

	<b>A240 ASSEMBLIES AND EVENTS ON STREETS AND OTHER COUNCIL LAND</b>	Version No:	7
		Issued:	August 2019
		Next Review:	August 2023

**1. INTRODUCTION**

This document sets out the policy of the City of Mount Gambier (“Council”) for when assemblies and events are held on Council land, including roadways, under the *Public Assemblies Act 1972*.

**2. NOTICE OF ASSEMBLY**

- (a) Where an organised assembly or event is planned to be held on a street or other Council land, and consent of Council has not or cannot be given under other legislative powers, the organisers be requested to lodge with Council a *Notice of Assembly* pursuant to the provisions of the *Public Assemblies Act, 1972*.
- (b) Such Notice is to be assessed by the General Manager City Infrastructure or General Manager City Growth using the attached pro-forma.
- (c) The purpose of a *Notice of Assembly* is not to seek Council ‘consent’ to a proposal, but to enable the proposal to be assessed as to whether or not any objection is to be made by Council in accordance with the *Public Assemblies Act 1972*.

NOTE: Council’s controls over organised assemblies and events on Council land are primarily contained in the provisions of the Local Government Act, Road Traffic Act and Council By-Laws.

**3. FOR COUNCIL USE ONLY**

APPLICATION RECEIVED FROM :.....(*Insert Applicant’s name*).....

SECTION A

- 1. Mount Gambier Police notified.
- 2. Date: / / Time.....Method.....

Actioned by.....

SECTION B

ASSESSMENT BY GENERAL MANAGER CITY INFRASTRUCTURE OR GENERAL MANAGER CITY GROWTH

PART 1 - Public Assemblies Act 1972

- (a) If affected, would the proposed assembly unduly prejudice any public interest? YES/NO
- (b) If Yes - use delegated power to lodge objection pursuant to Section 4 (6) and (7) of the Act.
- (c) Section 4 (8)

- 1. Objection - served on Applicant :.....( *Insert Applicant’s name*).....

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Date: / / Time .....Method.....

2. Objection - published in *The Advertiser* – Date: / /

3. Objection - published in *The Border Watch* – Date: / /

**PART 2** - *Summary Offences Act 1953*

(a) Should recommendation be made to Mayor to give directions pursuant to the provisions of Section 59 of the Act? YES/NO

(b) If YES, what directions are recommended (use separate sheet).

(c) Section 59 (6)

1. Direction - published in *The Advertiser* – Date: / /

2. Direction - published in *The Border Watch* – Date: / /

**PART 3** - *Local Government Act 1999*

(a) Should vehicles, etc. be excluded from public places affected by assembly pursuant to the provisions of the Act,

NOTE: Council decision required to implement as absolute majority required.

YES (but insufficient time) /NO

(b) If YES:

1. Date of Council Decision: / /

2. Notice - published in *The Government Gazette* – Date: / /

3. Notice - published in *The Border Watch* – Date: / /

If insufficient time:

Applicant Notified -

Date: / / Time: AM/PM Method:.....

**PART 4** - *Road Traffic Act 1961*

(a) Should applicant make application to Council or the relevant Minister, pursuant to the provisions of the Act (Road Closing and exemptions for road events)?

YES (but insufficient time)/NO

(b) If yes with or without (insufficient time), advise applicant.

Date: / / Time: AM/PM Method:.....

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**PART 5 - Traffic Control Devices**

(a) Are any temporary traffic control devices required to be erected for the purpose of the proposed assembly.

YES/NO

(b) If YES, issue authorisation pursuant to Section 17 (Council delegation R.T.A.I. and delegation from Minister) and arrange for their erection.

**PART 6 - Consultation**

(a) Was this assessment made in consultation with SAPOL?

YES/NO

(b) If so:

Name:.....Date: / / Time: AM/PM

**PART 7 - Council By - Laws**

(a) Any approvals required pursuant to Council By – Laws?

YES/NO

(b) If so:

Details:

DATED this                      day of                      20

.....  
**GENERAL MANAGER CITY INFRASTRUCTURE**

OR

.....  
**GENERAL MANAGER CITY GROWTH**

OR

.....  
**CHIEF EXECUTIVE OFFICER**

NOTE: Part 5 (Ministerial delegation) must be actioned by General Manager City Infrastructure.

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#### 4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

File Reference:	AF11/1747
Applicable Legislation:	Public Assemblies Act 1972 Summary Offences Act 1953 Local Government Act 1999 Road Traffic Act 1961
Reference: Strategic Plan – Beyond 2015	
Related Policies:	
Related Procedures:	
Related Documents:	

#### DOCUMENT DETAILS

Responsibility:	General Manager City and Community Growth
Version:	7.0
Last revised date:	20 August 2019
Effective date:	20 August 2019
Minute reference:	Council Meeting 20 August 2019 - Minute Ref. 15.3
Next review date:	August 2023
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 <sup>th</sup> February 1999 15 <sup>th</sup> April 2003; 19 <sup>th</sup> September 2006; 16 <sup>th</sup> July 2013; 17 <sup>th</sup> February, 2015, 16 <sup>th</sup> May, 2017, 20 <sup>th</sup> August, 2019