

25 March 2024

At the conclusion of the Corporate, Finance, Properties and Tenders Committee

Environment Committee

Agenda

- 1. Confirmation of Minutes
- 2. Statement of Ethical Obligations and Disclosures of Interest
- 3. Public Exhibition Events in Parks Policy
- 4. Lighting in Joynton Park

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- 1. Register to speak by calling Secretariat on 9265 9702 or emailing <u>secretariat@cityofsydney.nsw.gov.au</u> before 10.00am on the day of the meeting.
- 2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
- 3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
- 4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
- 5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

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Item 1. Confirmation of Minutes

Minutes of the following meetings of the Environment Committee are submitted for confirmation:

Meeting of 4 March 2024

Item 2. Statement of Ethical Obligations

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Public Exhibition - Events in Parks Policy

File No: X084995

Summary

This report provides details on the implementation and application of the Events in Parks Policy (the Policy).

In October 2022, via a Lord Mayoral Minute, Council requested that the Chief Executive Officer review the City's policies for booking City public parks in relation to any existing and future events. This review resulted in the development of the Events in Parks Policy that sets out the updated arrangements, including the approval process, for events in City parks and open spaces.

The Policy defines the key principles and assessment process that applies to all outdoor temporary events proposed in City parks and reserves, as well as the specific approval process for events determined by the City as 'High Impact'.

This is a new Policy and seeks to ensure events in parks represent an appropriate balance between the community's desire for outdoor events in City parks, maintaining access to such spaces for the amenity of day to day use by the community, and minimising unreasonable impacts on parks such as damage associated with an event's activity and use of space.

Overarching principles are included within the Policy of which Event Organisers must satisfy within their applications and event management plans for assessment and approval by the City, including:

- 1) Asset Protection
- 2) Contingency Planning
- 3) Event Duration
- 4) Park Access
- 5) Event Infrastructure
- 6) Financial Capacity

The Policy includes assessment criteria to determine whether a park event proposal constitutes 'High Impact' and thus represents a higher risk of damage being caused to a park, despite mitigating measures being taken, as well as a greater impact on the usual amenity of the park proposed for the event.

Event proposals identified by the City as being High Impact will require public notification and Chief Executive Officer endorsement, in consultation with the Lord Mayor, as part of the approval process. This may increase the lead times for such events. Following Chief Executive Officer endorsement, Event Organisers will be required to enter into a licence agreement with the City and pay a security bond. The increase in asset protection requirements for all events, such as turf and ground protection to be laid under all vehicle pathways and infrastructure positioned on turf areas throughout a park, will incur increased costs for event organisers as well as a likely increase in the number of associated vehicles to deliver and manage such products on site. These asset protection requirements will apply to all events, including for not-for-profit and community group applicants.

Event proposals that conflict with the City's values, the key principles set out in the Policy, the City's Event Guidelines, other applicable policies or legislation, or High Impact events that are not endorsed by the Chief Executive Officer, will not be approved by the City.

This report is seeking Council approval to exhibit the Events in Parks Policy.

Recommendation

It is resolved that:

- (A) Council approve for public exhibition the Events in Parks Policy, as shown in Attachment A to the subject report;
- (B) Council note that the Events in Parks Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the Events in Parks Policy.

Attachments

Attachment A. Events in Parks Policy

Background

- 1. The City has a number of parks and open spaces that are used for events from time to time of differing types and scale. These events are produced by a range of organisers, including commercial and not-for-profit entities, community groups, government agencies, as well as the City itself, and may be free to attend or require payment for entry.
- 2. Examples of events that occur in City parks and open spaces include festivals, cultural ceremonies and celebrations, live outdoor entertainment, industry related promotions and exhibitions, and temporary markets. There are approximately 60 to 80 events approved to occur in City parks per financial year (excluding wedding ceremonies).
- 3. City approvals are required under the Local Government Act 1993 for an event to occur on public land under the care and control of the City. Fees are payable for approved events, in accordance with the City's Revenue Policy.
- 4. General recreational uses of parks such as public picnics or informal gatherings do not constitute events and therefore do not require notice to or approval from the City.
- 5. Annually, the City has a sustained demand for use of its parks and open spaces for events. However, the City has very limited hardstand areas that are available or suitable for events. As such, larger events often seek to use City parks as they have the open space necessary to produce such events, which often require infrastructure and vehicles to be positioned on turfed areas to construct and operate an event.
- 6. In lieu of directed design considerations or retrofitting for park spaces to specifically accommodate event activities, including vehicle access and hard stand areas, some larger scale events in parks have a higher impact on the park's turf, existing pathways, and the general amenity of such spaces. The impact of events on parks are further increased by inclement weather conditions preceding or during an event.
- 7. Due to extreme weather conditions during 2022, several outdoor events that went ahead in City parks resulted in extensive turf damage due to the extreme levels of rainfall during periods of installation, event operation and 'bump-out' of event related infrastructure.
- 8. Instances where extensive turf damage occurred required such areas to be fenced off from public access and remediation or replacement of damaged top soil and turf. These remediation areas are removed from public access for extended periods to allow for new turf to establish, affecting access and the general amenity of the park.
- 9. In October 2022, a Lord Mayoral Minute was endorsed by Council requesting the Chief Executive Officer review the City's policies for booking City public parks in relation to any existing and future events. The review has resulted in the development of a new Events in Parks Policy that sets out the arrangements, including the approval process, for events in City parks and open spaces.
- 10. The Policy includes a set of overarching principles which all Event Organisers must satisfy within their application and event management plans for assessment and approval by the City, including
 - (a) Asset Protection: asset and turf protection measures must be implemented for events in grassed parks and spaces where vehicles, infrastructure and/or event attendees pose an unreasonable risk of potential damage to the space.

- (b) Contingency Planning: Event Organisers are required to develop comprehensive contingency plans. These plans must be sufficient to address potential issues, including the potential necessity for event postponement, cancellation, or work stoppage, whether initiated by the Event Organiser or the City.
- (c) Event Duration: Event Organisers must minimise their use of the park to the least amount of time, including that required for bump-in, event delivery and bump-out. The City will consider the entire duration of an event including possible postevent remediation when making its assessment of whether or not it can proceed.
- (d) Park Access: Event Organisers will be required to maintain as much access as reasonably practicable during their use of the park, with the event site only being obstructed due to safety protocols and/or legislative licensing requirements.
- (e) Event Infrastructure: Event Organisers will be required to minimise their use of infrastructure to as little as reasonably practicable, and where available utilise existing structures or hardstand surfaces to reduce impacts on the park.
- (f) Financial Capacity: Event Organisers are obligated to demonstrate financial capacity. This entails having adequate budgeting in place to cover all liabilities associated with event operations, including City approval fees and potential remediation costs resulting from event-related damages.
- 11. The Policy also includes criteria for determining which event applications constitute 'High Impact' and thus require Chief Executive Officer, in consultation with the Lord Mayor, endorsement and public exhibition of notices before an event can be approved. Following Chief Executive Officer endorsement, Event Organisers will be required to enter into a licence agreement with the City and pay a security bond.
- 12. Of the approximately 60 to 80 current known events that occur in City parks each year, it is estimated that approximately 10 such events would fall within the 'High Impact' criteria. A number of these events are produced by the City (e.g. Christmas Concerts).

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

- 13. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 1 Responsible governance and stewardship the Policy provides a governance framework in which Staff and the community can refer to when reviewing the appropriateness of event applications and ensuring best practice is applied to events in City parks.
 - (b) Direction 3 Public places for all the Policy provides a framework to ensure applicable event activities meet the correct balance between meeting community demand for such activities while maintaining space for public recreation and passive use.

- (c) Direction 4 Design excellence and sustainable development the Policy supports the application of sustainable standards for applicable events and reduce occurrences where avoidable damage to park assets, such as turf, may occur.
- (d) Direction 6 An equitable and inclusive city the Policy applies to all temporary events approved to occur within City parks and turfed spaces, including events produced by community, commercial, charitable, and not-for-profit organizations as well as the City's own produced events.
- (e) Direction 8 A thriving cultural and creative life the City supports diverse and creative uses of public spaces by events and activities. The Policy encourages sustainable principles in the planning and implementation of event management to ensure such uses meet the demands and interests of the community.
- (f) Direction 9 A transformed and innovative economy the City acknowledges the important contributions temporary event activities have on the local economy and wider industry sectors, with the Policy providing a structure in which to maintain event uses within the boundaries of community benefit.

Organisational Impact

- 14. This Policy assists staff in assessing applications for events in City parks as well as determining which applications constitute High Impact and require Chief Executive Officer endorsement before an event can be approved.
- 15. The implementation of the Policy will increase event application assessment time and require additional resources to facilitate identified proposals through the public exhibition and Chief Executive Officer endorsement processes.
- 16. Resources will also be required to assist with assessments of event proposals in parks, including assistance establishing the likely impact of a proposal on a park, continued liaison from pre-production to event delivery, and escalation procedures for inclement weather assessments prior or during an event that may require cancellation of an event.
- 17. Appropriate resources will be required to manage pre and post event condition reports of parks for approved events, including undertaking any required remediation works outside the normal scope of maintenance for such parks.

Risks

- 18. The requirement for High Impact events to be publicly advertised and endorsed by the Chief Executive Officer, in consultation with the Lord Mayor, before an event is approved will increase lead times, and create some uncertainty on permissibility, which may deter some Event Organisers from applying. There may be reputational risks associated with these additional processes, with Event Organisers instead choosing to produce their events in other locations.
- 19. The increase in asset protection requirements for all events, such as turf and ground protection to be laid under all vehicle pathways and infrastructure positioned on turf areas throughout a park, will increase costs for Event Organisers.

Social / Cultural / Community

- 20. Adherence to the Policy principles and process will ensure transparency for the community while continuing to support outdoor events that align to the City's cultural objectives. The adoption, publication and application of the Policy will support transparency and consistency when assessing and determining applicable park event applications.
- 21. The Policy seeks to strike a balanced approach to manage the recreational needs of general park users while also addressing the community's demand for outdoor events, fostering inclusivity by providing clear guidelines for assessing and approving events proposed for city parks.

Environmental

22. Adherence to the Policy will assist in reducing unreasonable or avoidable damages to City parks from event activities, including during bump-in, event operation and bump-out. However, it should be noted that the nature of events in parks will also result in some degree of impact, which degree is often dependent on factors that cannot be controlled such as adverse weather before or during event activities.

Financial Implications

- 23. The approval of events in City parks and open spaces does generate revenue by way of the imposition of fees and charges in accordance with the City's Revenue Policy.
- 24. Unavoidable reasonable wear and tear will continue and therefore inclusion of ongoing maintenance will still be required.
- 25. Due to the increased lead times involved in obtaining Chief Executive Officer endorsement of events characterised as 'High Impact' under the Policy, there may be some loss of revenue should Event Organisers choose to produce such events in other non-City locations.

Relevant Legislation

- 26. Local Government Act 1993.
- 27. Crown Land Management Act 2016.

Public Consultation

- 28. Once the draft Policy has been presented to Council it will be placed on public exhibition for 28 days. During this period the City will accept submissions from the community for consideration.
- 29. The City will continue to discuss the proposed Policy with regular Event Organisers, and will inform the event industry of the exhibition of the Policy and mechanism to provide a submission.

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Director City Life

Simon Marshall, Manager Outdoor Events and Film Liaison

Attachment A

Events in Parks Policy

Events in Parks Policy

Purpose

This Policy provides a framework for the approval and management of outdoor temporary events in parks under the care and control of the City of Sydney Council (the City).

Scope

This Policy defines the key principles and assessment process that applies to all outdoor temporary events proposed in City Parks, as well as the specific approval process for such events determined by the City as 'High Impact'.

This Policy provides guidance and standards for event organisers to adhere to when seeking approvals and managing events in City Parks.

This Policy should be read in conjunction with the City's Event Guidelines, which provide procedural details and guidance for event organisers to conduct compliant, and permissible outdoor events, along with the relevant laws, standards, policies, and procedures.

Term	Meaning	
City Parks	A public open space under the City's care and control that is designated by the City or State Government as a park or reserve. Parks and reserves may be on land owned by the City classified operational or community land, road reserves, Crown land, and third- party owned land where the City has tenure.	
Event	A gathering of people, at a predetermined location, for a specific purpose, for a specified time, arranged by an Event Organiser, which can be free to attend or for paid entry. Examples include, but are not limited to, festivals, cultural ceremonies, and celebrations, live outdoor entertainment, industry related promotions and exhibitions, or temporary markets	
Event Organiser	The entity responsible for the production and management of an event and listed as the approved party within an event approval, permit, licence agreement, or consent.	
High impact event	An Event proposal determined by the City as having or likely to have a high impact on the applicable City Park based on it including one or more elements set out in Figure 1 of this Policy, or as otherwise determined by the City as having or likely to have a significant impact on the applicable City Park.	
Plan of management	A plan that guides the use and management of community land prepared and adopted in accordance with the <i>Local Government Act</i>	

Definitions

Term	Meaning
	1993 (NSW) and, where the land is Crown land, the Crown Land Management Act 2016 (NSW).
	A plan may apply to one or more areas of community land, or a specific area of community land.

Policy Statement

The City is dedicated to promoting cultural diversity, community engagement, economic vitality, and the sustainable activation of public spaces. Outdoor events in parks play a significant role in achieving these objectives, where they can adhere to the core principles of effective land use management, strike a balance between providing for event demand and the impact on the park, comply with the relevant Plans of Management and align with the City's values.

The City recognises the importance outdoor events have on delivering its strategic objectives as part of its Community Strategic Plan and Sustainable Sydney 2030-2050 Policy.

Successful events in parks can promote:

- **Cultural enrichment**: enriching the cultural fabric of the City of Sydney by promoting cultural exchange and appreciation among its diverse communities.
- **Cultural diversity**: serving as platforms for local and international artists, musicians, performers, and artisans to exhibit their talents. This enhances the City's cultural and artistic vibrancy while providing exposure to emerging and established talent and businesses.
- **Community cohesion:** bringing community members together, fostering social bonds, and creating a stronger sense of unity among residents.
- **Economic stimulus:** supporting local businesses, stimulating economic growth, increased foot traffic and enhancing the City's overall economic vitality.
- **Public space activation:** Parks can be transformed into vibrant, active spaces during events, making them more accessible and enjoyable for residents and visitors alike.
- **Tourism attraction:** drawing visitors to the City, stimulating economic growth, creating job opportunities, and enhancing the City's reputation as a dynamic and culturally rich destination.

All events in City Parks must have the prior approval of the City.

City Values

The City will not approve events which conflict with its vision or values or that do not represent a positive benefit to its community in some way.

The City **will not approve** events that involve the following:

- Circuses involving the use of live animals.
- Non-experiential vehicle displays for advertising only purposes that do not benefit the community.
- The production, promotion or distribution of products, services or information that is likely to cause unreasonable offense or harm to the community.

- The unlawful discrimination, or encouragement of unlawful discriminatory behaviour, including discrimination based on race, religion or sex in employment, marketing, or advertising practices.
- The advertisement or promotion of fossil fuel use as the primary purpose.
- The sale or promotion of any prohibited items or services, such as fur and exotic animal skin products and feathers, other than where permitted under traditional First Nation cultural practices.

The City **will not approve** event proposals from Event Organisers that are considered to:

- Pollute land, air or water.
- Derive revenue from the extraction or sale of coal, oil, or gas.
- Destroy or waste non-recurring resources.
- Produce, promote or distribute products or services likely to be harmful to the community.
- Acquire land or commodities primarily for speculative gain.
- Create, encourage, or perpetuate militarism or engage in the manufacture of armaments.
- Entice people into financial over-commitment.
- Exploit people through the payment of below award wages or poor working conditions
- Unlawfully discriminate, or encourage unlawful discriminatory behaviour, including discrimination, based on race, religion or sex in employment, marketing, or advertising practices.
- Sell or promote any prohibited items or services, such as fur and exotic animal skin products and feathers, other than where is permitted under traditional First Nation cultural practices.
- Contribute to the inhibition of human rights generally.

Key Principles

Event Organisers must satisfy the following key principles for any proposed event, and demonstrate how each principle will be achieved as part of their application and event management plans, to the satisfaction of the City:

- Asset Protection: Event Organisers must implement asset and turf protection measures for events in parks and spaces where vehicles, infrastructure and/or event attendees pose an unreasonable risk of damage to the space, including during bump-in, event delivery and bump-out.
- **Contingency Planning:** Event Organisers must develop and implement comprehensive contingency plans. These plans must be sufficient to address potential issues, including the potential necessity for work stoppage, postponement, relocation, or cancellation, whether initiated by the Event Operator or the City, due to factors such as inclement weather or other unforeseen circumstances that may impact the event or the park.
- Event Duration: Event Organisers must minimise their use of the City Park to the least amount of time, including that required for bump-in, event delivery and bump-out. The City will consider the entire duration of an event, including possible post-

event remediation, such as re-turfing and establishment periods, when making its assessment of whether or not an event can proceed.

- **Park Access:** Event Organisers must maintain as much community access as reasonably practicable during the use of the City Park, with the event site only being obstructed due to safety protocols and/or legislative licensing requirements.
- Event Infrastructure: Event Organisers must minimise their use of infrastructure to as little as reasonably practicable and, where available, utilise existing structures or hardstand surfaces to reduce impact on the park.
- **Financial Capacity:** Event Organisers must demonstrate financial capacity for all aspects of the event, including having adequate budget and funding to cover all costs and liabilities such as City fees and charges, security bonds, and remediation costs resulting from event-related damage.

Assessment

On receipt of an event proposal from an Event Organiser, the City will assess the proposal against the City's values, the key principles, and the following criteria:

Criteria	Objective
Alignment with Public Space Purpose	Proposals should align with the public interest and demand for a particular event type and associated use of the park space, enhancing its character, functionality, and with consideration to the possible wider demand for a particular event type and scale in the location proposed – Events should contribute positively to the community by providing value, enjoyment, and/or cultural enrichment.
Cultural and Heritage Connection	Proposals should respect and celebrate the cultural and heritage elements of the public space, preserving their significance – Council may recognise a historical or cultural connection to place for certain events. Events should provide a meaningful connection to the existing culture of the space or seek to harbour an emerging culture within the location.
Size and scale feasibility	Proposals should be of an appropriate size and scale for the park in which they are proposed. This includes feasibility assessments conducted about expected attendance numbers, access requirements for associated infrastructure and patrons, and the likely impact on the normal amenity of the space to be used for the event.
Environmental Impact and Asset Preservation	Proposals should have minimal environmental impact, with a focus on preserving the standards of the public space and its existing assets once the event has concluded, which can include, but not

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Criteria	Objective
	limited to, its acoustic environment, vegetation, ecosystem, and existing infrastructure.
Infrastructure and Amenity Consideration	Proposals should show respect for existing amenities, infrastructure, and the visual aesthetics of the public space, avoiding damage or disruption. Temporary infrastructure and layout plans should be sensitive to the parks design and features and be appropriately ancillary to the primary purpose of the event.
Economic and Community Benefits	Proposals should seek to bring economic benefits to the local community, which may include increased visitors to local businesses, employment opportunities or increased profile of the local area. Proposals should offer activities that enrich the community.
Duration and Timing	Proposals should respect the general community use of the space and ensure the use of the park for an event is the minimum duration required to achieve the event operation, including safe bump-in and out activities. Operational timings must be reasonable and considerate to the space and its surroundings, including stakeholders.
Frequency and shoulder events	Proposals must be scheduled appropriately during a season to satisfy capacity analysis on the proposed park's ability to reasonably hold the event activity, as well as a holistic consideration given for the park's capacity to accommodate the proposed event within the existing calendar of events for the location. Shoulder bookings preceding and following the proposed event will be considered when reviewing proposals.
Alignment to legislation, land use plans and associated policies and guidelines	Proposals must align to existing Plans of Management for the use of the space proposed, comply with relevant legislation, and satisfy the requirements detailed in the City's Event Guidelines and relevant policies and procedures.
Prior performance of Event Organiser	Proposals from Event Operators that have prior experience with successful and compliant events within the local government area or, ideally, the specific park being proposed will be favourably considered. Any prior compliance issues with an Event Organiser will be taken into account.

Where the City approves an event to occur in a City Park, the Event Organiser will be required to agree the terms and conditions imposed by the City and, in some cases, pay a security bond. Some event proposals will require public notification prior to approval, and for the Event Organiser to enter into a licence agreement with the City.

High Impact Events

All event proposals identified by the City as being 'High Impact' require public notification and endorsement by the Chief Executive Officer, in consultation with the Lord Mayor as part of the

approval process. Following Chief Executive Officer endorsement, Event Organisers will be required to enter into a licence agreement with the City and pay a security bond.

Event Organisers should allow at least six months for the assessment and endorsement of any 'High Impact' Event proposal.

The table below details the general determinations of what constitutes a 'High Impact' Event proposal; however, the City may determine an Event proposal to be High Impact for other reasons, at its discretion.

Figure 1 – High Impact Event Category

Event category - High Impact

Events that include one or more of the following elements

- High impact infrastructure or multiple structures that cumulatively increase the impact on turf or other surfaces, such as large performance stages, platforms, decks, tents, temporary buildings or any other structure(s) or number of structures that result in a high risk of damage being caused
- Significant area of park utilised for the event, including back-of-house, waste areas, and so forth, that results in significant impact on the usual amenity of the space or high risks of distributed damages across a large area of a park
- Heavy vehicle movements on turf areas and/or high frequency vehicle movements on turf areas required for the production or servicing of the event where ground protection cannot reasonably mitigate the risks of excessive damage
- Positioning of infrastructure in areas of the park that require excessive vehicle movements to service and/or are in areas that pose increased risks of damage from environmental factors (such as areas of poor drainage, unsuitable topography, or ecologically sensitive areas)
- Mass gathered events of high footfall that represent a high risk of compaction or damage to turfed or planted areas of the park that is outside of the reasonable scope of Council's normal maintenance practices for a park
- Duration and occupation of a park with infrastructure, vehicle movements or attendees that represents a real risk of cumulative damages being caused due to the period of use of the park

This Policy should be read in conjunction with the City's Event Guidelines, which provide procedural details and guidance for what event applications must include for submissions, in order for event organisers to conduct compliant, and permissible outdoor events.

Responsibilities

The Venue Management department of the City of Sydney is responsible for the assessment and approval of all applicable events in parks and reserves.

Consultation

This Policy has been developed by Venue Management in consultation with City Greening & Leisure, Legal & Governance, and City Life.

References

Laws and Standards
Environmental Planning and Assessment Act 1979 (NSW)
Local Government Act 1993 (NSW)
Roads Act 2013 (NSW)
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
Sydney Local Environmental Plan 2012
Policies and Procedures
City of Sydney Park Plans of Management
City of Sydney Event Guidelines
City of Sydney Sustainable Event Guidelines
City of Sydney Reducing Waste from Events and Services: Guidelines for Single-Use Items
City of Sydney Reducing Waste from Events and Services: Guidelines for Single-Use

Review period

This policy will be reviewed within five years of adoption.

Approval Status

The Council approved this policy on [DD MONTH YYYY].

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	XXXXX, 2024	Approved by Council	2023/562882
Commence Review Date	(Date, month, year – should be 9 months prior to the end of the next review period)		20XX/XXXXXX (Governance to populate)

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Stage	Date	Comment	TRIM Reference
Approval Due Date	(Date, month, year of when the next review of the policy is due to be finalised/ approved)		

Ownership and approval

Responsibility	Role
Author	Filming & Outdoor Events Manager
Owner	Manager, Venue Management
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Item 4.

Lighting in Joynton Park

File No: X023035

Summary

Following interest from both Council and the community, in 2022 the City trialled park evening lighting at Joynton Park, Zetland. The trial was considered a success, noting there was strong visitation and minimal community concern.

In 2023, public consultation sought feedback from the community about the permanent introduction of open space lighting in areas of Joynton Park, Tote Park and Nuffield Park in Zetland. Over 87 per cent of people responding to the survey supported park evening lighting to 10pm. The majority of survey respondents supported permanent park evening lights in Joynton Park, however there was no majority support for more lights in Tote and Nuffield Park.

Our parks support an inclusive and equitable city where people from all walks of life can live, work, learn, play and grow. The trial and strong public support has demonstrated there is merit for the provision of park evening lighting. Park evening lighting is a sustainable service that will make Joynton Park more inclusive and available to a more diverse range of community members.

This report recommends an update to the City's Sydney Lights Code for a proposed park evening lighting service and the installation of park evening lighting at Joynton Park.

Recommendation

It is resolved that Council:

- (A) receive and note the subject report Lighting in Joynton Park;
- (B) note that a review of the Sydney Lights Code will proceed with the intention of adding a new Community Service Level, being Park Evening Lighting; and
- (C) note that Park Evening Lighting will be installed in Joynton Park, following design and all necessary approvals.

Attachments

Attachment A. Engagement Report - Green Square Park Lighting

Background

- 1. On 17 May 2021, Council resolved to investigate lighting at a number of locations including Joynton Park. A CEO Update of 8 July 2021 outlined steps that would be taken to identify issues, consider options, consult with community and review the Sydney Lights Code.
- 2. Notice of Motion 13.2 from Council's meeting on 15 November 2021 resolved that the Chief Executive Officer be requested to investigate expediting lighting upgrade work in Joynton Park so it can be completed prior to Winter 2022.
- 3. On 1 December 2021, a CEO Update committed to the undertaking of consultation and deploying a trial of temporary lights in time for Winter 2022.
- 4. Between April and October 2022, the City trialled park evening lighting in Joynton Park Zetland from 5pm to 10pm. The trial did generate a strong increase in visitation to the park. At the conclusion of the trial the City consulted with the community however a low level of participation meant there was not a meaningful number of responses for consultation purposes.
- 5. On 15 May 2023, Council resolved (Item 11.2) that the Chief Executive Officer be requested to:
 - (a) undertake further consultation with the Zetland community on the need for, and type of, lighting required in Joynton Park during winter;
 - (b) expedite the report of the previous lighting trial to report back to Council in a timely manner; and
 - (c) engage the Zetland community to discuss the installation of lights at Tote Park and Nuffield Park to aid community safety and utility of these spaces during the dark winter months, if required.
- 6. This report responds to the above resolved actions and considers the merits of a Park Evening Lighting service for Joynton, Tote and Nuffield Parks.

Open Space Provision

- 7. There are 348 parks in the City of Sydney. The provision of services and facilities in parks is based on a hierarchy to ensure the City provides a sustainable and equitable service to the community. The City's parks are classified as either Iconic, Neighbourhood or Pocket parks based on their size and suitability to support services and facilities.
- 8. A Neighbourhood Park is typically provided within a ten-minute walk of most homes in the City, they are larger in size and they support a broad range of passive recreation needs. There are 40 Neighbourhood Parks in the local government area. Joynton Park, Nuffield Park and Tote Park are all classified as Neighbourhood Parks. There are 285 Pocket Parks in the City of Sydney and these are often within a 5 minute walk of most homes. Pocket parks are small in size, suited for a short stay, often adjoin private land and they support a limited number of services and facilities.

- 9. Joynton Park, Zetland is a 1.3 hectare Neighbourhood Park that supports a diverse range of recreational activities. It provides important social and recreational green space for the Green Square community and the adjacent suburbs of Waterloo, Beaconsfield, Rosebery and Alexandria. Joynton Park is an off-leash dog park with a large passive recreation turf area of approximately 8,118 square metres. The park also has other amenities including barbeques, picnic tables, water features and toilets. The park has the largest turf area within a 1.5 kilometres radius.
- 10. Tote Park and Nuffield Park are also Neighbourhood Parks that are within a 100 metre distance of Joynton Park. These parks are smaller in size than Joynton Park. Tote Park incorporates a children's playground, has a total area of 3,956 square metres and is adjacent to the Tote Building. Nuffield Park has a total area of 5,135 square metres and incorporates active recreation facilities including a basketball court and a rebound wall.
- 11. Since opening to the community, the use of Joynton Park, Nuffield Park and Tote Park has significantly intensified due to an increase in the number and density of the surrounding population. This population is projected to increase further placing additional pressure on the parks to support community needs.
- 12. The City's Open Space, Sports and Recreation Needs Study 2016 identifies a shortfall in the City's open space provision, based on the standards set in the State Government's Recreation and Open Space Planning Guidelines for Local Government. The Study incorporates a series of strategic directions to enhance the City's open spaces. Strategic Direction 2, Better Parks, Sport and Recreation Facilities, promotes an increase in the quality and capacity of open spaces. Better park lighting is identified as a key action to support the strategy. Strategic Direction 4, Access to Recreation in the City will be Inclusive and Accessible for All, supports equitable access to open spaces (where appropriate) with lighting is an identified action to achieve this strategic direction.
- 13. Residents of the City of Sydney routinely seek the use of community facilities over a broader span of hours. Over recent years community interest in using parks in evening hours has grown. Providing a greater span of hours where our open spaces may be used does support the actions set in the Open Space, Sports and Recreation Needs Study 2016.

Park Lighting

- 14. The Sydney Lights Public Domain Design Code (Sydney Lights Code), adopted by Council in 2015, specifies that park lighting schemes should consider main park entries, park perimeter, main pedestrian and cycle through pathways and path surrounds and selected landscaped areas. The Sydney Lights Code also considers the impact that illumination can have on anti-social behaviour, sustainability and fauna and flora species.
- 15. The 2015 Sydney Lights Code states that large areas of open space should not be lit to a high level unless used for programmed/organised activities at night. Accordingly, a proposal to light the open areas of a park is not aligned to the current intent of the Sydney Lights Code.

16. The existing lights in Joynton Park, Nuffield Park and Tote Park illuminate perimeter paths, through paths and areas where outdoor tables are positioned. This standard of lighting is in keeping with the 2015 Sydney Lights Code.

Joynton Park Evening Lighting Trial Outcomes

- 17. Between April and October 2022, the City trialled park evening lighting in Joynton Park Zetland from 5pm to 10pm. Five solar powered temporary light fixtures operated during this time.
- 18. Visitation to Joynton Park increased during the park evening lighting trial. The community sought to use the lit area for a mix of passive uses including walking, resting, social interaction, exercise and dog walking.
- 19. The trial demonstrated that the provision of the service generated impacts that were tolerable to the nearby community. During the trial and in subsequent consultations community feedback has been largely supportive of evening lighting. This feedback has not justified the need for the service to operate throughout the night, and 10pm does afford ample additional time for use of the open space to meet the level of demand. By limiting the service to 10pm in the evening, the quiet night hours are preserved for the community.
- 20. The position of the light poles during the trial was an important consideration. The lights were positioned around the perimeter of the activated open space which ensured the open space was unobstructed and kept flexible for all intended uses. To limit intrusive light to nearby homes, the lights were relatively low in height and orientated to shed light away from homes and towards the activated open space. The trial lights were at least 30 metres from any property, and they were mostly screened by perimeter park trees.
- 21. The increased use of Joynton Park during the trial did result in increased wear of the turf surface. A large area of turf was closed to the public after the trial to allow for returfing and renovation for a period of 13 weeks.
- 22. The Joynton Park Evening Lighting Trial is considered a success, noting the increased visitation, tolerable impacts to the nearby community and the feedback received from the trial.

Permanent Park Evening Lighting

- 23. The lessons learnt from the Joynton Park evening lighting trial assist in informing any future permanent evening lighting installation in the City's parks. This particularly relates to the positioning of lights and the hours of operation.
- 24. Demand for visiting parks in evening hours is not limited to only months of the year when there is less daylight. The community often seek reprieve from the summer heat by visiting our parks in the evening. Regular working times and routine passive recreation needs of the community do apply consistently across the year and there is no valid basis to limit the provision of the additional service to only months of the year when there is less daylight. On this basis it is considered appropriate that any permanent provision of Park Evening Lighting would apply throughout the year.

- 25. Park evening lighting is only intended to light a limited area of the open space. This approach is in response to the limited demand for passive recreation in the evening, and to limit the impacts of the lighting on nearby homes. It is considered appropriate that where Park Evening Lighting is provided, that it is limited to an area up to 1,500 square metres.
- 26. Tote Park and Nuffield Park are both within 100 metres of Joynton Park. Each of these parks provide different amenity to the community but as a network they service the local community need. From a network perspective, due to the smaller scale of Tote and Nuffield Parks and the closer proximity to homes, it is preferable for lighting to be installed only in Joynton Park. Community sentiment from the recent public consultation suggests Joynton Park is the only park of the three that has majority support for park evening lighting. By providing the service enhancement only at Joynton Park, residents in the area can access the additional amenity of the lighting at Joynton Park within a ten-minute walk. This approach also ensures the City is not overservicing one part of the local government area.
- 27. Based on the success of the trial, strong community support and the growing demand for open space, it is recommended that park evening lighting is installed in Joynton Park. The park evening lighting is intended to operate throughout the year, and for a limited area of 1500 square metres within the park. These works are proposed to be completed within the 2024/25 financial year, following completion of the design and all necessary approvals.
- 28. The Sydney Lights Code does not currently support park evening lighting. It is recommended that the Sydney Lights Code is reviewed with consideration of a new Community Service Level, being Park Evening Lighting for passive recreation.
- 29. The City progressively renews our parks on a cyclic basis, and as this occurs, the design and consultation will consider the merits of park evening lighting in keeping with a revised Sydney Lights Code.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

- 30. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 2 A leading environmental performer lighting that is sustainable, low energy and that minimises impacts to nearby homes.
 - (b) Direction 3 Public places for all provision of open spaces in parks to suit the changing needs of all members of the community.
 - (c) Direction 4 Design excellence and sustainable development supporting the needs of an increasing population without acquiring more land.
 - (d) Direction 6 An equitable and inclusive city consideration of an enhanced evening park lighting service for all members of the community.

Organisational Impact

- 31. During the 2022 park evening lighting trial a significant decline in turf condition corresponded with the trial period. At completion of the trial a limited area of the park was closed for renovation, returfing and to provide time for the turf to re-establish. While the community gained additional amenity during the trial, they lost access to areas within the park after the trial. In 2023, when there was no lighting trial operating, and returfing was not required.
- 32. The provision of park evening lighting will lead to a range of operational impacts:
 - (a) Increased weekly maintenance services and remedial work (turf resting, fertilising, aeration, topdressing) to build resilience of turf.
 - (b) Increased likelihood that a limited area of the park will be closed for re-turfing.
 - (c) Increased water use of approximately 65,000 litres each year to cultivate and establish new turf.
 - (d) Increased ongoing operational costs and resourcing for turf and lighting assets, including switchboards, underground cabling, service pits, poles and lights.

Risks

33. Based on the 2022 evening park lighting trial, community consultation and further analysis, the risks associated with a permanent service change are summarised below, with proposed mitigation controls also listed.

Risk	Risk Control/ action plan/ proposed response
Increased Energy Use	A park evening lighting service, operating at appropriate locations within the Local Government Area would result in less than a one per cent increase in the City's lighting network. Low energy LED light fittings would be used. Lights would only operate to 10pm. The lighting design would be optimised. The City continues to purchase green power.
Increased Capital Cost	The City would use a mix of internal staff and contractors procured through a competitive procurement process to deliver the works and ensure value for money is achieved.
Operational Capacity	The City's resourcing is routinely reviewed to ensure the growth in asset base is properly managed. Additional maintenance of the surface and the lighting systems will be required.
Light Pollution	The Sydney Lights Code requires each park location to have a lighting design prepared to Australian Standard AS1158.3.1. Lighting open space would be to the PA3 light category. This ensures light installations will not generate intrusive light or upward light pollution. By limiting the area to be lit, using LED lights and only operating lights to 10pm, light pollution is minimised.

Risk	Risk Control/ action plan/ proposed response
Noise	Areas that are activated would be at least 30m from a home which was shown in the 2022 trial to be a tolerable distance. The lighting will operate on a timer and will be switched off at 10pm.
Safety	The principles of the lighting design will consider passive surveillance and other Crime Prevention Through Environmental Design (CEPTED) principles. Lights would only operate to 10pm.
Anti-social Behaviour	Only a limited clear open space area will be lit. Playgrounds or other areas with a higher risk of anti-social behaviour will not be activated. Only Neighbourhood or Iconic Parks would be considered. Anti-social behaviour will be monitored. Lights will operate only to 10pm.

Social / Cultural / Community

- 34. The City's Social Sustainability Policy and Action Plan 2018-2028 promotes a vision where people from all walks of life can live, work, learn, play and grow. It supports an inclusive and equitable city that offers all people opportunities to realise their full potential and enjoy a great quality of life.
- 35. By providing access to open spaces for more hours each day the City will be making Joynton Park more inclusive. Joynton Park will be available to a more diverse range of community members who may otherwise have difficulty using the open space in daylight hours.
- 36. The community provided strong support for park evening lighting in the recent public consultation. The majority of respondents to the survey advised that they will make more visits to the park once park evening lighting is installed. They considered the park will be a safer and more enjoyable place to visit once the evening lighting is operating.

Environmental

- 37. The City's Environmental Strategy 2021-2025 Strategic Direction 1 supports initiatives to enhance energy efficiency and carbon-neutral outcomes. This proposal may be viewed as increasing energy use, however by leveraging greater use of an existing open space the City is reducing the pressure to acquire more land for parks, which as an alternative, would have a far greater carbon footprint than the additional lights, energy and maintenance activities generated by a Park Evening Lighting service. The City does purchase green power for lighting. The light fixtures used for this service would be energy saving LEDs and the lights would only operate to 10pm each night to limit energy consumption.
- 38. The additional lighting and park activation resulting from a park evening lighting service has potential to negatively impact and disturb local fauna. In line with the City's Urban Ecology Strategic Action Plan light spill will be minimised for new lighting.
- 39. The Generic Plan of Management for Parks, Sportsgrounds and General Community Use Land applies to Joynton Park. This Plan of Management supports the operation of park evening lighting to meet safety and risk management objectives.

Financial Implications

- 40. Funds required for Park Evening Lighting in Joynton Park would be sourced from the Lights, Poles and Electrical Additions capital works program for the 2024/25 financial year. Funding approval will be considered by Council as part of the 2024/25 budget.
- 41. Operating costs to provide the Park Evening Lighting service would be an annual allowance including for re-turfing worn park areas, lighting maintenance and energy costs. All ongoing costs will be considered by Council as part of the 2024/25 budget

Relevant Legislation

- 42. Relevant legislative requirements include:
 - (a) Environmental Planning and Assessment Act 1979
 - (b) State Environmental Planning Policy Infrastructure 2007
 - (c) Crown Land Management Act 2016
 - (d) Local Government Act 1993

Critical Dates / Time Frames

43. Park evening lighting projects require long lead times for design, community consultation and approvals to be completed prior to the commencement of installation works. As community consultation has already been undertaken for Joynton Park, it is possible for this lighting installation to be completed during the 2024/25 financial year. It is anticipated that lighting can be installed in Joynton Park by June 2025.

Options

- 44. In contemplating a possible service enhancement for Park Evening Lighting at Joynton Park, the following options were considered:
 - (a) Night activation in some areas of Joynton, Tote and Nuffield Park The level of demand for passive recreation after dark is modest. Tote and Nuffield Parks are situated closer to homes and the impacts of this change are unlikely to be tolerable to the community for these locations.
 - (b) Do Nothing This option retains the current service provision, however it does not meet the preference expressed by the majority of the community.

Public Consultation

- 45. The City conducted a trial of park evening lighting in Joynton Park Zetland between April and October 2022 from 5pm to 10pm each night. The community were informed of the trial on 24 March 2022 via a letterbox drop. During the trial the City continued to monitor the use of the open space. The City did not receive feedback during this time that noise was an issue for nearby residents. At the conclusion of the trial a further letterbox drop was conducted to the local community advising of the removal of the temporary lighting and seeking feedback on the trial. The City also placed signs on-site that referenced further information about the consultation on the City's website. During the consultation period only 12 responses were received, which is not considered to be a meaningful number of responses for consultation purposes.
- 46. From 25 September to 23 October 2023, the City asked the community for feedback on a proposal to install permanent lights to the open lawn areas of Joynton Park, Tote Park and Nuffield Park in Zetland. Consultation activities included online engagement, a letter to residents, intercept surveys and project signage at the park.
- 47. During the consultation period, 360 submissions were received including 165 online surveys,192 intercept surveys and three email submissions. The Engagement Report relating to this survey is included in Attachment A.
- 48. Over 87 per cent of people responding to the survey supported park evening lighting to 10pm in the open grass area of a park as a permanent feature. The proposal was not supported by 40 respondents (11 per cent of people) and a further 4 respondents were unsure.
- 49. Making a safer, more enjoyable space was the most popular reason (89.45 per cent) people selected for lighting parks in the evening. Also, 61.7 per cent of people said they expect to visit a park more often if permanent lighting was installed.
- 50. The reasons given by people who did not support permanent park evening lighting were more noise (78.05 per cent), more light pollution (75.61 per cent) and more wear and tear on the turf (65.85 per cent). About 29 per cent of the people objecting to the evening park lighting also selected "Other" as a reason, however no additional data was collected in these circumstances.
- 51. Of the three parks proposed, Joynton Park was selected by 78.65 per cent of people as the most popular park to have permanent lighting installed. Only 32.16 per cent of people responding to the survey supported evening lighting in Tote Park, and 47.37 per cent of people supported evening lighting in Nuffield Park.

VERONICA LEE

Director City Services

Peter Shields, Chief Engineer

Attachment A

Engagement Report – Green Square Park Lighting

Engagement report

Green Square park lighting February 2024



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Background

The City of Sydney launched a six-month lighting trial in Joynton Park in April 2022. We installed five solar powered light towers to extend the usable hours of the park during winter and to make it safe and enjoyable for everyone.

The lights in the trial were turned on until 10:00pm every night.

We were then asked to engage the Zetland community to discuss the installation of permanent lights at Joynton Park, Tote Park and Nuffield Park to aid community safety and utility of these spaces during the dark winter months.

Engagement summary

From 25 September to 23 October 2023, we asked the community for feedback on a proposal to install permanent lights to the open lawn areas of Joynton Park, Tote Park and Nuffield Park in Zetland.

Consultation provided an opportunity for stakeholders and the community to review and comment on the proposal.

Consultation activities included online engagement, a letter to residents, intercept surveys and project signage at the park.

This report outlines the community engagement activities that took place to support the consultation and summarises the key findings from the consultation.

Purpose of the engagement

The purpose of the engagement was to:

- gather feedback from stakeholders and the community about the proposed lighting installation
- determine the level of satisfaction with the proposal in each park.

Outcomes from the engagement

Submissions received during consultation

We received a total of 360 submissions during the consultation period. This includes:

- 165 online surveys
- 192 intercept surveys
- 3 email submissions

Key findings

Feedback highlights

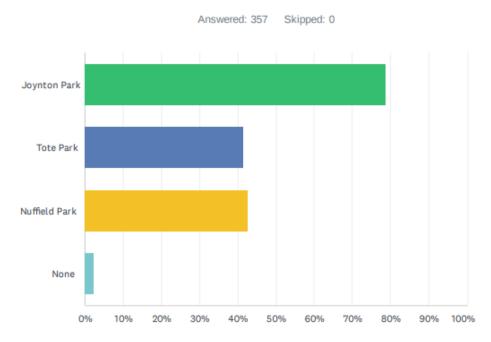
Key highlights from the survey results were:

- Joynton Park was the most popular park of the three, with 78.1% of people using it.
- Of the three parks proposed, Joynton Park was selected by 78.65% of people as the most popular park to have permanent lighting installed.
- Making a safer, more enjoyable space was the most popular reason 89.45% people selected for lighting the park.
- 61.7% of people said they expect to visit the park more often if permanent lighting was installed.
- Of the people surveyed, **95.32%** said they live locally.

Online feedback form

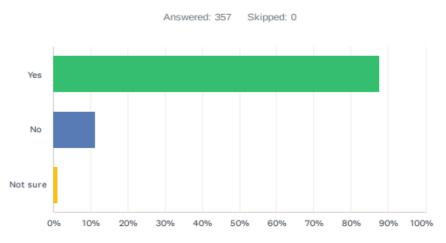
Residents were asked several survey questions to determine their feelings on the proposal. The results are below:

Q1 Which of the following park/s do you use?



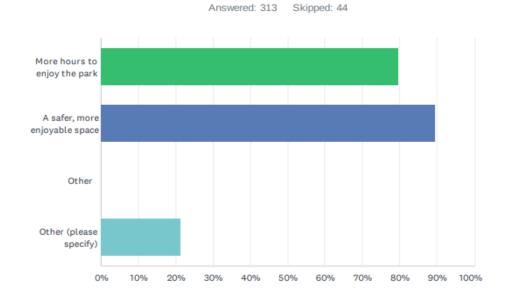
ANSWER CHOICES	RESPONSES	
Joynton Park	78.71%	281
Tote Park	41.46%	148
Nuffield Park	42.58%	152
None	2.24%	8
Total Respondents: 357		

Q2 Do you support making evening lighting (to 10pm) in the open grass area of the park a permanent feature?

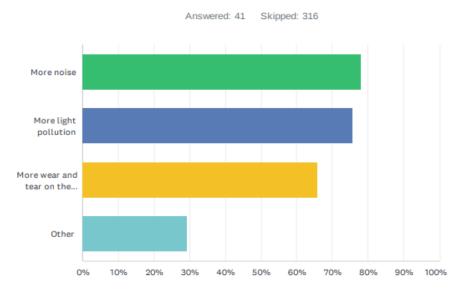


ANSWER CHOICES	RESPONSES	
Yes	87.68%	313
No	11.20%	40
Not sure	1.12%	4
TOTAL		357

Q3 Why do you support installing permanent lighting?



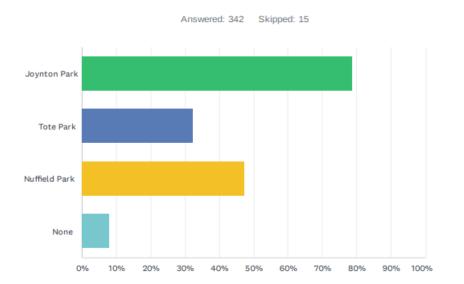
Engagement report



Q4 Why do you not support installing permanent lighting?

ANSWER CHOICES	RESPONSES	
More noise	78.05%	32
More light pollution	75.61%	31
More wear and tear on the turf	65.85%	27
Other	29.27%	12
Total Respondents: 41		

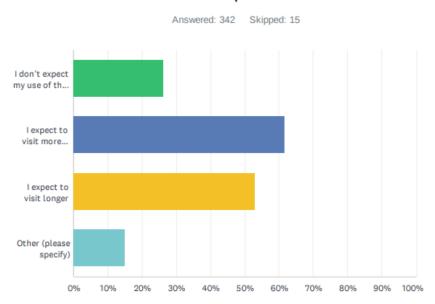
Q5 Which park/s in Green Square do you want permanent lighting installed in?



ANSWER CHOICES	RESPONSES	
Joynton Park	78.65%	269
Tote Park	32.16%	110
Nuffield Park	47.37%	162
None	7.89%	27
Total Respondents: 342		

Engagement report

Q6 In what way, if any, would permanent lighting change your current use of the park?



ANSWER CHOICES	RESPONSES	
I don't expect my use of the park to change	26.32%	90
I expect to visit more often	61.70%	211
I expect to visit longer	52.92%	181
Other (please specify)	14.91%	51
Total Respondents: 342		

Engagement activities

Overview of engagement

1. Sydney Your Say webpage

A Sydney Your Say webpage, <u>https://www.cityofsydney.nsw.gov.au/proposed-works-maintenance/your-feedback-proposed-design-robyn-kemmis-reserve-glebe</u> was created. The page included an electronic copy of the revised concept design, survey and other key information about the consultation.

2. Online feedback form via Survey Monkey

The community and stakeholders were able to give feedback using an online feedback form. A link to the feedback form was provided on the Sydney Your Say website.

3. Consultation letter

A letter was posted to residents, inviting them to give feedback on the proposal. 5,400 letters were distributed.

4. Signage

Twenty A3 signs were placed throughout the three parks directing people online to leave their feedback.