

P14-002 Events in Council Administered Parks and Reserves

Approved by the Council on 18 March 2014.

POLICY BACKGROUND

The Council owns and manages parks and reserves principally for:

- Providing venues for recreation and sporting activities.
- Access to the natural environment.
- Beautification of the district.
- Preserving the natural character and environment of open spaces.

Events on parks and reserves contribute to vibrancy and attractiveness of the district by:

- Supporting outdoor recreation and physical exercise.
- Attracting visitors to the district.
- Improving residents' and visitors' quality of life by providing venues for social interaction.

However, events can cause damage to a park or reserve, create a nuisance for neighbours and other users and temporarily restrict public access to parks and reserves. Consequently, this policy guides the use of parks and reserves for events in order to:

- Enhance participants' experience.
- Ensure that the event fits with the open space recreation features of the park or reserve.
- Mitigate the negative aspects of events.
- Ensure that an event does not pose any nuisance or safety risk.
- Provide transparency about the application process.

POLICY PURPOSE

This policy guides the use of parks and reserves for events. It includes criteria for the assessment of the application for an event and general conditions that are applied.

POLICY DEFINITIONS

Approval or **Approved** means a written approval from the Council.

Authorised Officer means an officer or other person appointed by the Council to perform duties required under this policy, irrespective of the designation given to that officer or person.

Busker means any person who plays, acts, sings or otherwise performs or entertains in a public place and who may solicit or invite or accept any donation, contribution or monetary reward.

Event means an event is a celebration, activity or display, including organised meeting or gathering, demonstration, parade, procession, or competition that occurs within a defined time period.

Commercial Event means any event that requires payment greater than the cost of provision of the activity with the intention of making a commercial gain or involves marketing, promotion or advertising of a product or service.

Community and School Event means any event for the public or a sector of the public run by a community group or school that does not require payment greater than the cost of provision of the activity or is solely for fundraising purposes.

Community Group means a school or non-profit organisation or association of persons providing services, activities or events to the community. This includes non-profit, marae, iwi or hapu groups, and sporting or recreation groups, hosting events that are open to and benefit the wider community. This does not include individuals or businesses where event management is their primary source of income.

Fundraising means seeking to obtain money for non-profit organisations or the charitable benefit of individuals.

School means an institution for educating children, (including pre-school centres), or tertiary education institutions.

Standard Event means any event:

- a) By an organisation primarily for its members where exclusive use of the park or reserve is required or where an entry fee is paid (unless the entire fee is donated to charity or used for fundraising that benefits the general community).
- b) That is a private event.

Note: This does not include individuals or businesses where event management is their primary source of income.

Soliciting means directly approaching individuals to sell products or services, or give out information, products or services.

Park - refer to the definition of reserve.

Recreation means refreshment of mind or body by relaxation and enjoyment and includes an activity or pastime that promotes this.

Reserve means any land which is vested in or under the control of the Council and which is set aside for public enjoyment as a reserve, park, garden, or green space, whether or not that land has been vested as a reserve under the Reserves Act 1977.

POLICY EXCLUSIONS

The policy does not apply to events held in any Council owned stadium or venue and excludes Port Taranaki land under the day-to-day control of Port Taranaki and parks or reserves not administered by the Council.

POLICY STATEMENTS

Eligible activities

The following event types are covered by the policy:

- Private events.
- Fundraising events.
- Leisure and recreation events where an entrance fee is charged.
- Promotion, marketing or advertising events.

Application to hold an event

1. Any person wishing to use a Council administered park or reserve for an event must apply to the Council at least 10 working days prior to the proposed event describing:
 - a) The name and contact details of the principle event organiser.
 - b) The nature of the event.
 - c) The purpose of the event, (i.e. charitable, fundraising, promotion).
 - d) The timing (dates and times) and the duration of the event, including set up and pack down.
 - e) The desired location and rationale of that location.
 - f) The anticipated level of attendance.
 - g) Any requirements regarding infrastructure and use of facilities.
 - h) Proposed commercial activities to accompany the event.
 - i) Access requirements.
 - j) Considerations regarding public health and safety.
 - k) Whether there will be a charge for entry.
2. Event organisers are responsible for the site and for health and safety of participants. The Council reserves the right to request a Health and Safety Plan and/or Risk Management Plan as part of the application, which must be submitted at least 10 working days prior to the event.

Assessment of application

3. When assessing applications the Council will give consideration to the following:
 - a) The degree to which the event is consistent with the park or reserve's management objectives as outlined in the Reserve Management Plan and the reserve classification.
 - b) The degree to which the event benefits the public's use or enjoyment of the park or reserve.
 - c) The impact on the environment, park or reserve neighbours and any steps proposed to mitigate the impacts.
 - d) When assessing an event application against the policy criteria (c) assessment will include the impact of the event on tangihanga at paa/marae in circumstances where the park or reserve is near a paa/marae. Generally any event where alcohol use or other activities would disrupt a tangihanga will not be approved, unless written permission is granted from an authorised representative of the paa/marae.
 - e) The health and safety risks associated with the events and controls proposed to mitigate the risks.
 - f) The impact the event may have on nearby businesses.
 - g) The intended use of the funds, so the appropriate fee can be charged.

General Conditions

- a) Event organisers must apply for licences and consents as required under applicable laws and/or bylaws.
- b) A venue hire agreement, which includes a full schedule of hire conditions, must be signed and returned prior to an event taking place. This agreement must be adhered to at all times.
- c) Unless expressly allowed in the venue hire agreement, soliciting to the public will generally not be permitted, particularly where it is likely to cause a nuisance to other park and reserve users.
- d) It is the responsibility of the event organiser to ensure the park or reserve they wish to hire is suitable for the purpose they require it for.
- e) Unless prior approval is given by an authorised officer, following the event the event organiser must reinstate the park or reserve to its original condition as outlined in the hire agreement.
- f) All commercial activities associated with events shall be arranged by the event organiser subject to approval by an authorised officer. The Commercial Uses on Council Administered Parks and Reserves Policy may apply.

- g) The event organiser may be required to carry public liability insurance cover.
- h) A site induction to familiarise event organisers with potential hazards associated with a venue may be required.

Fees and charges

From time to time fees for hire of parks and reserves will be set by the Council.

Rental fees may be set for different categories of event organisation, including, but not limited to:

- Private individuals.
- Community group.
- Sports and recreation groups.
- Commercial organisation.

The fees and charges will be set by the annual or long term plan process. There will be three types of event fees:

1. Commercial Event Fee:

This fee will apply to hirers wishing to use parks or reserves for hosting an event that is primarily for commercial gain, relates to an individual's primary means of income or is used to promote a product or service. A fee will be negotiated on a case-by-case basis according to:

- The scale of event, size of land area required and the number of people attending.
- Duration of the event.
- Impact on the park or reserve.
- Level of commercial benefit to the organisation or individual.

2. Standard Event Fee

This fee will apply to events where there is no commercial gain to individuals or organisations, but there is a degree of exclusive use of the park or reserve for the event. Such events will include:

- Private functions like parties and weddings and sporting events.
- Where individuals are required to pay an entry fee to participate (exceptions will be those events where the fee is solely for fundraising purposes).

The Council may set fees and charges for the following, as is required.

3. *Community Event*

This fee will apply to those events where the propose is entirely for charitable or fundraising purposes and school events.

In addition to the above event fees, any of the following charges may apply:

- a) Application fee.
- b) Road closure fee.
- c) Consent fees.
- d) Food licences.

Power and other utilities

Bond: The Council reserves the right to seek a bond for potential damage to the park or reserve or modifications required as part of the event.

Infrastructure

Generally it is the responsibility of the applicant to provide all infrastructure (water, power, and sewer) required for the event and remove infrastructure soon after the event finishes. Where infrastructure exists, use of this may be negotiated as part of the agreement.

Where the Council is supplying power to an event the Council reserves the right to charge event users actual power use, over and above the site rental fee.

POLICY CONTACT

The policy holders are the Parks Team within the Infrastructure Group.

POLICY REVIEW

This policy shall be reviewed every five years from the date the policy is adopted or earlier if required.