

Event Approval - terms and conditions

Definitions

(The) Applicant: The Applicant (who will most likely also be the event organiser) is responsible for the overall management of the Event and will be the key contact for the Council Events and Filming Officer. The role and responsibilities of an event organiser include troubleshooting, logistical operations, delivery and liaison. The event organiser must be contactable throughout the event planning, staging and evaluation process. The Council may request references to prove the relevant experience of the event manager (and Safety Officer – qualifications) of large-scale events.

(The) Event: The 'Event' is the activity undertaken as per the submitted Event Proposal. Events include but are not limited to filming, festivals, cultural celebrations, birthday gatherings, casual sporting events, demonstrations, wedding ceremonies, markets and expos.

(The) Event Approval: A Council issued approval is required for all events, activities, personal training sessions, and filming in any public spaces within the Macedon Ranges Shire.

(The) Event Proposal: An Event Proposal must be submitted for all events, activities, and personal training sessions and filming in any public spaces within the Macedon Ranges Shire.

(The) Event Site: The Event Site is the area identified in the site plan submitted to Council through the Event Proposal.

Assets: Any property, facilities or equipment owned or managed by Macedon Ranges Shire Council.

Handover: This refers to a process where a Council Officer will meet the Applicant to hand over a safe and clean site before the event date. Then, meet again after the Event to receive the site back in the same safe and clean state the Applicant received it.

Emergency Egresses: A minimum of four metres must be maintained for Emergency vehicle entrance to all primary areas of the Event Site, especially those identified in the Event risk management plan.

Open and Public Space: Macedon Ranges Shire Council defines Open Spaces as; parks, gardens, road reserves, sanctuaries and bushland reserves, and Public Spaces as; the aforementioned plus streets, roads, footpaths and car parks within Macedon Ranges Shire accessed by general public.

Security Deposit: A security deposit may be requested to cover any damage caused to the Council's assets due to staging the Event or loss of keys. After the Event, the Deposit will be returned to the Applicant if the Site and Assets are satisfactory.

Code Red Days: Code Red Days are declared by the Bureau of Meteorology (BoM). No formal activities can take place in Open and Public Spaces on Code Red Days. Any event occurring on a Code Red Day within the shire must be postponed or cancelled. Where the Event is postponed, an alternative day must be approved in writing by Council.

Fire Danger Period and days of Total Fire Ban: The Country Fire Authority (CFA) declares the Fire Danger Period and days of Total Fire Ban by municipality. Applicants must familiarise themselves with and adhere to the restrictions in place during the Fire Danger Period and on days of Total Fire Ban. This information is available on the CFA website: <https://www.cfa.vic.gov.au/warnings-restrictions/can>.

General Conditions

1. Event Approval is subject to all required fees being paid (if applicable).
2. Council will not issue the Event Approval until Council or its authorised officer deems the application for the Event Approval complete. The application is complete when the Applicant has:
 - a. Supplied all required supporting documentation by the dates requested or by extended dates where approved in writing by a Council authorised officer
 - b. Attained all required Council permits and notifications;
 - c. Attained all required external permits and notifications;
 - d. Attended all required consultation and development meetings; and
 - e. Met all outlined public safety requirements;
3. The Event Approval is only valid for the set-up date/s, event date/s and pack-up date/s as stated on the Event Approval issued.
4. The Event Approval is revoked immediately if:
 - a. The Applicant or any Representatives of the Applicant breach any of the Terms and Conditions herein;
 - b. The Event be deemed unsafe or non-compliant with the Event Approval conditions;
 - c. The Council identifies a misrepresentation in the Application.
 - d. The BoM or any authorised agency forecast significant adverse conditions, and the Event is deemed unsafe to proceed by Council. Adverse conditions could include a Severe Weather Warning or declaration of a Code Red fire danger day.
 - e. An external authority deems the gathering of community members to be unsafe or high risk.
5. It is the responsibility of the Applicant to comply with all laws, including local laws and all other legal and legislative requirements relevant to the operation of the

Event and to ensure that employees, agents and other persons associated/contracted with the Event also comply.

6. The Applicant and any representatives occupy and use the Event Site at their own risk.
7. The Applicant is at all times responsible for ensuring:
 - a. The good order, conduct and behaviour of those persons attending the Event;
 - b. All safety risks to event participants and other public space users are minimised.
8. Once an Event proposal has been received and processed, cancellations by the Applicant must be lodged in writing.
9. If an application for Event Proposal is declined, the Applicant may request a review of the decision. Council will re-evaluate event information and, additional information and/or meetings may be required.

Liability

10. The Applicant must maintain a comprehensive public liability insurance policy for a minimum of twenty million dollars (\$20,000,000) for the Event. The Applicant must provide a certificate of currency confirming adequate coverage with the permit application. Your certificate of currency should include a coverage statement or PDS booklet.
11. The Applicant indemnifies and releases Council from all liability arising from the use or occupation of the Event Site by the Applicant, the body it represents or any of the Applicant's contractors or agents, including:
 - a. Any claim made by any person for injury, loss or damage arising in any manner;
 - b. Any loss or damage to any property belonging to the Applicant or other persons located in the vicinity of the Event Site caused by the Applicant or the Applicant's agents; and
 - c. Any loss, damage, injury or illness sustained or incurred by the Applicant or any Applicant's agents.
12. The Applicant is responsible for checking that all Event related contractors have:
 - a. Current, adequate and up to date public liability insurance;
 - b. Prepared and supplied Job Safety Analysis (JSA)/Safe Work Method Statement (SWMS) and Risk Assessments as required for the duties they are undertaking;
 - c. COVIDSafe plans;
 - d. Working with Children Checks (if applicable); and
 - e. Any other relevant or required competencies.

- f. In relation to the operation of amusement rides, the Applicant responsible for ensuring a contractor:
- Has appropriate supervision at all times of the patrons using amusement ride
 - Can demonstrate they have control measures to prevent a patron from being injured in the event of the mechanical/operational failure or breakdown of the ride
 - They have prepared and maintain emergency plans including procedures to deal with bad behaviour or an injury to a patron whilst on the ride

Use of Public Space and Access

13. The general public maintains the right to access any portion of the Event Site. Areas cannot be roped or cordoned off unless Council has given agreement in writing.
14. Only the equipment and other structures shown in the approved site plan are to be erected at the Event Site unless written approval has been obtained from the Council Events and Filming Officer.
15. Vehicle access, temporary structures and staging on sporting fields, ovals and reserves is prohibited unless written approval has been obtained from the Council Events and Filming Officer.
16. If requested, the Applicant must undertake a site handover and handback with Council Officers. The Applicant will be liable for any damage done to the site when handed back.
17. After the Event, all displays, promotional material and all equipment associated with the staging of the Event must be removed and the Event Site left in a clean and tidy condition as then the Applicant received it.
18. The reinstatement of the Event Site to Council is the responsibility of the Applicant. Council will carry out the necessary works to repair any damage caused by the Event. The Applicant will be liable to indemnify Council for all expenses incurred in carrying out such works.
19. Access to the Event Site must be maintained for emergency vehicles and/or owners/tenants of properties requiring access. A minimum of four metres must be maintained for Emergency Egress and a minimum of 1.8 metres on pathways to ensure access for all.
20. Collection of entry/admission fees into any section of the Event Site on public land is not permitted unless by prior arrangement with Council.
21. Active recreational activities such as cricket or football are not permitted in passive areas and are restricted to open spaces with designated sports fields.
22. Campfires and bonfires are prohibited.

23. Camping is prohibited unless Council has given agreement in writing.
24. Access to Council power supplies is prohibited unless Council has given agreement in writing.

Occupational Health and Safety

25. The Applicant is responsible for developing a risk management plan in accordance with AS/NZS 31000. The risk management plan should include event details, stakeholders, risk matrix analysis, and action response plans, including the initial and treated risk descriptors.
26. Where staff or volunteers may have direct or indirect contact with children, the Applicant is responsible for developing and maintaining plans that demonstrate how the organisation will comply with the Child Safe Standards.
27. The Applicant is responsible for the Event Site's safety and to notify the Council of any potential safety concerns identified in the area.
28. To mitigate the risk of falling branches striking a target, the Applicant is responsible for the following:
 - That vehicles, temporary structures and staging are not positioned under the canopy of trees.
 - The event site does not encourage the gathering of people under tree canopies (for example, listening to music or visiting market stalls).
 - Conducting a site inspection one week before the event and alerting Council of any hanging branches or damaged trees within the event site.
29. All electrical equipment must comply with relevant Work Safe Codes of Practice. The Applicant must protect all electrical cords to ensure that pedestrians and vehicles cannot come into contact with them.

Energy Safe Victoria provides guidelines for electrical installations and equipment at public events.
30. The Applicant is responsible for ensuring adequate toilets are available for participants. If existing public toilets are not adequate, the Applicant must make arrangements to hire portable toilets appropriate to the number of people expected to attend.
31. Caterers using Liquefied GAS (LPG) must complete a 'Gas safety at public events' checklist as provided by Energy Safe Victoria before the Event starts.
32. On a Total Fire Ban Day:
 - a. solid fuel barbecues, e.g. pit style rotisserie fired by heat beads, wood or other solid fuel, are banned in the open air; and

- b. a written permit from the CFA or DELWP is required to operate a barbecue, cooker, hotplate or a spit at outdoor functions, where these require a fire to be lit.
33. Use of amplifiers is permitted between the hours of 10.00am and 10.00pm (unless otherwise agreed to by Council); the level of sound amplification should not exceed 65 decibels from inside a nearby residence.
34. Sale of food to the public is allowed at the Event by vendors/groups that have current Streatrader registrations, suitable food handling qualifications and an approved Statement of Trade (SoT) permit(s) granted through Council's Health Unit.
35. The Applicant must adhere to public health directives relating to the activities of the Event.

Waste Management

36. The Applicant must consider what types of waste will be generated at the Event and that environmentally focused waste management plans are in place to manage this.
37. The Applicant must ensure that the Event Site and surrounding area is free of waste after the Event.
38. All Event generated waste must be removed from the Event Site and disposed of in an environmentally friendly manner.
39. All sullage produced must be disposed of safely at a location external to any Open and Public Space in an environmentally friendly manner.

Traffic and Crowd Management

40. The entry of motor vehicles into the Event Site is generally prohibited; limited vehicle access may be approved for drop off and pick up of equipment. The Applicant must attain vehicle access permission via Council.
41. Where vehicle access is permitted, all vehicles must remain on designated pathways or within traffic control mechanisms and be driven:
42. At a maximum speed of 5km per hour with hazard lights activated and should be marshalled by safety wardens in high-visibility vests.
43. Vehicles must only be parked in designated car parking areas.
44. The Applicant must comply with all reasonable requests or directions given by any Council representative or member of Victoria Police.

45. If specified as a requirement by Council, the Applicant must arrange for security guards, accredited traffic controller(s), suitably qualified event safety officer(s) or an event production company to assist with traffic and crowd management at the Event.

Alcohol Management

46. The Applicant must ensure that no alcohol is distributed or sold inside the approved Event Site unless a valid liquor license can be produced and Council has agreed to the sale of alcohol.
47. The consumption of alcohol in Open Public Space is permitted at an organised function or as part of a family picnic as long as no nuisance is caused and the area is left clean and tidy.

Temporary Structures - marquees, gazebos, market umbrellas, cinema screens, stages, amusement rides, inflatables etc.

48. Temporary structures are permitted in some locations. The Applicant must obtain prior written approval via the Event Approval process. Where approval is granted, all structures must have required building permits and be properly erected and secured in accordance with Australian safety standards.
49. Amusement rides must be designed, erected, operated, and maintained according to Australian Standard AS 3533: Amusement rides and devices.
50. Jumping castle's and other inflatables must be erected, secured, and managed according to Australian Standard AS 3533.4.1 – 2018: Amusement rides and devices: Part 4.1: Specific requirements - Land-borne inflatable devices.
51. The Applicant is responsible for taking every precaution to prevent personal injury and/or damage to property from the establishment, operation, or dismantling of an amusement ride. If requested by a Council officer the applicant should be able to demonstrate reasonable care has been to ensure the safe and secure establishment, operations and dismantling of an amusement ride.
52. Where pegging of temporary structures is required, the Applicant must contact Council before the Event to determine appropriate zones for pegging.
53. Temporary structures must be positioned at least 3m from garden beds and any trees or roots. Structures cannot be fixed or attached to any trees or shrubs.
54. The Applicant must maintain a four-metre access route for emergency vehicles and a minimum of 1.8 metres on pathways for general pedestrian access.
55. The Applicant is responsible for providing security for any structure or equipment erected within the Event Site outside the Event hours. Council does not take responsibility for any structure or equipment placed in the Event Site by the Applicant or contactors for the Event.

Resident and Stakeholder Notification

56. The Applicant must notify Emergency Services, Police and Public Transport (where applicable) of the Event details and provide a site plan showing emergency vehicle entry points to the site, locations of first aid tents and changed traffic conditions, including road closures.
57. The Applicant must notify all residents and businesses immediately backing or fronting the Event Site in writing no later than 14 days before the date of the Event.

Promotional Activity

58. Fundraising, such as selling raffle tickets, tin rattling and the like, is not permitted unless approved in writing by Council.
59. Product or food giveaways are only permitted in conjunction with the Event.

Signage and decorations

60. Decorations or signs used to direct pedestrians must not be fixed to trees.
61. Signage must not be placed outside the designated Event Site unless permission has been secured from Council's Local Laws Unit.
62. The Applicant must obtain permission to hang event banners from buildings, in public spaces or across streets from Council's Local Laws Unit.
63. Events wishing to utilise VicRoads town entry signage must have permission from Council's Local Laws Unit.

Animals

64. Petting zoos, animal farms and animal rides require written approval from Council. When approved, they must remain within the designated Event Site.
65. All animals must be kept in a pen or on a leash at all times within the Event Site.
66. Where applicable, appropriate flooring such as plastic sheets covered with straw must be installed to protect lawn areas.

Barbeques

67. Only gas-operated barbecues and spit roast appliances are allowed.

68. No modified charcoal or solid fuel BBQ's are permitted.
69. BBQ's must not be operated within 5m of any overhanging branches or ground foliage.
70. Protective matting must be placed on the ground under the barbecue or spit roast to ensure that the surface is protected; this includes grass.
71. Public barbecues located in Open Public Spaces cannot be booked for exclusive use.

Prohibited Activities

72. The following activities are prohibited in Open and Public Spaces within the Macedon Ranges Shire:
 - a. Circus;
 - b. Sky diving landing;
 - c. Golf; and
 - d. Motorised bikes (causing a public nuisance).
73. Permission for the following activities may be granted in some locations if they are essential to the Event and can provide evidence that they are adequately managed and that appropriate insurances, safety plans, and permit permissions are in place.
 - a. Fireworks;
 - b. Balloon landings;
 - c. Helicopter landings;
 - d. Drones; and
 - e. Car parking.