

POLICY

Policy Name	Festivals and Events Policy
Policy Category	Service Provision
Department / Officer	Community and Development/Manager Planning and Activation
Date Adopted	1 May 1996
Date/s Reviewed	22 August 2011; 29 January 2013, 23 September 2013, 25 May 2020
Review Frequency	Every Three Years
Strategic Plan Reference	Objective 2 - Attractive lifestyle and inclusive community Approach 2.5 – Cultivate a vibrant community culture Strategy 2.5.1 – Facilitate and support arts and cultural activities, festivals and events
Attachments	Nil

1. Purpose

The purpose of this Policy is to define:

- Council's role in enhancing the range and quality of festivals and events held within the City of Victor Harbor.
- Council's objectives for supporting a vibrant festivals and events program.
- The sponsorship of festivals and events by the Council.
- Council's approach to the approval of temporary events occurring on Council land and the closure of roads for the purpose of events

2. Scope

This Policy applies to any person, group or organisation proposing to stage a festival or event, on Council land or public road, within the City of Victor Harbor area, including where Council is the principal event organiser.

3. Policy Statement (Summary)

The City of Victor Harbor is committed to fostering a vibrant festival and event culture that delivers social, economic and promotional outcomes for the community.

The City of Victor Harbor will seek to:

- Support respectful co-existence between events and the local business community and residents, aiming for collaborative business and social opportunities, by ensuring a good fit between an event type and an event site.

- Aim to strike a balance between stimulating quality events and the environmental and community impacts.
- Consult impacted community and businesses as far in advance as possible of an upcoming event.
- Support event organisers to hold welcoming, accessible and safe events that enhance Victor Harbor's brand.
- Support events that encourage community participation and interaction.
- Encourage events that support off-season visitation to the city.

4. Legislation and Compliance

The relevant legislative framework for managing events in Victor Harbor is provided by (but not limited to) the:

Road Traffic Act 1961 (Sections 17, 20 & 23): Instrument of General Approval and Delegation to Council 'Use of traffic control devices, road closure and granting of exemptions for events'

Victor Harbor Community Land Management Plan

Road Traffic (Miscellaneous) Regulations 1999

Disability Discrimination Act 1992

Environmental Protection Act 1993

Public Health Act 2011

Tobacco Products Regulation Act 1997

Work Health Safety Act and Regulations 2012

Liquor Licensing Act 1997

The City has a designated and gazetted alcohol free zone (dry zones) encompassing the foreshore between the Hindmarsh and Inman Rivers and most of the Central Business District.

5. Definitions

Council means the City of Victor Harbor as constituted under the *Local Government Act 1999*.

Commercial Events are events that are managed by commercial / business operators that seek to make a profit.

Community Event means an event typically held by not-for-profit organisations to celebrate or remember significant events or to fundraise for community initiatives or charitable purpose. Community events create and foster a positive community spirit through participation, volunteerism and co-operation and provide opportunities for recreation, entertainment, celebration and education.

Council Event means events that Council initiates, event manages, and carries the full responsibility and risk management for.

Council Land is defined as all land owned by the Council or under the Council's care, control and management.

Council Road is an area that is open to or used by the public and is developed for, or has one of its main uses, the driving of motor vehicles.

Event means a public or private planned gathering on public or private property that can reasonably be expected to cause a public gathering that outside of the normal everyday activity levels of the location

Major Event means an event with attendance over 1000 people, significant infrastructure, road closures, trade stalls, liquor licensing or amplified music. Examples: large music or cultural events, food & wine festivals, parades, large sporting events.

Medium Event means an event of 200 to 1000 people, moderate infrastructure, road closures, liquor licensing and/or trade stalls. Examples: fun runs, music events, cultural celebrations

Minor Event means an event with fewer than 200 people, minimal infrastructure, non-profit trade stalls. Examples: small charity events, group gatherings, weddings.

Motor Sport Event refers to competitive or non-competitive motor vehicle activities which require roads to be closed for motor sport purposes, and for participants to be exempt from existing road rules for the purposes of the event/competition. a rule to be observed on roads by pedestrians or drivers of vehicles.

Private Events are held for private purposes which are generally assessed in accordance with Council By-Law No. 1 Permits and Penalties and By-law No. 4 Local Government Land and generate no revenue to the organiser. The Event is generally not granted or guaranteed exclusive use of the area (eg a wedding ceremony, family picnic, birthday celebration).

Off-Peak Period refers to decreased holiday visitation and increased local migration between May and September annually

Road Reserve is the full width of any road and accompanying nature strip, from property line to property line. This includes any pavement, footpath, kerb, swale, shoulder verge, etc.

State Government Road may include a road under the care and control of the Department for Planning, Transport and Infrastructure (DPTI). It may also include a road vested in the name of the Commissioner of Highways or the Minister for Transport.

Temporary Road Closure is required where an event seeks to use the closed road as a venue for the event, or the safety of crowds and associated traffic.

6. Policy Content

6.1 Event Approval by Council

The approval of festivals and events to occur on Council land may be granted via the Chief Executive Officer under delegated authority, unless it:

- Is a new major event application,

- Is an event is deemed to have a significant impact to the community or public land

If an event application requires Council approval, a report will be tabled at the next available Council meeting outlining the event application.

Council reserves the right to refuse an application for the use Council land for an event should the negative impacts be considered too high and unable to be satisfactorily mitigated.

6.2 Long term approval

Subject to consent by Council, upto a three-year approval term may be granted for events to occur. Council acknowledges that events require stability of tenure to allow for future planning to occur. Council will monitor the compliance of events occurring on Local Government land and Council or the delegated authority reserves the right to withdraw consent where applicants have not been compliant with conditions of use.

6.5 Event Applications

Council should be notified of any proposal for a festival or event as early as possible to enable reasonable time for the application to be assessed, and to ensure engagement with key authorities including but not limited to South Australia Police, Consumer and Business Services and the Department of Planning, Transport and Infrastructure can take place.

All applications seeking permission to use Council land for the purposes of an event must be lodged on the prescribed application form, and be submitted to Council with the required additional documentation prior to the event date, as per the minimum notice periods as detailed below:

Classification	Description	Minimum notice
Minor Event	Events with fewer than 200 people, minimal infrastructure, non-profit trade stalls. Examples: small charity events, group gatherings, weddings.	4 weeks' notice
Medium Event	An event of 200 to 1000 people, moderate infrastructure, liquor licensing and/or trade stalls. Examples: fun runs, music events, cultural celebrations.	8 weeks' notice
Major Event	Attendance over 1000 people, significant infrastructure, trade stalls, liquor licensing or amplified music. Examples: large music or cultural events, food & wine festivals, parades, large sporting events.	12 weeks' notice
Temporary Road Closure	Temporary road closure for the purpose of holding an event of any size.	12 weeks' notice

Applicants using Council land for the purpose of an event must carry Public Liability Insurance of no less than \$20 million.

Motorsport events requesting road closures shall submit viable, alternative routes, so that a designated road is used no more frequently than every second calendar year. An exception to this ruling will only apply where the continuation of an event has a high level of support from residents living along the route. A bond of \$1000 will apply where motorsport events use Council owned roads.

6.6 Trading at Events on Council Parks and Reserves

Due to the proximity of local businesses surrounding many of Councils parks and reserves, event organisers will be required to invite adjacent businesses to be involved in the event, in the first instance.

Where event needs cannot be met by adjacent businesses, event organisers may engage mobile vendors with preference given to local community groups and vendors (based within the City of Victor Harbor).

6.7 Fees and Charges

Fees will apply for the use of Council reserves or facilities, installation of reserved street parking, equipment installation including marquees and staging, and road closure implementation.

Council may choose to support costs associated with such uses through the City of Victor Harbor Festivals and Events Sponsorship Program or Donations Policy.

6.9 Sponsorship

Applications for sponsorship of festivals and events are considered through a bi-annual call for applications through Councils Festivals and Events Sponsorship Program.

In-kind support for events under \$500 may be considered in accordance with the Council's Donations Policy.

6.10 Limitations and Restrictions

Balloons are not permitted and organisers will be required to find alternatives to the use of single use balloon products at events.

7 Delegations

The Chief Executive Officer has delegated authority to approve eligible festivals and events relating to this policy.

Council is the delegated authority to approve new major event applications and/or an event that would have significant impact to the community and/or Local Government land.

8 Risk Management

This Policy incorporates risk management strategies consistent with the Local Government Mutual Liability Scheme's event management risk documentation and the City of Victor Harbor Risk Management Policy and Framework.

9 Related Documents

By Law No. 4 – Local Government Land
By Law No 3 - Roads
Community Grants Policy
Donations Policy
Event Management Procedure
Procurement Policy
Public Consultation Policy
Risk Management Policy and Framework

10 Availability of Policy

This policy is available on Council's website at www.victor.sa.gov.au. It may also be inspected or purchased at the Principal Office of the Council at 1 Bay Road, Victor Harbor.