

7.2.1 Notice of Motion 1095 - Vaughn Court Christmas Lights display

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Recommendation(s)

That Council note this report in response to the Notice of Motion number 1095.

Executive Summary

This report is in response to Councillor Davies Notice of Motion #1095 that Council Officers will prepare and table a report for Council at the September 2024 Council Meeting, regarding the 'Vaughn Court Christmas Lights display'.

Councillor Davies acknowledged that the Vaughan Court Christmas Light show is a much loved, and now huge community attraction, and a report is needed to ensure Council has oversight of the risk management practices Council Officers, in collaboration with the Victoria Police provide, to protect the safety of our community as they enjoy this event.

Background

In the past few years, some Councils have stopped Christmas light displays, classifying them as events. This classification necessitates that residents assume responsibility for public liability insurance and traffic management expenses, which can be substantial. Such was the case with Casey City Council's and Banyule City Council's decisions.

However, the position within Cardinia differs. Here, Christmas light displays are not deemed organised events nor are they considered under Council's jurisdiction; thus, they are not categorised as events.

Council's definition of an event encompasses any gathering on public land within the municipality, or on private property that requires legal approval. Consequently, the community-led Christmas light displays, which are a collective effort by residents, do not fall under Council management.

Cardinia Shire Council's Event Permit Policy defines an event as:

- All events and festivals held in Cardinia Shire on Council managed spaces

The policy also states that:

- Events on non-Council-managed land may still necessitate additional permits and approvals from the Council or other governmental bodies.

In 2023, Council received three complaints via the Customer Response Management System (CRMS) concerning the Christmas light displays at Vaughn Court and Stanton Court in Pakenham. These included one from the community and two raised by a Councillor. No issues were reported in 2021 and 2022 through this system, although this does not account for any telephone inquiries made directly to Council as the number of phone enquiries are not captured.

During site visits in the festive season of 2023, Council's Senior Traffic Engineer visited the area around the Christmas light display at night. Despite the high volume of traffic and

pedestrians in the surrounding streets, particularly Vaughn Court and Stanton Court, no significant safety concerns were detected, with residents and visitors appearing to coexist cordially. Additionally, Compliance Officers made visits and reported few incidents. Council officers have not noted any traffic management measures, such as road closures, either in recent times or in the past.

Nevertheless, it is acknowledged by Council that the Christmas light display has had an impact on some residents. Issues such as increased traffic, parking congestion, elevated noise levels, large crowds, anti-social behaviour, and a rise in litter have been brought to Council's attention. The well-being of all community members remains a priority, and a balance is being sought to ensure that the festive spirit does not compromise the quality of life in the neighbourhood.

To assist in balancing these needs, in anticipation of the festive season of 2024, a letter drop will be initiated in early November 2024. This communication will remind property owners to ensure that their Christmas decorations, such as lights and displays, are sited in a manner that is clear for pedestrian movement.

Furthermore, Council is planning to provide additional waste collection services to Council owned bins during this period. Enforcement actions will be considered if any food or beverage vendors operate on Council land.

Council also reaffirms its commitment to work in partnership with Victoria Police. We will request regular patrols to oversee the area and maintain a visible presence, which will help deter any unwelcome activities. This ongoing collaboration underscores our dedication to ensuring a safe and enjoyable Christmas season for everyone.

In summary, Council is committed to supporting residents and addressing their concerns, balancing this with precautionary measures for community members wishing to celebrate festivities on their property. To this end, Council will

- Write to the residents in the location reminding them to keep areas clear for pedestrian movement.
- Increase waste collection services for Council bins in the area.
- Conduct random patrols to ensure food and drink vendors are not located on Council land and required to vacate if they are.
- Engage with Victoria Police to advocate for regular patrols in the area, thus ensuring a consistent and noticeable presence.

Policy Implications

Event Permit Policy – adopted 10/08/2022

Relevance to Council Plan

1.1 We empower our communities to be healthy, connected and resilient

1.1.4 Facilitate a partnership approach to create safer communities.

5.1 We practise responsible leadership

5.1.5 Champion the collective values of the community through the Councillors' governance of the shire.

Climate Emergency Consideration

There are no climate emergency considerations as part of this report.

Consultation/Communication

Council will distribute letters to residents and property owners in the local area, advising them to position their Christmas decorations, including lights and displays, in a way that does not obstruct pedestrian pathways. This initiative ensures that festive decorations enhance the holiday spirit while maintaining clear and safe passage for all pedestrians.

Financial and Resource Implications

This report does not present any large financial consequences. Officers will be present during the event, ad hoc and afterhours, to monitor the activities taking place.

Conclusion

It is requested that this report is noted as a formal response to Notice of Motion #1095, and the outlined activities proposed are noted.

Attachments

Nil