



# LOCAL APPROVAL POLICY

## DANCE PARTIES

Adopted by Council: [March 21, 2005](#) [DD MM 2013](#)

# LOCAL APPROVALS POLICY

## DANCE PARTIES

### CONTENTS

	Page No.
(i) PREAMBLE .....	4
<b>1.0 INTRODUCTION</b>	
1.1 POLICY STATEMENT .....	5
1.2 VALIDITY .....	5
1.2.1 Making of Polices .....	5
1.2.2 Background to Policy .....	5
1.2.3 Date of Adoption of Policy .....	5
1.3 TITLE .....	5
1.4 RELATED REFERENCES .....	5
1.5 OBJECTIVES OF POLICY .....	6
1.6 LAND TO WHICH THIS POLICY APPLIES .....	6
1.7 DEFINITIONS .....	6
<b>2.0 COUNCIL APPROVALS</b>	
2.1 ASPECTS OF DANCE PARTIES REQUIRING APPROVAL BY COUNCIL	
2.1.1 Activities Under Section 68 Local Government Act 1993 .....	7
2.1.2 Environment Planning and Assessment Act .....	7
2.1.3 Food Act .....	7
<del>2.2 IMPLICATIONS OF NOT OBTAINING COUNCIL APPROVAL OR NOT COMPLYING WITH APPROVAL ISSUED BY COUNCIL .....</del>	<del>7</del>
<del>2.3 PENALTIES .....</del>	<del>8</del>
<del>    2.3.1 Council Jurisdiction .....</del>	<del>8</del>
<del>    2.3.2 Other Agencies .....</del>	<del>8</del>
<b>3.0 PROCEDURES IN SEEKING APPROVAL FOR DANCE PARTIES</b>	
3.1 PRELIMINARY PLANNING .....	9
3.2 APPLICATION PROCESS .....	9
3.2.1 Application Form Lodgement .....	9
3.2.2 Application Fee .....	9
3.2.3 Details to Accompany Application .....	10

<b>4.0</b>	<b>ACTION PLANNING FOR DANCE PARTIES</b>	
4.1	GENERAL	
4.1.1	Ambulance Service .....	11
4.1.2	Emergency Access .....	11
4.1.3	First Aid .....	11
4.1.4	Health Department .....	11
4.1.5	Communication .....	12
4.1.6	Delegation for Decisions .....	12
4.2	OBLIGATIONS OF PROMOTERS	
4.2.1	General .....	12
4.2.2	Insurance .....	12
4.2.3	Fireworks.....	12
4.2.4	Security .....	12
4.2.5	Liquor Control.....	13
4.2.6	Parking and Transport.....	13
4.2.7	Entry Management.....	13
4.3	HEALTH AND HYGIENE REQUIREMENTS	
4.3.1	Water Supply.....	13
4.3.2	Containers.....	14
4.3.3	Toilets .....	14
4.4	NOISE	
4.4.1	Objectionable Noise .....	14
4.4.2	Noise Limits.....	15
4.5	GARBAGE MANAGEMENT AND REMOVAL	
4.5.1	Garbage Containers.....	15
4.5.2	Garbage Collection Service.....	15
4.5.3	Cleaning of Venue.....	15
4.5.4	Storage and Disposal of Needles and Syringes .....	15
4.5.5	Immunisation of Cleaning Staff .....	15
<b>5.0</b>	<b>ORGANISING A DANCE PARTY (FLOW CHART)</b> .....	<b>16</b>

## **(i) PREAMBLE**

In recent years, Council has dealt with issues relating to dance parties, particularly over the New Years holiday period.

These issues include insufficient and untimely notice of the event and venue, resulting urgent inspection and assessment of sites including Police involvement, apprehension for adjoining property owners regarding possible noise and traffic problems, potential issues relating to large numbers of patrons including health and hygiene needs, and lack of emergency planning.

Council has seen the need to develop a policy which will not only provide a management tool for provisions under various legislation, but also assist dance party organisers to properly and adequately plan and run the event.

The basis of this policy is the draft Code of Practice prepared by the Ministry for Police. The Code of Practice itself was prepared after consultation between agencies responsible for law and order, emergency services, and health and safety.

## **1.0 INTRODUCTION**

### **1.1 POLICY STATEMENT**

This policy sets out the requirements and standards which dance party organisers must meet when proposing to organise a dance party, and the steps to take in obtaining Council approval for a dance party.

It is intended that by following the approval provisions of this policy, that dance parties which are appropriately organised will be legal, problem free, safe for patrons, held in suitable locations, and will be conducted in a responsible manner which reduces disturbance to neighbouring properties.

### **1.2 VALIDITY**

#### **1.2.1 MAKING OF POLICIES**

This policy has been developed in accordance with Chapter 7, ~~Part 4~~ of the Local Government Act 1993 (~~Regulatory Functions of Council~~), and refers generally to the Table of activities requiring Council approval under Section 68 of the Act.

#### ~~1.2.2 BACKGROUND TO POLICY~~

~~Drafting of the policy is in accordance with Part 3 under Chapter 7 of the~~ Act, dealing with Preparation of Local Approval Policies 2000.

#### ~~1.2.3~~ **DATE OF ADOPTION OF POLICY**

The policy was adopted by Council on DD MM  
2013.

**1.3** This policy is entitled Kyogle Council Local Approvals (Dance Parties) Policy.

### **1.4 RELATED REFERENCES**

- (i) Local Government Act 1993
- (ii) Protection of the Environment Operations Act, 1997
- (iii) Public Health Act ~~1994~~2010
- (iv) Food Act 2003
- (v) Environment Planning and Assessment Act 1979



## 1.5 **OBJECTIVES OF POLICY**

- 1.5.1 To provide guidance in obtaining Council approval to conduct a dance party.
- 1.5.2 To clearly detail standards dance parties must meet, and the obligations of promoters.
- 1.5.3 To help promoters and/or organisers to work with Council, the Police Service and other agencies in the planning and approval process for dance parties.
- 1.5.4 To provide a reference document which is consistent with State and National protocols for conducting dance parties.

## 1.6 **LAND TO WHICH THIS POLICY APPLIES**

This policy shall apply to all land within the Kyogle Council area, with the exception of premises with existing authorisation by Council to conduct public entertainment, and which are licensed under specific operating conditions and patronage limits or areas not under Council regulatory jurisdiction such as National Parks, or State Forests.

## 1.7 **DEFINITIONS**

**"Authorised Officer"** is an employee of Kyogle Council authorised or delegated by Council to perform regulatory functions of Council, or a Police Officer.

**"Dance Party"** Dance parties include 'rave' or "doof" parties, and where electronic or live music is played, and are a commercial venture, and where an admission charge may or may not be charged, and which may be conducted with a late finish, possibly the following day, and may involve in excess of 50 patrons, and may be indoor or outdoor events or a combination of both.

**"Human Waste Disposal Device"** includes a 'pit' toilet, septic tank disposal system, ~~or~~ cesspit or other approved transportable devices/structure.

**"Orders"** are usually written but may be verbal, issued by an authorised officer, directing certain works or to cease certain activities.

**"Promoter"** refers to all people who - principally or assist to - plan, set up and run dance parties including organisers and managers.

**"Temporary Structure"** includes a stage for entertainment, accommodation structures, amenities buildings.

## **2.0 COUNCIL APPROVALS**

### **2.1 ASPECTS OF DANCE PARTIES REQUIRING APPROVAL BY COUNCIL**

#### **2.1.1 ACTIVITIES UNDER SECTION 68 LOCAL GOVERNMENT ACT 1993**

Kyogle Council requires an application to be submitted to Council under Section 68 of the Local Government Act, for the following activities:

- (i) ~~Install Construct~~ a temporary ~~structure enclosure for use of entertaining on community land~~ (stage, shelters, etc.);
- (ii) ~~Use a building or temporary structure as a place of public entertainment;~~
- (iii) Installing a human waste disposal device (including pit toilets);
- (iv) Operate a camping ground.

#### **2.1.2 ENVIRONMENT PLANNING AND ASSESSMENT ACT**

Council will also consider matters under Part 4 or 5 of the Environment Planning and Assessment Act, in respect to environmental impact of the dance party.

#### **2.1.3 FOOD ACT**

Approval is required from Council where it is proposed to prepare and/or sell food to the public.

NSW Health requires the registration of the venue by the user as a Temporary Food Premises.

~~The following sections (2.2 & 2.3) are to be deleted as they relate to Orders and this is an Approvals Policy. The process of Orders is covered under Council's enforcement Policy~~

### **2.2 IMPLICATIONS OF NOT OBTAINING COUNCIL APPROVAL OR NOT COMPLYING WITH APPROVAL ISSUED BY COUNCIL**

#### **ORDERS**

- (i) ~~Orders may be served under Section 124 of the Local Government Act to require the promoter to not conduct or to stop conducting a dance party.~~



- ~~(ii) Council may abate (stop) a public nuisance under Section 125 of the Local Government Act, or under provisions of the Part 8.6 of the Protection of the Environment Operations Act 1997.~~
- ~~(iii) Orders may also be served under the Protection of the Environment Operations Act 1997 and the Food Act where offences occur.~~

## ~~2.3 PENALTIES~~

### ~~2.3.1 COUNCIL JURISDICTION~~

- ~~(i) Penalties for non-compliance with orders under Section 124 of the Local Government Act, have a maximum range of \$2,200 and \$11,000 (double for a corporation and/or second offence). Abatement orders have a maximum amount of \$2,200.~~

~~Failure to obtain Council approval may result in a penalty of up to \$5,500 (double for a corporation).~~

~~Failure to comply with an approval may result in a penalty of up to \$11,000 (double for a corporation).~~

~~Court proceedings can also be instigated, including restraining orders or injunctions to prevent the event or to stop the event.~~

~~Council is also able to enforce the terms of an order, including ceasing music and light shows.~~

- ~~(ii) Non-compliance with noise abatement orders can result in fines, including penalty infringement notices and could result in arrest of organisers.~~
- ~~(iii) Penalties also exist under the Food Act for unauthorised preparation or sale of food to the public.~~

### ~~2.3.2 OTHER AGENCIES~~

- ~~(i) Alcohol Sales~~

~~\* Unlicensed sale of alcohol – maximum \$5,500~~

~~\* Sale of alcohol to a minor – Aggravated Sale – maximum \$5,500  
(double for a corporation or second offence).~~

~~\* Serving alcohol to an intoxicated person – maximum \$5,500~~



## **3.0 PROCEDURES IN SEEKING APPROVAL FOR DANCE PARTIES**

### **3.1 PRELIMINARY PLANNING**

- 3.1.1 Begin by discussing proposals with relevant Council Officers at least 40 days before the dance party to determine if Council approval is required and steps to follow in seeking approval.
- 3.1.2 Local Police should be consulted at least 40 days before the dance party is expected to start. Written confirmation of discussions with local Police will be required to be submitted to Council with any application to conduct a dance party.
- 3.1.3 Council will advise local Police of any approval or refusal of an application for a dance party.

**Note:** Consultation with Council and Police, and approval where applicable is essential for promoters and potential patrons due to:

- \* planning of response if emergencies occur;
- \* preventing ordered closure of unauthorised dance parties;
- \* providing advice in respect to security needs;
- \* providing advice on general safety and hygiene needs;
- \* providing advice in respect to fire safety, particularly for buildings and or bush land settings.

### **3.2 APPLICATION PROCESS**

#### **3.2.1 APPLICATION FORM LODGEMENT**

The Promoter shall make formal application to Kyogle Council on the standard application form, at least 40 days before the dance party is expected to start.

#### **3.2.2 APPLICATION FEE**

The application fee as set by Council shall be paid with the lodgement of the application form.

#### Fee Scale

In accordance with the [adopted annual fees and charges](#), ~~contained within the Management Plan.~~

### 3.2.3 DETAILS TO ACCOMPANY APPLICATION

The following information shall accompany the application for a dance party.

- (i) Written evidence of consultation with the local Police.
- (ii) Written evidence of Comprehensive Public Liability Insurance (cover note in first instance).
- (iii) Written evidence of security and supervision proposals.
- (iv) Written emergency plan, including evacuation and access strategies.
- (v) Written evidence of liquor licence (where applicable).
- (vi) Written evidence of consultation with the local Ambulance Service.
- (vii) Written evidence of consultation with the NSW Health Department.
- (viii) Written evidence of consultation with Emergency Services including the Local Fire Control Officer.
- (ix) Maximum patron numbers expected to attend the dance party.
- (x) Written evidence from the property owner of the land where the dance party is proposed to take place, giving the owners consent for the application and the intended activities.
- (xi) Written details of all activities associated with the dance party.
- (xii) A site plan of the intended site clearly indicating the location of all activities, including access points, sanitary facilities, first aid stations, music/dance focal points, and defined camping/accommodation areas.

## **4.0 ACTION PLANNING FOR DANCE PARTIES**

### **4.1 GENERAL**

Once Council approval is obtained, promoters are responsible for ensuring the following arrangements are in place. Conditions of Council approval will reflect these essential aspects.

#### **4.1.1 AMBULANCE SERVICE**

The local Ambulance Service shall be notified at least 14 days before the dance party starts.

#### **4.1.2 EMERGENCY ACCESS**

Defined and clear two-wheel drive access to the actual dance party site or locality shall be provided for emergency vehicles and for inspection by Council and/or Police Officers where necessary.

#### **4.1.3 FIRST AID**

- (i) Any dance party proposed to be attended by 500 patrons or more shall have accredited first aid personnel in attendance.
- (ii) Any dance party proposed to be attended by 2,000 patrons or more shall have a operational ambulance in full time attendance for the duration of the dance party.
- (iii) Sufficient first aid posts or treatment areas shall be provided at the venue and which are clearly identified and illuminated at night.
- (iv) As a guide the numbers below have been suggested by St Johns Ambulance:

<b>PATRONS</b>	<b>FIRST AIDERS</b>	<b>FIRST AID POSTS</b>
500	2	1
1,000	4	1
2,000	6	1

5000	8	2
10,000	12	2
20,000	22+	4

#### 4.1.4 HEALTH DEPARTMENT

The NSW Health Department Health Services Functional Area Co-ordinator shall be notified at least 14 days before the dance party starts.

#### 4.1.5 COMMUNICATION

The promoter or nominated representative shall be contactable at all times leading up to and during the dance party.

#### 4.1.6 DELEGATION FOR DECISIONS

The promoter and nominated representative(s) for the promoter shall have the authority to order the venue to be evacuated in an emergency or to direct any reasonable action required by officers of Kyogle Council or local Police.

### 4.2 OBLIGATIONS OF PROMOTERS

#### 4.2.1 GENERAL

Promoters of dance parties have a moral and legal obligation to act reasonably, to avoid risks they could reasonably expect to occur, and to ensure the health and safety of patrons at their events.

#### 4.2.2 INSURANCE

The promoter shall ensure that a comprehensive public liability insurance policy is in effect for the dance party, including preparation and decommissioning periods.

A policy coverage of at least \$10,000,000 shall be effected with evidence of that policy submitted to Kyogle Council at least seven(7) days before the dance party starts.

#### 4.2.3 FIREWORKS

Approval for fireworks (if proposed) shall be obtained from Workcover NSW.



Evidence of such approval shall be submitted to Kyogle Council at least seven(7) days before the dance party starts.

#### 4.2.4 SECURITY

- \* Adequate security precautions shall be arranged for the dance party.
- \* Details of security measures shall be included in the application to Kyogle Council.
- \* Supervision of the dance party must be conducted by persons over the age of 21 years.

#### 4.2.5 LIQUOR CONTROL

In the case of a premises not licenced to sell alcohol, the promoter shall ensure a licence is obtained from the Licensing Court of NSW, where it is proposed to sell alcohol at the dance party.

Evidence of this licence must be provided to Kyogle Council at least seven(7) days before the dance party starts.

#### 4.2.6 PARKING AND TRANSPORT

Adequate parking for patrons shall be provided to ensure neighbouring properties are not disturbed or inconvenienced and so that emergency access is not obstructed.

Where appropriate, promoters shall make arrangements for adequate transport of patrons to and from the dance party venue.

#### 4.2.7 ENTRY MANAGEMENT

- (i) Entry Charges  
Proceeds from tickets sales or admission charges shall be held in trust to cover refunds where the dance party is cancelled or closed.
- (ii) Signage  
Signs shall be placed at the dance party entry points, to clearly advise patrons will be refused entry or made to leave the dance party if they are intoxicated by alcohol, other drugs, or attempt to sell, deal or distribute al illicit drug.
- (iii) Monitoring of Patron Numbers

The promoter shall arrange for appropriate crowd control and monitoring of patron numbers to meet approval conditions set by Council.

#### **4.3 HEALTH AND HYGIENE REQUIREMENTS**

##### **4.3.1 WATER SUPPLY**

- (i) The promoter shall ensure an adequate and safe supply of water is available at the dance party for drinking, fire fighting and hygiene needs.
- (ii) Drinking water shall be available free of charge to patrons to prevent dehydration.

##### **4.3.2 CONTAINERS**

Food and drinks shall be available only in unbreakable containers.

##### **4.3.3 TOILETS**

- (i) Toilets are to be provided in sufficient number and to the requirements of Kyogle Council.
- (ii) Toilets shall be cleaned and adequately maintained for the duration of the dance party.
- (iii) Where 'pit' toilets are approved by Council, such devices shall be treated with lime and backfilled with clean soil immediately upon completion of the dance party. Regular pump-outs of chemical toilets shall be arranged.
- (iv) Recommended Sanitary Facilities

<b>PATRONS</b>	<b>CLOSET FIXTURE(S)</b>	<b>URINAL(S)</b>	<b>WASH BASIN(S)</b>
<b>Males</b>	1 per 100 patrons 2 per 300 patrons 1 extra per 200 patrons	1 per 50 patrons 2 per 100 patrons 1 extra every 50 up to 250 patrons Note: 1 urinal = 600mm 1 w/c can substitute 1 urinal or every 600mm	1 per 50 patrons 2 per 200 patrons 1 extra every 200 patrons

Females	1 per 25 patrons 2 per 50 patrons 1 extra every 50 up to 250 patrons 1 extra every 100 over 250 patrons		1 per 50 patrons 2 per 150 patrons 1 extra every 200 patrons
---------	--	--	---

#### **4.4 NOISE**

##### **4.4.1 OBJECTIONABLE NOISE**

Objectionable noise as defined in the Protection of the Environment Operations Act 1997 likely to cause justifiable nuisance to adjacent properties shall not be permitted to occur.

##### **4.4.2 NOISE LIMITS**

Noise or sound pressure levels emanating from the dance party shall not exceed 10dB(A) where measured at an adjoining residence up to midnight on the night of the dance party, and shall not exceed 5dB(A) where measured at an adjoining residence, after midnight.

#### **4.5 GARBAGE MANAGEMENT AND REMOVAL**

##### **4.5.1 GARBAGE CONTAINERS**

Adequate and suitable containers to store garbage shall be provided.

##### **4.5.2 GARBAGE COLLECTION SERVICE**

Where necessary the promoter shall arrange for a garbage removal service during and at the conclusion of the dance party.

##### **4.5.3 CLEANING OF VENUE**

The venue shall be cleaned of all garbage at the conclusion of the dance party.

##### **4.5.4 STORAGE AND DISPOSAL OF NEEDLES AND SYRINGES**

Adequate and suitable containers for the storage and disposal of needles and syringes shall be available at the venue, with all materials disposed of as directed by Council.

##### **4.5.5 IMMUNISATION OF CLEANING STAFF**

Where cleaning staff are assigned, such staff should be immunised against Hepatitis B.



## **5.0 ORGANISING A DANCE PARTY (FLOW CHART)**

Flow chart of the essential things a promoter should do to organise a dance party.

### **As soon as possible**

Decide on the area you want to hold the dance party in.

Identify a venue for the dance party.

Check with Kyogle Council for suitability of the venue and what approvals are needed to apply to Council to hold the party there.

Discuss travel, safety, security arrangements for the party with local Police/Emergency Services.

### **60 Days**

Lodge the necessary applications with the Council to hold the Dance party at the venue.

### **40 Days**

Arrange public liability insurance cover.

### **31 Days**

If needed, contact the Court Registry of the Licensing Court of NSW for a liquor licence.

Talk to local bus companies about transport arrangements for the event as needed.

Hire licensed security staff, appoint Security Controller, make security plans.

Notify local Police of Council approval.

Hire adequate first aid staff.

### **21 - 14 Days**

Advise the Fire Brigade, Ambulance, Health Department of the event.

Arrange sanitary and garbage services/facilities.

### **During the event**

Make sure refreshments, especially water, are available during the event.

Keep a written record of any violence, ill health, etc.

### **Within 24 hours of the event finishing**

Organise and carry out a clean up of the venue.

It is also intended that the ~~draft~~ this policy will act as a guideline during this period to assist applicants and/or promoters in planning and conducting the dance party and to assist Council in considering the proposal(s).