

***Whangarei District Council***

***Events on Council  
Owned Land Policy***

***Policy  
#0219***

***November 2023***

<b>Policy title</b>			
Audience (Primary)	External	Business Owner (Dept)	Community
Policy Author	Manager - Venue and Events	Review Date	November 2026

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## Purpose

The overall objective of the policy is to provide the community with clear direction on how to apply to hold an event on Council owned Land.

This policy supersedes the Town Basin Control of Activities Policy which did not include all Council owned land.

## Definitions

Events	An event or activity for a set duration i.e., 1-2 days or recurring i.e. Saturday Park Run. The event can be open to the public, private or commercial.
Council owned Land	Council owned land that is open to the public for daily use.
One-off markets	Markets that are held for a set duration i.e. 1-2 days maximum.

## Scope

This policy covers all events and one-off markets conducted on Council owned land.

The following activities are out of scope:

- Events or markets held on commercially owned and privately-owned land.
- Events held in Council venues i.e., Forum North and the Stadium.

*Note: for further information on permissions for year-round / seasonal markets and holding an event at a Council venue please contact the Venues & Events team 09 430 4200 or go to the Whangarei District Council website.*

## Strategic alignment

This policy aligns with the Whangārei Events Strategy 2019 – 2024, which aims to amplify the value of local, based on the following principles:

- Experiences – Making events into proudly local experience.
- Manaaki – Extending local hospitality, respect and support to all.
- Outlook – Growing sector calibration and leveraging opportunity.
- Know-How – Building local capability, talent and pride.

## Eligibility

Any group, individual or organisation is eligible to apply to hold an event or one-off market on Council owned land.

The following activities will generally not be eligible to be events held on Council owned land:

- Events where the primary purpose is to promote religious or political objectives.
- Events that involve denigrating, excluding or offending parts of the community including any events involving unlawful discrimination under the Human Rights Act 1993 or any other relevant laws.
- Events that pose a significant risk to the safety of the public.
- Events that involve the display of gang insignia.

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## Terms and Conditions

The following terms conditions shall apply to any permits issued for use of events and one-off markets on Council owned land.

1. Events may only occur on the date, time and location approved in a permit issued by Council and in accordance with any terms and conditions of that permit.
2. The permit must be held by the Organiser at the location of the event and made available for viewing by any person who requests it during the event.
3. The Organiser shall ensure that during the event nothing impedes or is likely to impede the passage of emergency services, endanger the public, or contravene Health & Safety legislation.
4. The Organiser shall ensure that the area occupied by the event is left clean and tidy, all waste is removed from the area, and that no damage is caused to Council property. Any costs to Council for repair resulting from damage to the location due to the event will be charged to the Organisers.
5. The Organiser must be aware of and comply with all applicable Acts, Regulations and Council Bylaws and Plans that affect the event. This responsibility extends to obtaining any other consents or approvals required by law.
6. The event must comply with the noise limits, under Council's Operative District Plan, for the location the event is held in.
7. The event must be Smoke free and Vape free and comply with Council's Smoke free Policy. It is recommended that the Smoke free Vape free status be included in all event advertising and promotion.
8. All signage must comply with the Control of Advertising Signs Bylaw 2014 and the requirements of Council's Operative District Plan.
9. Nothing shall be permanently affixed to any structure at the event location however temporary signs and flags may be attached in a way so as not to cause damage to any part of the structure. Such temporary signs and flags must be removed immediately after the event and any damage repaired. Any costs to Council for repair will be charged to the Organiser.
10. In giving permission for an event to take place on Council owned land, Whangarei District Council is a PCBU (Person Conducting or Undertaking Business) under the Health and Safety at Work Act 2015, and therefore has a shared duty of care with the event organiser. To fulfil these legal obligations, we (all parties) must eliminate risks to health and safety, so far as is reasonably practicable; and if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks, so far as is reasonably practicable to ensure that people are not harmed by event operations. Therefore, your documentation needs to demonstrate Health and Safety as part of your event planning.
11. The Organiser agrees to pay all reasonable charges for electricity and water used for the event. The Organiser must ensure all electrical appliances used are electrically safe in accordance with the Electricity (Safety) Regulations 2010.
12. The Organiser will comply with any reasonable direction from Council relating to the security of the event and the area occupied by the event or the safety and security of any person at the event.
13. The Organiser indemnifies Council against all claims, costs (including legal costs) and liabilities of any kind incurred as a result of the event, including but not limited to any claims arising out of the Organiser breaching the requirements of an event permit and any third-party claims arising out of damage to property incurred as a result of the event.

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### *Special Conditions*

1. Permits will be subject to a Health and Safety plan that meets industry standards, event management plans, road closure approvals, and any other approvals or plans regulatory requirements (where required). Without these approvals, the Council reserves the right to withdraw the permit.
2. If inflatable devices are being used at the event, the following best practice guidelines must be adhered to. Only operators who can provide evidence to event organisers that land-borne inflatable amusement devices meet the requirements of Australian Standard 3533.41 should be allowed to operate. Operators must have an accurate anemometer (wind speed monitor) on site at all times.

## **Application, assessment, and approval process**

### *Application*

Applications forms can be sourced by:

- Emailing [events@wdc.govt.nz](mailto:events@wdc.govt.nz)
- Whangarei District Council website
- Calling customer services (09) 430 4200

Applications must be delivered or emailed to:

Community Events Coordinator  
Whangarei District Council  
Private Bag 9023  
Te Mai  
Whangarei 0143  
Email: [events@wdc.govt.nz](mailto:events@wdc.govt.nz)

### *Assessment*

Each application will be assessed by the Community Events Coordinator and may be sent to internal stakeholders for consideration (e.g. Roading, Parks, Health & Bylaws). Feedback and approvals are noted and dated.

Each application is evaluated and responded to within 4 weeks from receipt of a completed form and required documentation.

### *Approval*

Upon approval a permit will be issued to the applicant.

Please note: the applicant must not advertise the event publicly before a permit is issued.

## **Adopted**

### **Policy Review**

This Policy was reviewed in 2023 and this revised Policy was updated as follows:

**Date of meeting:** 16 November 2023

**By:** Community Development Committee