



Policy (draft—on exhibition)Policy

Sports management

Responsible Manager (Title)	Open Spaces & Facilities		
Adopted by Council	Date 27 6 July 2021	Minute Number 07.21.012	
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Document(s) this policy Supersedes	V1.0 – 19/10/2010 – 12.173/10 V2.0 – 16/04/2013 – 13.059/13 V3.0 – 21/02/2017 – 15.007/17		
Community Plan Linkage	<p>4 – Environment1 Society</p> <p>1.2 We will have a safe, active and healthy region</p> <p>1.2.1 Provides, maintains and develops sport and recreation facilities and encourages greater utilisation and participation</p>		

1 Purpose

This policy provides guidance to staff and sporting organisations on the use of Council owned and/or managed sports-grounds and facilities in the Clarence Valley. [It also – as well as its approach details](#) financial assistance for sporting [organisationsfacilities](#) and bodies.

2 Legislation and Definitions

Council's [sportsgrounds and facilities](#) ~~sporting fields and facilities~~ are located on differing land tenures. Under the Local Government Act 1993 and the Crown Land ~~Management s-Act 2016~~~~1989~~ Council may issue licences for the temporary use of [sportsgrounds and facilities](#)~~sports fields and their facilities~~.

A licence agreement for the use of Council's [sportsgrounds and facilities](#) ~~sports fields~~ will be issued for seasonal and casual users.

The hirer will be required to sign and return the licence agreement prior to the use of the [designated sportsground/s and facilities](#)~~sports field or facility~~ commencing.

'**Informal Use**' means use that requires no consent from Council – this includes personal exercise, walking the dog (on a lead), kite flying, informal games.

'Multi-use' means intended or suitable for more than one use or purpose

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'Sportsgrounds and facilities' means Council managed sportsgrounds and/or facilities, regardless of whether they are located on Council owned land or Crown Land managed by Council. ~~It i- and i-~~ includes the facilities associated with them such as canteens, amenities, goalposts, grandstands and scoreboards.

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'Training' means regular routine training in preparation for competition or display for a period not exceeding 2 hours per day. Training will not extend to any activity on a weekend ~~and-her~~ does not include any activity for which the participants are charged a fee or any training camp or any training where the trainer is paid a fee or otherwise operates on a commercial basis. The exception to training on weekends applies to equestrian users only who may train up to 8 hours per month (limited to a single occasion) at facilities only where they are not being used by another sport undertaking competition or event play.

'User' means anyone licensed to use a Council sportsground and/or facilities and includes hirers, licensed casual users and schools.

3 Policy statement

- 3.1 Council is intent on providing equitable use of its sportsgrounds and facilities ~~sports fields and facilities~~ for all users as well as ensuring that they are well maintained within the limits of Council's budget and available for use by the sporting community on a regular basis.
- 3.2 In order to make available additional funds for sportsgrounds and facilities ~~the sporting facilities~~ in the Valley, Council has introduced a user-pays regime for the use of its sportsgrounds and facilities ~~sports fields and facilities~~.
- 3.3 Council has a finite amount of funds available for its sporting community and its' philosophy is to utilise these funds as far as possible for the benefit of the entire sporting community of the Valley. To this end, Council will provide assistance to clubs and sporting organisations in the Valley rather than to individual sports persons.
- 3.4 However, Council has a culture of supporting its elite junior sportspeople, as well as recognising the burden that selection in representative teams can place on parents. ~~I, and~~ to this end it has established the Clarence Valley Sports and Cultural Trust Fund, which provides financial assistance to junior sportspeople selected to represent their State or Country.
- 3.5 Reference to Council in this policy also includes Council in its role as Trust Manager of Crown Reserves as a Crown land manager of a Crown Reserve.
- 3.6 Council promotes the use of all sportsgrounds and facilities under its/their ownership and/or management that have the capacity for multi-use grounds and facilities.

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4 Permissible activities and activities requiring approval

The following activities are permissible on Council sportsgrounds and facilities ~~sportsgrounds~~:

- previously booked use for organised sports and events



- informal use of sporting/recreation facilities, e.g. walking, picnics, kite flying, on grounds not being used for formal sporting activities.

The following activities are permissible subject to the relevant Council approval and/or subject licence agreement conditions:

- organised sport (e.g. cricket, ball games etc)
- fetes/markets (refer to Council's *Markets Policy*, Development Application may be required)
- cultural activities
- exhibitions/demonstrations
- celebrations/gatherings
- vehicle access onto park or playing field areas
- field or facility improvements

5 Prohibited activities

The following activities that could be considered dangerous or which damage the facility or disrupt other users or adjoining residents are prohibited at sportsgrounds. —These include -

- all vehicle use unless specifically approved by Council
- golf (unless endorsed through a Plan of Management for that Park or Reserve)
- model aeroplanes
- Taking of companion animals on fields where active ball sport is being played, such as football, rugby league, rugby, cricket, touch, oztag, etc. -Animals at approved events such as equestrian, shows and similar activities (dog trials, campdrafts, etc) are not prohibited.
- lighting of fires
- the use of glass receptacles
- rubbish or garden refuse dumping
- wilful damage to facilities, grounds or vegetation
- informal use of a sportsground while it is being used for formal sporting activities
- placement of stakes and/or other anchoring systems on or below the said playing surface, unless specifically approved by Council.
- The use, release, sale or distribution of gas filled balloons (refer to Council's *Gas Filled Balloons on Council Managed Land Policy*)

6 Application to use a sportsground field/facility

6.1 Bookings

- Council will undertake the administration and management of bookings for the use of sportsgrounds and facilities ~~sports field and facilities~~ under its care and control.
- Applications for training (including pre-season training/hours of night lighting use) and competition use of sportsgrounds and facilities ~~a sportsground and facilities~~ are to be made by Clubs or the parent Association. -The 'Application for Use of Sporting Fields and/or Facilities' form is to be completed in writing and lodged with Council preferably two weeks, but prior to the commencement of the sports seasons as requested by Council. -Changes and amendments must also be advised in writing.
- For seasonal hiring the Clubs and parent Associations are to ensure there are no conflicts for the use of the fields for the sport or activity they are responsible for.
- Applications for the use of additional sportsgrounds and facilities may be made at any time, and where these are available, allocations will be made on a temporary or seasonal basis and the appropriate fee charged.

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- Applications for special events such as carnivals, regional or exhibition matches should be submitted with the initial application where the requirements are known. Where dates of such special activities have not been finalised, the applicant should note on the application form tentative dates so that where possible these dates may be reserved for the Club/Associations use. However, it should be noted that while Council will make every endeavour to reserve the sportsground and facilities for that event, no guarantee is given that they will be available when requested.
- Council will not accept bookings for sportsgrounds and facilities from any sporting organisation that is in arrears with payment of ground fees (refer to Fees and Charges).

6.2 Insurances

Council will require Hirers of its sportsgrounds and facilities to have public liability insurance in the sum of at least \$20 million. Hirers who store any equipment or perishables on Council premises are encouraged to take out contents insurance. Council takes no responsibility for a Hirer's property left on Council premises nor is such property covered by Council's insurance. A copy of the current public liability insurance certificate must accompany the application form.

7 Traditional/non exclusive use and sub-letting

- Council acknowledges traditional seasonal use of its sportsgrounds and facilities, however that use must be ongoing and, the Hirer must be financially viable. Council may consider an out of season event where there are significant social and economic benefits of hosting such an event.
- Where seasonal use of a sportsground and facilities are granted to a hirer, that allocation does not give the hirer exclusive use of that sportsground and facilities. Council reserves the right to allocate casual usage to other sporting clubs, community groups or schools during those times that the sportsground and facilities sports field or facility is not being actively used by the seasonal hirer. In those cases, Council shall attempt to notify the seasonal hirer when any such casual allocation is being considered.
- In cases where a conflict arises between different sporting organisations and/or with staff, they may be referred to and resolved by the Director responsible for Open Spaces & Facilities or an alternate staff member from the Executive team (an alternate Director or the General Manager) in consultation with said sporting organisations. At the Director's discretion, this may include a meeting between the sporting organisation and/or staff with the meeting facilitated by the Director.~~In cases where a conflict arises between different sporting organisations they may be referred to and resolved by the Manager Open Spaces & Facilities.~~
- The allocated use of a sportsground and facilities does not permit the hirer to sublet or permit any third party (whether or not a fee is charged) to use any part of the sportsground or the facilities without the prior written consent of Council.
- Where the hirer intends to undertake activities other than sporting activities associated with the hirer, an ~~Ancillary Application Form (Activity Application)~~ or Special Events and Festivals Ancillary Application Form ~~Community Land~~ may be required. Such application should be made to Council at least ~~twenty eight~~ twenty-eight (28) days prior to the intended date of such activity. Should the hirer proceed with the activity without approval, then Council may at its discretion revoke the hiring agreement.
- That all sportsgrounds and facilities under the ownership and/or management of council that have the capacity for multi-use be classified as multi-use allowing for much wider use of the grounds or facilities. This includes multiple line markings to all outdoor grounds and indoor facilities that have the capacity for multi-use to ensure multi-use by different sporting organisations, sporting codes or sporting type. Incompatible uses within sports seasons that may give rise to risk of injury are not supported.

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8 Sports seasons

The sports seasons for summer and winter seasonal sport are as follows –

- Summer Sports – from [the](#) first weekend in October.
- Winter Sports – from [the](#) first weekend in April.

9 Fees and charges

- Council will set its fees and charges on an annual basis through its annual Operational Plan and Budget process for sports field use.
- Seasonal sports will be invoiced on a quarterly basis for field/facility use and on a monthly cycle for all field lighting.
- Fees for training/competition lights will be invoiced on a monthly basis where no token system exists but excludes cases where the sporting organisation is directly invoiced from the supply authority. Sporting organisations are to submit their training/competition light bookings with their 'Application for Use of Sporting Fields and/or Facilities' form prior to their sports season commencing.
In cases where the sporting organisation is directly invoiced from the supply authority for all electricity charges no training or competition light fee will apply. For grounds with token systems sporting organisations can continue to use the token system currently implemented.
- No ground fees are payable for junior 12-year-old and under sport.
- No ground fees are payable for Clarence Valley Schools where sport is played in normal school hours. Fees may apply to schools for activities outside normal school hours.
- No ground fees are payable for training although lighting fees may be charged if field lighting is used for night training.
- For Clubs, seasonal user fees and charges will be levied up to the end of the competition rounds. A further confirmation booking is to be made if fields or facilities are required for any training or competition (including use of lights) for finals series and a separate invoice will be issued for that period.
- Council will attempt to accommodate alternate bookings for wet weather make up games wherever possible.
- It is the responsibility of the hirer to advise Council of any bookings which are cancelled due to wet weather. This advice must be received in writing within five (5) days following the cancellation. Refunds/credits will be processed by the completion of the sporting season.
- When a booking is cancelled for any reason including forfeits (excluding weather), Council will only refund/credit fees attributed to this booking following written advice, which must be received by Council within five (5) days following the cancelled booking. Refunds/credits will be processed by the completion of the sporting season.
- Ground fees will be payable for fee-for-service professional/commercial coaching/training sessions/clinics regardless of the age of the participants in accordance with Council's [Commercial Use of Public Land Policy](#)/[Recreational Activities on Public Land policy](#).
- Council will not accept bookings for sportsgrounds/facilities from any sporting organisation that is more than ninety (90) days in arrears with payment of its ground fees. This includes arrears from the previous season.
- Council will recover outstanding fees and charges as a debt to the debtor organisation through its adopted debt recovery procedures.

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10 Alcohol management

10.1 Hirers proposing to serve or sell alcohol on or from sportsgrounds and facilities must not do so until a liquor licence is approved through Liquor & Gaming NSW. Council will be notified and make recommendations through this process.

10.2 Good Sports Program

Council supports the *Good Sports* program and has adopted the following requirements:

- Hirers that serve or sell alcohol on Clarence Valley Council sports fields must be a member of the *Good Sports* program and display relevant signage.
- Council encourages members of the Sports Committees to participate in the *Good Sports* program.
- In considering any direct request for capital assistance or event funding from a sporting organization not coming through the Sports Committees, Council will give priority to those organisations that are members of, or are in the process of becoming members, of the *Good Sports* program.

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11 Smoking in public places

Smoking is prohibited in enclosed public places under the *Smoke-free Environment Act 2000+6* and *Smoke-free Environment Regulations 2016 (NSW)*. This includes, but is not limited to club rooms, canteens and change room areas.

Smoking is also prohibited under this legislation in outdoor public places at sporting and recreational facilities, including spectator areas during organised sporting activities.

Additionally, Council's Smoke Free Public Areas policy prohibits smoking –

- Within fifteen (15) metres of Council playing fields, sporting fields, sport centres and at outdoor sporting facilities where active sport is being played;
- At all events run or sponsored by Council;
- Within fifteen (15) metres of Council owned building entrances, including sports stadiums and centres, swimming pools, tennis courts, squash courts and community buildings.

12 Child protection

- At all times the hirer will conform to the requirements laid down by their peak sports body and comply with all relevant child protection legislation, including the *Children and Young Persons (Care and Protection) Act 1998*, the *Advocate for Children and Young People Act 2014* and *Child Protection (Working with Children) Act 2012*.

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13 Sportsground or facility development

- Any alterations or additions to ~~the~~ sportsgrounds ~~and/or~~ facilities cannot be undertaken by the hirer without the written approval of Council. Any plans for alterations or additions must be forwarded to Council for evaluation prior to the lodgement of any application for development approval lodged with the Clarence Valley Council as consent authority for all such works.
- Sportsgrounds or facility development requests are to be consistent with any Open Space Strategy or Sports Facilities Plan adopted by Council.

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- Council will provide an annual allocation through its Sports Committee structure to allow for improvement of sport fields and facilities.

14 Sportsground and facility maintenance

Council will -

- prepare the sports fields and facilities for use based on bookings received from users in accordance with annual budgets.
- maintain the sports fields and facilities for use in accordance with annual budgets.

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15 Financial assistance

15.1 In accordance with this its approach, Council may provide the following financial assistance to the Clarence Valley sporting community:

- financial assistance to sporting clubs and organisations for capital assistance through 1:1 funding available from the Sports Committees;
- sponsorship of sporting events in the Valley;
- supporting and funding the Council's Cultural and Sports Trust Fund which provides direct financial support to junior sportspeople who are selected to represent either NSW or Australia in their sport, and
- an annual donation to the North Coast Institute of Sport.

15.2 Council will not provide financial support to individual sportsmen and women or teams other than those eligible for assistance from the Council's Cultural and Sports Trust Fund.

15.3 Any requests for capital assistance for sports ground or facility development are to be referred to the Sports Committees for discussion and recommendation to Council.

16 Wet weather

- Council will utilise a system of visual assessment of sports turf surfaces during periods of wet weather to assess their playability. A non-playable ~~sportsgroundground~~ is one that has been saturated to a point where any further rainfall will pond water on any portion of its surface making even pedestrian traffic a damaging action.
- A point will be reached for each sportsground/park beyond which it may be expected that usage of the facility will result in damage to the playing surface. Upon that point being reached, use of the field will be suspended until such times as it is considered safe to resume use without subsequent use causing damage to the surface.
- During periods of prolonged wet weather, users are advised to visit Council's website on www.clarence.nsw.gov.au on the day prior to their intended use for information regarding field closures. The site will be updated between 9-9:30 am and 3-3:30 pm Monday-Friday during wet weather.
- If Wet Weather Closure signs are in place, or the website advises closure, the facility must not be used. If the field is used while closed the Club or user/s will be responsible for the costs of repair of any damage incurred.
- All users are required to comply with these wet weather requirements.

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17 Community sports, sports events and tourism

Council will maintain its web site to promote local community, sports events and tourism in consultation with the Sports Committees and user groups.

18 Licence agreements to use sports fields and tourism

Council will require casual and seasonal hirers and users of sports fields and facilities to enter into a Licence Agreement for the duration of the hiring period.