



## Conditions of Hire

### Event Applications

Adelaide's Park Lands are the perfect location for a variety of events and functions, from barbecues and corporate functions to festivals, concerts and carnivals.

Information on holding an event in the Adelaide Park Lands can be found at:

[adelaidecitycouncil.com/eventbookings](http://adelaidecitycouncil.com/eventbookings)

To hold an event in the Park Lands, a booking application must be completed and submitted.

The application can be submitted online via Adelaide City Council's **Park Lands Events Online Booking System** on:

[adelaidecitycouncil.com/eventbookings](http://adelaidecitycouncil.com/eventbookings)

Or alternatively, a **Park Lands Events Booking Application Form** can be downloaded and sent to:

### Adelaide City Council – Event Management

GPO Box 2252

ADELAIDE SA 5001

**Ph:** (08) 8203 7203 **Fax:** (08) 8203 7575

**Email:** [events@adelaidecitycouncil.com](mailto:events@adelaidecitycouncil.com)

Once an application is received, it will be allocated to an Adelaide City Council event coordinator who will make contact with the Applicant in regards to the event. The event coordinator will be able to assist with any queries and can advise of the administrative requirements of the event. Please note:

- The submission of an application does not imply the booking is confirmed – it is a registration of interest only;
- By signing the booking application (or submitting the online application), the Applicant states they have read and understood the Conditions of Hire and agree to comply with all conditions set out therein;
- Bookings are subject to availability and Adelaide City Council's Events in the Park Lands Policy and Operating Guidelines;
- Please note that annual and major events take precedence for Park Lands over one off or minor events.

### Definitions

The **'Applicant'** means the event organiser or person undertaking the booking of the Park Lands.

**'ACC'** means the Corporation of the City of Adelaide.

The **'Council'** means the elected members of Adelaide City Council.

**'Event Management'** means the events team at ACC.

The **'Event Coordinator'** means the ACC staff member who is allocated to assist with booking of the Park Lands.

A **'Minor Event'** is an event with an expected attendance less than 1,500 people.

A **'Medium Event'** is an event with an expected attendance between 1,501 and 9,999 people.

A **'Major Event'** is an event with an expected attendance above 10,000 people.

### Lodgement Requirements

Applications must be lodged with ACC as per the following timelines:

**Minor Events** – at least 14 days prior to the event

**Medium Events** – at least 3 months prior to the event

**Major Events** – at least 6 months prior to the event

### Cancellation of Event

ACC must be notified in writing of cancellation of an event at least 14 days prior to the event date. Failure to notify ACC may result in Park Land site fees and requested operational services fees being charged.

### Event Sites

Events must only take place in those Park Land areas approved by ACC and, unless otherwise approved, must not interfere with pedestrian flow, public amenities, local businesses or residents.

### Insurance and Indemnity

The Applicant shall have and maintain for the period of hire, a policy of insurance against risks to the public in relation to the event, and such policy to be of a minimum amount of \$20 million in respect to any one claim, and list the Adelaide City Council as an interested party.

**The insurance policy must confirm that indemnity is granted to the Adelaide City Council for any liability, loss, claim or proceedings in respect of any**

**injury, loss or damaged sustained by a third party, including the Adelaide City Council, where the injury, loss or damage arises from the use of the Park Lands.**

The Applicant must immediately notify the relevant insurers and ACC in writing of any occurrence or accident likely to give rise to a claim under the insurance policy and give all information and assistance as may be reasonably practicable in all the circumstances.

The Applicant must fully indemnify ACC against:

- any liability, loss, claim or proceeding caused by any negligent act or omission or wilful misconduct or breach of statute by the Applicant, its employees, agents or subcontractors; and
- any breach of the conditions of hire by the Applicant, its employees agents or subcontractors.

The Applicant's indemnity to the ACC is reduced proportionately by the extent that the injury, loss or damage is contributed to by the wilful or negligent act or omission of the ACC and its employees and officers.

### **Warranty**

The Applicant warrants that it has inspected the event site and that the event site is fit for the event and the applicant's use. ACC does not warrant that the event site will be suitable for the event or the Applicant's use.

### **Safety and Risk Management**

All Park Land events are subject to ACC assessment in regard to risk management and safety.

Dependent on the size and nature of the event, the Applicant may be required to liaise with key stakeholders including SA Police and Emergency Services and provide Event Management with a detailed risk, emergency and safety management plan in accordance with AS/NZS ISO 31000:2009 (or current replacement standard) no less than 21 days prior to the event for approval by ACC. This plan must incorporate provisions for the control and coordination of the event inclusive of responsibilities of relevant personnel and emergency response procedures.

### **Lease/Licence**

Dependent on the size and nature of the event, a Lease or Licence may be required to govern the Applicant's use of the Park Lands. This will be prepared by an event coordinator in conjunction

with the Applicant and will be discussed further if required.

### **Council Report**

Dependent on the size and nature of the event, Event Management may be required to present a report to Council for their approval of the event. Further details regarding this process will be advised by the event coordinator as necessary.

### **Bond Payments**

A site bond or deposit may be required for an event. The bond amount will be stipulated by Event Management and must be received prior to event approval.

### **Public Consultation**

If the event is to be conducted over more than three consecutive days (event days only - not including set up or pull down), or as deemed necessary by the event coordinator due to the nature of the event, public consultation will be required. The cost of this consultation will be advised and is at the expense of the Applicant.

### **Use of Sporting Licence Areas**

Formal recreational and sporting use of the Adelaide Park Lands (including sporting fields, courts and Petanque pitches) are managed by a 'Park Lands Sporting Licence' between ACC and an approved club, school or organisation. The Licence Holder has the 'first right to use' to their licensed area.

If the preferred event area is within one of these sporting licence areas, an event coordinator will assist by negotiating with the Licence Holder on behalf of the Applicant.

### **Vehicle Access**

Permission is granted for vehicles to access the Park Lands, as required, for the specific purpose of conveying goods and equipment to the site – unloading and loading only. Once a vehicle is unloaded/loaded it **must** be driven off site and into allocated public parking areas.

It is the responsibility of the Applicant to ensure that all persons attending the event are made aware of the above conditions regarding parking in the Park Lands.

**Vehicles that are illegally parked on the Park Lands will be subject to a \$95 infringement notice.**

Any requests for vehicles to remain on the Park Lands for the duration of the event must be made through the event coordinator and permits will be issued at the discretion of ACC. Only vehicles

deemed essential to the running of the event will be issued with permits. Vehicles that remain on the Park Lands must display the relevant permit at all times.

Emergency Services vehicles (including St John) do not require permits.

### **Cleaning & Remediation**

It is the responsibility of the Applicant to ensure rubbish & equipment is removed from the approved event site at the conclusion of the event. If ACC is required to do additional clean up as a result of the event, an hourly labour fee will be invoiced.

ACC can provide 240L wheelie bins to assist with cleaning at an event – please indicate on the booking form if this is required.

Fees apply for the provision of bins for an event.

If remediation of the Park Lands is required due to damage caused by the event, this will be assessed immediately following the event and the Applicant will be charged accordingly.

### **Pedestrian & Cycling Paths**

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

### **Selling/Fundraising**

Except with express permission of ACC, the Park Lands must not be used for any fund raising activities involving taking collections or selling goods outside the designated event area.

### **Liquor Sales & Consumption**

Liquor licences are issued by the Office of the Liquor & Gambling Commissioner (OLGC). For more information as to whether a liquor licence is required, please contact the OLGC on (08) 8226 8410.

If a liquor licence is required, to assist with the approval process, a copy of the application should also be sent to ACC's Development Officer (Liquor Licensing), who will assist with the processing of the application and liaise with the event coordinator as required (fax: (08) 8203 7674).

### **Use of Playgrounds & Barbecues**

Exclusive use of BBQs and playgrounds throughout the Park Lands 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 Park and not left on the grass surface or in litter bins. Barbecue 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 Fire Bans Hotline (T: 1300 362 361).

### **Equipment**

The provision of all equipment required for an event is the responsibility of the Applicant and all costs must be borne by the Applicant. ACC does not supply equipment such as staging, PA or sound systems, chairs, etc. Set up and pull down of all equipment and requirements is to be undertaken by the Applicant, at the Applicant's expense.

If any such equipment is deemed unsafe, unsuitable or unsatisfactory by ACC for any reason whatsoever, it shall be removed from the Park Lands by the Applicant, at the Applicant's expense.

Guidelines regarding the setup of structures in the Park Lands can be requested from the event coordinator.

The Applicant is responsible for all property, equipment, decorations and materials associated with the event. ACC will not accept any responsibility for damage or loss prior to, during or after the event.

### **Road Closures**

All requests for road closures or traffic management in relation to the event must be submitted in writing to ACC at the time of submitting a Park Lands Events Booking Application, or no less than 3 months prior to the commencement of the event.

The Applicant is responsible for liaising with the ACC road events coordinator in regard to road closures and traffic management issues relating to the event. Fees apply for road closures and a quote is provided by the road events coordinator once the application is received.

### **Underground Services**

Events which have infrastructure (e.g. marquees, bouncy castles, signage, etc) that requires pegging into the ground must ensure that underground services are located and marked.

ACC will only take responsibility for marking out underground infrastructure belonging to ACC (i.e. irrigation). ACC will identify the irrigation system through a series of lines marked within the required area. It is the responsibility of the Applicant 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 Applicant to locate other services such as gas, electricity, communications and sewer. The Applicant will need to contact a cable locating company (e.g. Sure Search) to do this.

### **Noise Mitigation Standard Operating Procedures**

All events which use a sound system or PA must comply with ACC's **Noise Mitigation Standard Operating Procedures** which can be found on: [adelaidecitycouncil.com/eventbookings](http://adelaidecitycouncil.com/eventbookings)

Music concerts and festivals in particular must undertake the following:

- Locate stages/speakers in areas that actively reduce impacts to residents and businesses.
- Notify surrounding residents and businesses of the event via a letterbox drop a minimum of two weeks prior to the event. A copy of the correspondence to be used in the letterbox drop must be provided to Events Management no later than four weeks prior to the event.
- Establish a complaint line and complaint response procedure in line with the Noise Mitigation Standard Operating Procedures. A register of all complaints and the action taken must be recorded and provided to Events Management immediately following the event.
- Have an acoustic engineer onsite for the duration of the event including sound checks, who is engaged by ACC on behalf of the Applicant. The cost of the acoustic engineer is to be borne by the Applicant. The acoustic engineer will be responsible for monitoring and recording sound levels at the event at the FOH mixing desk and outside the event area as per maps provided in the Noise Mitigation Standard Operating Procedures. The Applicant is required to comply with all directions provided by the acoustic engineer throughout the event and is responsible for ensuring that the sound levels at noise sensitive receivers are kept within the dictated levels specified in the Noise Mitigation Standard Operating Procedures.

### **Copyright Licence**

If copyright works are being performed at the event, a copyright licence is required by law.

If live music is proposed to be performed at an event, an APRA (Australian Performing Right Association Ltd) licence must be obtained by the Applicant. This is to cover the copyright in the song (lyrics, composition etc).

A PCCA (Phonographic Performance Company of Australia Limited) licence is required for the broadcast, communication or public playing of recorded music (e.g. CDs, records and digital downloads) or music videos.

ACC holds a PCCA licence for the Park Lands however not all events are covered by this. The Applicant is required to confirm if their event requires a PCCA licence.

### **Operational Services**

ACC can provide a limited amount of operational assistance for an event (e.g. provision of power, water, bins etc.). The event coordinator will liaise with the Applicant regarding any operational requirements for the event.

Fees apply for the use of operational services. A quote for requested services will be provided to the Applicant prior to the event and the services being rendered.

### **Invoicing**

An invoice for relevant Park Land site fees and any requested operational services will be sent to the Applicant following the event.

### **Power & Electrical Wiring**

Electricity is available in designated areas throughout the Park Lands. The event coordinator will be able to advise if there is power available in the approved event area.

All electrical equipment plugged into ACC power outlets must be tested (in accordance with AS/NZS 3000:2007 *Wiring Rules* or the current replacement standard) and tagged by a qualified person.

Power cords must not be run along the ground. They must either be placed in cable trays or raised 2.75m above walking areas (includes grassed areas) and 5m above roads (or places where vehicles are likely to traverse). It is the responsibility of the Applicant 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 3002:2008 *Electrical Installations – Shows and Carnivals* and AS

3533 – Amusement Rides and Devices or the current replacement standards).

If the event requires a larger amount of power than is already provided on site, then it is the responsibility of the Applicant to coordinate an alternate supply.

Fees apply for use of power in the Park Lands.

### **Catering**

Proprietors of temporary food businesses must comply with food safety practices, as set by the ACC Environmental Health team, for the duration of the business' operation.

The Applicant must advise the event coordinator of any operators of temporary food premises associated with the event (i.e. catering vans) prior to commencing any food handling operations.

An inspection of the catering facilities at the event may be conducted by the ACC Environmental Health team.

A brochure, detailing the requirements of operating temporary food premises under the *Food Act 2001* and Food Safety Standards, is available from ACC's Environmental Health team.

### **Flags & Banners**

Flag and banner sites are available for temporary hire for events, at designated locations around the City of Adelaide.

The application, conditions and eligibility for flags and banner sites can be found on: [adelaidecitycouncil.com/permits](http://adelaidecitycouncil.com/permits)

### **Crowd Control**

The Applicant is responsible for the provision of security as deemed necessary. All arrangements in regard to crowd control are the responsibility of the Applicant.

### **Fencing**

The use of barbed wire in the Park Lands under any circumstances is not permitted – all fencing requirements must adhere to ACC policies, guidelines and by-laws.

### **Fireworks**

Fireworks are only permitted to be provided and operated by pyrotechnicians licensed by SafeWork SA and who hold Public Liability Insurance for a minimum of \$20 million.

The pyrotechnician must receive written land use permission from ACC prior to the event. Fireworks must not be discharged without obtaining permission from ACC.

### **Signage in the Park Lands**

The Applicant must obtain permission from ACC to erect any signage in the Park Lands, including marketing and promotion of the event.

Signage must not be attached to any fixture without the express permission of ACC including attaching signage to any tree, plant, fixture, sculpture or artwork.

ACC reserves the right to refuse any applications for signage.

### **Amusement Structures**

The operator of any Amusement Ride of Class 2, 3 or 4 (as defined under the Australian Standards AS3533) being registered in accordance with the Occupational Health, Safety and Welfare Regulations 1995 through the Department of Industrial Affairs, shall provide to Council a copy of the Certificate of Registration of the Amusement Structure(s) as required pursuant to Section 3[A] 5.3.1 of the Occupational Health, Safety and Welfare Regulations 1995.

A copy of the organisation's Public Liability Insurance 'Certificate of Currency', minimum \$20million must also be obtained and forwarded to Event Management. It is advised that your Company's Public Liability Insurance may not cover the amusement rides at your event in the Park Lands.

### **Structural Requirements**

No tent, stall, staging or other structure or equipment (including Showman's Guild equipment) may be erected on the Park Lands without written consent and must be sited as directed by Event Management.

Any works undertaken (e.g. provision of power, erection of marquees, staging, cleaning of toilets etc) in connection with this activity must be carried out to the satisfaction of the ACC. Any costs incurred by ACC in the provision of services prior to, during or following the proposed activity will be borne by the Applicant.

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. The event coordinator will discuss this process with the Applicant to ensure that all guidelines and policies are met.

Information regarding all staging and structures to be installed must be submitted to ACC for approval at least 28 days before installation at the event. The information required may include certification from

an independent suitably qualified and experienced Structural Engineer confirming that the design of the temporary structure is adequate and information confirming the proposed structures are suitable for the site, nature and duration of the event.

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.

### **Water**

The Park Lands are irrigated with recycled water. Under no circumstances is the Applicant permitted to plumb into irrigation or recycled water lines. Designated potable (drinkable) water outlets are available in some areas of the Park Lands. The event coordinator will be able to advise the location of the outlets and the Applicant must liaise with the event coordinator for access to a potable water supply. In areas where there is no access to potable water, the Applicant must supply their own potable water for use at the event.

### **Drink Containers**

If beverages are dispensed into drink containers, they must be either paper or plastic, unless otherwise authorised, and if plastic, it must be sufficiently pliable so as not to splinter when crushed (DET pack Hygienic Lily 6-9p or equivalent are suitable). If beverages are not dispensed into containers then they must be sold in cans, not glass bottles (unless otherwise authorised).

### **Animal Nurseries & Petting Zoos**

The Applicant must ensure that any animal faeces resulting from animal nurseries and petting zoos at the event is removed immediately, so that no health risk or inconvenience arises. Event Management requires a copy of the operator's Public Liability Insurance, to the value of \$20 million for each and every claim and must be extended to name and indemnify ACC.

Full hand washing facilities must be provided, consisting of running water (i.e. from a water container or similar), soap and paper towel. A bucket or similar to collect the waste water is also required. The waste water must be disposed of appropriately (i.e. in a sullage tank, sewer drain). The Applicant must be able to advise and supervise how the waste water is to be disposed.

### **Adverse Weather Conditions**

ACC reserves the right to revoke an event lease/licence or cancel or postpone an event upon determination by ACC that the continuation

of the event in adverse weather conditions is likely to cause significant damage to the Park Lands. The Applicant will be consulted prior to a determination being made by ACC to revoke the event lease/licence or cancel or postpone the event. ACC will not accept any liability for loss, damage or any financial consequences as a result of the event lease/licence being revoked or the event being cancelled or postponed. The Applicant must include an adverse weather plan in the risk management plan.

### **Observance of Statutes and other Instructions**

The organiser shall comply with and give all notices required by any relevant Act of Parliament, ordinances, regulations or ACC by-laws.

Any instruction or request issued by ACC, Police or State Emergency Services must be complied with.

### **Hire Fees**

The Applicant shall pay fees for use of areas within the Park Lands as determined by ACC.

The fee structure for events is primarily based on a sliding scale of expected attendance per day with a range of categories including but not limited to free entry public events, ticketed events and private functions.

ACC reserves the right to classify an event in the category deemed most appropriate based on its particularities. It may also vary a fee previously determined due to changes to the nature and duration of the event.

A detailed list of **Park Lands Events Site Fees** can be found on:

[adelaidecitycouncil.com/eventbookings](http://adelaidecitycouncil.com/eventbookings)

### **Operational Services Fees**

Charges apply for operational services provided by ACC (e.g. provision of power, water, bins etc.). A quote for services requested by the Applicant will be provided prior to the event and the services being rendered.

A detailed list of **Park Lands Events Operational Services Fees** can be found on:

[adelaidecitycouncil.com/eventbookings](http://adelaidecitycouncil.com/eventbookings)

### **Contact Details**

#### **Adelaide City Council – Event Management**

GPO Box 2252

ADELAIDE SA 5001

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