

POLICY NAME: SPORTS FIELDS MANAGEMENT (New-Draft)

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MEETING ADOPTED:
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OBJECTIVE

The objective of this policy is to provide guidance to Council and the community in relation to the management and use of sports fields and facilities within the Ballina Shire to:

- provide a fair and equitable system for allocating the use of sports grounds and facilities under the control and management of Council
- promote a co-operative effort between local sporting organisations, schools, commercial operators, the wider community and Council in caring for and developing sports grounds and facilities
- ensure a clear communication line, and accepted principle of responsibility, in regard to the use of Council's sports fields and facilities and
- allow Council to pro-actively manage sports fields in order to prevent over-use and/or inappropriate uses, thereby ensuring long-term sustainability.

BACKGROUND

Council is intent on providing equitable use of its sports fields and facilities for all users as well as ensuring that they are maintained to quality standards within the limits of Council's budgets and available resources to meet our risk management objectives.

The Sports Fields Management Policy has been developed to provide clarity on how sports fields are to be managed by Council and the responsibilities of user groups and hirers with regard to their hire and use to ensure equitable, safe and sustainable management of facilities.

DEFINITIONS

Club means athletics club or sports society or sports association, is a group of people formed for the purpose of playing sports.

Commercial Hirer means a company or a business.

Council refers to Ballina Shire Council.

Hirer means a school, Club, association or individual.

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

Local refers to a resident or Hirer who resides or is located, or whose members generally reside, in the Ballina Shire local government area.

Low impact sports defined as traditional summer sports such as cricket or any other sport that is deemed to have a low impact on the sports field surface.

High impact sports defined as hockey, oztag, all football codes or any other sport that is deemed to have a heavy impact on the sports field surface.

Pre and Post Seasonal Use refers to use of grounds outside of the Clubs draws.

Seasonal Bookings refers to the seasonal sports played and the time of year to which the season applies (i.e. winter sports and summer sports).

Sporting facilities includes ovals, tennis, netball courts and practice nets; it excludes Ballina Indoor Sports Centre (BISC), Ballina Memorial Swimming Pool and Waterslide, Alstonville Aquatic Centre and passive parks.

ACTIVITIES REQUIRING APPROVAL

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

- organised sport (e.g. cricket, ball games, etc.)
- fetes/markets (refer to Council's *Markets on Public Land Policy*, Development Application may be required)
- cultural activities
- events (refer to Council's *Event's on Public Land Policy* and Council's *Event Guidelines*)
- commercial activities (refer to Council's *Commercial Activities on Public Land Policy*)
- filming (refer to Council's *Filming on Public Land Policy*)
- exhibitions/demonstrations
- celebrations/gatherings
- vehicle access onto park or playing ground areas and
- fields or facility improvements

PROHIBITED ACTIVITIES

The following activities are prohibited at sports fields:

- all activities indicated and stated as prohibited on Council signage
- all vehicle access and use unless specifically approved by Council
- golf
- model aeroplanes
- advertisement or signage (unless approved by Council)
- lighting of fires
- the use of glass receptacles, rubbish or garden refuse dumping
- wilful damage to facilities, grounds or vegetation
- informal use of a sports field while it is being used for formal sporting activities
- placement of stakes and/or other anchoring systems (unless specifically approved by Council) and
- use, release, sale or distribution of balloons.

COMMUNICATION WITH COUNCIL

Communication between clubs, hirers and Council for bookings, maintenance requests and enquiries regarding sports fields must be made through the following contact details. It is preferred that requests be made in writing (email) unless urgent.

Phone: 1300 864 444

Email: council@ballina.nsw.gov.au
openspaces@ballina.nsw.gov.au

Text message and calls direct to Council operational staff mobiles are not preferred unless in direct response to communication from that staff member.

USE OF SPORTS FIELDS AND FACILITIES

Bookings

- Council will undertake the administration and management of bookings for the use of sports fields and facilities under its care and control.
- Applications for use of a sports field and / or facility are to be made in writing via Council's nominated booking system.
- All booking requests must be confirmed at least two weeks prior to the requested dates or season commencement.
- A copy of the seasonal draw must be submitted with applications for seasonal sport. No approval will be issued without a detailed copy of the draw, that includes specific times and dates.
- Only nominated games will be added to the booking system. Blanket bookings will not be approved.
- Should a hirer require the ground/s outside of their approved booking, they should make an application for a one-off booking; this includes catch up rounds as a result of wet weather.
- The accuracy of draws and bookings are the responsibility of the Hirer.
- Commercial Activities on Public Land licence holders may utilise Sports Fields subject to written approval from Council and the conditions of their licence.
- Applications for special events such as Athletics or Cross Country Carnivals, Regional or Exhibition Matches should be submitted as individual applications.
- If dates of proposed events have not been finalised the Hirer should note on the application form tentative dates. While Council will make every endeavour to reserve the sports field based on tentative dates, no guarantee is given that they will be available when requested.
- Requests for line marking, installation of goals and any specific facility requirements must be made with each booking application. Should special markings or facilities be required for a booking, Council may suggest preferred fields of play due to conflicting seasonal sports or suitability of venues.
- The availability of sports fields and facilities for both seasonal and individual bookings will be subject to evaluation of grounds and the need for periods of rest and maintenance works to ensure ground condition and safety.
- Previous usage and tenure agreements will be recognised when assessing booking applications, but do not guarantee approval or priority.

Insurances

Council will require Hirers of its sports fields and facilities to have public liability insurance in the sum of at least \$20 million, noting Council as an interested party.

Hirers who store any equipment or perishables on Council premises are encouraged to take out contents insurance. Council takes no responsibility for Hirers property left on Council premises nor is such property covered by Council's insurance.

A copy of the current public liability insurance certificate of currency must accompany the application form and must be updated if alteration or expiry occurs during an approved seasonal booking period.

Under the terms of use the liability and cost to repair any damage to fields, Council property or third party property will be the responsibility of Hirers and their insurer.

Traditional / Non-exclusive Use and Sub Letting

- Where seasonal use of a sports field and facilities are granted to a Hirer, that allocation does not give the Hirer exclusive use of that sports field and facilities. Council reserves the right to allocate casual usage to other Hirers.
- Conflict arising between different Hirers at a shared venue must be resolved by the parties involved in the first instance, but may be referred to and resolved by the Council Officer responsible for sports field management.
- The allocated use of a sports field and facilities does not permit the Hirer to sublet or permit any third party (whether or not a fee is charged) to use any part of the sports field or the facilities without the prior written consent of Council.
- Where the Hirer intends to undertake activities other than sporting and recreation activities, an ancillary Events on Public Land Application form may be required. Such application should be made to Council at least 28 days prior to the proposed date. Should the Hirer proceed with the activity without approval, then Council may at its discretion revoke the hiring agreement.
- Subletting of the facility or any part of the facility by the user is strictly prohibited unless approved in writing by Council.

Sports Seasons

The sports seasons for summer and winter seasonal sport are traditionally:

- Summer – first weekend in October to last weekend in March
- Winter – first weekend in April to last weekend in September

Many sporting associations now seek extended preseason training, exhibition matches, sign-on days and out of season carnivals.

The availability of sports fields and facilities for seasonal sport will generally be prioritised, with bookings for individual and out of season activities being subject to additional evaluation against the need for periods of rest and maintenance works to ensure ground condition and safety.

Risk Management

Council follows a risk management approach to its sporting facilities and require hirers to follow risk management practices in the use of facilities.

Risk assessment must be completed by all site users prior to use to identify, assess, rate, and then determine measures to eliminate or manage any identified risk. Conducting and recording risk assessments is essential for the safety of participants and visitors.

The user is responsible to ensure the fields and facilities are safe and suitable for use by all participants and visitors while they have operational responsibility for the site, and accordingly, a risk assessment must be undertaken prior to the commencement of each event / activity.

Suitable measures must be implemented to eliminate or control all identified hazards if the event is to proceed. Any risks identified must be reported to Council.

Fees and Charges

Council sets fees and charges on an annual basis. Fees associated with the hire/use of sports fields and facilities, and any associated services provided by Council will be applied in accordance with the adopted fees and charges.

If there are no public toilets for the sports field available to the Hirer, the tenant of the sports amenity building may charge the Hirer an amenities usage fee to cover the tenant's reasonable costs of water, electricity, soap, etc.

Alcohol Management

Hirers proposing to serve or sell alcohol on or from sports fields and facilities must not do so until a liquor licence is approved through Liquor & Gaming NSW.

Please refer to Council's Liquor Licence Application Policy for further details on the requirements to apply for a liquor licence.

The licensee must comply with all conditions of any liquor licence issued.

Any breach of liquor licence conditions may be notified to Liquor & Gaming NSW and may result in cancellation of bookings.

Smoking in Public Places

Smoking is prohibited in enclosed public places under the *Smoke-free Environment Act 2016* and *Smoke-free Environment Regulations 2016 (NSW)*.

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

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

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

Companion Animals

Access and exercise of companion animals at sports fields and facilities must comply with the rules specified on any reserve signage and the Council's Companion Animals Management Plan.

Where companion animals are permitted on sports fields and reserves, they must be effectively restrained and controlled. Infringements may be issued for non-compliance.

Sports Field or Facility Development

Any alterations or additions to the sports field or facilities cannot be undertaken by the Hirer or Tenant without the written consent of Council.

Proposals and plans for alterations or additions must be forwarded to Council for agreement prior to any development applications, procurement or works being carried out.

This is to ensure that the appropriate planning consent requirements have been considered and the proposed works are acceptable to Council as owner and / or manager of the property.

Council will review priority projects from the Sport and Recreation Facility Plan and works identified from safety inspection and audit of facilities to determine funded projects for repair, replacement and upgrade through Council's Delivery Program and Operational Plan.

Priority projects may also be considered in relation to suitable grant and funding opportunities.

Any application for development must first get land owner's consent from Council.

Application fees and charges associated with development applications and works not being managed by Council will be the responsibility of the applicant.

All works to be carried out on Council fields and facilities must be completed by experienced, qualified and appropriately insured contractors. Contractors must not access or commence work without first completing a Council site specific safety induction and comply with all WHS requirements.

Application for Grants and Funding

Application for grants and funding towards the alteration, upgrade or maintenance of Council facilities must have written approval from Council.

Proposals and requests to apply for grants should be submitted for review a minimum of four weeks prior to the date required for lodgement of the application with the relevant funding authority. Proposals must include:

- a clear scope of works and plans
- development consent or confirmation of exempt development
- evidence that the proposal will be eligible under the grants criteria
- a program that can be completed within the grants milestones
- details of capacity, resources and experience to project manage and deliver the project
- an itemised project budget with quotes/estimates and
- evidence that facility management and maintenance costs have been considered.

Requests without sufficient information will not be assessed.

Failure to gain appropriate Council support for an application may see any approved funding not utilised due to non-compliance with Council's adopted plans or policies.

Projects identified as priorities in the Sport and Recreation Facility Plan will be considered on a priority basis for funding.

Projects not previously identified, may only be considered where they do not negatively impact on other works or Council priorities and can demonstrate through a detailed business case with cost benefit analysis, why they should be prioritised over other projects.

Requests to apply for funding of projects where the funds and project management will be external to Council will not be considered unless they are supported with a project management plan that clearly demonstrates the capability and resources to project manage and deliver the proposed project.

Sports Ground and Facility Hire and Maintenance

The following table outlines the requirements for hire and maintenance of Council's Sports Fields and Facilities:

Access to Facilities and Keys	<ul style="list-style-type: none"> - Vehicle access onto sports fields is prohibited unless specifically approved in writing by Council. - Access and use of public and community toilets and amenity buildings will be approved with sports fields bookings or managed through the Council's Community Property Leasing and Licensing Policy. - Keys for access to facilities may be approved with individual bookings or provided via the lease/license agreement. - Collection of keys for individual one-off bookings requires the completion of a key registration form by the person responsible for the key and a \$50 refundable deposit paid upon collection. Deposits will be refunded in full on return of the key. - Tenant and seasonal use key collection requires completion of a key registration form by each person responsible for a key and a \$100 refundable deposit paid by the individual for the facility keys. Deposits will be refunded in full on return of the keys that must be returned to customer service at the end of the season. - Keys must not be withheld or transferred at the end of the booking or season. - Collection of more than one set of keys by a representative is not permitted. Each key must be collected and deposit paid by the individual that will be responsible for its use and return. - Loss or theft of keys must be reported immediately to Council. - All premises are to be left clean and secured at the completion of the activity including all windows, doors, gates, bollards and the like.
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	<ul style="list-style-type: none"> - Costs to re-key facilities or repair damage due to keys not being returned, lost or due to facilities not being properly secured may be billed to key holders and clubs where costs are greater than the value of the deposit held. - Facility access and the allocation of keys will be reviewed periodically based on seasonal use and lease and licence terms to ensure the security of Councils assets.
Commercial vendors	<ul style="list-style-type: none"> - Hirers intending to engage the services of or allow commercial vendors to operate at the facility must obtain council approval prior to the event.
Preparation of grounds	<ul style="list-style-type: none"> - Council will prepare and schedule maintenance of sports fields and facilities based on bookings and standard service levels. - Requests for additional preparation works or higher service levels may be billed to hirers in accordance with Council fees and charges. - Notification of hazards and requests for repair and maintenance of fields must be reported to Council. Response to notifications will be completed in accordance with Council service levels and asset management policies.
Built facility maintenance	<ul style="list-style-type: none"> - Tenanted facilities must be maintained in accordance with the Lease/Licence terms and conditions. - Tenants and Hirers must notify Council of any damage or repairs that need immediate attention, are not within their responsibilities or beyond their ability to make good. - Council will respond to maintenance and repair requests and reports of damage in accordance with Council's Customer Service Charter and Risk Management Procedures.
Cleaning	<ul style="list-style-type: none"> - All fields and facilities are to be left in a clean and tidy condition after each and every use. - All toilets and amenity buildings are to be maintained by Hirers in a clean and tidy state at all times. They must be secured at all times when not in use. - If facilities are found to be in an unsatisfactory condition a warning will be issued to the offending Hirer. Failure to comply will result in cleaners being engaged at the Hirer's expense.
Waste Management	<ul style="list-style-type: none"> - Council will provide an allocation of public general waste bins at each sports field for public waste collection at appropriate locations.

	<ul style="list-style-type: none"> - Additional waste collection services relating to onsite food preparation, canteen operation, bars, club activities and booked events are the responsibility of tenants and hirers. This includes all costs and management of additional general waste and recycling bins as well as bulk waste bin supply and collection services. - All fields and facilities are to be left in a clean and tidy condition after each and every use. Any additional waste collection and clean-up of fields and facilities required by Council as a result of overfilled public general waste bins, illegal dumping or not tidying up after an event or use may be billed to the tenant or hirer at cost.
<p>Goal Structures and Line Marking</p>	<ul style="list-style-type: none"> - Where the activity requires use of portable goal posts, the hirer is responsible to ensure such goal posts are manufactured, installed and secured in accordance with Australian Standards. - The use of metal pegs and anchors on sports fields is not permitted to secure goals, wicket covers or other temporary fixtures unless they are permanently attached to the temporary fixture and approved by Council. - All costs associated with any injury, property damage, repair of plant and down time will be charged to Hirers as a result of metal pegs and anchors left on sports fields. - Council will carry out the initial line marking for seasonal sport based on approved bookings. - Ongoing line marking and maintenance is the responsibility of the Hirer. The line marking paint must be Council approved for use. Council may provide approved paint to clubs at cost subject to availability and request. - Line marking for non-seasonal sport or individual events may be provided on request; subject to fees and charges. - Line marking for school athletics carnivals will only be provided at Geoff Watt Oval and Chickiba Park.
<p>Lighting</p>	<ul style="list-style-type: none"> - The use of sports field lighting must be approved by Council and may be subject to fees and charges associated with the operation and maintenance of the lighting system. - All outdoor sports fields and court lighting must only be used at times consistent with approved bookings and be turned off prior to 10pm. - Lighting systems with remote management systems must be used in accordance with the scheduling and access instruction provided by Council. Usage outside approved bookings or misuse may result in revocation of approval to use lighting.

Noise	<ul style="list-style-type: none"> - Users must comply with the requirements of the Protection of the Environment Operations Act 1997 with regard to the broadcast of noise at facilities.
Shared grounds and facilities	<ul style="list-style-type: none"> - All Council sports fields and facilities are for community use and may be shared at times between different hirers and casual users subject to approved bookings. - Where Clubs and hirers share grounds and facilities it is expected that any disputes over usage should be mediated between the Hirers. Council will only intervene to resolve any conflict as a last resort.
Risk Management and Safety	<ul style="list-style-type: none"> - Council carries out quarterly safety inspection audits of sports fields and visual inspections as part of regular operational maintenance. Council may close fields and facilities if a hazard or risk is identified. - Hirers must complete a risk assessment of facilities and fields prior to each use. If the hirer determines that the venue of facility is not safe or fit for their purpose, they must not proceed with the use. - Safety concerns identified by the public or hirers must be reported immediately to Council and if appropriate to the risk identified, any other relevant public safety authority. - Council will respond to notification of safety concerns in accordance with Council's Customer Service Charter and Risk Management Strategy. All concerns will be registered, tasked and tracked in Council's Customer Request Management system in accordance with Risk management procedures. - Council reserves the right to close any field or facility at any time under delegated authority to complete maintenance and repairs or if a safety concern, risk or emergency is identified.
Wet Weather	<ul style="list-style-type: none"> - Hirers and Council will utilise a system of visual assessment during periods of wet weather. A non-playable sports field is one that has been saturated to a point where water is ponding and/or the surface has softened or deteriorated to a point where the activity will cause damage to the surface. - During periods of wet weather Hirers are responsible for closing of their booked sports field. As well as notification to their members, guests and the public via appropriate media. - Damage to fields when wet may result in closure of grounds, cancellation of booking and repair costs being billed to the responsible Hirer. - If the prolonged rain has affected all grounds Council may

	<p>choose to close all field in the Shire. If this happens information will be published on Council's website.</p> <ul style="list-style-type: none"> - If wet weather closure signs are in place, or the website advises closure, the facility must not be used. - All users are required to comply with these wet weather requirements either provided by their Club or Council.
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SPONSORSHIP AND ADVERTISING SIGNAGE

Sponsorship signage means all permanent and temporary board, notice, structure, banner or similar device. Sponsorship signage includes sponsorship and promotional signs but does not include signage that Council is responsible for installing and maintaining.

Council supports in principle for sports clubs and community groups to install signage from registered sponsors at Council owned or managed sports fields and facilities.

Sponsorship signage will be permitted within Council's sports fields facilities when it conforms to the criteria set out in this policy in addition to any planning requirements (e.g. Ballina Shire Council Development Control Plan).

General information and Criteria

All advertising and signage must receive written consent from Council.

The following table outlines the key requirements and processes for application, installation and maintenance of sponsorship signage.

Application	<ul style="list-style-type: none"> - Applications for sponsorship signage will only be accepted from the tenant of the sports field facility. - At shared facilities the application must include an agreement between all occupant clubs regarding the proposed signage. - Request for the use of temporary, banner or flag signage for individual bookings and event promotion must be made with the sports field booking request or approved in accordance with event signage policy under a separate approval. - Applications must include sufficient information to assess the appropriateness of the signage. Details required include but are not limited to: <ul style="list-style-type: none"> o Location o Dimensions o Design and content o Materials and fixtures o Sponsorship period o Evidence of insurance
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<p>Location</p>	<ul style="list-style-type: none"> - Signage must not affect the amenity or vista of the facility. - Sponsorship signage must not be principally aimed at people beyond the reserve, namely passing traffic. - Sponsorship signage may only be placed on field fencing (facing inwards within the facility), however applications for advertising elsewhere within the site including on buildings and structures will be assessed on merits. - Applications for freestanding signs may only be considered where there is no field fencing. Development Consent may be required for freestanding signage on Council reserves. - Sponsorship signage placed on scoreboards will be permitted provided it is orientated towards the playing field and does not distract from the main purpose of the structure. Signage must not cover more than 50% of the score boards face.
<p>Dimensions</p>	<ul style="list-style-type: none"> - Signs must be appropriately sized for the structure that they are to be attached. - Signs attached to fencing must not exceed 60% of the fence surface and must not extend beyond the perimeter of the fence. - Acceptable sponsorship sign dimensions are typically 1.2m x 0.7m subject to the proposed location. Larger signs may be approved where appropriate. Signs with dimensions greater than 2.4m x 1.2m will not be approved.
<p>Design and Content</p>	<ul style="list-style-type: none"> - No sign will permitted to advertise gambling, drugs, tobacco or alcohol related products or trademarks, electoral/political material, adult entertainment material or other graphics/wording deemed offensive or discriminatory to others.
<p>Installation</p>	<ul style="list-style-type: none"> - All signage must be professionally produced and installed. - A Council Site Induction is required prior to contractors carrying out any signage installation works. - Signage must not be painted directly onto the walls or the roof of any facility, building or structure on the reserve. - Signage on fencing should be placed as low as possible to reduce the impacts of wind and must not be installed on gates or across access ways. - Signage in the form of stickers is not permitted.

	<ul style="list-style-type: none"> - All joints associated with signage shall be neat, tight and snug fitting, and finished plumb and true. - The tenant shall be held responsible for all costs of making good any damage associated with the installation, maintenance or removal of signage. - Temporary signage (generally erected for the duration of an event), must be located inward facing and within the property boundaries of the sports grounds and must not cause an obstruction or public hazard.
Maintenance	<ul style="list-style-type: none"> - All fixed sponsorship signage must be removed at the expiration of the sponsorship agreement. - Signage must not be stored within facilities between playing seasons or when signage is removed it must be stored off site or disposed of by the club or tenant. - Tenants are expected to maintain all sponsorship signage in an acceptable and safe condition at all times and at their own cost. This includes the immediate removal of graffiti, damaged and broken signs. - Tenants must ensure that signs are covered under their insurance at all times and that the interests of Council are noted within any insurances associated with installed signage. - Periodic audit of sponsorship signage will be carried out by Council in consultation with clubs to ensure signage complies with this policy. Signage that does not comply will be removed at the Club's expense.
Finance / Income	<ul style="list-style-type: none"> - Any income derived from the advertising of signs will be retained by the sporting user group. Funding received from sponsorship should go towards club development and maintenance to areas occupied under a current lease agreement. - Any costs associated with the repair, removal or reinstallation of sponsorship signage carried out by council or its agents will be charged to the Club.
Non-compliance	<ul style="list-style-type: none"> - Tenant's must not display any signage on or connected to a trailer or other vehicle which is on or can be seen from the road or other public place. - Should a Club erect signage without Council approval, the signs may be impounded by Council Officers and a release fee will be imposed for the return of each sign. - In the event Council impounds signage, the Club will be

	<p>responsible for any costs associate with the removal, disposal or release of the signs</p> <p>- Council cannot and will not be held liable for any claim made by an aggrieved sponsor where sponsorship signage considered by Council to be in breach of this policy has been removed.</p>
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Existing Signage

Review of existing sponsorship and Club signage at grounds and facilities is the responsibility of clubs following the adoption of this policy to identify any non-conformance.

It is the responsibility of clubs to amend all existing signage to achieve compliance with this policy. Clubs will be provided with a period of one year from the date of this policy to ensure that all existing sponsorship signage complies.

After one year, Council will commence removing any existing sponsorship signage that does not meet the conditions outlined in this policy. Existing sponsorship signage may be removed immediately by Council where the signage is deemed by Council to be dangerous.

Any costs associated with the removal or reinstallation of existing sponsorship signage will be charged to the Club. Signage deemed not to comply with this policy that is removed by the Club must not be stored on site.

RELATED DOCUMENTATION

Related documents, policies and legislation:

- *Crown Land Management Act 2016*
- *Local Government Act 1993*
- *Alcohol Regulation on Public Land Policy*
- *Community Event Signage and Banner Pole Guidelines*
- *Community Event Signage Policy*
- *Community Property Leasing and Licensing Policy*
- *Commercial Activities on Public Land Policy*
- *Commercial Activities on Public Land Specifications*

REVIEW

The Sports Fields Management Policy is to be reviewed at least every four years.