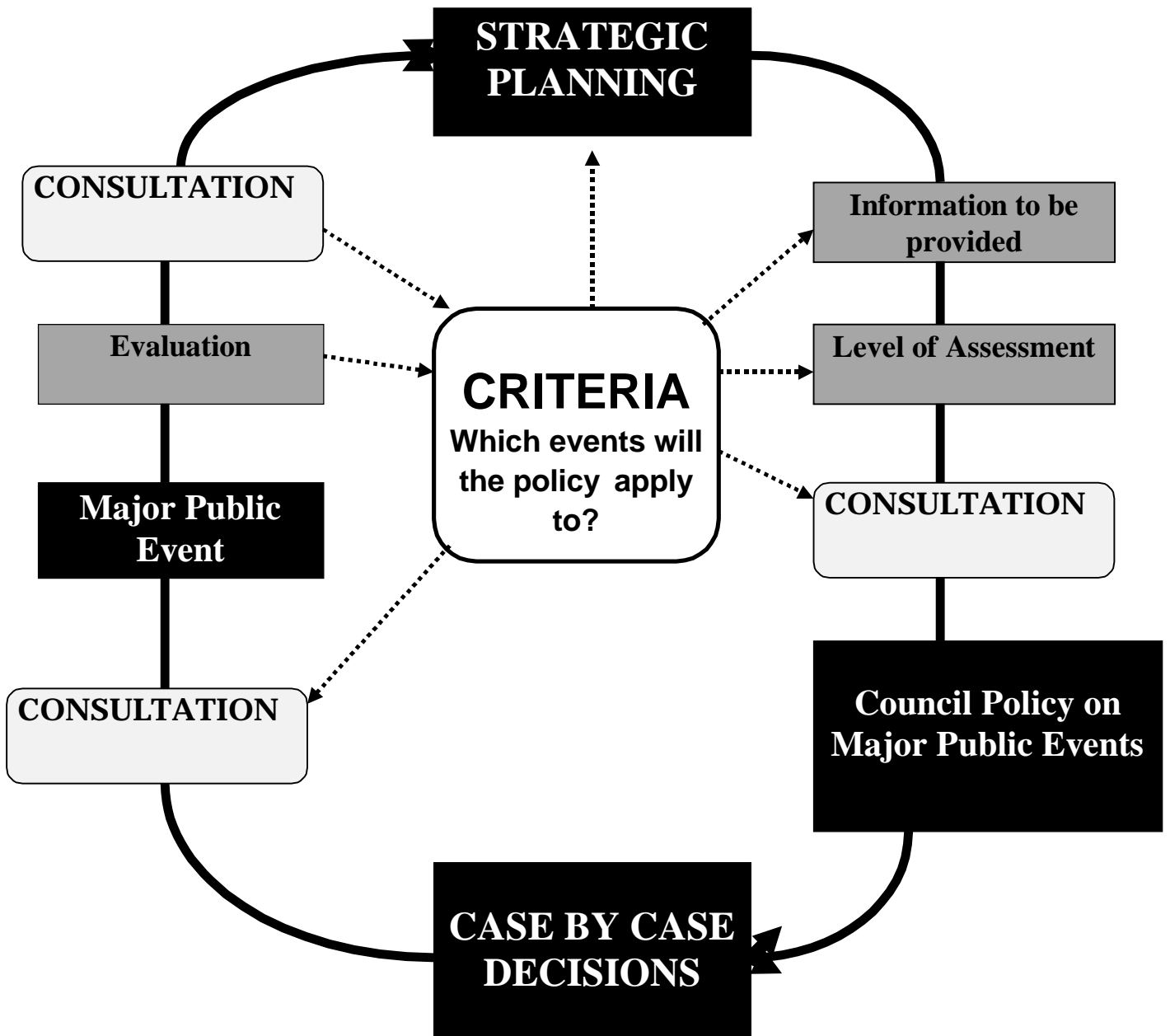
Format

- introduction which puts the draft Strategy in the context of Council's operation and the North Sydney environment
- vision (a general statement about the future North Sydney)
- objectives (12 on specific areas of Council's responsibilities and issues affecting North Sydney)
- strategies (related to each objective and aimed at achieving the objective)
- actions (which is what we will actually do to implement the strategies)
- performance measures (to test if all this is being implemented successfully and also to test if its what we really want to do)
- all are interrelated so review of a particular action will involve review of related strategies and actions, and possibly other objectives and vice versa; there may be overlaps and connections between objectives, strategies and actions (eg: ESD and urban form)

This format could also be used to develop a council's event policy and process.

Using a strategic planning approach can help make sure that decisions made on a case by case basis are consistent on an ongoing basis. Once council has decided on it's criteria, a strategic planning process detailing the information to be provided by applicants, the level of assessment and the level of consultation required can be used to develop an events policy.

The following diagram illustrates this process.



Strategic planning based on Integrated Local Area Planning principles ensures that all relevant factors are considered.

Integrated Local Area Planning (ILAP) Principles

- * intergovernmental co-operation between the three spheres of government with Local Government taking a lead role
- * a whole of government and a whole of Council approach in the interests of the local community
- * implementation of a shared vision for the future, with the community, and all stakeholders
- * broadly based strategic planning addressing the full range of local conditions, resources and needs: economic, social-cultural, and physical-environmental.

Once it has been developed, the policy can be used to make decisions about specific events.

After a decision has been made, consultation needs to take place to make sure that impact management is appropriate. After the event, further consultation needs to be done to feed back into the strategic planning process. The events policy can then be reviewed and revised if necessary.

Considering developing a local events policy

When framing an events policy, councils need to decide on the criteria for deciding which events the policy will apply to. In some areas council may decide to apply an events policy to all events in the area, in others to 'major' events only.

Although limited research has been done on major public events, a useful outline of the four key characteristics of special or 'major' events has been provided by Burns & Mules (1986). They undertook an assessment of the first Adelaide Grand Prix.

These criteria could help you decide your council's approach to major public events in your area.

- 1. The major demand generated by the Special Event is, for the most part, not the demand for the event itself but demand for a range of related services - typically accommodation, food, transport and entertainment.**

This characteristic distinguishes major public events from other events which do not create additional demand for services in your area.

For example, if a large national exposition is held in your town it may be estimated by the promoter that some 20,000 visitors will attend the expo. Your town will be facing not only 20,000 people spending their time at expo but a proportion of those 20,000 people needing accommodation, food, transport and other services during their stay. Whether you are a small rural town or a metropolitan suburb this demand for related services will have an impact on your locality and possibly your region.

- 2. This demand is condensed into a relatively short period of time, from a single day to a few weeks and, as services cannot be produced ahead of time and stored, this leads to the typical 'peaking' problems experienced in the main service industries mentioned.**

For example, if your town only has 2 motels and 5 will be needed to cater for the people attending the event, unless the promoter is providing some accommodation for the event you may have a serious accommodation problem in your area and the associated negative impacts.

A similar issue could arise for restaurants.

3. 'Peaking' influences both the level and the distribution of benefits received.

Not all parts of a town or area will receive the same benefits or disadvantages as a result of an event. Benefits could be concentrated in one small area or in one particular service, and the negative impacts could be felt in most areas, or vice versa.

4. The net impact of redirecting local funds towards Special Events is relatively small. The major benefits arise from the attraction of new funds from outside the region by way of the export of goods and services, especially services.

It has been shown that a government or council financial contribution to an event does not guarantee an economic return to the local community. The main benefits for the local community will usually be to service providers in the town or region and any benefits to others will depend on flow-on effects.

Using these four key characteristics of major events as criteria for an events policy will help councils who want to develop a policy for major or special events rather than all events.

Each council has to make their own judgement on the need for, and scope of, their events policy. If current processes for small events are working effectively, or if only a few small events take place in the local area, you may not need to develop a detailed policy and process.

If a council is faced with a large demand for using its recreation and open spaces for events, and wants to make sure these spaces are not 'over-used' or 'inappropriately' used beyond their capacity, an events policy can be used to protect particular venues in the area. The policy may detail hours of use and/or number of events per month/year for specific venues, as well as the desired limits on crowd numbers and uses for venues.

Events policies can also help to attract desirable events to an area and prevent unsuitable events being staged. The policy may be:

- a Development Control Plan prepared following a requirement for consent in an LEP
- part of council's Local Approvals Policy - either incorporated into Part 2 or called up as a policy for consideration under section 89 of the Local Government Act
- a stand alone events policy statement
- a combination of the above.

Do you want to use the Environmental Planning and Assessment Act to control events by requiring development consent?

When reviewing your policies and processes for events, there are a number of questions you need to ask. The first of these is to examine whether your planning instruments address events, and if so, to what extent.

Secondly, are the items listed in section 90 of the Environmental Planning and Assessment Act sufficient for council to assess the impact of events and, if not, should council introduce a special events development control plan. The procedure that council must adopt if intending to use the DCP process are in the notebbox below:

Environmental Planning and Assessment Regulation 1984 Part 3 Development control plans

Division 1 Preparation of development control plans by councils

15 In what form must a development control plan be prepared?

- (1) A development control plan must be in the form of a written statement, and may include supporting maps, plans, diagrams, illustrations and other materials.
- (2) A development control plan must describe the land to which it applies and must identify any local environmental plan or deemed environmental planning instrument applying to that land.

16 For what matters may a development control plan provide?

A development control plan may provide for any matter for which a local environmental plan may provide.

Division 2 Public participation

17 Draft development control plan must be publicly exhibited

- (1) Following the preparation of a draft development control plan, the council:
 - (a) must give public notice in a local newspaper of the places, dates and times for inspection of the draft plan,
 - (b) must publicly exhibit at the places, on the dates and during the times set out in the notice:
 - (i) a copy of the draft plan, and
 - (ii) a copy of any relevant local environmental plan or deemed environmental planning instrument, and
 - (c) must specify in the notice the period (which must include the period during which the plan is being publicly exhibited) during which submissions about the draft plan may be made to the council.
- (2) A draft development control plan must be publicly exhibited for at least 28 days.

18 Copies of draft development control plans to be publicly available

Copies of the draft development control plan, and of any relevant local environmental plan or deemed environmental planning instrument, are to be made available to interested persons, either free of charge or on payment of reasonable copying charges.

19 Who may make submissions about a draft development control plan?

Any person may make written submissions to the council about the draft development control plan during the period specified in the relevant notice.

Division 3 Approval of development control plans

20 Approval of development control plan by council

- (1) After considering any submissions about the draft development control plan that have been duly made, the council:
 - (a) may approve the plan in the form in which it was publicly exhibited, or
 - (b) may approve the plan with such alterations as the council thinks fit, or
 - (c) may decide not to proceed with the plan.
- (2) The council must give public notice of its decision in a local newspaper within 14 days after the decision is made.
- (3) Notice of a decision not to proceed with a development control plan must include the council's reasons for the decision.
- (4) A development control plan comes into effect on the date that public notice of its approval is given in a local newspaper or on a later date specified in the notice.
- (5) The council must give the Secretary a certified copy of any development control plan approved under this clause.

Table 2: Example of a council events policy implemented via a Development Control Plan

**Wollongong City Council - Draft Technical Policy
Major Events**

AIMS AND OBJECTIVES

- a) To provide guidelines for the appropriate location and management of major events.
- b) To provide applicants with a checklist of information required to be submitted with a Development Application.
- c) To ensure consistent planning assessment of major events.
- d) To co-ordinate referrals with other Council Divisions and external authorities where necessary.

6.0 EVENTS REQUIRING APPROVAL IN ACCORDANCE WITH THIS PLAN

- a) Rock Concerts
- b) Circuses
- c) Special public entertainment events not related to sporting, beach or entertainment facilities

Development Applications are required for the above events held on both Council owned and privately owned land.

Any prospective applicant seeking advice regarding the necessity of a Development Application should contact Council's Planning Division.

Are you going to require promoters to submit a development application?

Through their planning instruments, each council has to decide whether or not a Development Application is required to stage a major event. This decision is based on criteria such as local circumstances, priorities and values. Council may wish to review their LEP to reflect these over time.

How does impact assessment fit within the Development Application process?

The Development Application process provides an opportunity to make sure that impact assessment is addressed. Within s90 of the EP&A Act, councils may:

- ◆ negotiate with the promoter for optimum outcomes
- ◆ undertake a cross-disciplinary consideration of the proposed event within Council
- ◆ communicate with the community effectively
- ◆ assess the proposal within the context of regional development strategies already in place

Feeding into Council Policy:

Using the Development Application process can also provide valuable feedback loops to council's events policy and make sure that this is kept up to date, relevant and effective.

The LARP Solutions Toolkit (1995) outlines four key principles for quality outcomes and feedback loops to policy:

- Producing quality outcomes is the aim of approval systems
- Setting uncomplicated performance indicators and objectives for ongoing maintenance
- Undertaking informed review of policy using the experience and comments from council officers and elected members
- Amending the policy itself in instances where councils often depart from existing policy

Do you want to use the Local Government Act to control events via your Local Approvals Policy?

Councils may feel that it is more appropriate to deal with major events through approvals under the Local Government Act. These approvals include

- Part A4 Approval** - Install a temporary structure on land
 - Part A8 Approval** - Use a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment.
 - Part D2 Approval** - Direct or procure a theatrical, musical or other entertainment for the public
 - Part D3 Approval** - Construct a temporary enclosure for the purpose of entertainment
 - Part D4 Approval** - For fee or reward, play a musical instrument or sing
 - Part D5 Approval** - Set up, operate or use a loudspeaker or sound amplifying device
 - Part F5 Approval** - Install or operate amusement devices (within the meaning of the Construction Safety Act 1912)
 - Part F6 Approval** - Install or operate amusement devices prescribed by the regulations in premises
- (Refer section 68, Local Government Act, 1993)

Policy guidelines for special events are best incorporated into a Local Approvals Policy that provides an overall policy framework within which any exemptions from the need for approval, any additional criteria for dealing with applications, and any other general policy issues, can be addressed.

If you are considering using your Local Approvals Policy to control events, you will need to examine your current matters for consideration and the extent to which they address your events policy.

There are two main ways for councils to show their policy on events in their Local Approvals Policy:

- ◆ by adding matters of consideration when council considers an application (in Part 2 of an LAP)
- ◆ by calling up a special purpose events policy as an attached matter for consideration in Part 2 of an LAP.

By adopting the events policy in the Local Approvals Policy, councils can ensure that their decision making process will consistently consider this policy when approving events.

The procedures that councils must adopt if they intend to use the local approval policy process are in the notebbox below:

Adoption of local policies concerning approvals and orders

158 Preparation of draft local policy for approvals

- (1) A council may prepare a draft local approvals policy.
- (2) A draft local approvals policy is to consist of three parts.
- (3) Part 1 is to specify the circumstances (if any) in which (if the policy were to be adopted) a person would be exempt from the necessity to obtain a particular approval of the council.
- (4) Part 2 is to specify the criteria (if any) which (if the policy were to be adopted) the council must take into consideration in determining whether to give or refuse an approval of a particular kind.
- (5) Part 3 is to specify other matters relating to approvals (for example, matters referred to in section 115).

160 Public notice and exhibition of draft local policy

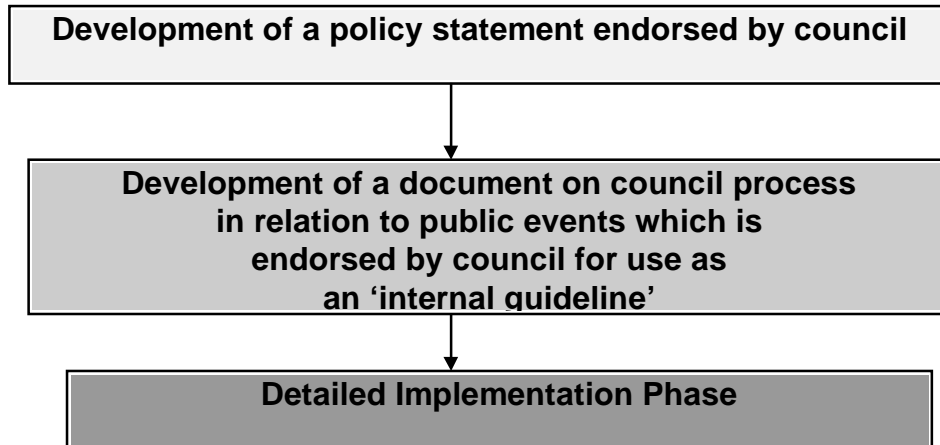
- (1) The council must give public notice of a draft local policy after it is prepared.
- (2) The period of public exhibition must be not less than 28 days.
- (3) The public notice must also specify a period of not less than 42 days after the date on which the draft local policy is placed on public exhibition during which submissions may be made to the council.
- (4) The council must, in accordance with its notice, publicly exhibit the draft local policy together with any other matter which it considers appropriate or necessary to better enable the draft local policy and its implications to be understood.

167 Public availability of local policy

- (1) A local policy adopted under this Part by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.
- (2) Copies of the local policy must also be available free of charge or, if the council determines, on payment of the approved fee.

Refer: **Part 3, Chapter 7, Local Government Act 1993**

Stages of developing and implementing an events policy for your Council



1. Development of a policy statement endorsed by council

This should be a set of statements which outline council's broad position in regard to public events. For example, the current booking process may use a broad set of principles and social and environmental priorities, such as directing larger events to more suitable venues, which could be included in the policy statement.

The policy statement could also:

- ◇ explain council requirements such as approvals under the Local Government Act or the need to lodge a DA for certain events or provide a certain period of advance notice for an event.
- ◇ formalise the current booking process
- ◇ outline the key locations within the area and the types of events they are suitable for
- ◇ list some of the potential impacts of events, such as road closures, for applicants to consider when choosing a proposed location for their event.
- ◇ explain how the policy is part of the LEP
- ◇ refer to cultural events and sporting programs as defined public events programs and outline council priorities within these programs.

The benefit of this type of policy statement is that it, in one document, explains council's approach to staging major events and removes any impression that council may make decisions on an ad hoc basis. The policy statement should be distributed to the local community and given to applicants or other people interested in staging events in the area.

2. Development of a document on council process in relation to public events which is endorsed by council for use as an 'internal guideline'

This procedural document should:

- ◇ explain council's decision making process for public events
- ◇ outline the consultation process that will be used
- ◇ include a booking sheet specifying all the details applicants have to provide for events in different locations
- ◇ have a checklist for the internal processes that staff should follow

3. Detailed Implementation Phase

As part of this implementation phase council will need to:

- ◇ integrate the events policy with relevant planning instruments, such as LEPs and DCPs, and other decision making processes such as LAPs
- ◇ review current lease agreements to make sure they comply with permissible uses
- ◇ develop site specific plans of management for parks and other sites.

Expressing your Council's Events Policy

Expressing council's events policy within planning instruments, DCPs and/or Local Approvals Policies are not the only methods you may wish to use. There are many other ways of communicating your events policy to both promoters and the community.

For example, you could:

- prepare a brochure about your events policy for promoters which could be picked up at council or in local libraries and community centres
- put key points from your events policy onto posters for display at council managed venues
- include your events policy within council's strategic plan, particularly if you are hoping to encourage a certain type of event to your area
- include your events policy in the local 'calendar of events'
- advertise your events policy in local newspapers, newsletters or magazines
- invite members of the community to help you develop or review your events policy.

HOW CAN COUNCILS IMPROVE THE PROCESS?

Consulting your Community

When considering applications for major and special events, councils undertake different types of consultations with their community. If a Development Application is required from a promoter, the associated notification and consultation processes will be followed. In assessing the likely impacts of a major event, council will also need to consult with the community to research the impacts and work out appropriate management and mitigation strategies.

Doing the right type and level of consultation with the community is a key factor in the success of a major or special event. It is especially important that you consult with members of the community that are likely to be affected negatively by aspects of the event.

What is Community Consultation?

‘Consultation is a process of actively seeking views from the community. This involves asking, listening and sharing ideas, knowledge, and experience.

With a shared understanding of needs and options, the Council will be able to make well informed decisions.

Consultation is about providing opportunities for people to influence decisions whilst appreciating that the final responsibility for those decisions rests with Council.’

(Local Government Community Services Association workshop, July 1996)

The Office on Social Policy has defined effective Consultation as

Good government

- meeting the community’s needs
- providing ways for customers to exercise their right to participate

Good management

- working to achieve satisfactory outcomes for all parties

Good business

- enhancing the quality of service

(Office on Social Policy, 1993)

Consultation techniques include information giving, information seeking, information sharing, and participatory decision making.



information giving
information seeking
information sharing
participatory decision making

The majority of major and special events will require the use of at least information giving and seeking techniques such as preparing publications, conducting surveys and providing guarantees of service. Some major events will require the use of all four techniques, so you may need to organise public meetings, focus groups and committee/forums in addition to the other methods.

As part of developing an overall strategic vision for the community, council consults with the community across a broad range of issues. Including events as one of these issues can help you set the context for future consultations about specific events. The strategic planning approach outlined in this practice note advocates consultation as an input to council's events policy, in response to a particular proposed event, and also after an event to review and evaluate of the policy. Including consultation as part of the overall framework ensures that it is not 'new each time' or cumbersome for council.

To evoke community views effectively, you need to follow some key principles which Forester (1980) calls 'pro-participation ploys':

Cultivate community networks

Make wide use of liaisons and contacts, rather than depending on the power of documents, both to provide and disseminate information.

Listen carefully

Gauge the concerns and interests of all participants in the planning process to anticipate likely political obstacles, struggles and opportunities.

Notify people early

Let less-organised interests know early in any planning process of issues affecting them (the more organised groups whose business it is to have such information won't need the same attention)

Educate

Educate citizens and community organisations about the planning process and the 'rules of the game'.

Supply information

Get technical and political information to citizens to enable them to be informed and participate effectively.

See

That community neighbourhood and non-professional organisations have ready access to public planning information, local codes, plans, and notices of relevant meetings, and consultations with agency contacts, 'specialists' supplementing their own 'in-house' expertise.

Encourage

Community-based groups to press for open, full information about proposed projects and design possibilities.

Develop skills

You need skills to work with groups in conflict situations, rather than expecting progress to stem mainly from isolated technical work.

Use information channels

Emphasise to community interests the importance of effective participation in informal processes of project review, and take steps to make such design-change negotiation meetings equitable to professionally unsophisticated groups.

Be independent

Encourage independent, community-based project reviews and investigations.

Be politically sensitive

Anticipate external political-economic pressures shaping design decisions and compensate for them soliciting 'pressure we can use' (eg: countering vested anti-public interests) rather than minimising external pressure altogether.

The Department of Local Government plans to prepare a practice note on community consultation and participation which will provide further information on these issues for councils.

Media

Major or special events often involve the media. This could mean interviews with key organisers/personnel, advertising arrangements, or the use of the event or other locations for filming. Event organisers need to keep council informed of any media implications of an event and make sure that relevant approvals are sought, particularly for the use of any additional locations in the area.

To help councils consider media requests, the NSW Film and Television Office is currently developing a guideline for councils on 'filming in local government areas in NSW'. Another useful reference is Pittwater Council's '*Conditions and fees for Filming and Still Photography*'.

Enforcement powers

The Police and EPA have a number of enforcement powers in relation to the conduct of events and the satisfaction of conditions of approval. Information on these powers is contained in Part A of this guide. Detailed information on the EPA enforcement powers is contained in '*Environment Protection Manual PO1- Powers of Authorised Officers*', which is available from the EPA.

Councils also have a number of enforcement powers in relation to events.

Firstly, councils have the power to issue Orders under the Local Government Act 1993, which require or prohibit the doing of things to or on premises.

Order No. 15 - which may be issued immediately for life threatening hazards, or a threat to public health or safety not regulated under any other Act

Order No. 4 - which may be served on a building owner in relation to fire safety or fire awareness

Order No. 16 - may be issued in an emergency for cessation of use or evacuation of premises

If a person fails to comply with an order, it is an offence under section 628 of the Local Government Act which attracts penalties of \$2,000 to \$5,000 (or double in the case of a corporation).

There are also sections within the Local Government Act which allow council to seek Court Orders and deal with enforcement of Orders.

Section 673 allows councils to bring court proceedings for an order to remedy or restrain a breach of the Local Government Act.

Under **section 678**, where a person fails to comply with the terms of an order, council may do all such things as are necessary to give effect to the terms of the order. This includes authorising a council employee to turn off audio-visual equipment.

Under **section 125**, council has the power to apply to the court to abate a public nuisance or order a person responsible to abate it.

Under s123 of the EP&A Act councils also have the power to stop an event before it commences if there is likely to be a breach of planning law where the event would:

- be outside of the existing conditions of consent, or
- require consent, but it has not been obtained, or
- be prohibited in the relevant zone.

Following the event, any person could bring an action for a breach of the Act and seek the court to make appropriate orders, for example, to remedy environmental damage caused by an event.

Under s125 of the Act, where such an offence as non-compliance with the terms of consent or conditions attached to consent has been committed, council may bring a prosecution. Fines of up to \$100,000 can be awarded by the Land and Environment Court. Such offences can also be prosecuted in the Local Court with a maximum penalty of \$10,000.

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