

ITEM NUMBER: 17.2

CONFIDENTIAL REPORT

EVENT ACTIVATION

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

Recommendation – Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 163/23 Event Activation in confidence.
 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 163/23 Event Activation on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
 3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
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Item No 17.2

Subject: **EVENT ACTIVATION**

Date: 23 May 2023

Written By: Manager City Activation

General Manager: Community and Business, Ms M Lock

SUMMARY

Loritz Circus Pty Ltd, a Gold Coast based company, has submitted an event application to host the Great Moscow Circus utilising Wigley Reserve from Monday 30 October 2023 – Monday 13 November 2023.

Given the inherent high-risk nature of the event it has been put to Council for consideration.

RECOMMENDATION

That Council:

1. approves granting Loritz Circus Pty Ltd a licence to operate the Great Moscow Circus on Wigley Reserve in accordance with the City of Holdfast Bay's event terms and conditions; and
2. that a licence fee of \$15,000 (ex GST) be charged, plus a refundable bond of \$20,000 to be paid before bump in commences.

RETAIN IN CONFIDENCE - Section 91(7) Order

3. That having considered Agenda Item 17.2 163/23 Event Activation in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes relevant to this item be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents when an event is publicly announced and that this order be reviewed every 12 months.
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STRATEGIC PLAN

Innovation: economic and social vibrancy and a thriving environment

COUNCIL POLICY

Events Strategy 2021-2025

Commercial activation of community land policy

STATUTORY PROVISIONS

Not applicable

BACKGROUND

Loritz Circus were previously approved to operate the Great Moscow Circus on Wigley Reserve in May/June 2018. They were charged a site hire fee of \$6,864 (ex GST) and a bond of \$20,000. At the time, the circus included horses and dogs but no exotic animals. Administration has confirmed with the operators that they no longer include animals of any kind in their performances.

REPORT

Loritz Circus Pty Ltd, a Gold Coast based company, has submitted an event application to host the Great Moscow Circus utilising Wigley Reserve from Monday 30 October 2023 – Monday 13 November 2023 (Event Days Thursday 2 – Sunday 12 November 2023).

The event application included a Proposal Letter, site layout and risk management plan as supporting documentation.

Refer Attachment 1

Administration has reviewed the event application and associated documentation, including site plan, risk management plan and public liability insurance details. The site plan provided shows that the proposed location is the same as that previously approved in 2018.

The proposed Moscow Circus aligns with the Events Strategy 2021-2025 priority areas of Economic Value (attracting visitation, increasing spend and stay) as well as Destination Awareness (attracting media attention and building Holdfast Bay's profile as a leading events destination).

Circuses are inherently high-risk activities, however the operator is reputable with an established track record. The documentation included in the application shows an appropriate approach to managing and mitigating those risks.

As a condition of the licence, the licensee would be required to indemnify and to keep indemnified the City of Holdfast Bay, its servants and agents and each of them from and against all actions, costs, claims, damages, 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 the licence.

The draft 2023-24 fees and charges schedule sets a minimum rate of \$3,670 per week (or part thereof) for high impact, multi-day events. Given the level of impact and likely commercial return for the operator, it is recommended that an appropriate licence fee is \$15,000 (ex GST)

for the 15 days of the site occupation (including bump in and bump out). This is broadly in alignment with the licence fee charged for beach concerts.

BUDGET

The licence fee of \$15,000 would be incorporated into the hire revenue which is included in the events budget. This revenue is used to offset the cost of community events held throughout the year.

LIFE CYCLE COSTS

Not applicable

CONFIDENTIAL

Attachment 1





Loritz Circus Pty Ltd presents

Great Moscow Circus Extreme

Phone: 0402 930 888
Address: PO BOX 501
ORMEAU Qld 4208, Australia
ABN: 87138340413

Website: www.thegreatmoscowcircus.com.au
Admin: natasha.moscowcircus@gmail.com

18th April 2023,

Attention:
Glenelg Shire Council – Events team,

I am writing to you regarding the possibility of bringing the famous 'Great Moscow Circus' to Wigley Reserve.

Loritz Circus Pty Ltd is based on the Gold Coast we have been touring successfully since 2009. Attached you will also find Drone shots of our Layout, so you are able to see the Professionalism which our Company name Loritz Circus Pty Ltd holds. Our all-Australian owned name The Great Moscow Circus has delighted hundreds of Cities and had thousands Sell out Shows over the many years, we would greatly appreciate the opportunity to bring this fantastic show to the area.

A bit about OUR LATEST & GREATEST production... Our new production 'Great Moscow Circus – Extreme' features Flair Riders, Globe of Death, High Wire, Russian Swing, Trampoline and much more! We aim to bring an all-international cast and high-quality performances throughout Australia.

We are requesting Wigley reserve as we are only aiming to perform at 3 locations around Adelaide before continuing towards the Eastern states.

The dates we are currently looking at are the following,
Bump In Monday 30th October – Bump Out Monday 13th November 2023
Event Opening Night– Thursday 2nd November 2023
Event Concludes - Sunday 12th November 2023

Requests if possible:

- **Power;** if onsite power is available we would prefer to organise this, however we do have our own Silent 90KVA generator
- **Water;** if there is access to water around the site, alternatively we can contact local water utility to organise a standpipe
- **Car Parking;** If there would be access to utilise carparking around the area also for patrons.
- **Space;** We usually request 100m x 80m however if ample space we can organise a site inspection

Ground Management:

The area the Tent and caravans take up is minimal; our entire outfit consists of 16 caravans, 5 Semis, trucks and cars. To minimise impact on the grounds, we generally place caravans and trucks in line around the tent and minimise driving on site also. We aim to ensure the grounds are left in the same way as when we arrive.

We pride ourselves on being a tidy and professional circus. We work with councils and site owners not against them. If you require any further information, please don't hesitate to contact me.

Thank you,

Natasha Schulz
Administration (Based in QLD)





Hall Park,
Mandurah

April 2023



James Cook
Park,
Joondalup

Sept 2022



Signal Park,
Busselton
WA

August 2018



Hinkler
Park, Manly
NSW

April 2018

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME

METHODOLOGY

This Risk Assessment has been performed as outlined in Australian Standard AS/NZS ISO 31000:2009 with reference to tables 1, 2 and 3 below, for the use of leased land for the purposes of performing circus acts under a "Big Top" tent.

RISK TABLES

TABLE 1 - QUALITATIVE MEASURES OF "CONSEQUENCE" OR IMPACT

LEVEL	DESCRIPTOR	EXAMPLE OF DESCRIPTION
<i>1</i>	<i>Insignificant</i>	No injuries, low financial loss
<i>2</i>	<i>Minor</i>	First aid treatment, on-site release immediately contained, medium financial loss
<i>3</i>	<i>Moderate</i>	Medical treatment required, on-site release contained with outside assistance, high financial loss
<i>4</i>	<i>Major</i>	Extensive injuries, loss of production capability, off-site release with no detrimental effects, major financial loss
<i>5</i>	<i>Catastrophic</i>	Death, toxic release off-site with detrimental effect, huge financial loss

TABLE 2 - QUALITATIVE MEASURES OF "LIKELIHOOD"

Level	Descriptor	DESCRIPTION
<i>A</i>	<i>Almost certain</i>	Is expected to occur in most circumstances
<i>B</i>	<i>Likely</i>	Will probably occur in most circumstances
<i>C</i>	<i>Possible</i>	Might occur at some time
<i>D</i>	<i>Unlikely</i>	Could occur at some time
<i>E</i>	<i>Rare</i>	May occur only in exceptional circumstances

Table 3 – QUALITATIVE RISK ANALYSIS MATRIX – LEVEL OF RISK

Likelihood	Consequence				
	<i>Insignificant 1</i>	<i>Minor 2</i>	<i>Moderate 3</i>	<i>Major 4</i>	<i>Catastrophic 5</i>
<i>A (almost certain)</i>	S	S	H	H	H
<i>B (likely)</i>	M	S	S	H	H
<i>C (possible)</i>	L	M	S	H	H
<i>D (unlikely)</i>	L	L	M	S	H
<i>E (rare)</i>	L	L	M	S	S

H = **High Risk** – Immediate action required

S = **Significant Risk** – Senior Management attention required

M = **Moderate Risk** – Management responsibility must be specified

L = **Low Risk** - Manage by routine procedures

LEGEND FOR MONITORING

A	Responsibility of the General Manager. Ensure safety monitoring and reporting procedures established and implemented. Review safety procedures. JEFF WEBER
B	Responsibility of Safety Officer. Implementation and monitoring of safety procedures. JEFF WEBER
C	Handle through routine procedures. JEFF WEBER

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

RISK ASSESSMENT

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
1	Injuries caused by evacuation of tent	Moderate	Rare	Evacuation plan established and practised weekly	Minor	Rare	Low	2	C
2	Emergency service attendance required (Police, Ambulance, Fire) FIRST AID FACILITIES AT CANTEEN/OFFICE	Moderate	Rare	Emergency services informed of event. Emergency procedures in place and tested. Multiple telephones available to contact emergency services. Clear access routes maintained.	Minor	Rare	Low	3	C
3	Fire – minor	Minor	Unlikely	On site fire extinguishers maintained to relevant regulations and standards. Tested 6 months.	Insignificant	Unlikely	Low	1	C
4	Fire – major	Major	Rare	See emergency services attendance required, above.	Minor	Rare	Low	4	C
5	Medical care not available – minor injury FIRST AID FACILITIES AT CANTEEN/OFFICE	Minor	Possible	First aid kit available.	Insignificant	Possible	Low	2	C
6	Medical care not available – major injury	Major	Unlikely	See emergency services attendance, above.	Moderate	Unlikely	Moderate	3	B
7	Personal safety compromised.	Moderate	Possible	Public areas to be well lit.	Moderate	Unlikely	Moderate	2	B

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
8	Sharps pick up and disposal causes infection or injury	Major	Possible	Sharps procedures established for glass, syringes etc, found discarded.	Major	Unlikely	Significant	2	A
9	Crowd control required	Major	Unlikely	Strong family orientation will minimise adverse crowd behaviour	Moderate	Rare	Moderate	2	B
10	Problems at entry or exit	Moderate	Possible	Safety officer on duty. Entry is open half hour before each show. Open-air setting allows freedom of movement. Numbers limited by seating availability	Moderate	Rare	Moderate	2	B
11	Collapse of temporary structures causing injury or damage to property	Major	Possible	Safety procedures for temporary structures in place. Structural Engineer to sign off on tent over 50sqm when erected	Major	Unlikely	Significant	4	A
12	Power failure	Moderate	Unlikely	Exit lights in tent. All staff carries flashlights. Large flashlights on hand at all times at Sound stand.	Moderate	Rare	Moderate	2	B
13	Electric shock	Moderate	Possible	Cables to be buried or above head height. Earth leakage switch on all power boxes	Moderate	Rare	Moderate	3	B

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
14	Trip and similar hazards	Moderate	Possible	<p>Safety check list completed prior to each performance</p> <p>Public entrance areas to be always kept clear.</p> <p>Cables, seating, scaffolding, platforms secured in place to safety standard.</p> <p>Site checked prior to each performance.</p>	Moderate	Unlikely	Moderate	2	B
15	Communications systems, including public address failure	Minor	Unlikely	<p>PA system tested prior to each performance.</p> <p>Alternative PA system available.</p> <p>Multiple mobile telephones available.</p>	Minor	Rare	Low	1	C
16	Occupational Health and Safety related injury	Moderate – Major	Possible	<p>OH&S guidelines for Entertainment industry followed as applicable (as Developed by the Australian Entertainment Industry Association and the Media Entertainment and Arts Alliance)</p> <p>Compliance WHSQ regulations 2011</p> <p>Training of staff.</p>	Moderate – Major	Unlikely	Moderate - Significant	2	A
17	Noise disturbance	Minor	Possible	<p>All broadcasting is within big top only</p> <p>Performance times within regulatory requirements.</p> <p>Compliance with regulation noise approval for State.</p> <p>Dedicated phone line for complaints.</p>	Minor	Unlikely	Low	1	C

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
18	Damage to existing underground services.	Moderate	Possible	No excavation required. Limit of peg insertion / cable burying is 1.8 m.	Minor	Rare	Low	1	C
19	Damage to existing overhead services.	Moderate	Possible	No vehicles over 4.3m in height. Trucks to be driven by qualified personnel only. Tents to be placed by senior staff.	Moderate	Rare	Moderate	1	B
20	Public health risks -0 Air conditioning related spread of disease -1 Infection spread through unhygienic toilet facilities -4 Infection from waste -5 Infection from contaminated food	Moderate	Possible	Air-conditioning used in tents have filtration units. Adequate toilet facilities available. Toilets checked twice daily. Pre-package food	Moderate	Unlikely	Moderate	2	B

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
21	Water borne diseases or infection	Moderate	Possible	All water points to be checked for drainage daily.	Moderate	Rare	Moderate	3	B
22	Waste management problems – excessive odour for patrons or nearby residents; fly problems	Minor	Unlikely	Bins emptied daily	Minor	Unlikely	Low	1	C
23	Damage to land / site infrastructure during circus set up Underground utilities	Moderate	Possible	Safe vehicle route established prior to entry, including entry and exit points. DBYD is completed prior to each town arrival. Minimise damage by trucks – driven only by qualified drivers; reversed with assistant directing Trucks are small or have low axle load Area closed to public. Incident reporting procedure established. Make good procedures.	Minor	Possible	Moderate	2	B
24	Damage to land / site facilities during event	Moderate	Possible – Likely (wet weather)	No circus vehicles to be moved during event. Public access routes established, including wet weather alternatives. Incident reporting procedure established. Make good procedures.	Minor	Possible	Moderate	1	B

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Ref	The Risk	The consequences of an event happening (before mitigation)		Risk Treatment	The consequences of an event happening (after risk treatment)		Level of Risk	Risk Priority	Monitoring
		Consequence	Likelihood		Consequence	Likelihood			
25	Damage to land / site facilities during circus break down.	Moderate	Possible	As for set up.	Minor	Possible	Moderate	1	B
26	Fuel/Hazardous Substance ALSO Generator	Moderate	Unlikely	All Vehicle are fuelled off site at Petrol Stations. 98% vehicles are Diesel. No chemicals are kept onsite.	Moderate	Possible	Moderate	2	B
27	Weather - High Winds -Storms -Lightning	Major	Possible	Check weather forecast for the day. If winds over 40kph tent is monitored. If the storm or wind increased the performance will be cancelled. If severe storm/ lightning the performance will be cancelled.	Moderate	Possible	Moderate	3	B
28	Pandemic Outbreak – Covid 19	Major	Possible	Follow All current Health regulations. Check for Vaccination App	Moderate	Possible	Moderate	3	C
29	Working at Heights Erecting the Tent Fall from Height Bobcat Forklift Operators Death Or Injury	Major	Possible	- Safety harness supplied & training - Licenced Operators - Train personal prior to using Equipment	Moderate	Possible	Moderate	3	C
30	Temporary Structures Failure of Seating, marquees, or other temporary structures	Major	Possible	• Confirm location of structure does not impact underground infrastructure (DBYD) • Pegs are anchored or double	Moderate	Possible	Moderate	3	C

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

	<ul style="list-style-type: none"> • Death or serious injury caused by failure of temporary structures. • Structures inappropriately secured • Inadequate access/egress around temporary structures • Pegs and other anchors damaging underground infrastructure 			<p>Pegged</p> <ul style="list-style-type: none"> • Ensure exclusion zones are established around construction areas. • DBYD is contacted for each site. • All temporary structures to be correctly erected and inspected by personnel with appropriate training and qualifications (when required) • Marquees to have engineering and fire safety certification (when required). • All temporary structures to be monitored continuously, particularly during extreme weather events and shows. • Scaffold structures to be designed, erected, inspected and tagged by appropriately qualified and competent person • Temporary structures are not to encroach on thoroughfares or pathways. • Ensure adequate access/egress around all staging and platforms for event patrons and EMS. 					
31	<p>Electrical power failure</p> <ul style="list-style-type: none"> • Death or serious injury • Electrocutation • Incorrect use of power supply • Power source is overloaded & fails • Unsafe electrical equipment • Incorrect power boards used 	Major	Possible	<ul style="list-style-type: none"> • Ensure all power requirements are identified at planning phase and adequate supply is provided. • All leads and equipment must be tested and tagged, yearly. Under Theatres Standards • Portable RCDs must be used, and all portable electrical 	Major	Possible	Major	3	C

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

	<ul style="list-style-type: none">• Damage to equipment• Members of the public accessing electrical power sources (i.e. generators)• Potential failure of hire equipment (i.e. generators)			<ul style="list-style-type: none">• power boards must be fitted with a safety switch.• No piggy back plugs or double adaptors are to be used.• Housekeeping to keep leads away from walkways and protected from weather, spills etc.• If electrical leads need to be placed on the ground ensure they are protected by using rubber matting, cable trays or similar, and are clearly marked.• Ensure supplier has conducted a pre-start check and supplied a copy and has provided instructions to a competent person regarding the safe operation of equipment.					
ACTS	DESCRIPTION	RISK		The consequences of an event happening	Risk Treatment	Level of Risk	Monitoring		
Russian Swing	Artists swing from pendulum platform into catching material net	-	Fall from Swing Jump and miss landing area	- Moderate Injuries - Artists not able to perform	- Artists wear gloves for support grip - Artists erect and dismantle own props and a secondary check is completed by professional - Landing material checked prior to each performance	Moderate	B		
Trapeze	Artist performs on trapeze 5m in air	-	Fall from height	- Minor Injuries - Artist not able to perform	- Acro mat is placed under trapeze - Artist wears safety harness for swinging section - Professional holds end of lunge	Moderate	B		

RISK MANAGEMENT ASSESSMENT – LORITZ CIRCUS T/a The Great Moscow Circus EXTREME.

Wheel of Death	Artist runs around inside and on top of pendulum	<ul style="list-style-type: none"> - Fall from height 	<ul style="list-style-type: none"> - Major Injuries - Artist not able to perform 	<ul style="list-style-type: none"> - Inspected & greased daily - Double safety with chain motors and supports - Rigging is checked daily 	Moderate	B
Trampoline	Artists jump from wall 6m onto trampoline	<ul style="list-style-type: none"> - Fall from height - Fall on top of each other 	<ul style="list-style-type: none"> - Minor Injuries - Artist not able to perform 	<ul style="list-style-type: none"> - Trampoline is fitted with padding around frame - Springs are checked regularly 	Moderate	B
Tissues	Artist maneuvers acrobatic abilities on 2 fabric pieces	<ul style="list-style-type: none"> - Fall from height - Tangle up in Silks 	<ul style="list-style-type: none"> - Major Injure - Artist not able to perform - Artist Error 	<ul style="list-style-type: none"> - Crash Mat is below Artist - Rozin Powder used for gripping. 	Moderate	B
Cage of Death - Production	(Involves fire) Artists holding fire & dancers who complete a 30 sec dance and whip routine to open the Globe being wheeled out. 3 motorbike riders ride out in intervals & complete maneuvers.	<ul style="list-style-type: none"> - Fire can be dropped - Whip can touch dancers - Motorbikes can crash 	<ul style="list-style-type: none"> - Minor Injuries for dancers - Moderate – Major injuries for riders 	<ul style="list-style-type: none"> - Fire extinguishers and fire warders on standby - Globe inspected after each show for stress cracks - Bikes maintained and checked daily - Riders wear protective motorbike gear 	Moderate	B

