

Events and Festival Management Policy

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1. Purpose

The purpose of this policy is to provide to Event Organisers guidelines regarding the planning and management of events and festivals taking place on public land within the Federation Council.

This policy provides the framework for consultation and planning, aiming to assist organisers in understanding and complying with relevant Federal and State legal requirements, and their “Duty of Care” under Common Law.

Council is committed to safety, and strives to foster safety within the community by providing guidance in managing the inherent risks associated with events and festivals.

2. Background

Federation Council is committed to ensuring the successful planning and implementation of commercial and community events throughout the region. The social and economic benefit of events is something that Council recognises as being vital to the prosperity of the Council.

It sets out Council’s approach to event and festival requests on Local Government Land and public roads.

The objectives of this policy is to:

- Outline the Council’s role and set out criteria used by Council and Council staff when assessing the level of support provided to events and festivals in the Federation Council area.
- To establish and promote practices which minimise losses and provide a safe environment for event participants and the public.
- Promote safety awareness, support risk management strategies and implement processes to reduce risk.
- Provide Event and Festival Organisers with clear and helpful instructions.
- Recognise that successful events are planned and the result of a co-operative effort.
- Allow for more effective and co-operative planning.
- Plan, develop and maintain accessible and appropriate infrastructure and event spaces.
- Encourage capacity and support for the quality delivery of events and festivals.
- Build community spirit, encourage participation in cultural and recreational activities, support health and wellbeing, social inclusion and encourage volunteering.
- Increase economic development and enhance the Council’s as a premium tourism destination.

This Policy must be read in conjunction with the Federation Council’s Events and Festival Guidelines.

3. Scope

This policy specifically applies to Event Organisers hosting Commercial or Community Events held on Council owned or managed land and public roads.

The Policy does not apply to:

- Events or festivals on private land.
- Events in Council buildings.
- Activities of a small scale that do not interrupt the day to day running of the Council and usually only require a booking for the use of a Council venue or public space such as a street, park, sports ground or reserve. The Events and Festival Guidelines and Application Process do not cover the type of use, but instead organisers should apply using Council’s *Facility Hire Form*, or *Use of Sporting Facilities Form*.

4. Policy Statement

All events and festivals held in the Federation Council LGA on public land owned or managed by Council (including those spaces managed by 355 Committees of Council) require approval from the Federation Council.

Individuals and / or businesses wishing to hold an event on public land must submit an application with Council.

Event and Festival applications will be assessed in the first instance by Council staff. Applications that include any of the following elements may be referred to relevant other departments for consideration.

- Potential to attract a large crowd
- Potential for significant sensitivity, controversy or opposition to be generated
- Requirement for road closures

Council may withhold or withdraw approval for any event, which does not comply with Council's Events and Festivals Guidelines or conditions outlined in the event permit issued by Council.

If you are holding an event in the Federation Council Area and liquor will be consumed, you are required to comply with all requirements from Liquor and Gaming NSW. No alcohol is to be consumed at events held in designated Alcohol-Free-Zones or Alcohol-Prohibited-Zones, unless the event has obtained a separate one off exemption. Any event held in a public place must have a liquor licence if people want to consume alcohol. If the event is not licensed, the normal rules apply for alcohol-free zones.

Event Organisers conduct events at their own risk and must indemnify and hold harmless the Council against all claims resulting from any damage, loss, death or injury in connection with the venue used.

Events or festivals that are open to the public on Council or community land must provide evidence of minimum \$20 million public liability insurance before they can be approved.

The full process for assessing event applications is outlined in the Federation Council's Events and Festival Guidelines.

5. Responsibilities

Council is responsible to:

- Ensure the event approval process meets relevant legislative requirements.
- Process all community and commercial event applications on Local Government Land and roads.
- Issue a permit to Event Organisers, which details the requirements of the event or festival and the conditions that promote best practise models of event management.
- Issuing permits relevant to event management such as the use of amusement devices, busking, the selling of goods, built infrastructure, and serving of alcohol and food.

Council can apply conditions against the approval of a number of other permits such as Authority to Fundraise (NSW Fair Trading), Liquor Licencing (Liquor and Gaming NSW), and fireworks (SafeWork NSW).

Applications for events or festivals likely to impede local traffic movement need to be reviewed at the Local Traffic Committee meeting (this committee consists of a Council representative, Council's Director of Engineering Services and representative from Transport for NSW and the NSW Police).

Event Organisers who wish to hold events on Council owned or managed land are responsible to:

- Ensure that all required permits are obtained with the relevant departments at Council and any relevant legislation is complied with.
- Advice or obtain written approval or licences from other relevant organisations such as WorkSafe NSW, NSW Police, Transport for NSW, Liquor and Gaming NSW, and Fire and Rescue NSW or NSW Rural Fire Service.
- Abide with all legal and Council requirements detailed in the Federation Council's Events and Festival Guidelines.
- Submit to Council the event application at least six weeks prior to the proposed commencement of the date of the event (Notification to close a road requires a minimum of 4 months prior).
- Ensure events and festivals are planned and managed in a safe and equitable manner.

6. Definitions

Event Organiser

The individual or group responsible for the planning and execution of an event or festival. This person will be the main contact for Council in relation to the event or festival application.

Local Government Land

Defined under Section 68 of the *Local Government Act 1999*. All local government land that is owned by Council or under Council's care, control and management at the commencement of this section (the *commencement date*) is taken to have been classified as public land unless –

- a) The council resolves to exclude the land from classification as community land within three years after the commencement date; and
- b) The land is unaffected by provisions of a reservation, dedication, trust or other instrument that would prevent or restrict its alienation.

'Land' includes footpaths, and parks, venues, facilities and sports grounds.

LGA

Local Government Area

Stakeholders

Those people and organizations who may affect, be affected by or perceive themselves to be affected by, a decision or activity

Commercial Events and Festivals

Means events and festivals conducted for marketing, promoting or selling a service or product, or for providing entertainment for profit. They may provide direct benefit to the local economy by attracting visitor numbers to the area or provide the area with local, national or international recognition.

Community Events and Festivals

Means those events or festivals that create and foster a positive community spirit through volunteering, participation, relationship building and cooperation. They may provide opportunities for recreation, entertainment, celebration and education. Typically held by not-for-profit organisations to celebrate or remember significant events or to fundraise for community initiatives or charitable purposes.

Council Run Events and Festivals

An event initiated and managed by the Council.

Private Events or Festivals on Council or Community Land

Means events held for private purposes that generate no revenue to the organiser. The event is generally not granted or guaranteed exclusive use of any public area. Such as wedding ceremony, family picnic, birthday celebration.

7. References & Associated Documents

Legal and Regulatory Requirements

- WHS Act 2011
- Building Code of Australia and relevant Australian standards requirements.
- Environmental Planning and Assessment Act 1979.
- Food Act 2003 and the Food Standards Codes.
- Local Government Act 1993.
- Road Transport (Safety and Traffic Management) Act 1999.
- Liquor Act 2007.
- Protection of the Environment Operations (Noise Control) Regulation 2008.
- Smoke Free Environment Act 2000.
- NSW Explosives Act 2003, and the Explosives Regulation 2013-Fireworks.
- Australasian Performing Right Association (APRA) licence.
- Marine Safety Regulation 2016 and Maine Aquatic Licence Requirements.
- Lotteries and Art Unions Act 1901 *and the* Lotteries and Art Unions Regulation 2014.
- Charitable Fundraising Act 1991.

Relevant Policies

- Risk Management Policy
- Section 355 Committee Policy
- Welcome to Country and Acknowledgement of Traditional Owners Policy.

Event Application Documents

- Events and Festival Guidelines
- Events and Festival Application Form
- Risk Assessment Template
- Amusement Device Application
- RMS Special Event Transport Management Plan template
- Notice of Intention to hold a Public Assembly

8. Policy History

Version	Date	Changes / Amendments
1	Nov 2016	Adoption of Events and Festival Management Policy (117/16FC)
2	2017	New Template only
3	13/01/2020	Updates to the definitions and legislative sections

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