

# DRAFT EVENTS MANAGEMENT POLICY

QUALITY CONTROL			
<b>EDRMS REFERENCES</b>	D24/34469		
<b>RESPONSIBLE POSITION</b>	Community Development Coordinator Director Corporate and Community		
<b>APPROVED BY</b>	General Manager		
<b>REVIEW DATE</b>	July 2028	<b>REVISION NUMBER</b>	1
<b>EFFECTIVE DATE</b>	<b>ACTION</b>	<b>MINUTE NUMBER</b>	
18/12/2024	Public Exhibition		

## 1. INTRODUCTION

Broken Hill City Council is a keen supporter of events and festivals in the Council's Local Government Area (LGA) and recognises the important role they play in the liveability of the City. Depending on the nature and scale of the event or festival, they have the potential to deliver significant economic, environmental, social and cultural benefits to the region.

The purpose of this policy is to provide Event Organisers with guidance regarding the planning, approval processes and management of events and festivals taking place on public land within the Broken Hill City Council LGA.

This policy provides the strategic framework for consultation and planning, aiming to assist organisers in understanding and complying with relevant Federal, State and local legal requirements and their "Duty of Care" under the NSW *Work Health and Safety Act 2009* and Common Law in NSW.

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

Council is committed to ensuring the successful planning and implementation of commercial and community events throughout the City. The social and economic benefit of events is something that Council recognises as being vital to drive growth in the liveability and cultural experiences within the City.

This policy sets out Council's approach to event and festival requests to be held on Council property, Local Government Land and public roads. The objective 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 Broken Hill City Council LGA.

- 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.
- Recognise that successful events are planned and the result of a co-operative effort.
- 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 LGA as a premium tourism destination.

This Policy should be read in conjunction with the Council's Events Guide. Council has terms and conditions relating to the types of events conducted in specific venues and facilities.

### **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.

### **4. POLICY STATEMENT**

All events and festivals held in the Broken Hill City Council LGA on public land owned or managed by Council require approval from Council. Some ovals and sporting complexes managed by S355 Committees of Council have delegation to approve and manage events, excluding some major ticketed events such as live concerts.

Individuals and/or businesses wishing to hold an event on public land must submit an event application to 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 to generate significant sensitivity, controversy or opposition.
- Requirement for traffic management.

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

If the holding of an event in the Broken Hill City Council Area will involve liquor being consumed, the event organiser/owner is required to comply with all requirements from Liquor & 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 appropriate \$20 million public liability insurance appropriate to the event activities before they can be approved.

## **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/approval 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/approval 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 & 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 and representatives from Transport for NSW and the NSW Police).

Event Organisers who 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.
- Advise or obtain written approval or licences from other relevant organisations such as SafeWork NSW, NSW Police, Transport for NSW, Liquor & Gaming NSW and Fire and Rescue NSW.
- Abide with all legal and Council requirements detailed in the Council's Event Guide and any approval conditions for the event.
- Submit to Council the event application which meets the minimum notice period for the proposed commencement of the date of the event as detailed in Council's event guide and booking systems (or Event Management Framework, (internal use only)).
- Ensure events and festivals are planned and managed in a safe and inclusive manner.

## **6. DEFINITIONS**

### **6.1 Event Organiser**

The individual or group legally responsible for the planning, booking, managing and execution of an event or festival. This person will be the main contact for Council in relation to the event or festival application and be considered as holding primary responsibility for management of the event.

### **6.2 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.

### **6.3 LGA**

Local Government Area

### **6.4 Stakeholders**

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

### **6.5 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.

### **6.6 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 State and National days of recognition or to fundraise for community initiatives or charitable purposes.

### **6.7 Council Run Events and Festivals**

An event initiated and managed by the Council.

### **6.8 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 eg wedding ceremony, family picnic, birthday celebration.

## **7. LEGAL AND REGULATORY REQUIREMENTS**

- *Work Health and Safety 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
- *Lotteries and Art Unions Act 1901* and the Lotteries and Art Unions Regulation 2014
- *Charitable Fundraising Act 1991*

## **8. RELEVANT POLICIES/Frameworks**

- Enterprise Risk Management Policy and Framework
- Contractor Management Framework
- Event Management Framework
- Draft Community Events Framework
- Events Guide
- Events Application Form
- Risk Assessment Template