

Port Macquarie Hastings Council

# Terms and Conditions of Use of Council Facilities



PORT MACQUARIE  
HASTINGS COUNCIL

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# Introduction

Our region is host to over 20 sports venues, more than 455 Parks and Reserves, 70 playgrounds, 6 skate parks, 4 public swimming pools, 6 patrolled beaches and 18 community halls.

Port Macquarie Hastings Council maintains approximately 1266 hectares of public lands and open spaces throughout our local government area. We are fortunate enough to call this region home and pride ourselves on our facilities and venues.

We ask that you respect our facilities and conduct your activities and recreation in line with our Terms and Conditions as listed in this document.



# Payment Terms for booking Council facilities

- A **casual** booking is defined as less than 4 dates in a single booking. The full invoice is required to be paid before the booking is approved and within 30 days of first event date.
- A **regular** booking is defined as 4 or more dates in a single booking. Invoices are to be paid quarterly in advance.
- Application fees are to be paid at time of booking.
- All fees and charges are set annually and endorsed by Council. A copy of the current schedule of fees and charges can be found at: [pmhc.nsw.gov.au/Fees-and-Charges](http://pmhc.nsw.gov.au/Fees-and-Charges).
- Bookings made during one financial year with dates extending into the following year are subject to repricing to the new financial years adopted Fees and Charges. This will be highlighted as part of the booking process and a notification will be sent at the time of repricing with a copy of your updated invoice.
- Use outside the permitted hours/days listed in approved allocations may result in increased charges, penalty fee or cancellation of future use.
- The user group must pay all applicable fees, charges and/or any monies payable to Council in full by the due date upon receipt of an invoice.
- Failure to pay fees may result in exclusion of use from all Council facilities.
- For bookings where payment is required, access to the venue will not be allowed unless all charges are paid in full and all booking conditions are met.
- A bond between \$0- \$6,000 may be required depending on the event and the potential risk of damage to the reserve. All bonds to be paid 30 days prior to first event date.
- If keys are required to access a venue, a key bond may apply. This is refundable provided keys are returned within 48 hours following booking completion.
- When a bond is required, Council's Parks & Open Space Coordinator will undertake a site inspection post event. If damage has occurred to the ground surface or associated fixtures as a result of the event, or rubbish and waste has not been removed, Council may use part of or the entire bond to repair or restore the venue to its pre event condition.
- The event organiser will pay for any cleaning or rectification of damage, not covered by the amount of the bond/s.

# Booking Cancellation Terms

- Council reserves the right to modify a booking should an unforeseen major event be proposed for the approved area. A major event could include a state, national or international event, or an event of significance to the community or local government area. Should this action be necessary, we will advise you immediately and endeavour to accommodate your booking at an alternate venue. Council also maintains the right to cancel the event at any time due to current or predicted weather conditions.
- Where possible, the customer will be given at least a month's notice of any need for Council to transfer or relocate a booking. Council will be under no obligation to the customer to supply a facility if none are available. In these circumstances, Council may refund any portion of fees already paid if a refund is warranted.
- Council will not be liable in any way for any loss incurred as a result of cancellation of hire.
- Application Fees and Ceremony Fees are non-refundable and will not be refunded where a booking is cancelled at the hirer's discretion. These fees cover the administrative costs associated with assessing and processing a booking application and remain payable regardless of whether the booking proceeds.
- Where a booking is cancelled within 7 days of the scheduled booking or event date, all fees and charges associated with the booking will be non-refundable. This includes, but is not limited to, cancellations resulting from adverse weather conditions or other circumstances.

\* All fees are defined in the [Port Macquarie Hastings Council Fees and Charges](#) which are reviewed and adopted by Council at the beginning of each financial year.

# Sporting Facilities

This information is to outline to clubs, associations, schools and other user groups the procedures, terms and conditions for the use of Council's sports facilities. Additionally, it provides answers to some frequently asked questions.

Any user group found using sports facilities without formal Council approval, causing unnecessary damage or not abiding by the terms and conditions, may result in increased charges, fines applied or cancellation of use.

## ALLOCATION PROCEDURES

- All booking requests are to be made through Council's online booking service, Bookable. Visit [pmhc.nsw.gov.au/bookable](http://pmhc.nsw.gov.au/bookable) to complete an allocation request.
- User groups are required to submit seasonal applications during the relevant Summer or Winter Expression of Interest (EOI) period. Notification of this period will be sent via email and be listed on the booking website.
- For seasonal applications, Council will perform an evaluation, once all applications from the various sporting codes are received prior to the start of the season, and allocate grounds based upon user groups needs to ensure a fair and consistent approach for all user groups.
- Pre-season and casual applications are required to be submitted at least seven (7) days prior to the required dates of use.
- It is the responsibility of each user group to make requests on behalf of its members and to make alternative arrangements should the requested sports field be unavailable.
- Council will not accept any 'blanket' booking requests, specific dates/times are required for any training and/or competition matches.
- Approvals issued only applies to the sports field/facility described and the sport/type of activity stated.
- User groups are not authorised to sublet the field/facility to any other body, unless first obtaining written approval from Council.
- While Council will endeavour to meet all reasonable requests there is no guarantee that sufficient sports fields will be available to satisfy all user demands.
- Council reserves the right to allocate any sports fields to other users for training, competitions, carnivals and private events.
- Any alterations needing to be made to the approved allocation will require the submission of a new online application.

### SEASONAL DATES

- **Summer Season: Oct to Mar**
- **Winter Season: Apr to Sep**

These dates are a guide to sports seasons by which Council's maintenance teams will have fields and facilities prepared for respective seasonal sports.

All user groups are encouraged to work collaboratively with Council and cooperate with other user groups to achieve the best outcome for all sporting codes.

## **GALA DAYS AND SPECIAL EVENTS**

- Gala days and similar special events are not included as part of a seasonal allocation and must be booked separately through Council's booking process.
- Such events may be classified as a Minor Event / Public Function and may require the hirer to provide additional documentation, including but not limited to site plans, risk assessments, food vendor approvals, traffic management plans and waste management plans.
- The hirer may also be required to arrange additional cleaning of amenities, waste management services, security, traffic control or other event-related requirements. Any associated costs will be the responsibility of the hirer.
- Bond payments and seasonal facility hire fees must be paid prior to the first booking date, the booking can not proceed unless fees are paid and the booking is confirmed. Council reserves the right to cancel or suspend any booking where outstanding fees or bond payments remain unpaid.

## **AMENITIES**

The Hirer is responsible for:

- Ensuring that all amenities and associated facilities used during the booking are left in a clean, tidy and hygienic condition. All rubbish must be removed or placed in the appropriate bins provided, and the facility must be left in a condition suitable for the next user.
- Providing any additional consumables required during their booking, including, but not limited to, toilet paper, paper towels and other hygiene products where usage is expected to exceed the standard supply provided by Council. Where Council determines that the size, nature or duration of the booking has resulted in the amenities requiring cleaning beyond the standard scheduled service, Council reserves the right to arrange additional cleaning. Any additional cleaning costs incurred will be charged to the Hirer at cost, based on the rates charged to Council by its contracted cleaning service provider.
- Any damage, excessive soiling, vandalism or misuse of the amenities or associated facilities occurring during the booking period. The Hirer will be liable for the reasonable costs of cleaning, repairs or replacement required as a result of such damage.

## TYPES OF USE

**Seasonal:** a long-term allocation of a sports fields to a recognised incorporated club for the primary purpose of conducting sports training and competition within the designated dates and times specified. Requests outside of the specified dates will be accepted as pre-season or casual applications only.

**Pre-Season:** a short-term allocation of sports fields not currently in use for other seasonal sport activities or programmed maintenance to a recognised incorporated club for the primary purpose of conducting pre-season training, games or grading. Council will endeavour to allocate available facilities for a two-week period prior to the start of a sports season only.

**Casual:** refers to a one-off booking of a sports field by a recognised organisation for the primary purpose of conducting training, playing sport, or any suitable recreational activity.

**Out of Season:** any dates outside of the designated sports seasonal dates above will be classified as out of season. If access to sports fields and facilities is required, out of season, Council will review the request on a case by case basis and seek to meet applicant's needs. Fields will not be allocated, out of season, if already seasonally allocated to another organisation or if under a scheduled or emergency maintenance program.

***Please note that Council only line marks sporting fields during the relevant playing season. If your booking falls outside the designated season, line marking will not be provided.***

Council requests that organisations/clubs perform all out of season training at:

- Oxley Reserve - Grassed area south of Oxley Oval (elevated area)
- Ashdown Reserve
- Blair Reserve
- Greenmeadows Reserve
- Beaches and suitably sized reserves (excluding high profile areas including Westport Park, Town Green, Town Beach, Bain Park etc)
- Hockey Fields (organisation/club to contact and book directly with Port Macquarie Hastings Hockey Association)
- School Sports Fields (organisation/club to contact and book directly with the school)
- Wauchope Indoor Stadium
- Port Macquarie Indoor Sports Stadium

## PRE-SEASON TRAINING BOOKINGS

- No goal posts, cricket pitches or field marking will be installed and/or prepared before the start of the designated season dates.
- Council reserves the right to allocate facilities irrespective of historical usage. User groups may not be allocated their traditional venue for pre-season training, but provided an alternative suitable location.
- User groups must respect the rights of current seasonal users of fields, and their respective assets (cricket pitches/goal squares etc).
- Active seasonal allocations and facility maintenance will take precedent over pre-season, competition, and additional allocation requests.
- Pre-season allocations may be restricted to venues identified by Council. Council reserves the right to reject pre-season training, games, trials and galas due to current seasonal allocations, field and/or facility maintenance.

## INSURANCE

- User groups are to provide a Certificate of Currency - Public Liability Insurance for coverage of Twenty Million Dollars (\$20,000,000) with all applications for use. Council must be noted as an interested party on the policy/certificate of currency. All activities that will be undertaken during the allocation must be included.

- Council must be notified of any events that might be out of normal activities and are expected to generate larger than usual crowds and any extra noise. In this circumstance the user group will need to ensure their insurance covers the expanded activities. Council will not accept any expanded activities without adequate insurances.
- User groups are responsible for any equipment and/or goods stored at a Council facility and associate property insurance.

## WET WEATHER CLOSURES

- For all training, competition and school sport, from Monday to Friday inclusive, Council will determine whether sports fields shall be closed due to the effects of wet weather and current field conditions.
- Inspections will be completed before 2pm daily (Monday to Friday) and updated on [Councils website](#).
- Although the sports field is deemed open by Council, user groups have a duty of care responsibility to inspect grounds for suitable play.
- Fields deemed closed on a Friday will remain closed for the weekend.
- Fields deemed open on a Friday are then the responsibility of the user group to assess for the suitability of play. Any damage caused due to play in wet weather will be invoiced back to the user group.

- Fields closed Monday to Friday will not be inspected before 1pm the following day so are therefore still deemed closed until the website is updated.
- Updated information on sports field closures is available on [Councils website](#).
- User groups must review Council's website in the event of wet weather to confirm if Council has closed the field/facility. The website will be regarded as the standard medium for field closures. Where a field closure sign is contradictory to the website, the website will take precedence.
- Any excessive damage caused to sports fields from inappropriate use by user groups becomes their responsibility. Council will invoice the responsible user group for damage caused to sports fields, where such damage is considered to be excessive and greater than would be expected from normal wear and tear.
- Council's decision on whether excessive damage has been caused shall be made by experienced staff and shall be final.

## LINE MARKING

- Council will mark sports fields at the beginning of the season and maintain thereafter as part of a scheduled maintenance program.
- User groups wishing to maintain line markings during the season, should seek written approval from Council in the first instance.

## SPORTS FIELD LIGHTING

- Sports field lighting provided by Council is intended to support access to training and/or night fixtures. User groups are responsible for checking lighting coverage with Council before commencing any night-time activities.
- Sports field lighting is a user pays system. Automated sports field lighting control systems are installed at the majority of sporting facilities and provide user groups with ease of activation via SMS and accurate recording of 'actual' usage. Access is only available to those user groups who have approved allocations along with authorisation to use sports field lights at requested times.
- User groups are required to submit a request for lighting prior to each season, acknowledging their obligation to satisfy payment of fees and ensuring the system is turned off after use.
- Facilities with sports field lighting will generally provide illumination suitable for large ball sports. Access to lighting will be managed in line with the Australian Standard for Sports Lighting AS 2560–2007 and any other relevant guidelines.
- Lighting used at any facility will be charged based on actual usage and invoiced to the club quarterly. Payment is required in accordance with the invoice terms. If payment is not received, Council may suspend lighting access for the club/s with outstanding fees.
- Should sports field lighting fail to work please call Council on 6581 8111 or [Report an Issue](#) online.

## ACCESS

- User groups must ensure that the all access points to fields and facilities are locked and secured at all times when not in use.
- Motor vehicles are not permitted on any fields unless specifically authorised by Council. User groups are responsible for controlling parking; ensuring all vehicles are parked correctly within the areas provided; and that no vehicle is parked on any grassed areas or in front of any driveways.
- Council will provide two (2) sets keys for each user group upon receipt of a key allocation request form. These keys cannot be duplicated. Extra keys can be organised at cost to the user group.
- For seasonal allocations, keys are to be returned within one (1) week of the conclusion of each allocation - failure to do so may result in re-keying of the facility at cost to the user group. For all other bookings, keys are to be returned within 48 hours following booking completion.
- User groups will be responsible for the cost of replacing all padlocks or re-keying of facilities should keys be lost/stolen.
- Council padlocks on facilities are not to be removed and replaced with user groups own padlocks. Should this occur, Council will remove and replace all unauthorised padlocks at the cost to the user group. If this continues to occur, it may result in cancellation of allocations.
- User groups must ensure that the field/facility and the surrounds are kept clean and tidy condition after each usage. Any costs incurred to clean or restore any damage to a sports field or facility, as a result of activities, is to be borne by the hirer.
- The user group is responsible for performing a fit-for-purpose inspection of all facilities including (but not limited to) playing surface, surrounds, car park, buildings, irrigation systems, fencing goal posts, structures and associated amenities prior to each use of a field/facility. This inspection is to ensure fields/facilities are free from obstacles or hazards and to allow the user to take all reasonable steps to satisfy itself that there is no reasonable risk of injury from the field/facility to any person participating in the user groups activities. This applies to each training and competition session.
- Playing surfaces deemed unsafe must not be used until repaired.

## FEES & CHARGES

- Where fees are applicable they will be charged directly to the user group. All fees and charges have been endorsed by Council and can be found in [Schedule of fees and charges](#).
- Any use of sports fields outside of the approved allocation may result in increased charges, fines or cancellation of use.
- Any unpaid fees and charges will be referred to Council's debt recovery. User groups will be invoiced for the outstanding amount and the costs associated with debt recovery. No further bookings will be accepted until outstanding account is finalised.
- Users group experiencing difficulties in paying an account are encouraged to contact Council requesting a payment plan.
- Failure to pay fees may result in the exclusion from all Council facilities and/or relocation to another ground.
- When a sports field is closed due to wet weather, Council will not reimburse clubs fees.
- Council will invoice user groups for the use of lights at the end of each quarter. Failure to meet lighting costs could impact future field and lighting allocation requests.

## ACCOUNTS

- **Port Macquarie Regional Sports Stadium** is a fee for service venue and Council will invoice each user for all fees including bonds. Payments can only be made on issue of an invoice unless an agreement is in place with Council.
- **Wauchope Indoor Stadium** is a fee for service venue and Council will invoice each user for their allocation. Allocations can be cancelled up to seven (7) days prior to the date of use. Cancellation within seven (7) days will be invoiced as if used.

## **CANTEENS**

Some canteen facilities are operated by a seasonal user group or have a licence agreement in place charged by Council. Casual user groups remain permitted to utilise these canteen facilities; however, arrangements will need to be made with the respective seasonal user group.

Where facilities have multiple user groups, users must work collaboratively in the space. It is suggested each user group provide:

- A lockable fridge
- Padlocks for storage cupboards
- Other required assets to operate the canteen are at cost to the user group

Alcohol is not to be left in canteens or facilities overnight.

Council reserves the right to provide access to canteen facilities for major events. User groups may be required to remove all stock and provide the use of canteen amenities, fixtures and appliances within a reasonable amount of times and prior to the event.

User groups will have one (1) week at the conclusion of their season to vacate and clean the premises. Facilities are to be left clean and tidy as per canteen handover audit.

Where canteens do not meet the standard, Council will employ a contract cleaner at the cost of the user group.

Any remaining stock will be removed by Council, at the cost of the user group.

Council accepts no responsibility for food and stores left in canteens, all risk is with the user and Council may seek financial contribution for damage from break-ins if attractive or valuable items are left on site.

## **CHANGE ROOMS & TOILETS**

- Change rooms can be accessed by a user group upon application.
- Change rooms are not exclusively allocated to user groups as part of a seasonal approval.
- Change rooms are not permitted to be used to store equipment.
- User groups are required to have the change rooms and toilets cleaned following use. Failure to effectively clean the facilities will result in Council employing a cleaner and invoicing the user group.

## **USE OF ELECTRICITY**

- Refer to Appendix A.1

## **LIGHTING**

- Refer to Appendix A.2

## **TEMPORARY STRUCTURES**

- Refer to Appendix A.3

## **SALE OR PROVISION OF FOOD AND/OR ALCOHOL**

- Refer to Appendix A.4

## **AMPLIFIED SOUND**

- Refer to Appendix A.5

## **WASTE MANAGEMENT**

- Refer to Appendix A.6

## **AMENITY FACILITIES USE**

- Refer to Appendix A.7

## **AMUSEMENT DEVICES**

- Refer to Appendix A.8

## **TRAFFIC MANAGEMENT**

- Refer to Appendix A.9

## VEHICLE ACCESS

- Refer to Appendix A.10

## EMERGENCY SERVICES

- Refer to Appendix A.11

## HEALTH AND SAFETY

- Refer to Appendix A.12

## PROFESSIONAL FILMING

- Refer to Appendix A.13

## GENERAL CONDITIONS

- Refer to Appendix A.14 for other general conditions of use

## LIAISING WITH COUNCIL

- Each user group will designate one person from their committee to liaise with Council on issues associated with the use of Council sporting facilities and their bookings.
- User groups are required to report all problems and damage as soon as practicable via [Report an Issue](#) on Council's website or by calling Council on 6581 8111.
- Any sports field allocation enquiries or requests for information should be directed to Council on 6581 8111 or email [bookings@pmhc.nsw.gov.au](mailto:bookings@pmhc.nsw.gov.au).
- For any after-hours emergencies (outside 8:30am to 4:30pm weekdays) call Council on 6581 8111.
- Council reserves the right to terminate an approval should the user group breach any term or condition.



# Parks, Reserves and Beaches

We maintain a wide range of parks and reserves within our region and regularly receive requests to use or hire our reserves for private and public functions.

Private functions may include ceremonies such as weddings and christenings or activities organised by an individual, group, club, association or company such as Christmas parties, family reunions or group barbecues.

## PRIVATE CEREMONIES & FUNCTIONS

Exclusive use of a public park or reserve is not permitted and access to the general public is to be available at all times. However, you can still enjoy our spaces for private ceremonies and functions, with the following guidelines:

Private Ceremonies (including weddings and christenings) need to be booked through Council and a fee is payable. The maximum time permitted is two hours.

- Approval for the activity does not entitle the applicant to any exclusive use. As the area is a public place, the rights of other users are to be respected and no disturbance, obstruction of pathways, or inconvenience is to be caused to the general public.
- No special parking arrangements can be made. All vehicles must park legally and are not permitted on the reserve.
- The area is to be left clean and tidy, no confetti, rice or rose petals are to be thrown or laid. Due to environmental reasons, no balloons are to be released.
- The securing of lovelocks is not permitted and will be removed by Council.
- Decorations, small wedding arches & chairs are permitted (max 20), providing they are immediately removed after the event. No other structures are to be erected.
- A low impact portable amplifier and microphone can be used however the noise must be at a reasonable level and must not cause a nuisance or disturbance to other park users.
- The hirer must not erect signage, barriers or notices that imply exclusive use of, or restrict public access to, the booked area.
- **Rocky Beach, Harry's Lookout & Bartlett's Beach** - Subject to suitable weather conditions, please be aware that paragliders are licenced for flying activities on these reserves. (Applicant is to inform [mncflyers@hotmail.com](mailto:mncflyers@hotmail.com) of event.)
- **Tacking Point Lighthouse Reserve** - No decorations are to be attached to the Lighthouse Building.
- **Patrolled Beaches** - Lifeguard Services are in operation at this beach. You are to ensure there is no conflict with their patrols on the day.

- Please be aware that these areas are frequently used for ceremonies, and another booking may be scheduled on the same day. You must strictly adhere to your allocated booking time.
- You are to ensure that any person/s involved in the management or planning of your ceremony are made aware of the above conditions of use.

**Private functions** (birthday parties, barbeques, family gatherings etc.) do not require notification to Council unless more than **thirty (30)** attendees are expected. In this situation, notifying us helps us manage the space and avoid conflicting activities. Charges may include an Application Fee or Ceremony Fee.

## COMMUNITY / PUBLIC EVENTS

A community/public event includes any event that is open to the general public or where an invitation or the purchase of tickets is required to participate, from an information stall to a complex major event with marquees, road closures and/or any event with over 100 attendees expected. Please refer to our [Event Organiser's Toolkit](#).

We require event applications to be submitted at least eight (8) weeks prior to the proposed event date including all relevant documentation. This allows sufficient time for Council staff to assess the application, undertake the necessary checks, and ensure all safety, regulatory, and operational requirements are met.

Many of these requirements are imposed by State and Federal legislation, and Council must comply with these obligations when processing event applications.

To ensure an equitable and consistent process for all applicants, Council cannot prioritise late applications ahead of those submitted within the required timeframe. Likewise, Council cannot waive or skip any of the assessment, consultation, or approval steps required to process an application. Late applications may therefore not be approved in time for the proposed event date. Applications received with less than eight (8) weeks notice may be subject to a Late Application Fee.

## SITE OCCUPATION

- The applicant is to liaise with Parks & Open Space Co-ordinator on 6581 8366 prior to 3:30pm on weekdays, at least seven (7) days prior to setting up for the activity with respect to the location of the activity within the reserve.
- In accordance with Council's fee structure for the reserve, payment of bond is to be made to Council at least 30 days prior to the commencement of set up for the activity.
- The applicant shall lodge with Council, at least 30 days prior to the commencement of set up for the activity, a performance bond with an authorisation for Council to expend part or all of the bond to repair or restore the ground surface or associated fixtures at the reserve. An inspection will be carried out by Council at the completion of the activity to determine any necessary works.

## **SURF CARNIVALS / COMPETITIONS**

- Use of the surveillance towers are not permitted and can only be accessed and utilized by current and qualified lifeguards or surf lifesavers who are on duty.
- Your club is to liaise with the surf lifesaving club operating at the beach proposed to be used for your event to ensure that no conflict arises from your use of the area on that day. No activities are to be set up/held within the surf patrol area (flags).
- Noise levels including amplified sound is to be kept to a minimum prior to 8.00am.
- Please note that Rainbow Beach may at times be closed for a number of days following heavy rain periods due to poor water quality.
- The onus is on the applicant to obtain any appropriate approval/aquatic licence from NSW maritime.
- Due to the number of surfboard/bodyboard club carnivals, listing multiple locations on any particular day to take advantage of optimum surf conditions, it is challenging for Council to manage reserve allocations to any one club for a particular location. Therefore, should clubs decide to surf at the same location, they are to be considerate and work together to ensure adequate and mutual joint access. Should you require a change to your allocation & there is another club carnival operating on the day, please liaise with the club directly.
- Erection of marquees/tents must not obscure lifeguard tower viewing.

## **USE OF ELECTRICITY**

- Refer to Appendix A.1

## **LIGHTING**

- Refer to Appendix A.2

## **TEMPORARY STRUCTURES**

- Refer to Appendix A.3

## **SALE OR PROVISION OF FOOD AND/OR ALCOHOL**

- Refer to Appendix A.4

## **AMPLIFIED SOUND**

- Refer to Appendix A.5

### **Town Beach Park / Town Beach Reserve only**

- Event organisers are to deliver notifications to resident and business' letter boxes on Stewart St, and to the Caravan Park on Munster St, advising when the event is occurring, times of amplified sound, and a phone number to lodge noise complaints to (event contact, not council) that is available on the day to address noise issues arising on the day. Organisers are to keep a log of the noise complaints received, and if any, email to Council within five business days after the event.

## **WASTE MANAGEMENT**

- Refer to Appendix A.6

## **AMENITY FACILITIES USE**

- Refer to Appendix A.7

## **AMUSEMENT DEVICES**

- Refer to Appendix A.8

### **Town Green East**

- Designated sites for jumping castles have been identified, (A site plan is available on request).

## TRAFFIC MANAGEMENT

- Refer to Appendix A.9

### Walking events / charity runs – Southern Breakwall

Port Macquarie's breakwall is managed by the NSW Government through Transport NSW (previously Crown Lands). To obtain permission to use the breakwall for this activity you will need to [contact their office](#) or phone 1300 886 235.

- This approval does not grant exclusive use of any of the foreshore area or any walkway for this event. Organisers and participants need to be aware of and considerate of other users of the foreshore area and walking paths.
- The walk course is to be adequately marshalled to ensure safety of both participants and other users of the reserve areas not connected with your event.

## VEHICLE ACCESS

- Refer to Appendix A.10

### Town Green

- The entry/exit point for all vehicles is from the entrance in Short St. Vehicles are to enter the reserve at walking pace on the hard surface areas, where possible, to the approved site. Drivers are to be considerate of, and give way to pedestrians during entry and exit.
- Vehicle access is not permitted over the footpath area from Horton St.

### Westport Park

- Vehicular access is via the gate located adjacent to the Park St car park. Vehicles are to enter the reserve at walking pace on the hard surface areas, where possible,

to the approved site. Drivers are to be considerate of and give way to pedestrians during entry and exit of the display vehicles.

### Town Square (Northern end)

- Bollards are permitted to be removed to allow for set up within the Town Square. It is the applicant's responsibility to ensure the bollards are reinstated immediately once set up is complete. The applicant accepts responsibility for loss or damage of the bollards should this occur.
- Keys to access reserves can be obtained from Councils customer service offices up to 48 hours prior to the event. You need to have completed all required paperwork requesting keys and paid all applicable fees.
- No vehicle entry/exit is permitted via Buller St layback unless prior approval is obtained by Council.

## EMERGENCY SERVICES

- Refer to Appendix A.11

## HEALTH AND SAFETY

- Refer to Appendix A.12

## PROFESSIONAL FILMING

- Refer to Appendix A.13

## OTHER AGENCY APPROVALS

Refer to Appendix B for other approvals that may be required for an event including aquatic activities, public assembly or procession, music copyright and fireworks.

## GENERAL CONDITIONS

- Refer to Appendix A.14 for other general conditions of use

## SPECIAL CONDITIONS

- Approvals are issued subject to the terms and conditions contained in development consent and any subsequent modifications to that consent. Should any condition in this approval differ from any condition issued under development consent, the conditions in the development consent will prevail.
- Approvals only relate to Council owned or managed lands. Should this event also be held on or traverse through, any private property, Crown Land, National Park, State Forest or any other areas that are not owned or managed by Council, the event organiser is required to follow up with the relevant agencies for any approvals that may be required.
- Should there be any damage to a reserve as a result of an event, the applicant undertakes to cover any costs required to restore the ground surface or associated fixtures. An inspection will be undertaken by Council at the completion of the activity to determine any necessary works.
- Upon completion of a Key Request Form and paying any associated fees/bonds, a key for reserve entry/power box/amenities will be made available for pick up prior to the event from Council Customer Service offices.
- You may need to refer to [‘Australia’s Strategy for Protecting Crowded Places from Terrorism’](#) for event risk management.

## OCCUPATION CERTIFICATE

- Event organisers are responsible to ensure that all legislative requirements are met to stage an event. Please ensure event planning considers any fire safety requirements and if an occupation certificate is required for temporary structures.

### NSW Planning Portal

- All applications for an Occupation Certificate must be submitted online via the [NSW Planning Portal](#). Applications cannot be submitted directly to Council.
- If you need assistance to submit your application, please view the [quick reference guides](#) provided on the website or contact [Service NSW](#).
- Applications for an occupation certificate must be submitted 14 days prior to the event. Once the application has been submitted via the NSW Planning Portal, Council will review the application to ensure that all required information has been provided. Fees apply and Council will issue a request to pay application fees via the Planning Portal application.

### Final Inspection

- Applicants are required to book a final inspection for Council inspection of the site, the structure when built, and to consider issuing the occupation certificate.
- Please ensure that all required certifications (e.g. fire, engineering etc.) are provided with your occupation certificate application.
- The inspection booking for your temporary structure must be [booked online](#): at least five (5) business days prior to the required inspection date.

## BEACH DRIVING

We have many un-patrolled beaches that allow four-wheel driving (4WD) as long as you have a valid beach driving permit. Annual (365 days) or 30 day permits are purchased using the PayStay App or website. All permits are valid from the date of purchase on nominated 4WD beaches within Port Macquarie Hastings, Kempsey and Nambucca Council areas.

Pensioner permits can be purchased by visiting one of our customer service centres or the Glasshouse Visitor Information Centre.

Permit holders must follow these beach driving rules at all times.

- Enter and exit the beach via designated, signposted access points only. View the beach access map to see the access points.
- Stay between the high and low tide marks (where the sand is firmer) except when entering or leaving the beach.
- Obey the 50km/h speed limit. When you are within 100m of other vehicles or people, you must slow to 25km/h speed limit.
- Do not drive through a surf patrol area, unless you have the permission of the patrol captain on duty.
- Give right of way to people at all times and keep within a safe 15m distance of other beach users.
- Activities involving towing of people, driving and parking on sand dunes/vegetation is prohibited.
- If you cannot pass a section of the beach due to sand drift situations, drivers are to turn around and not proceed through a drift section.

- Keep our beaches clean and take your rubbish with you when you leave. Glass is prohibited at all times.
- Vehicles must be registered, drivers licensed and seat belts must be secured.

### Permit Conditions

- Display or produce the temporary permit through the PayStay App if requested by a Ranger or the Police.
- Only the vehicle registered on the permit can access and drive on the beach.
- Disabled drivers may apply for a special licence under TfNSW unregistered vehicles provision.

Further information and access Maps can be found on our [Beach Driving Permit webpage](#).

### Offences

- Driving or parking a vehicle on the vegetated dune of any beach.
- Driving on any beach (except at boat launching sites) without a current beach driving permit.
- Driving in restricted or prohibited areas.
- Driving without a current driver's licence or an unregistered vehicle.

All beach driving rules and regulations are enforced under the Local Government Act 1993 and relevant Council policies. Penalties may apply for breaches, including the issue of a penalty notice and/or prosecution. Maximum penalties are determined in accordance with the legislation and applicable penalty units. Council also reserves the right to suspend or withdraw a beach driving permit from vehicles found to be in breach of the Act or Policy.

# Community Facilities (Halls)

These are owned by Council and are managed by community based management committees or directly by Council. Community Facilities are a great community resource and we ask that you value and care for them. Hiring of the following community facilities can be arranged through Council's [online booking service](#):

- Beechwood School of Arts Hall
- Dunbogan Jubilee Hall
- Laurieton School of Arts Hall
- North Haven Community Hall
- Pappinbarra Recreation Reserve
- Bellangry Hub
- Wauchope Community Rooms

Hiring of the following community facilities can be arranged directly through the individual Community Management Committee. Refer to Council's website for contact information.

- Bonny Hills Community Hall
- CC MacAdams Music Centre
- Emerald Downs Community Centre
- Lake Cathie Community Centre
- Long Flat Community Hall
- Lorne Recreation Centre
- Port Macquarie Historic Courthouse
- Port Macquarie Seniors Facility
- Wauchope Community Arts Hall
- Wauchope Senior Citizens Centre

## HOURS OF OPERATION

**7.00am – 12.00 midnight.**

No activity shall start before 7am or continue past 12 midnight including cleaning and vacating premises.

Community Halls will be closed key holidays including Christmas Day, New Years Day and Easter.

## FEES AND BONDS

- Fees and charges for Community Facilities are set annually by Council, after consultation with management committees. A bond will be taken in all cases.
- The bond is refundable if, after inspection, the facility is deemed to be left clean and undamaged and noise restrictions have not been exceeded. This also includes the grounds of the facility.
- Payment of fees and bonds are to be made 30 days prior to use of the facility. The hirer further agrees to pay for any cleaning or rectification of damage, not covered by the amount of the bond/s.
- Payment can be made to the booking officer for each management committee, through Council for Council operated halls or using Council's [online booking portal](#). Any cheques must be made payable to Port Macquarie Hastings Council.
- Council will not provide retrospective refunds, credits or fee adjustments for bookings that were not used. To be eligible for a refund (where applicable), cancellations must be submitted to Council in writing at least seven (7) days prior to the scheduled booking date. Cancellations received within seven (7) days of the booking date, or after the booking has occurred, are not eligible for a refund.

## **PUBLIC LIABILITY INSURANCE**

All activities in the facility are required to be covered by Public Liability Insurance to the value of Twenty Million Dollars (\$20,000,000). The hirer must provide evidence of insurance coverage at the time of booking. Council provides public liability insurance coverage to non-incorporated groups and individuals. \$2000 excess applies to each and every claim, this is payable by the hirer. The policy only covers hirers of facilities that have been specified to our insurer. Council must be notified immediately in the event of any accident that may result in a claim against the policy.

## **NOISE FROM ACTIVITY**

The noise from the facility shall not be audible within any habitable room in any residential premises near the facility between the hours of 11.00pm and 7.00am.

Please refer to Appendix A.5 regarding use of amplified sound.

## **ACCESS TO THE FACILITY**

The hirer needs to allow time for setting up before a function and cleaning up afterwards when making the booking, this time is charged at the same hire rate. The premises must be vacated by all patrons within the booking time and the hirer shall remove all the hirers goods, materials and equipment and leave the premises in a reasonably clean state at the expiration of the booking, otherwise additional charges, at the scheduled rates, shall apply.

## **STORAGE IN COMMUNITY FACILITIES**

Storage within Council community facilities is only available to hirers who hold an approved annual facility hire booking and is subject to availability. Storage hire is subject to the applicable fees and charges adopted by Council.

Storage areas must be kept clean, tidy and organised at all times and may only be used to store items directly related to the approved hire activities.

At the conclusion of the annual hire period, the hirer is responsible for removing all items and leaving the storage area clean and free of debris. Council reserves the right to dispose of any items left after the hire period has ended. Any costs incurred by Council for cleaning, removal, disposal or reinstatement of the storage area may be charged to the hirer.

## RESPONSIBILITIES OF HIRERS

Hirers are responsible for:

- Setting up and restacking and/or removal of chairs and tables etc.
- Ensuring that chairs are not stacked too high, or in front of exits or fire extinguishers.
- Inspecting kitchens before the function/event to ensure that the facilities are adequately clean.
- Cleaning kitchens after use, including the removal of all unconsumed food and drink from the refrigerator. All rubbish is to be removed from the premises unless advised otherwise by the management committee or Council office.
- Turning off air conditioner and/or fans (if applicable) and lights.
- Double checking that all windows and doors are locked.
- Reporting any damage to the Booking Officer/Council office.
- Returning the key to the Booking Officer/Council office within 48 hours of the expiration of the booking.
- Making arrangements with the management committee booking officer for an inspection of the facility to facilitate the return of the bond. When requesting a bond refund for a facility that Council manages the hirer must submit before and after photographs to show the state of the facility.

## USE OF ELECTRICITY

- Refer to Appendix A.1

## LIGHTING

- Refer to Appendix A.2

## AMENITY FACILITIES USE

- Refer to Appendix A.7

## LOSS OR DAMAGE TO/OF PROPERTY

The Management Committee/Council shall not be responsible for any loss or damage to any property whatsoever belonging to the hirer or persons attending the function. The hirer shall indemnify the Management Committee/Council against any claim for compensation arising out of any action by the hirer or persons acting on his/her behalf. The hirer shall be liable for costs associated with making good any damage caused to buildings, fittings, furniture and other installations arising out of his/her use of the Facility.

## CHILD PROTECTION

The Hirer shall meet the legislative provision of the State Government's Child Protection (Prohibited Employment) Act 1998. The hirer is responsible for ensuring that volunteers or employees, who have Direct and unsupervised contact with children and young people, have undergone police checks on their background.

## SALE OF GOODS

Retail activities are not permitted at any community facility. Selling goods to raise funds for community based projects can only be done with the prior written consent of the Community Facilities Officer.

## SERVING OF ALCOHOL

- Additional fees apply for alcohol consumption in community halls.
- Alcohol may only be consumed at private functions held within Council community facilities and must not be sold unless all relevant licences and approvals have been obtained.
- The hirer is responsible for ensuring alcohol is consumed responsibly and in accordance with all applicable legislation.
- Alcohol must not be supplied to persons under the age of 18 years. The hirer is responsible for monitoring compliance with age restrictions.
- The hirer must take all reasonable steps to prevent intoxication, disorderly behaviour, or any activity that may pose a risk to attendees, Council property, or the wider community.
- The hirer is responsible for ensuring that all guests vacate the facility in an orderly manner at the conclusion of the event.
- Glass containers may be prohibited at certain facilities. The hirer must comply with any site-specific requirements advised by Council.
- Any damage, excessive cleaning, security costs, or other expenses incurred as a result of alcohol consumption during the booking may be deducted from the hirer's bond and/or charged to the hirer.
- Council reserves the right to refuse, cancel, or terminate a booking where it considers the consumption of alcohol may present an unacceptable risk to people, property, or the community.

- The hirer must comply with any additional conditions imposed by Council relating to the consumption of alcohol at the facility.
- Failure to comply with these conditions may result in the immediate termination of the booking, forfeiture of bond monies, and refusal of future bookings.

## SMOKING

In accordance with the Smoke-Free Environment Act 2000 smoking is not permitted inside the facility or within 10 metres of any Council building.

## ACCEPTANCE OF CONDITIONS

The payment by any person of any amount of rental for the hire of the facility shall be deemed an acknowledgment and acceptance by such person of the conditions set out herein.

## CONFLICT OVER HIRE

In the event of any dispute or difference arising as to the interpretation of the conditions contained in this agreement, the decision of the General Manager, Port Macquarie Hastings Council shall be final.

## GENERAL CONDITIONS

- Refer to Appendix A.14 for other general conditions of use

# Appendix A - Additional requirements when holding an event

## A.1 USE OF ELECTRICITY

If Council has suitable power sources at your chosen venue, you may apply to access and use Council's electricity for the duration of your event. A daily charge will apply to access these power sources. You can contact our Electrical Projects Officer to discuss the suitability of your event's needs and organise access.

- To obtain access to power, you must contact Council's Electrical Projects Officer, on 6581 8111 prior to 3.30pm, Monday to Friday, at least seven (7) working days prior to the event. Failure to do so will result in power not being available for the event.
- In accordance with Council's Fees and Charges, power access fees apply per power outlet and per day. Payment is due at least seven (7) days prior to the commencement of set-up for the activity.
- Any electrical leads or equipment shall be set up by a licenced electrician, in accordance with the requirements of SafeWork NSW and the provisions of Australian Standard AS3002-2008 Electrical Installations - Shows and Carnivals.
- The event organiser is responsible for ensuring that the event meets Council's standard Electrical Specifications.
- The event organiser is responsible for all costs incurred for misuse or overloading of the electrical facility as well as all costs associated with out of hours callouts.

### No On-Site Facilities Available

- If power is required and use of Council's power is not available at the site, the applicant is to make all necessary arrangements with the local power authority for the supply of sufficient power to conduct the event. Any associated costs are the responsibility of the applicant.
- The event organiser is to ensure that any temporary facilities are removed from the site immediately following the staging of the event.
- If electricity is not available and you require electricity for your event, you are to contact council's Electrical Projects Officer on 6581 8111 to organise access for your provider to install the temporary power source on the reserve area. Any associated costs are the responsibility of the applicant.

## A.2 LIGHTING

- All lighting provided for an event must be installed to meet the requirements of AS4282.1997 - Control of the Obtrusive Effects of Outdoor Lighting.

## A.3 TEMPORARY STRUCTURES

### Tents, marquees or booths

The proposed tent, marquee or booth will be exempt from development consent only if the structure meets the criteria specified in Part 2, Division 3, Subdivision 7 of the [State Environmental Planning Policy](#) (Exempt and Complying Development Codes) 2008.

### Stages or platforms

The proposed stage or platform will be exempt from development consent only if the structure meets the criteria specified in Part 2, Division 3, Subdivision 9 of the [State Environmental Planning Policy](#) (Exempt and Complying Development Codes) 2008.

In the event you are unable to comply with the above provisions, it is likely that development consent will be required. For more information on this process, please contact Council's Duty Planner on 6581 8111 between 8:30am and 1:00pm. It should be noted that development applications can take approximately eight (8) weeks to process.

### Small Structures

Due to WH&S obligations and the extensive network of underground services within parks, reserves and sports fields, small structures must be secured using appropriate weighting or anchoring methods in accordance with the manufacturer's operating guidelines. Star pickets, stakes or pegs are not to be driven into the ground due to the presence of underground services, including Council, Essential Energy and Telstra infrastructure.

### Temporary Shipping container - Storage

Approval is required prior to installation of temporary shipping container/s.

Council supports the use of shipping containers on Council community recreation land as a TEMPORARY equipment storage solution only.

A *Community Recreation Shipping Container Agreement* must be signed by Council and the responsible organisation prior to installation. This agreement is for a period of up to two (2) years only.

The responsible organisation will take responsibility for all associated maintenance and repair of the shipping container, including graffiti and the organisation will ensure that all obscene graffiti will be removed within 24 hours of notification by Council. The shipping container is to be maintained in accordance with fair wear and tear. Council is within its rights to request the organisation complete remedial works to maintain the aesthetic quality and repair of the container to ensure that it remains fit for purpose.

The shipping container is to be maintained in accordance with all legislative requirements.

If the shipping container is no longer 'fit for purpose' the organisation shall remove the shipping container within one (1) month's written notice from Council. Council may also request the removal of a shipping container at any time. The organisation shall remove the shipping container within one (1) month's written notice from Council.

## Underground Services

For assistance with the location of Council underground services please contact Council's Electrical Technical Officer on 6581 8146 and Water Services Co-ordinator on 6581 8455 prior to 3.30pm on weekdays, at least 7 days prior to setting up for the activity with respect to the location of the activity within the reserve

The cost of any damage or repairs to underground services is to be paid for by the applicant.

The structure is to be able to resist loads determined in accordance with the following Australian and New Zealand Standards and Guidelines:

- i. AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles
- ii. AS/NZS 1170.0 Sup 1.2002 (R2016) Structural design actions - General principles - Commentary
- iii. AS/NZS 1170.1:2002 (R2016), Structural design actions, Part 1: Permanent, imposed and other actions
- iv. AS/NZS 1170.1 Supp 1:2002 (R2016) Structural design actions - Permanent, imposed and other actions - Commentary
- v. AS/NZS 1170.0 Sup 1.2002 (R2016) Structural design actions - General principles - Commentary
- vi. AS/NZS 1170.2.2011 (R2016), Structural design actions, Part 2: Wind actions
- vii. Hire & Rental Industry Association (Events Division) - Temporary Structure/ Marquee Weighting Guide, along with any other temporary structure instructions, procedures, manuals, warnings or other programs available to owners or users for the type of temporary structure being utilised.

Any structure is to be erected in accordance with the manufacturer's instructions in a secure and safe manner, be erected on a surface that is sufficiently firm and level, be structurally sound and capable of withstanding the loadings likely to arise from its use.

The applicant is to comply with current safety regulations and any requirements of [Safe Work Australia](#).

## A.4 SALE OR PROVISION OF FOOD AND ALCOHOL

- The preparation, handling and storage of food, including hygiene and waste disposal in conjunction with the activity shall comply with the Food Act 2003 and Regulations, the [NSW Food Authority's](#) Food Handling Guidelines for Temporary Events and the requirements of [Council's Mobile Food Vending Policy](#).
- All food vendors must be registered with Port Macquarie Hastings Council to operate at events within the Local Government Area (LGA). Please ensure the vendors you are engaging are aware of Council's requirements and have a current approval to operate. Further information on [mobile food vending, temporary food stalls or to apply for a permit](#) can be found on Council's website.
- Permission from Council and the appropriate permit from the Licensing Court of NSW, for the sale and/or consumption of alcohol is required at Council facilities. Sale and/or consumption of alcohol will not be considered at facilities where minors are present. Consumption of alcohol from glass bottles is strictly prohibited.
- If it is proposed to sell alcohol at your event, the applicant is required to apply for a limited licence (for single function). A limited licence allows liquor to be sold at functions or special events held by a non-profit organisation. The application must be received by the Office of Liquor, Gaming and Racing at least 28 days prior to the event. A notice must be provided to council and the police within two working days of lodging the application.
- You may apply online at Service NSW. For other information visit the NSW Office of Liquor, Gaming and Racing.

## A.5 AMPLIFIED SOUND

- Amplified sound systems, or amusement devices must not be used without the prior consent of Council.
- Sound amplification equipment used must be installed and maintained to minimise the noise impact on residential premises. All speakers forming part of the amplified sound/public address system shall be positioned so as to face away from the residences in the area. Speakers should face downwards at an angle of 45 degrees.
- Noise levels are to meet Environment Protection Authority requirements. See [NSW EPA](#) for more information.
- The noise intrusion from the activity (measured as the LA10 noise level) shall not exceed the background noise level (measured as the LA90 noise level in the absence of the source) by more than 5dB(A) when measured at any affected residential premises.
- Sound equipment use, including testing and practice, is only permitted during approved hours of operation.

## A.6 WASTE MANAGEMENT

- It is the event organisers responsibility to manage the event's waste and leave the site and its facilities in a clean and tidy condition. This may mean the provision of extra bins, skips or toilets. Consider engaging a professional cleaner if budget allows.
- Please see the [Event Organiser's Toolkit](#) for Event Waste Management Guidelines.
- The event organiser is to provide sufficient waste bins for any waste generated by the event and the waste bins are to be removed from the area promptly at the completion of the event.
- Public place waste bins within the event boundaries are not permitted to be used during the event or for post-event clean up.
- The principles of event waste reduction, recycling and management are to be implemented and waste bins are to be provided to enable attendees to separate their waste, thereby reducing waste to landfill.
- The event organiser is responsible for all costs incurred in relation to waste management including the provision of the waste bins, collection and disposal costs.
- The event organiser is responsible for the clean-up of the site during and after the event, including removing any material from the immediate surrounds that may have originated from the site during the event.
- If the site is not left clean and free of waste, a clean-up will be organised for the site, with the cost charged to the applicant

## A.7 AMENITY FACILITIES USE

- On-site amenities are cleaned and serviced as part of a regular maintenance schedule for use by the general public. The event organiser is to monitor usage of these amenities and provide additional toilet paper and hand towels, if required.
- Additional amenity cleaning fees may be applied to your booking.
- Should any damage occur at these amenities please report to Council.

## A.8 AMUSEMENT DEVICES

### Mechanical

Powered amusement devices must be registered with WorkCover NSW as required under the Work Health and Safety Regulation 2025 (NSW).

Such devices are to be erected and operated in accordance with;

1. All conditions specified on WorkCover NSW registration certificates including compliance with AS 3533 Amusement Rides and Devices, Part 2 – Operation and Maintenance and Supplement 1;
  2. Compliance with the Australian Electrical Standards and WorkCover codes for Electrical Installations and Electrical Installations for Shows and Carnivals; and/or
  3. Any direction given by authorised council staff or energy supply staff.
- Amusement devices shall not be operated unless their contract of insurance of indemnity for the provider of each amusement device is in force a, which indemnifies to an unlimited extent (or up to an amount not less than Twenty Million Dollars (\$20,000,000) in respect of each accident) each person who would be liable for damages for death or personal injury arising out of: a) the operation or use of the device and b) any total or partial failure or collapse of the device, against that liability.
  - The event organiser is required to supply a site plan indicating the proposed placement of each amusement device within the reserve.
  - Powered amusement devices must be registered with SafeWork NSW as required under the Work Health and Safety Regulation 2025 (NSW).
  - Such devices are to be erected and operated in accordance with a) all conditions specified on SafeWork NSW registration certificates including compliance with AS 3533 amusement Rides and Devices, Part 2 - Operation and Maintenance and Supplement 1; b) compliance with the Australian Electrical Standards and SafeWork NSW codes for Electrical Installations and Electrical Installations for Shows and Carnivals; c) and/or any direction given by authorised council staff or energy supply staff.
  - Amusement devices shall not be operated unless there is in force a contract of insurance of indemnity for the provider of each amusement device, which indemnifies to an unlimited extent (or up to an amount not less than Twenty Million Dollars (\$20,000,000) in respect of each accident) each person who would be liable for damages for death or personal injury arising out of: a) the operation or use of the device and b) any total or partial failure or collapse of the device, against that liability.
  - The applicant is required to supply a site plan indicating the proposed placement of each amusement device within the reserve.
  - An inspection of each amusement device is to be arranged by contacting Council's Compliance team on 6581 8111 prior to the operation of any amusement device. A fee applies to each device.
  - A copy of the current SafeWork NSW Authority Registration, the amusement operator's public liability insurance, and the Safe Work Method Statements are to be obtained by the applicant and submitted to Council five (5) business days prior to the event.

## **Non-mechanical (incl. Jumping Castles)**

- No jumping castles, amusement devices or vehicles are permitted on parks and reserves for private functions.
- It is the event organiser's responsibility to ensure the proposed devices are to be erected and operated in accordance with: **a)** the Australian Electrical Standards for Electrical Installations and Electrical Installations for Shows and Carnivals; **b)** the manufacturer's instructions, in a secure and safe manner, be structurally sound and capable of withstanding the loading likely to arise from its use; **c)** and/or any direction given by authorised council staff.
- The device shall not be operated unless there is in force a contract of insurance of indemnity for the provider of the device, which indemnifies to an unlimited extent (or up to an amount not less than Twenty Million Dollars (\$20,000,000 in respect of each accident) each person who would be liable for damages for death or personal injury arising out of: a) the operation or use of the device and b) any total or partial failure or collapse of the device, against that liability.
- It is the event organiser's responsibility to ensure the proposed jumping castle is to be erected and operated in accordance with: **a)** the Australian Electrical Standards for Electrical Installations and Electrical Installations for Shows and Carnivals; **b)** the manufacturer's instructions, in a secure and safe manner, be structurally sound and capable of withstanding the loading likely to arise from its use; **c)** and/or any direction given by authorised council staff.
- Due to WH&S obligations and the extensive network of underground services within parks, reserves and sports fields, jumping castles and/or inflatable amusement devices must be secured using appropriate weighting or anchoring methods in accordance with the manufacturer's operating guidelines. Star pickets, stakes or pegs are not to be driven into the ground due to the presence of underground services, including Council, Essential Energy and Telstra infrastructure.
- A copy of the current SafeWork NSW Authority Registration (if the device is required to be registered), the amusement operator's public liability insurance, and the Safe Work Method Statements are to be obtained by the applicant and submitted to council prior to the event.
- For assistance with the location of Council underground services please contact Council's Electrical Technical Officer on 6581 8146 and Water Services Co-ordinator on 6581 8455 prior to 3.30pm on weekdays, at least 7 days prior to setting up for the activity with respect to the location of the activity within the reserve.

## **Security**

- The onus is on the event organiser to ensure the temporary structures are adequately secured and patrolled overnight to ensure members of the public cannot access the structures whilst not in use and to prevent hazards should inclement weather conditions arise.
- The event organiser is to ensure that any structures remaining on the site overnight are adequately secured and patrolled to prevent unauthorised access and to prevent hazards should inclement weather conditions arise.

## A.9 TRAFFIC MANAGEMENT

It is the event organiser's responsibility to ensure the safety and convenience of the public when holding a public event on Council reserves that impacts on traffic and/or parking, or involves a road closure.

A proposal to close a road or regulate traffic requires approval by Council as the designated authority for roads in the local government area. Under Section 64 of the Roads Act 1993, the Roads & Maritime Services is the designated authority in respect to classified roads, such as the Pacific Highway and areas of the Oxley Highway and its concurrence is required for any closure of a classified road.

Section 144 under the Act requires that public notice be given of the temporary regulation of traffic that is anticipated under a traffic control plan and that such notice be given seven days prior to the event.

An application is also to be made to the Port Macquarie Police for a road closure or for the regulation of traffic.

A Traffic Control Plan is to be prepared in accordance with Australian Standard 1742 and the Roads & Maritime Services publication: [Guide to Traffic and Transport Management for Special Events](#)

Please contact Council's Infrastructure Planning Administration Officer on 6581 8111 to obtain road closure & traffic management advice and any relevant approvals that may be required for the event.

## A.10 VEHICLE ACCESS

Where vehicle access is required, a security bond will be payable prior to the event (minimum \$2,000). When no damage is caused to the venue the bond will be refunded in full after a post-event inspection.

- Should wet weather conditions prevail prior to the event, please liaise with Parks & Open Space Co-ordinator on 6581 8366 Monday - Friday prior to 3.30pm to ascertain the suitability of vehicular access onto the grounds, preventing potential damage to the grassed areas.
- To organise ground inspections on weekends during periods of wet weather contact the On-call Parks Co-ordinator via Council's emergency after hours call centre 6581 8111.
- Vehicular entry is permitted only for the set-up and set-down of the event unless previously approved by Council. All vehicles are to be removed from the site prior the commencement of the event. In the interests of public safety, there are to be no vehicular movements on the reserve during the operation of the event.

## A.11 EMERGENCY SERVICES NOTIFICATION

- When an event has five hundred (500) or more attendees expected the event organiser is required to notify local emergency services, including NSW Police Force, ambulance Service and Port Macquarie-Base Hospital that your event is taking place.
- You are to ensure that emergency services have access and egress around the site.

## A.12 HEALTH AND SAFETY

### Risk Assessment and Risk Management

- Before submitting your application, you should carefully consider potential risks involved with the staging of your event. Once identified, the risks should be rated against the chance of them occurring and the impact they could have. Once potential risks are identified, a response can then be planned in case the situation does arise. The Australian standard for risk management is AS/NZS ISO 31000:2009 Risk management - Principles and guidelines.
- Once you have completed your risk assessment, you need to undertake an on-site check to ensure that all areas of risk and potential hazards have been addressed. Information of how to manage risk and conduct a site-specific risk assessment can be found on the SafeWork NSW website.
- The Work Health and Safety Act 2025 (NSW) places a duty of care on the event organiser to ensure the safety and well-being of all members of the public as well as employees or volunteers that are involved with an event.
- Please consult with your insurer for their specific requirements for your event.

### Crowd Control, Contingency Plan and Security

When considering the site plan you will need to consider access for emergency vehicles and allow sufficient space for the free movement of the public from the event, especially should a fire or other emergency occur. Security measures proposed to ensure public safety and crowd control need to be addressed.

A contingency plan should be adopted in the event of adverse weather or other circumstances that may cause the late cancellation or the need for emergency evacuation of the site. If wet weather prevails in the days leading to your event, we reserve the right to rescind any approval issued for use of the venue for the event, if we determine that by holding the event, damage may be made to the reserve. Please ensure that you have a backup venue should unsuitable weather conditions prevail prior to or during your proposed outdoor event.

If the event is to be for more than one day, please advise of the safety precautions and security measures to be undertaken in respect of equipment, structures and the like remaining on-site overnight.

### Water

The event organiser is to ensure that drinking water is available during the event, particularly if the weather is hot, large crowds expected, or the event includes a parade or march. If you propose to sell alcohol at your event, you are required by law to have free drinking water available. If access to council's water supply is required, you will need to advise us when making your application.

### Toilet Facilities

Where there are no facilities provided at the reserve, or the facilities on-site are insufficient for the number of attendees expected, the organiser is required to supply and maintain portable toilets. The number of toilets required at an event depends on the numbers attending, the duration of the event, if food and/or alcohol is available and the type of event planned. Contact our Development & Environment Section for more information on 6581 8111.

## A.13 FILMING

- The event organiser is to seek approval from land owners when filming within private property areas.
- The activity shall not conflict or compromise the activities of the general public or hinder public access to the reserve. This consent does not permit the exclusive use of any part of the reserve by the applicant.
- The event organiser will keep the area clean and tidy and all papers and other rubbish shall be collected and removed.
- The event organiser shall, before occupying the area, take out a public risk insurance policy for the term of the permit, for the amount of \$20,000,000 for any one claim whereby the Trust and the Minister shall during the continuance of this approval be indemnified against claims and demands arising from death or bodily injury or damage to property arising out of the applicants use of the area. A copy of this insurance cover is to be provided to the Council.
- The activity shall be carried out in accordance with the application submitted except where varied by any condition of this approval.
- The event organiser is to ensure that any temporary facilities are removed from the site immediately following the activities at the end of each day.
- Vehicles are not permitted on the reserves unless prior approval has been issued by Council.
- Any UAV/Drone activities undertaken are in accordance with the Civil Aviation Safety Regulations 1998 or any other relevant legislation. Appropriate permission is to be obtained from Civil Aviation Safety Authority (CASA) prior to the event. Please be aware that the Port Macquarie Sea Plane operates within the Hastings River and Port Macquarie Airport is situated 4km west of the CBD.
- National Parks are managed by National Parks & Wildlife Service, please contact them for any relevant approvals required to film within these areas. [nationalparks.nsw.gov.au](http://nationalparks.nsw.gov.au)
- The applicant is to [seek approval from Crown Lands](#) when filming within these areas
- The applicant is to liaise with Australian Lifeguard Services who operate beach patrols, advising of this activity taking place and ensuring no conflict arises with your use of the area on the day.

### **Filming within Port Macquarie Central Business District road reserve areas:**

- Filming is to be contained on the footpath area only (not on the road).
- Any filming requiring to be on the road in or near a traffic lane requires an authorised traffic controller.
- Any occupation of a parking space or footpath area must be for a maximum of 30 minutes.
- The footpath area must be kept opened and clear, other than temporary (up to 5 minutes).

- All reasonable efforts must be made to facilitate movement in the footpath area and not unnecessarily restrict movements or access to premises.
- No activity near money retrieval locations.
- No activities may impact the movement of vehicles and road users without the use of authorised traffic controllers.

## **A.14 GENERAL CONDITIONS**

- The event organiser is to ensure that any approval is available on site during the occupation of a facility or space and is to be produced if so requested.
- The onus is on the event organiser to ensure that a) all employees, volunteers, contractors and any other personnel involved in the set-up, set-down, and/or operation of the event, abide by the conditions outlined in this approval and b) potential risks identified in the applicant's risk assessment for the set-up, set-down, and/or operation of the event are eliminated or minimised.
- The event organiser is responsible for the management of the event and by holding the event agrees to indemnify Port Macquarie Hastings Council from and against all actions, costs, claims and damages which may arise out of or in relation to the use or occupation of the land or arising from the care, control or management of the land for the event.
- The event organiser agrees that Council has no responsibility or liability for any loss or damage to the applicant's fixtures or fittings or personal property.
- Port Macquarie Hastings Council reserves the right to modify this approval should an unforeseen major event be proposed for the approved area. A major event could include a state, national or international event, or an event of significance to the community or local government area. Should this action be necessary, we will advise you immediately and endeavour to accommodate your group at an alternate venue. Council also maintains the right to cancel the event at any time due to current or predicted weather conditions.
- The cost of repairs to damaged paths, grassed surfaces, underground services, roadways, the reserve area or other public facilities used in conjunction with the event is to be paid by the applicant.
- The event organiser must comply with any Act, Regulation, code of practice, Australian standard, Council policy, protocol and or any other third party licences/permits that may be required relating to the event and/or use of the reserve area.
- The activity shall be carried out in accordance with the application submitted except where varied by any condition of this approval.
- The applicant will provide copies of all certificates/documents that are required by any condition of this approval.
- Footpath/walkways are not to be obstructed during the course of the activity.
- This approval does not confer on the applicant any exclusive right, entitlement or interest in the reserve area and access is not to be denied to the general public.

- You may need to lodge with the NSW Police Service a Notice of Intention to Hold a Public Assembly, please contact the local Police Station for further details.
- The applicant is to provide a Certificate of Currency - Public Liability Insurance with a minimum of Twenty Million Dollars (\$20,000,000) coverage. The certificate is to note Port Macquarie Hastings Council as an interested party and must be received not less than 7 days prior to the event. If this event approval covers multiple dates and your Insurance Policy expires within the approval period please provide Council with your updated Policy cover as soon as possible. Should your insurance coverage lapse during a multiple date approval and a renewal is not received by Council, this approval will be automatically cancelled.
- Council does not permit the placement or display of advertising signage on public land, including nature strips, or on public infrastructure without the appropriate approval as noted in [Subdivision 1, General Requirements for Advertising and Signage](#) legislation.

NOTE - If you outsource market stall holders, entertainers, amusement operators etc, to take part in your event, unless your insurer agrees to cover them as part of your cover and this is noted on the policy, the onus is on the applicant to ensure that each person/group taking part holds their own Public Liability Insurance.

The above conditions are imposed in conformity with Chapter 7 of the Local Government Act, 1993, the Local Government (General) Regulation 2005 and with Council's current Codes and Policies.

It is an offence under Section 627(3) of the Local Government Act, 1993 to fail to comply with this approval. Council's regulatory staff may inspect the premises/ event to ensure compliance with the conditions at any time during operation.

# Appendix B - Other Agency Approvals

## AQUATIC ACTIVITIES

An aquatic licence is required when organising an event such as a race, display, regatta, or any other activity which restricts the availability of navigable waters for normal use by the public. For application forms and information regarding aquatic licences contact Roads & Maritime Services at [maritime.nsw.gov.au](http://maritime.nsw.gov.au).

## PUBLIC ASSEMBLY OR PROCESSION

If your event involves a rally, protest or procession you will need to lodge with the NSW Police Force a Notice of Intention to Hold a Public Assembly. This must be lodged at least seven days prior to the event. Please contact Port Macquarie Police Station for further details.

## LIQUOR ACT

If it is proposed to sell alcohol at your event, the applicant is required to apply for a limited licence (for single function). A limited licence allows liquor to be sold at functions or special events held by a non-profit organisation. The application must be received by the Office of Liquor, Gaming and Racing at least 28 days prior to the event. A notice must be provided to Council and the Police within two working days of lodging the application.

You may apply online at Service NSW. For other information visit the NSW Office of Liquor, Gaming and Racing.

## MUSIC COPYRIGHT

Music is protected by copyright, therefore if you are having live or pre-recorded music in the form of a recording or video at your event you will need to obtain a licence from the Australian Performing Rights Association Ltd (APRA) to perform or communicate the music to the public. APRA deals with the copyright in the song, such as the lyrics and composition of the music. The Australian Mechanical Copyright Owners Society (AMCOS) collects the royalties for the reproduction of their members' musical works.

You will also need permission from the copyright holder to play protected recorded music or music videos in public. The Phonographic Performance Company of Australia (PPCA) deals with the copyright of the recording of the music CD, tape or video.

If you are putting on a concert, festival, dance party, function or theatrical performance, you will nearly always need an APRA licence to cover the public performance of music (visit APRA at [apra-amcos.com.au](http://apra-amcos.com.au) for more information) and also a licence from the PPCA for the public playing of recorded music such as CDs, tapes, records or music videos. Visit PPCA at [ppca.com.au](http://ppca.com.au)

## FIREWORKS

To hold a fireworks display you must lodge a Notification of Fireworks Display to SafeWork NSW at least seven (7) working days prior to the event. The supplier or operator of the fireworks must be the holder of a Pyro Technicians Permit or hold a Single Occasion Fireworks Permit to operate the display. A copy of the operator's licence and proof of the operator's public liability insurance is to be submitted with your application. For information on holding a fireworks display, visit Service NSW at Service NSW Fireworks

A condition of approval for fireworks may require the applicant to place an advertisement of the event in the local papers prior to the event and/or letterbox drop to surrounding properties.

- Firework displays are prohibited during a total fire ban.
- To minimise potential risk to the public, firework displays are to be launched from a river barge only. Launching is not permitted on any Council managed land.
- The responsible person (person supervising the event) must comply with any direction or additional condition which may be imposed by the NSW Rural Fire Service or Fire and Rescue NSW, which may include a direction that fireworks are not to be lit.
- All conditions of the Explosives Act 2003, Australian Explosives Code (titled Australian Code for the Transport of Explosives by Road and Rail), Australian Standard AS2187 Explosives - storage, transport and use, AS2187. Pyrotechnics - Outdoor displays, and SafeWork NSW 'Operational conditions for pyro technician's and single use fireworks licences' must be adhered to.
- The applicant is to provide Council with a copy of;
  - The Aquatic Licence issued by Roads & Maritime Services.
  - A copy of the approved Notification of Pyrotechnics Display granted under the Explosives Act 2003, issued by WorkCover NSW.
  - A copy of the SafeWork NSW Fireworks Display Checklist under the Explosives Act 2003.
  - A copy of the licenced holder's public liability insurance.
  - A Risk Management Plan addressing crowd control and public safety.
- The licence holder must notify the Local Area Commander of Police and/or local Police at least two working days prior to the proposed firework display.
- If the land where the display is to be held is within a rural fire district, the licence holder must notify the NSW Rural Fire Service Fire Control Centre for that district of the proposed display.
- If the land where the display is to be held is within a fire district, the licence holder must notify the Officer in Charge of the nearest Fire and Rescue NSW fire station of the proposed display.

- The applicant is to ensure that the display is conducted in such a manner that results in no damage occurring to and no debris falling onto adjacent properties.
- The applicant is to ensure that any debris resulting from the firework display, including casings, cotton thread and plastic is promptly removed from the area and adjoining waterway.
- Public notification of the fireworks is to be made in the local paper in the week prior to the event and a letter box drop is to be made to all properties adjacent to the display.

# Contact us

Council welcomes the opportunity to hear if you have any questions, feedback or if you require a copy of this document.

You can contact us by:

**Phone:**

6581 8111

**Email:**

[bookings@pmhc.nsw.gov.au](mailto:bookings@pmhc.nsw.gov.au)

**Visit online:**

[pmhc.nsw.gov.au](http://pmhc.nsw.gov.au)

**Visit in person:**

17 Burrawan Street, Port Macquarie, NSW, 2444

49 High Street, Wauchope, NSW 2446

9 Laurie Street Laurieton, NSW, 2443

**Mail:**

PO Box 84, Port Macquarie, NSW Australia 2444

**National Relay Service:**

Number: 1300 555 727

TTY number: 133 677

SMS relay number: 0423 677 767



PORT MACQUARIE  
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