

 <p><b>Mackay</b> REGIONAL COUNCIL</p>	<b>COUNCIL POLICY</b>	
	<b>Use of Parks and Reserves for Organised Activities - General Conditions of Use</b>	
	POLICY NO	069
	DEPARTMENT	Development Services
PROGRAM	Parks, Environment & Sustainability	
ENDORSED BY COUNCIL	22 July 2020	Resolution: ORD-2020-188

## 1.0 Scope

This Policy applies to parks and reserves operated by Mackay Regional Council (MRC) (except for the Botanic Gardens, Queens Park, Greenmount Homestead and Bluewater Lagoon).

## 2.0 Purpose

The purpose of this policy is to provide guidelines for the use of parks and reserves when those uses are organised for community and commercial purposes.

## 3.0 Reference

- Local Law No.1 (*Administration*)
- Subordinate Local Law No.4 (*Local Government Controlled Areas, Facilities and Roads*)
- SunSmart - Council Events (Policy No 074)

## 4.0 Definitions

To assist in interpretation the following definitions shall apply:

**Commercial** shall mean soliciting or carrying on the supply of good or services (including food and drink) for profit.

**Council** shall mean the Mayor and Councillors of Mackay Regional Council.

**Human Rights Complaint** shall mean a complaint about an alleged contravention of section 58-1 by a public entity in relation to an act or decision of the public entity.

**MRC** shall mean Mackay Regional Council.

## 5.0 Background

The Mackay region typically has a climate which is conducive to outdoor recreational activities and MRC provides a range of parks and community facilities for the use and enjoyment of the general public.

Parks and reserves and associated facilities to which this policy applies are designed to be multi-use for which no exclusive bookings can generally be made.

This policy should be read in conjunction with Council Policy No 074 "*SunSmart - Council and Community Events*" which addresses sun protection initiatives when events are being held at MRC facilities.

This policy also sets out the requirements under which activities are permitted to operate to ensure that no damage to parks and reserves and associated facilities or undue nuisance is caused during or following the activity or event.

Human Rights have been considered when preparing this Policy.

## **6.0 Policy Statement**

### **6.1 Hire of Parks**

6.1.1 MRC encourages the use of parks and reserves for recreational purposes by the community. Except where otherwise signed, parks and reserves are open to the public twenty-four (24) hours a day.

6.1.2 Written application is required to be made for permission to conduct any organised social, community or commercial activities in parks (refer to MRC's website for the appropriate forms; fees, bonds and charges may apply as per MRC's commercial fees and charges.) Approval or otherwise of such applications is delegated to the Parks, Environment & Sustainability Manager In considering these applications, the Parks, Environment & Sustainability Manager or his delegate will take into account: -

- a. Whether the proposed activity may be conducted without detriment or damage to the park or its environs.
- b. Whether the proposed activity can be accommodated without detriment to any other event(s) planned to be held in the park concerned.
- c. Noise levels likely to be generated, and any proposed noise management plans.
- d. Arrangements necessary for vehicular traffic that is likely to be generated as a result of the event.
- e. Arrangements proposed for leaving the park in a clean and tidy condition.

6.1.3 In considering these applications, the delegated officer will take into account the factors listed a) to e) above. If any applicant is dissatisfied with the decision of an application, they may make an appeal in writing to the Director of Development Services.

6.1.4 No alcohol may be consumed at organised functions held in any park or reserve without the prior approval of the MRC Director, Manager Mackay Entertainment & Conference Centre, Manager Property Services or Manager Health and Regulatory Services or delegate. *Where approval of alcohol consumption is granted, these approvals will usually only be granted for a maximum 5 hour period not to exceed 7pm.*

6.1.5 The use of parks and reserves for private wedding receptions and business or sporting entrepreneurial functions will not normally be approved.

6.1.6 All organisations seeking approval to conduct a permitted use/function shall comply with all other MRC policies.

6.1.7 Amusements requiring water such as waterslide jumping castles, slip & slides or any other amusements will not be approved.

## 6.2 Complaints

Any complaints in relation to this service will be assessed and managed in accordance with MRC's Administrative Action Complaints Policy, a copy of which can be found on MRC's website.

Complaints may be made as following:

In writing to

Chief Executive Officer  
Mackay Regional Council  
PO Box 41  
MACKAY QLD 4740

Via Email - [complaints@mackay.qld.gov.au](mailto:complaints@mackay.qld.gov.au)

In person at 73 Gordon Street, Mackay

## 6.3 Human Right Complaints

When an individual feels that they are the subject of MRC's failure to act compatibly with human rights, they can make a complaint directly to MRC. These complaints will be assessed against the Human Rights Act 2019.

## 7.0 **Review of Policy**

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

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Version Control:

Version	Reason / Trigger	Change	Endorsed / Reviewed	Date
2	Review of Policy	Amendment to Policy	Council	22.07.20