

DEFINITIONS

Throughout these conditions the terms 'Council', 'persons or organisations', 'recreation area' and 'sporting facility' have the following meanings:

- **'Council'** means Cessnock City Council including the General Manager and other authorised Council Officers,
- **'Persons or organisations'** means the private individual or organisation that has been approved to use a sporting facility or recreation area,
- **'Recreation area'** means any open space (e.g. park, playground and/or courts) area apart from a sporting facility,
- **'Sporting facility'** means any sporting facility including the playing field and surrounding structures such as shelters, change rooms, amenities, kiosks etc.
- **'Private Individuals'** means any person wishing to utilise Councils sporting facility and recreation areas no more than once a month and no more than twelve (12) times per calendar year that is not involved in an organisation.
- **'Organisation/s'** means hirers other than a private individual. E.g. commercial business, registered sporting clubs and/or associations including committee members, registered charities, and schools.
- **'Winter sport season'** 1st weekend of April to 2nd weekend of September
- **'Summer sport season'** 1st weekend of October to 3rd weekend of March

1. APPLICATION

- All applications for use of Council sporting facilities and Council recreation areas must be made in writing and addressed to the General Manager of Cessnock City Council. Standard forms are available for this purpose.
- Advertisements for use of Council's sporting facilities will be made each six (6) months (for summer and winter sports). Organisations that comply with these conditions will receive priority in the allocation of fields.
- Completed application form – specifies exact times, days, dates and proposed use of the facility. **Please note:** any application deemed to be a blanket booking (Monday to Sunday from 7.00am to 7.00pm) will not be processed.

2. ALLOCATION

- Any application for use of Cessnock City Council sporting facility or recreation area is subject to Councils consideration and/or imposing, or altering charges at any time or imposing special conditions, having regard to the nature of the activities or functions to be held. Depending on the nature of the activity the applicant may be required to further submit a Development Application.
- When Council permission is granted to a person and/or organisation for one activity, no other activity shall be substituted nor will sub-letting by that person or organisation be allowed.
- Council specifies that the summer sports season use of Council sporting facilities to be observed is from and including the first weekend in October, to and including the third weekend in March. The winter Sports Season to be observed is from and including the first weekend in April, to and including the second weekend in September. Extension of use beyond the last mentioned date is not permitted and users are expected to organise their activities to correspond with the allocated seasons.

3. DUAL USE FACILITIES AND PRE SEASON BOOKINGS

- Pre-season training is NOT permitted on any Council sporting facility without prior application having been made to and approved by the allocated body and the Council. The consent of the allocated organisation to any such training must be obtained in writing and submitted in support of any application to the Council for permission to conduct pre-season training. If unauthorised training takes place the offending organisation will indemnify Council from public liability and will jeopardise the organisations future allocation of any sporting facility or recreation area. Fines may apply.

4. PUBLIC RISK/LIABILITY

- Sporting facilities will only be allocated to persons or organisations if they have a current Public Liability Insurance policy for the duration of hire/use with a minimum value of twenty (20) million dollars and have attached a current Certificate of Currency for the policy to the application.
- Private Individuals that are not involved in an organisation, wishing to utilise Councils sporting facility and recreation areas no more than once a month and no more than twelve (12) times per calendar year are required to complete and return Council's Application for Use Form and are subject to a casual hirers administration fee payable to Council.
- The person/s and/or organisation/s approved by Council to use the recreation area and/or sporting facility is required to check the field and playing surface, facility and/or recreation area for potential safety hazards prior to use. The permitted activity should not proceed until such time as the applicant, person or organisation has completed a risk assessment and checked the site and deemed that there are no safety concerns. Copies of the risk assessment are to be retained and produced to Council if requested. In the event of a safety concern please contact Council during business hours from 9am - 4.30pm Mon - Fri on 4993 4100 or after hour's weekends & public holidays Mon – Fri 5pm – 9am, Fri 5pm – Mon 9am on 4940 7816.
- All person/s and/or organisation/s should be aware that all liabilities for injuries suffered during activities arranged by those persons or organisations are the responsibility of those persons or organisations. Refer to Clause 4 dot point 1 and 2 regarding insurance requirements.

5. FEES AND CHARGES

- Person/s and/or organisation/s that have approval to use the facility shall be responsible for the full cost of repairs in the event of damage to the property and/or facility above normal wear and tear, and all damage must be reported to Cessnock City Council. Refer to Clause 12.
- The sporting facility or recreation area must be left in a safe, clean state, free from food scraps, papers, bottles, tins, cans and rubbish. This also includes all sporting equipment which must be stored safely and correctly. If Council staff are required to clean, or arrange the cleaning of a sporting facility or recreation area, a fee will apply as per Council's adopted Fees & Charges.
- Persons or organisations requiring keys to sporting facilities or recreation areas must complete an Application for the Issue of a Council Security Key. The security key applicant shall be the sole person responsible to Council for the safe keeping and responsible use of the key until the key is either returned to Council or cancelled as lost or stolen. Under NO circumstances should a security key be 'loaned' to another person for their use.

6. FIELD/FACILITY RENOVATION AND MAINTENANCE

- Council reserves the right to enter any of its facilities, without prior notice, for inspection, testing and/or maintenance purposes. Where an alarm system is installed the allocated person/s and/or sporting organisations are to provide Council with the access code in order to disable alarms and enable access if required in an emergency.
- No person/s and/or organisation/s are permitted to modify and/or add to any Council building and/or facility or equipment without prior written approval from Council. This requires the organisation/s or person/s to submit a Working on Council Land form detailing the proposed modifications/additions.
- All electrical items brought onto and used on Councils property must be tagged and tested by a licensed electrician in line with Australian Standards. Such items include, but are not limited to fridges, urns, pie warmers, heaters, freezers, deep fryers etc.

- The person/s and/or organisation that has approval to use the sporting facility or recreation area will be responsible for the safe conduct of ALL persons using the grounds and facilities, (including visitors and spectators) and in addition for the safe custody and proper use of the Council's property, furniture, fittings and appliances.
- In the instance of setting up equipment on a field, vehicles may only be driven onto the field but under no circumstances the playing area and/or surface before and after sporting activities take place and whilst the field/s are not in use. If a vehicle is driven on the field there must be an inspection of the field before any person/s start and/or resume the activity. No other vehicles, except for emergency vehicles, may be driven into a sporting facility except where provisions made for vehicles by way of roads or parking areas, sealed or unsealed.
- Any person/s and/or organisations that require the use of chemicals (e.g. line marking fluid, fertiliser, etc) must outline to Council the type of product they wish to use, where it is to be used and where it is to be stored. The person/s and/or organisation must then obtain written permission from Council prior to use. Once permission is received chemicals must be securely stored in a safe, clean and dry location and used in accordance with a Material Safety Data Sheet (MSDS).

7. ALCOHOL/GLASS/FOOD

- No glass bottles or containers are to be taken onto any of Council's sporting facilities and recreation areas.
- Hirers must provide Council with a copy of the liquor licence, issued under the Liquor Act, and Responsible Service of Alcohol (RSA) certificate if they are proposing to sell alcohol at a sporting facility or recreation area. Written consent is required from Council before alcohol can be taken into and/or sold at a sporting facility or recreation area thereon and/or consumed. The approved hirer/s are responsible for crowd control, patron behaviour, security and removal of offending person/s from the sporting facility or recreation area if necessary.
- Council does not accept any responsibility for any food goods and/or equipment of any kind to be stored and/or brought onto Council's sporting facilities, recreation areas and/or into Council facilities.

8. UTILITIES

- The cost of utilising sporting field floodlights be borne by the allocated sporting groups as per Council's adopted Fees & Charges.
- Council meets the costs of water for playing fields which are available to the general public.

9. LINE MARKING

- Council will line mark playing fields, with the exception of asphalt netball courts and tennis courts before the commencement of the sporting season free of charge. Any subsequent line marking during the season is to be completed and maintained by the persons or organisations that have been allocated use of the sporting facility. Before any person and/or organisation under takes line marking they must consult with Council regarding the product they wish to use.

10. GOALPOSTS

Council will :	Council will not :
• Provide and erect goal posts	• Provide nets for soccer
• Provide and erect wire mesh for hockey	• Provide pads for Rugby League goal posts
• Provide and erect rings for netball and basketball	• Provide stakes or corner posts for field marking
	• Be responsible for the flags at the top of Rugby League and Union goal posts

- Council does not permit the use of home made football goalposts on its sporting ovals and all portable goalposts must comply with the "Standards Australia handbook (HB227-2003) Portable soccer goalposts – Manufacture, use and storage"

- All sporting clubs including all codes of football, netball, basketball and any other club who uses goals, are responsible for checking all goalposts prior to every match and every training session. Refer to Clause 4 dot point 3 - risk assessment.

11.ADVERTISING

- Temporary sponsorship/club signage is permitted in Council's sporting facilities and recreation areas if a risk assessment has been completed by the person/s and/or organisation approved to use the facility. Temporary signage refers to displays set up prior to an event and removed at the conclusion of an event. Cessnock City Council takes no responsibility for the damage to the signage or damage and/or injury from the use of the temporary sign during the day's events.
- Permanent signage may be permitted at a sporting facility subject to Councils Advertising on Recreation Grounds policy. Prior to installation, the signage may be subject to development consent and if required a Development Application will need to be submitted.

12.INJURY OR PROPERTY DAMAGE

- Damage to property and/or injury to person/s arising from the day's activities are to be recorded by the person/s and/or organisation and details advised to Councils Help & Information during business hours from 9am - 4.30pm Mon - Fri on 4993 4100 or after hours weekends & public holidays Mon – Fri 5pm – 9am, Fri 5pm – Mon 9am on 4940 7816. In the event of serious injury or significant damage please contact the appropriate emergency services. Council must also be contacted and the site must be preserved for Councils inspection.
- Procedure in the event of injury and/or damage
 1. Ensure the injured person/s is receiving immediate and appropriate first aid.
 2. Where appropriate, ensure the site is safe to prevent further injury.
 3. Call the appropriate emergency services.
 4. Call Councils Help & Information on 4993 4100, during business hours or after hours on 4940 7816 and inform them of the incident. In the event of damage inform the customer service operator of the incident and place a customer request.
 5. Preserve the site by roping off/containing the affected area, for Councils inspection.

13.FIELD CLOSURE

- If Council closes a sporting facility due to wet weather, maintenance or renovation, it is recommended that NO ACTIVITY take place. Ground Closure signage has been erected at each sporting facility to inform allocated organisations of the closure and should not be removed under any circumstances. Allocated organisations are required to notify Council that they are closing grounds where it has been identified that the sporting facility is unfit for use as part of the risk assessment process.
- Council notifies organisations utilising Council facilities of ground closures via SMS. If you did not provide a mobile number on your application or would like to change your details, please contact Council's Customer Service on 4993 4100.
- Where an organisation disregards a Council directive that a sporting facility is not to be used, a penalty per infringement shall apply in accordance with the *Local Government Act 1993 Chapter 16 Part 1 Section 626 Failure to obtain approval*.
- Organisations will also be responsible for any reinstatement costs associated with damage caused to the sporting facility or recreation area as a result of unauthorised use.

14. TERMINATION OF ALLOCATION

- Council reserves the right to cancel any activity at a sporting facility or recreation area.
- If the person or organisation that has permission to use the facility fails to enforce the observation of any of these conditions it may be considered a breach of these conditions and the use of the sporting facility or recreation area may be terminated, without any liability being incurred by Council.