



EVENT PERMIT

TERMS AND CONDITIONS

Whitehorse City Council
Updated November 2018

General Conditions

1. The Event Permit will not be issued until all required fees and charges are paid (if applicable).
2. The Event Permit will not be issued until Council or its authorised officer deems the Event Permit application complete. The application will be deemed complete when the Applicant has:
 - a. Supplied all required supporting documentation by the dates requested or by extended dates where approved in writing 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;
 - e. Meet all outlined public safety requirements;
 - f. Meet all handover requirements.
3. The Event Permit is only valid for the set-up date/s, event date/s and pack-up date/s as stated on the Event Permit issued.
4. The Event Permit will be cancelled immediately should:
 - 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 permit conditions;
 - c. Council identify a misrepresentation in the Application.
 - d. Significant adverse weather conditions are forecasted by the Bureau of Meteorology and the event is deemed unsafe by Council to proceed.
5. It is the responsibility of the Applicant to comply with all laws including local laws and all other legal requirements relevant to the operation of the event and to ensure that employees, agents and other persons associated 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 a Permit application has been received and processed, cancellations by the Applicant must be lodged in writing.
9. If an Event Permit application is declined, the applicant may request for a review of the decision. This review will be conducted by two senior Council Officers who will re-evaluate all information regarding the event, additional information and/or meetings may be required.

Liability

10. The Applicant must maintain a comprehensive public liability insurance policy for minimum of twenty million dollars (\$20,000,000) for events, or if fireworks/pyrotechnics are involved. The policy must remain in place for the duration of the bump-in, event and bump-out. A certificate of currency must be provided with the permit application.
11. The Applicant indemnifies and releases the Council from all liability arising from the use or occupation of the event area 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 area 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 of the 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. Working with Children Checks (if applicable);
 - d. Any other relevant or required competencies.

Use of Public Space and Access

13. The general public maintains the right of access to any portion of the event site. Areas cannot be roped or cordoned off, unless agreement has been given by Council in writing.
14. Only the equipment and other structures shown in the approved and final Site Plan submitted are to be erected at the event site unless written approval has been obtained from the Council Events Officer.
15. If requested, the Applicant must undertake a site handover and hand-back in accordance with Council process. The Applicant will be liable for any damage done to the site when handed back.
16. At the conclusion of the Event all displays, promotional material and all equipment associated with the staging of the Event must be removed and the Event area left in a clean and tidy condition as it was received at the handover.
17. The reinstatement of the Event area to Council is the responsibility of the Applicant. If the Applicant fails to comply with this condition, Council may carry out the necessary works to repair any damage incurred during/in relation to the Event and the Applicant will be liable to indemnify the Council for all expenses incurred in carrying out such works. Any damage to Council property, trees, shrubs or flowerbeds will be repaired at the Applicant's cost.
18. Access to the Event site must be maintained for emergency vehicles and/or owners/tenants of properties requiring access. A minimum of 3 metres must be maintained for Emergency Egress and a minimum of 1.8 metres on pathways for general pedestrian access and special needs access.
19. Collection of entry/admission fees into any section of the Event Site is not permitted, unless by prior arrangement with Council.
20. Active recreational activities such as cricket or football are not permitted in passive areas and are restricted to Open Spaces with designated sports fields.
21. Campfires and bonfires are prohibited.

Occupational Health and Safety

22. The Applicant must ensure that the event area and surrounding area is kept free from rubbish and that waste is placed in proper containers or bins.
23. Event generated waste must be properly removed from the event site and disposed of.
24. All electrical equipment must comply with relevant Work Safe Codes of Practice. All extensions and electrical cords must be protected to ensure that pedestrians and vehicles cannot come into contact with them; a qualified electrician must be engaged for the event electrical requirements.

The Applicant is responsible for ensuring adequate toilets are available for participants. If existing public toilets are not adequate, the Applicant should make arrangement to hire portable toilets appropriate to the number of people expected to be in attendance.

24. Use of amplifiers is permitted between the hours of 10.00am and 10.00pm (unless otherwise agreed to by Council – as guided by the Activities Local Law 1999); the level of sound amplification should not exceed 65 decibels from inside a nearby residence.
25. Water access must be made available to food vendors and patrons, waste water must be disposed of appropriately.
26. Sale of food to the public is allowed at the Event by vendors/groups that have current Streetrader registrations, suitable food handling qualifications and an approved Statement of Trade (SoT) permit(s) granted through Council's Environment Health Department.

Traffic and Crowd Management

29. The entry of motor vehicles into the Event area is generally prohibited, limited vehicle access may be approved for drop off and pick up of equipment. Vehicle access permission must be attained via Council.
30. Where vehicle access has been permitted, all vehicles must remain on designated pathways or within traffic control mechanisms and be driven at a maximum speed of 10km per hour with hazard lights activated, and should be marshalled by safety wardens in high-visibility vests.
31. Vehicles must only be parked in designated car parking areas.
32. The Applicant must comply with all reasonable requests or directions given by any Council representative or member of Victoria Police.
33. 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

34. The Applicant must ensure that no alcohol is distributed or sold inside the approved Event area unless a valid liquor license can be produced and the sale of alcohol has been agreed to by Council.
35. Liquor is allowable where the consumption of alcohol is taking place at an organised function or as part of a family picnic, provided that no nuisance is caused and that the area is left in a clean and tidy condition.

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

36. Temporary structures are permitted in some locations. Prior approval must be obtained via the Event Permit application process. Where approval is granted, all structures must be sited prior to the Event taking place and must be properly secured.
37. 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.
38. Temporary structures must be appropriately weighted. No stakes or tent pegs are to be used.
39. A 3m access route must be maintained for emergency vehicles, and a minimum of 1.8m on pathways for general pedestrian access.
40. Applicants are responsible for providing security for any structure or equipment erected within the Event area outside of the Event hours. Council does not take responsibility for any structure or equipment placed in the Event area.

Resident and Stakeholder Notification

41. 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.
42. The Applicant must notify residents and businesses in writing within a 500m radius of the Event area as per direction by Council, depending on the impact of the event no later than seven days prior to the date of the Event.

Promotional Activity

43. The roaming distribution of flyers and handbills are not permitted in any Public Spaces under any circumstances, unless prior approval has been granted by Council.
44. Fundraising such as selling raffle tickets, tin rattling and the like is not permitted unless approved in writing by Council.
45. Product or food giveaways are only permitted in conjunction with an Event and prior approval by Council is required.

Signage and decorations

46. Any decorations or signs used to direct pedestrians must not be fixed to trees.
47. Signage must not be placed outside the designated Event area.

48. Permission to hang event banners from buildings, in Public Spaces or across streets must be sought from Council.

Animals

49. Petting Zoos, animal farms and animal rides, are not permitted in bushland reserves.
50. Petting Zoos, animal farms and animal rides, require specific approval from Council. When approved, they must remain within designated Event area.
 - a. All animals must be in a pen or kept on a leash at all times within the Event area.
 - b. Where applicable, appropriate flooring such as plastic covered with straw must be installed to protect lawn areas.

Barbeques

51. Only gas operated barbecues and spit roast appliances are allowed.
52. No modified, charcoal or solid fuel BBQ's are permitted.
53. BBQ's must not be operated within 4.5m of any overhanging branches or ground foliage.
54. Protective matting must be placed on the ground under the barbecue or spit roast to ensure that the surface is protected; this includes grass.
55. On a day of Total Fire Ban, barbecues/spit roaster can only be used if prior permission has been sought and granted by the MFB.
 - a. A copy of the Events MFB approval letter will need to be submitted to Council.
56. Barbecues located within the Event area cannot be booked for exclusive use.

Prohibited Activities

57. The following activities are prohibited in Open and Public Spaces within the City of Whitehorse:
 - a. Circus;
 - b. Sky diving landing;
 - c. Golf;
 - d. Motorised bikes/skateboarding (causing public nuisance);
 - e. Car parking;
 - f. Fishing; and
 - g. For profit activities.
58. The following activities may be granted permission to operate, if they essential to the Event, can provide evidence of being adequately managed and the appropriate insurances are in place.
 - a. Fireworks;
 - b. Balloon landings; and
 - c. Helicopter landings.

Definitions

For the purposes of these Terms and Conditions the following terms are referred to in the follow ways:

(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 Event 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. References may be requested to prove the relevant experience of the event manager (and Safety Officer – qualifications) of large scale events.

(The) Permit:

A Council issued permit is required for all events, activities, personal training sessions and filming in any public spaces within the City of Whitehorse.

(The) Event:

An 'Event' is the activity undertaken as per the signed Permit Application. Permit Events include but are not limited to; festivals, cultural celebrations, birthday gatherings, casual sporting events, demonstrations, wedding ceremonies, markets and expos.

Assets:

Any property, facilities or equipment owned and/or managed by Whitehorse City 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, and then meet again after the event to receive the site back in the same safe and clean state that it was received.

Emergency Egresses:

A minimum of 3 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 & Public Space:

The Whitehorse City Council defines **Open Spaces** as; parks, gardens, road reserves, sanctuaries and bushland reserves, and **Public Spaces** as; the aforementioned plus malls, streets, roads, footpaths and car parks within the City of Whitehorse accessed by general public.

Security & Key Deposits

A Security Deposit is requested to cover any damage that may be caused to Council's Site and Assets as a result of staging the Event or loss of keys. At the conclusion of the event the Deposit will be returned to the Applicant if the Site and Assets are left in a satisfactory condition.

Total Fire Ban (TFB) day:

On TFB days no formal activities can take place in Bushland Reserves. This means should a day be declared a Total Fire Ban day, any event that is scheduled for that location on that day, will need to be postponed, cancelled or relocated to a suitable site. Council will revoke any Event Permit issued for Events within a bushland reserve, on a FTB day if a suitable replacement location cannot be found.