

Central Coast Council

Events on Open Space Areas

Date Adopted: 18/12/2024
Revision: 3



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1. Policy Objectives

- 1.1.** This policy has been prepared in accordance with the Local Government Act 1993 (the LG Act), Local Government (General) Regulation 2005, Crown Land Management Act 2016 and Crown Lands Regulation 2018.
 - 1.2.** This policy provides direction on how Central Coast Council (Council) will manage approval of temporary events and activities on open space areas in the Central Coast Local Government Area (LGA). This policy ensures that community use remains paramount, while allowing for conduction of temporary events and activities in circumstances that also provide a benefit to the community.
 - 1.3.** Council's objectives for this policy are as follows:
 - 1.3.1. to deliver cultural, social, recreational, environmental and economic benefits for the community
 - 1.3.2. to provide a consistent, equitable and transparent approach to the issuing of temporary events and activity approvals on open space
 - 1.3.3. to provide a documented process on approvals through related policies
 - 1.3.4. to ensure minimal impact on the community and environment
 - 1.3.5. to be consistent with Council's Plans of Management and Open Space Strategy
 - 1.3.6. to address issues of risk management and safety associated with the undertaking of events on open space areas owned and managed by Council
 - 1.3.7. to address issues of environmental sustainability associated with the undertaking of events on open space areas owned and managed by Council
 - 1.3.8. to add value to positive community active lifestyle outcomes.
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2. Policy Scope

- 2.1.** This Policy applies to events and activities undertaken on open space areas owned and managed by Council and are required to obtain a temporary event approval from Council, as the asset manager. Applications can be submitted via Council's [online booking system](#).
- 2.2.** This Policy applies to the type of events and activities including, but not limited to, the following:
 - 2.2.1. weddings
 - 2.2.2. celebrations
 - 2.2.3. entertainment
 - 2.2.4. recreational events

2.2.5. education events

2.2.6. cultural events

2.2.7. markets

2.2.8. exhibitions

2.2.9. festivals

2.2.10. fetes

2.2.11. concerts

2.2.12. circuses.

2.3. Temporary events and activities not governed by this policy include those:

2.3.1. that occur on land not considered open space areas as defined in this policy; or

2.3.2. subject to a lease arrangement.

2.4. Activities that will not be considered for approval under this policy and will be subject to a separate assessment and approval process (where permissible) include:

2.4.1. street performances

2.4.2. busking

2.4.3. footpath dining

2.4.4. itinerant or roadside vending vehicles or other mobile businesses

2.4.5. road closure

2.4.6. temporary events or activities considered to be harmful to the environment

2.4.7. temporary events or activities considered to be dangerous for participants or to the general public

2.4.8. activities that are not considered ancillary to the purpose of the reserve

2.4.9. temporary events or activities which could be considered to significantly disrupt other users of the reserve and/or adjoining neighbours

2.4.10. temporary events or activities that contravene the current Local Environment Plan

2.4.11. temporary events or activities that contravene the relevant Plan of Management for the reserve.

3. Policy Statement

3.1. The Central Coast covers an area of 1,680sq. kilometres with an expanding population of over 340,000 people. The area is characterised by an abundance

of open space opportunities including mountains, bushlands, beaches, wetlands, foreshores, estuaries, informal passive and active recreation areas. Open space and national parks together account for more than 50% of the Central Coast LGA. As these open space areas become more popular for permanent residents and tourists, a demand has arisen for the use of Council owned and managed open space areas to conduct events and activities that will allow users to experience a variety of active lifestyle opportunities.

4. Policy summary

- 4.1.** Council will permit events and activities on open space areas owned by Council, and where Council is the Crown Trust Manager, subject to terms and conditions as determined by Council.
 - 4.2.** Temporary events and activities conducted on open space must not compromise the future development of land or have detrimental economic, social, amenity or environmental effect on the land or adjoining land.
 - 4.3.** A temporary event or activity conducted on open space areas must be ancillary to the purpose of the reserve and must be consistent with the applicable Plan of Management for the land.
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5. General

- 5.1.** A temporary event or activity on open space areas must be carried out in accordance with a licence, approval or hire agreement granted by Council as provided in the relevant policy. Applications for an approval are to be submitted via forms on Council's website and as detailed in the relevant policy listed below:
 - a) Licensing of a Trade or Business on Open Space Areas
 - b) Events on Open Space Areas (this policy)
- 5.2.** This policy does not override any other Council requirements relating to temporary use, including Council's Local Environmental Plans (LEPs), Development Control Plans (DCPs), State Environmental Planning Policies (SEPP) or provisions of legislation including the LG Act, Crown Land Management Act 2016 and associated regulations.
- 5.3.** Council, as owner or Crown Lands Manager, reserves the right to terminate the temporary event approval if the hirer breaches any of the temporary event approval conditions. As per sections 626 and 627 of the LG Act, a person who carries out an event without approval, or not in accordance with the terms of the approval, is guilty of an offence.
- 5.4.** In accordance with the Crown Land Management Act 2016, the LG Act and LEP, temporary event approval will be for a maximum period of twenty-eight (28)

days – whether or not consecutive days – in any period of twelve (12) months over the relevant financial year.

- 5.5. Fees are payable as provided for in Council's [Fees and Charges](#) Schedule. Fees will be reviewed annually in line with Council's review of fees and charges.
- 5.6. Supporting guidelines or procedures, being an administrative process, may be altered as necessary by the Chief Executive Officer. Please see Council's website for specific guidelines. The hirer must provide a copy of their Certificate of Currency for Public Liability Insurance. A minimum coverage of \$20 million is required and an active ABN and/or ACN number.

6. Responsibilities

Compliance, monitoring and review

- 6.1. This policy aligns with relevant legislation, government policy and/or Central Coast Council requirements, strategies, values and activities.
- 6.2. This policy is implemented and monitored (i.e. the policy reflects the changing environment and emerging issues are identified).
- 6.3. This policy shall not derogate from Council's responsibility to comply with any competent statutory obligation. Where this policy conflicts with any competent statutory obligation, the statutory obligation shall prevail to the extent of any such conflict.
- 6.4. Suspected breaches or misuse of this policy are to be reported to the Chief Executive Officer. Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the Code of Conduct, as detailed in the Code of Conduct and in the Procedures for the Administration of the Code of Conduct.
- 6.5. This policy is reviewed by the Team Leader of Community Facilities at least once per term of Council to evaluate its continuing effectiveness.
- 6.6. Events Officers to report monthly statistics of events to Team Leader of Community Facilities.

Records management

- 6.7. Staff must maintain all records relevant to administering this protocol in accordance with Council's Information and Records Management Policy.

7. Policy Definitions

The LG Act	means the Local Government Act 1993 (NSW)
Council	means Central Coast Council

Temporary Event Approval	means a contractual agreement between Central Coast Council and a person or organisation applicant for which an applicant may conduct an event or activities on an agreed open space area/s owned and managed by Central Coast Council. The temporary event approval will not allow for exclusive use of the land and the general public must be able to access the agreed upon reserve/s at all times.
Open Space	means any community land and/or Crown land reserves where Council is the Crown Land Manager used for structured or casual recreational activities including mountains, bushlands, beaches, foreshores, estuaries, informal passive reserves and active recreation areas.
Trade or Business	means any activity with a principal purpose to derive profit to an individual(s) or company and/or where a fee is obtained for a service provided.
Statutory obligation	means any mandatory obligation (statutory duty) imposed upon Council by any competent act, regulation, ordinance, rule or instrument enacted by the Parliament of New South Wales or, to the extent that it is relevant, by the Parliament of the Commonwealth of Australia.
Crown Land Manager	means a manager responsible for the care, control and management of Crown reserves on behalf of the people of NSW.

8. Policy Administration

Business Group	Community and Recreation Services
Responsible Officer	Unit Manager Leisure, Beach Safety and Community Facilities
Associated Procedure (if any, reference document(s) number(s))	N/A
Policy Review Date	18 December 2028
File Number / Document Number	D14033590
Relevant Legislation (reference specific sections)	<p>This Policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> ▪ Crown Land Management Act 2016 (NSW) ▪ Local Government Act 1993 (NSW) ▪ Crown Land Regulation 2018 (NSW) ▪ Central Coast Local Environmental Plan 2022
Link to Community Strategic Plan	<p>Theme: Our People</p> <p>Goal PE1.1: Recognise diversity, cultures and identities and create opportunities for inclusion where all people feel welcome and participate in community life.</p>
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<p>Refer to Council's website for the following:</p> <ul style="list-style-type: none"> ▪ Central Coast Council Temporary Licensing of a Trade or Business on Open Space Areas Policy ▪ Information and Records Management Policy ▪ Council's Code of Conduct ▪ Central Coast Council Plastic Free Event Guidelines ▪ Central Coast Council Sustainable Events Management Guide ▪ Central Coast Council Bike Plan 2019 - 2029 ▪ Central Coast Council Community Participation Plan 2019 - 2024 ▪ Central Coast Council Community Strategic Plan 2025-2035

	<ul style="list-style-type: none">▪ Central Coast Council Disability Inclusion Action Plan 2021-2025▪ Central Coast Council Tourism Opportunity Plan 2019 - 2024
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9. Policy Authorisations

No.	Authorised Function	Authorised Business Unit / Role(s)
Nil	Nil	Nil

10. Policy History

Revision	Date Approved / Authority	Description Of Changes
1	16 July 2013 / GCC Min No 2013/388	New Policy adopted
2	27 April 2021 / Min No 115/21	Replaces former Gosford City Council (GCC) policies for Special Events on Open Space Areas and Temporary Events and Activities on Open Space
3	18 December 2024	Policy reviewed and put into new template