

# EVENT TERMS AND CONDITIONS



## DEFINITIONS

### Approval

A written order issued by the City of Holdfast Bay, granting special permission to conduct your event in accordance with the terms and conditions.

### Event Organiser

The authorised individual or representative of the organisation conducting the event as nominated on the Event Application.

### Event Application

The Event Application must be completed in full to apply to conduct an event in a park, open space or street within the City of Holdfast Bay.

### Council

Refers to the City of Holdfast Bay.

### Event Team

The City of Holdfast Bay event team, who will assist you in the safe and successful planning of your event.

### Remediation

The action of fixing something, in particular the reversal of damage.

### Tested and Tagged

Is a generic name given to the process of visually inspecting and electrically testing in-service electrical equipment for public and personal safety which must be undertaken by an accredited person or licensed electrician.

## GENERAL

- To apply to hold an event within the City of Holdfast Bay, the Applicant/Event Organiser must complete an [Event Application Form online](#). The application must be received and approved at least six (6) weeks prior to your event date. The application for a major event must be submitted 3 months prior to the event date.
- Council areas and reserves will not be held unless a completed application has been received and accepted.
- The submission of this application does not imply the booking is confirmed; it is a registration of interest only.

This also applies for events that have occurred previously or are happening on an ongoing annual basis.

- Approval for an event is only final once the Event Application has been reviewed by council and the approval email has been provided by your designated event team member.
- The Event Approval email is non-transferable and is only valid for the date and time specified.
- Failure to submit the required documentation by the deadlines and make payment of all fees can result in the cancellation of your Event Approval.
- Council will not accept any liability for loss, damage or any financial consequences as a result of the Event Approval being cancelled or revoked.
- The Event Approval Holder, where appropriate, shall ensure that it is licensed or registered to carry out the activity authorised by the issuing of this permit.
- Whilst the Event Approval allows the Approval Holder to use a designated space or facility for a specific purpose, the Event Organiser will not prevent other people from using other areas surrounding the approved event site.
- The Event Organiser shall comply with and give all notices required by any Legislation, Regulation or By-Law relating to their activity. In particular, participants agree to comply with the Food Act of 2001 and Food Safety Standards, the Liquor Licensing Act 1997, the Fire and Emergency Services Act 2005 and the Work Health and Safety Act 2012.
- Event Approval Holders must ensure that at all times they have sufficient numbers of persons (over the age of 18 years) available to properly supervise and manage all activities on the site or facilities (including amenities).

## NON-APPROVAL OF EVENT APPLICATION

Event application assessments are guided by the councils [Events Strategy](#). Council reserves the right to refuse the hire of any Council reserve or foreshore area at its discretion. Such circumstances may include, but are not limited to:

- Submission of inadequate, incomplete or misleading information or lead time to assess an application.
- Undesirable impacts on and/or unreasonable inconvenience to the general public, local residents and businesses.
- Concerns from the Event Team that the Applicant/Event Organiser does not have the resources and necessary experience to suitably manage the activity. [holdfast.sa.gov.au](http://holdfast.sa.gov.au)



- Unpredictable and/ or controversial aspects of a proposed event.
- Conflicts with other events already approved for the area.
- Inability to provide required licences, permits, certificates, etc.
- Submission of an application to hold an event that is not consistent with Council's values and objectives.

## INDEMNITIES AND INSURANCES

### PUBLIC LIABILITY INSURANCE

Council requires the Applicant/Event Organiser to have Public Liability Insurance to a minimum value of twenty million (\$20,000,000) dollars in the events legal organisation name or governing body. The Applicant/Event Organiser must ensure that the insurance provides coverage for the specific event location. All large and major events must list the City of Holdfast Bay as an interested party on their insurance policy. Council will not accept liability for any personal injury, loss or damage that may occur to participants or third parties or their property as a result of staging an event. A copy of a current Public Liability Insurance Certificate of Currency must accompany the application and final approval will not be given until it is received.

### LIMITS ON COUNCIL'S LIABILITY

The Applicant/Event Organiser agrees to indemnify and to keep indemnified the Council, its servants and agents and each of them from and against all actions, costs, claims, charges and expenses whatsoever which, may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of an approval to conduct an event on property under the care, control and management of Council. The Council is not responsible for any loss of or damage to any fixtures, fittings or personal property of the Event Organiser or event attendees.

### EVENT ORGANISER'S RESPONSIBILITIES

The Applicant/Event Organiser responsibilities include full responsibility for any damage to Council property, loss of Council property, or breaches of the [Noise Management Fact Sheet \(noise process\)](#) during the hire period. If any damage or loss occurs, a notice will be issued specifying the cost required for repair or replacement, or the penalty for breaching the noise process. To ensure immediate availability of resources for site remediation and deter compliance breaches a bond amount will be calculated for each event. Costs incurred by Council for site damage/loss and non-compliance with noise process will be deducted from the bond monies, and if necessary, an invoice will be issued for any additional amount required.

The purpose of the bond is to hold event organizers accountable, provide funds for site damage remediation immediately, and discourage noise management process procedure breaches.

The Applicant/Event Organiser is responsible for the safety of event participants and spectators at all times. Council will not accept liability for any personal injury, loss or damage that may occur to participants or third parties or their property as a result of staging an event. The Applicant/Event Organiser is responsible for ensuring all conditions are met by their staff, contractors and/or any other party.

## OPERATIONAL REQUIREMENTS

### RISK MANAGEMENT PLAN

A detailed risk management plan for your specific event/activity in relation to the event site must be provided to the Event Team prior to your event. Final approval will not be given until it is received. The plan must demonstrate that all potential risks have been identified and considered. A risk management template can be obtained from our website.

### EVENT SITE MAPS

A detailed site map must be provided as an attachment to the event application. The map must be reviewed for approval by the Event Team prior to placement or installation of any equipment or infrastructure on Council property. The Event Application will be approved based on the site map that accompanies the application. Should you wish to alter the approved event site layout, you must first seek approval in writing from your designated Event Team Member. Maps and details of reserves and the foreshore areas can be obtained from our website.

### NOTIFICATION OF EVENT

The Applicant/Event Organiser is responsible to advise all emergency service organisations of their event. Where advised by the Event Team, the Applicant/Event Organiser must produce and circulate a Council approved resident notification to local residents and businesses. An example of a resident and business notice can be provided by Council. A resident and business notification must be delivered by the Applicant/Event Organiser a minimum of fourteen (14) days prior to the event. Please inform the Event Team once completed.



## SAFETY AND LICENSING INFRASTRUCTURE

Dependent on the size and nature of infrastructure relating to the event, developmental approval may be required prior to erection of any infrastructure or advertising display as per the Development Regulations 2008. A certificate from a qualified installer or engineer confirming that the temporary structures have been erected in accordance with appropriate specifications may also be required prior to the start of the event. All non-fixed items (umbrellas, displays, signage etc.) must be suitably anchored to prevent 'wind lift off' and will be in a safe condition.

### DRY ZONES

The City of Holdfast Bay has [three permanent Dry Zones](#) (regulated by Long-Term Legislation) located at Glenelg, Brighton, and Seacliff. These Dry Areas are in effect 24 hours per day all year round. A liquor licence is required if the service or supply of liquor is intended as part of an event. The Consumer Business Services in conjunction with Council's Event Team, Liquor Licensing Officer and South Australian Police must approve liquor licence applications.

Liquor licences require suitability approval and accredited security personnel. Additional restrictions could apply. For more information regarding applying for a liquor licence, please contact the Consumer Business Services.

### SECURITY

It is the Applicant/Event Organiser's responsibility to engage security services when event infrastructure and/or equipment remains on site overnight or as part of the approved liquor licence and is a prerequisite to approval.

### ACCESS TO POWER

Access to power for an event at some event sites can be arranged through the Event Team. A key will be provided and must be returned within 5 working days post event. Failure to do so will result in a \$50 reduction of the bond fee.

All electrical fittings and equipment are to comply with SafeWork SA and Council regulations. Please ensure that all power supply requirements are included in the event application form. Electrical equipment used at events in the City of Holdfast Bay must be tagged and tested for the safety of staff and attendees.

If the equipment is not tagged, not in approved cable covers, or is found to be faulty by a Council representative, Council reserves the right to request that the item be disconnected or removed until the hazard has been rectified or the event will be shut down. Please ensure that electrical leads do not create a trip hazard for the safety of attendees.

They must be placed in cable trays or raised 2.75m above walking areas (includes grassed areas) and 6m above roads (or places where vehicles are likely to traverse). It is the responsibility of the Event Organiser to ensure all services suppliers are made aware of their legal obligations and that all safety precautions regarding power supply and power cords are taken (as per AS/NZS 3002:2021 Electrical Installations – Shows and Carnivals and AS 3533 – Amusement Rides and Devices or the current replacement standards).

Any electrical work must be completed by a qualified electrician in accordance with AS/NZS2003:2021 and a Certificate of Compliance must be supplied to the Applicant/Event Organiser and to your account manager. If there is a power outage during the event, it is the responsibility of the Applicant to coordinate an alternate supply.

### AMUSEMENT STRUCTURES

Amusement structures are only permitted at public events within the City of Holdfast Bay with Council approval. A current copy of SafeWork SA Certificate of Amusement Structure Registration must be submitted to the Event Team at least six (6) weeks prior to the event. Points addressing the amusement structure need to be included in the Risk Management Plan. Please ensure the amusement structure operator holds valid Public Liability Insurance to the value of twenty million (\$20,000,000) dollars. Please note that no inflatable structures will be approved for use on foreshore areas.

#### All amusement devices must also have:

- Certificate of annual inspection issued by a professional engineer and qualified electrician.
- Appropriate space and suitable ground surface allocated for each ride, including access and egress for patrons.
- Adult supervision at all times.
- Appropriate fencing surrounding rides.
- Appropriate soft-fall area for inflatable structures
- Consideration of the location of overhead electric lines, overhanging trees, sloping ground and drainage; and
- A risk assessment and emergency plan that covers the devices.



## **PYROTECHNIC DISPLAYS ASSOCIATED WITH APPROVED EVENTS**

Requests to hold fireworks display at approved events within the City of Holdfast Bay will be assessed on a case-by-case basis. A request will not be considered unless the display is being conducted by a licensed pyrotechnician.

The pyrotechnician will also be required to provide evidence of their current public liability policy (for the amount of \$20,000,000). Fines of up to \$5,000 (enforced by the State Government) apply for possessing or using fireworks without a licence.

## **CLEANING AND WASTE MANAGEMENT**

### **PROVISION OF TOILETS**

The Applicant/Event Organiser must provide an appropriate number of portable toilets to cater for the needs of the expected number of participants and spectators. The number of required toilets is a variable with factors such as the event duration and licensing. Event organisers should be guided by their provider with many companies having online calculators. Toilets should be delivered to the approved site pre-filled with water and must be regularly cleaned and stocked with relevant items i.e. toilet paper and soap for the duration of the event.

### **WASTE MANAGEMENT**

The City of Holdfast Bay is a state leader in sustainable waste management with a high landfill diversion rate of 59%. The Council expects Event Organisers to incorporate a three-bin system (general waste, recycling, green organics) into their waste management plan, which should be provided to council as part of their event application. Reducing the amount of waste going to landfill that could otherwise be recycled or composted is a major priority. If applicable, a waste management compound on or adjacent to the event site for larger skip bins is to be set up. This area must be surrounded by temporary fencing covered in black plastic or hessian to shield the area from the general public for aesthetic and safety reasons.

The event site should be regularly checked to ensure these systems are sufficient and a clean-up must happen at the end of each day of hire before exiting the site. Any wastewater generated during the event must be disposed of through sullage via a waste contractor.

Do not dispose of wastewater on Council land and penalties apply if wastewater is disposed of in stormwater gutters/pits.

### **VACATING THE SITE**

The event site must be left in a clean and tidy condition and all debris, especially cable ties, metal stakes/fragments, empty bottles, food scraps etc., must be removed by the user immediately after the event. The Event Organiser must ensure there is no damage to any area of the event site including all grassed and/or paved areas, footpaths, and kerbs. Failure to do so will entitle Council to employ the necessary labour to clean up the site, the cost of which will be recovered from the licence holder. Any costs incurred by Council to repair any damaged infrastructure directly caused by failure to clean up following the event will also be passed onto the Applicant/Event Organiser.

## **ROAD CLOSURES AND TRAFFIC**

### **MANAGEMENT**

#### **VEHICLE ACCESS**

The Applicant/Event Organiser must seek approval from the Event Team for all essential event vehicles to access foreshore and reserve areas associated with the event set up and pack down. Once a vehicle is unloaded/loaded it must be driven off site and into public parking areas. It is the responsibility of the Applicant/Event Organiser to ensure that all persons participating and/or attending the event are made aware of this condition.

Any request for vehicles to remain on a reserve or foreshore area must be made in writing to the Event Team and only essential vehicles that are deemed vital to the operations of the event will be permitted to remain on site at the discretion of the Council. All requests are subject to approval and are not guaranteed. Vehicles must stay on formal paths or hard surfaces wherever possible. During times of vulnerable ground conditions, such as after heavy rain. Council will discuss with you any extra restrictions that may need to apply.

#### **VEHICLE DISPLAYS/CAR SHOWS AND ROAD MARSHALS**

Approved display vehicles will be permitted to drive and park on Wigley Reserve or Colley Reserve when participating in a vehicle display. To implement a vehicle display, the following must occur:

- Traffic Marshals must be present at the vehicle entrance of the reserve to control entering and exiting vehicles.
- Vehicles will only be permitted to enter and exit the reserve during the agreed entry and exit times and must stay for the event duration except in the case of an emergency.
- Each vehicle participating in the event must be registered with the Applicant/Event Organiser.

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## TEMPORARY ROAD CLOSURES AND TRAFFIC MANAGEMENT

All requests for road closures or traffic management in relation to the event must be included in the Event Application Form. Temporary road closures have specific times of operation and conditions and will be implemented in accordance with legislative requirements under the Road Traffic Act 1961, special powers delegated to SAPOL and/or under the Local Government Act 1999. Road closures must be advertised in accordance with Road Traffic Act.

Event organisers are required to engage a reputable external traffic management company to create a Traffic Guidance Scheme (TGS) or Traffic Management Plan (TMP). The TGS or TMP needs to be submitted via email to SAPOL Traffic Planning Coordinator [Chris Holland](#) for review:

- 30 days for small/medium event (two weeks minimum).
- 60 days for major event.

After review, SAPOL will provide a Section 33 Approval for the requested road closures. All plans need to be shared with the Events Team, who will provide feedback if required. All fees that apply for the planning, advertising, implementation, and supervision of traffic management and/or temporary road closures will be the responsibility of the event organiser.

An approved resident and business notice must be distributed a minimum of fourteen (14) days prior to the event to the affected residents and businesses.

## PEDESTRIAN AND CYCLING PATHS

Except with express permission of Council, all pedestrian and cycling paths must not be obstructed in any manner either during set up, pull down or the duration of the event.

## ADVERTISING AND SIGNAGE

Advertising is not permitted on Council property without written permission from the City of Holdfast Bay. Council does not accept responsibility for the content of any advertising conducted by the Applicant/Event Organiser.

## ENVIRONMENTAL HEALTH VENDORS

The distribution of free food/product sampling as part of marketing activations cannot be undertaken on Jetty Road, Moseley Square, Glenelg Foreshore, Glenelg Beach and Brian Nadilo Reserve. Events located in these areas who wish to provide catering are encouraged to use Jetty Road traders in the first instance. If you wish to engage external caterers, they must hold a valid Food Permit from the City of Holdfast Bay. See Food and Beverage for further information.

## MERCHANDISE

If stall holders (merchandise, fundraising, information etc.) are participating at the event, the Applicant/Event Organiser must provide a list of participants on the application form. It is the Applicant/Event Organiser's responsibility to ensure that each stall holder has the required twenty million (\$20,000,000) dollars Public Liability Insurance, otherwise the Applicant/Event Organiser agrees to include the stall holder in the overall event insurance.

Please be aware of the following Council By-law 3, Clause 9.17 Distribution and under Section 23 of the Local Nuisance and Litter Control Act 2016: No person shall without permission on any local government land give out or distribute any handbill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any handbill, book, notice, leaflet or other printed matter other than matter of a government or political nature, provided that such matter would not jeopardise public order because it is offensive, insulting or might otherwise encourage a breach of the peace.

## FOOD AND BEVERAGE

The following is applicable for mobile food vendors and are requirements under the Food Act 2001:

- Mobile Food Vendors must submit a permit Application with supporting documentation at least 5 days prior to the Event to allow sufficient time to issue a permit. The [web form](#) is available on Council's website.
- Mobile food vendors must include the name of the garaging Council on the application.
- Mobile food vendors are required to provide a current copy of their Public Liability Insurance to a minimum value of \$20 million with proof of food business notification. This can be a food business notification letter from the garaging/local Council where the food vendor is permanently situated or last food safety inspection report.

Council will only consider applications that include all supporting documentation. Permits are valid until the end of the current financial year. All Mobile Food Vendors are required to comply with the requirements of the Food Act 2001 and associated Food Safety Standards. On Council's website, you will find free training and information that assist mobile food vendors to produce food that is safe and suitable along with the Minimum Standards for the Operation of a Temporary Food Stall factsheet. Environmental Health Officers (EHO) regularly inspect mobile food vendors at events.

If the requirements under the Food Act 2001 are not met, mobile food vendors may be asked to comply with a direction of the EHO or may be asked to leave the event if compliance is not achievable.

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Commented [A1]: Interesting to see this I hadn't realised this was here, in light of recent conversations about promo pop ups in Moseley



Mobile Food Vendors can only sell food and beverages in the City of Holdfast Bay with a valid food permit. The permit must be produced when requested by an EHO, failure to do may result in the EHO requesting the vendor to leave the event. It is the responsibility of the Applicant/Event Organiser to notify mobile food vendors of the Food and Beverage requirements.

### ANIMALS

If there is an animal nursery or petting zoo at the event it is important that the Event Organiser ensures that any animal faeces are removed immediately, so that no health risk or inconvenience arises. Event Organisers are required to provide a copy of the contractor's Public Liability Insurance (minimum \$20 million) to your designated Event Team Member.

Full hand washing facilities must be provided, consisting of running water (i.e. from a water container or similar), soap and paper towel, hand sanitiser is not to be used as a substitute. A bucket or similar to collect the wastewater is also required. The wastewater must be disposed of appropriately (i.e. in a sullage tank, sewer drain). Animal nurseries and petting zoos must comply with the requirements of [Animal Contact Guidelines](#) to ensure there is no risk to public health.

### NOISE MANAGEMENT

The City of Holdfast Bay is committed to ensuring that events held in our community are enjoyable for all, while also minimizing noise impacts on nearby residents and businesses. To this end, we have developed a comprehensive [Noise Management Process Fact Sheet](#) that all event organizers must adhere to.

## COUNCIL GROUNDS AND FACILITIES

### INSTRUCTIONS FOR THE PROTECTION OF COUNCIL LANDS AND ASSETS

- Pre and post event inspection completed with both event and council representative.
- Irrigation and mainline will be marked upon request.
- Before and after photos will be taken.
- Discussion around their site layout (orientation of infrastructure) look for opportunities to move infrastructure to a hard surface.
- Opportunities to continue to irrigate during multi day events.
- Must not peg within a metre of the mainline.
- Do not peg on a 45 towards the mainline.
- Do not peg within the dripline (under the canopy) of a tree.
- Expectation to return reserve back to public in a reasonable state as quickly as possible post event.
- Under no circumstances should anything of significant weight be attached or hung from any shelter, handrail,

building or structure, this includes the use of such facilities for fitness activities such as pull-ups and chin-ups etc.

- Vehicle movement or parking within the root zone of trees is not permitted.
- Under no circumstances are nails, screws or other fixtures to be used on any part of a tree. No signage or event infrastructure can be affixed to trees at any time. No tree pruning is permitted by the Event Organiser.
- Event Organisers are asked to respect significant sites and memorial structures within the Council's parks and open spaces by ensuring that any event infrastructure is kept well clear and event patrons are not allowed to interfere with or climb on structures.

### GRASS REMEDIATION LEVY

The purpose of the grass remediation levy is to ensure parks and reserves that are utilised for events continue to be maintained to a premium standard. The grass remediation levy is specific to each event and will be discussed with your Event Team contact.

### USE OF PLAYGROUNDS AND BARBECUES

Exclusive use of BBQs and playgrounds is not permitted. Playgrounds and BBQs must always remain accessible to the general public. Use of portable barbecues is permitted provided residue is removed from the reserve and not left on the grass surface or in litter bins. Barbeque fires are not permitted on days when a total fire ban is declared for the inner-metropolitan area. More information regarding the use of BBQs and flames can be sought from the CFS Hotline (1300 362 361).

### UNDERGROUND SERVICES

Events which have infrastructure (e.g. marquees, bouncy castles, signage, etc.) that require pegging/anchoring into the ground must ensure that underground services are located and marked. Council will only take responsibility for marking out its own infrastructure (i.e. irrigation lines and low voltage irrigation cables). Council will identify the irrigation system through a series of lines marked within the required area. It is the responsibility of the Event Organiser to ensure pegging of any structure is not within one metre of any mark out line. Any damage that occurs through not adhering to this guideline will be at the cost of the event organiser. It is the responsibility of the Event Organiser to locate other services such as gas, electricity, communications, and sewer using [Before you Dig](#). Event Organiser will need to arrange a cable location for the event site. Most parks and open spaces are irrigated with recycled water. Under no circumstances are you permitted to plumb into irrigation or recycled water lines.

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## **CANCELLATION**

### **ADVERSE WEATHER CONDITIONS**

As the event organiser, it is your responsibility to monitor the weather conditions in the lead up and on the day of your event and make the determination whether or not it is safe for your event to proceed. If an event is cancelled due to extreme weather, all hire fees will be refunded. A refund will not apply where the event was deemed to have commenced prior to cancellation. Extreme weather will be defined as weather that threatens the immediate or long-term safety of individuals, as a result of rain, lightning, wind or temperature.

### **CANCELLATION OF EVENT**

If you need to cancel your event, please notify Council no later than 10 business days prior to the scheduled event set up date. If an event is cancelled less than 10 business days prior to the approved and scheduled date, any hire fees incurred may be forfeited. The City of Holdfast Bay reserves the right to revoke an

Event Permit or cancel or postpone an event if Council staff determines that:

- The continuation of the event in extreme weather conditions is likely to cause significant damage to the event area or has to the potential to pose a risk to public safety.

You will be consulted prior to any determination being made by the City of Holdfast Bay to revoke the Event Permit or cancel or postpone your event.

### **NON-COMPLIANCE**

Approval is liable to be revoked by Council if the Applicant/Event Organiser fails to comply with any condition outlined in the Event Conditions or in any other justifiable circumstance. The Event Team and/or Council's decision will be final and reserves the right to withhold any monies paid.