



# Policy

## Temporary Use of Land

2022

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## Information about this document

Date Adopted by Council	7 February 1995
Resolution No	
Document Owner	Director Sustainable Environment and Economy
Document Development Officer	Manager Sustainable Development
Review Timeframe	4 years
Last Review Date	1 June 2022
Next Scheduled Review Date	1 June 2026

## Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
DM657544	7 February 1995	Initial version
E2022/36576	1 June 2022	Endorsed by ET. Minor amendments to: update in 2.4h the public liability insurance amount to \$20 million per standard requirements; insert at 2.5 text advising of required lead time for information and application; addition of new point 2.7

## Further Document Information and Relationships

Related Legislation	Roads Act 1993 Crown Lands Management Act 2016 Local Government Act 1993
Related Policies	Commercial Activities on Coastal and Riparian Crown Reserves 2021
Related Standards, Procedures, Statements, documents	<a href="#">Event Guide</a> (produced by Byron Shire Council)

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.



## 1. Objectives

- 1.1. To provide criteria to assist Council and the community to assess the appropriateness of cultural or social activities and events.
- 1.2. To facilitate a range of cultural and social activities or events which provide entertainment, leisure, education, sports or promotional information and activities.

## 2. Statement

- 2.1. This policy applies to cultural and social activities or events including, markets, concerts, festivals, carnivals, sports, entertainment or educational based events, or promotions.

- 2.2. The policy applies to all those events that are of a temporary nature.

- 2.3. For the purpose of this policy:

"Temporary" means the use of land for a period not exceeding seven consecutive days on any one occasion which does not involve the erection of permanent structures in association with that use.

- 2.4. The following criteria will apply to events identified at Item 2 of the policy statement:

- a) The residential amenity of surrounding areas is to be maintained at all times. In particular, noise is not to exceed accepted background noise levels, especially after 10.00 p.m.

Details concerning the type and location of any sound amplification equipment to be used and noise mitigating measures will need to be provided to Council when seeking any approvals.

- b) Adequate provision must exist for car parking requirements as a result of the proposed event. Details of the expected number of people who will attend the event and the location of car parking facilities (ie. either on site or off site) will need to be provided to the satisfaction of Council. Council may refer those more large scale proposals to the Local Traffic Advisory Committee for its consideration.
- c) Where events are to be held outside of town centres, in order to minimise traffic movements, Council encourages the provision of bus shuttle services for people attending the event. Details of any such services will need to be provided to Council for its consideration.
- d) Adequate on site public amenities must be available or provided for the proposed event. Details concerning the type and location and number of such facilities must be provided and meet Council's environmental health requirements. Details concerning relevant standards can be obtained from Council's Environmental Health Unit.
- e) Adequate provision will need to be made for the disposal of rubbish both during and after the proposed event. Details of the number and location of rubbish

receptacles together with the proposed means of bulk removal from the site will need to be provided for Council's consideration.

- f) The proposed sale of any goods including food and drinks (alcoholic and non alcoholic) will need to comply with Council's other policies on this matter.
- g) Details concerning any proposed advertising involving signs, posters or bunting are to be provided to Council at the time of application and are to be in accordance with any policies it has on this matter at the time. All advertising must be removed by the day after the event ceases.
- h) Public safety is to be maintained at all times during such events. Details are to be provided concerning crowd control measures including any such required measures outside of the event ground. In particular, it will need to be demonstrated to Council that orderly behaviour can be maintained and that the safety and amenity of surrounding areas will not be adversely affected.

Evidence of a current public liability insurance policy to the value of \$20,000,000 will need to be lodged with Council at the time of application.

- i) Adequate fire protection measures are to be provided to the satisfaction of Council at all times during the proposed event. Details of such measures will need to be provided to Council with any application for a proposed event.
- j) Appropriate certification from SafeWork NSW is required for all amusement devices. Details must be provided to Council when making any application for the approval of such an event.
- k) A Structural Engineer's Certificate certifying the structural adequacy of amusement devices is required to be submitted to Council when making an application to hold an event affected by this policy.

2.5. All relevant approvals must be obtained from Council prior to holding any event affected by this policy. Council strongly urges prospective organisers of such events to contact Council 6 to 12 months in advance of the event being held in order that adequate time is available to discuss the necessary types of approval that may apply and any clarification of Council's policy requirements. Organisers should then submit all required paperwork to Council 4-6 months prior to the event.

2.6. The Council may limit the number of days an event can take place and impose conditions as it considers necessary based on its assessment of a proposal.

2.7 This Policy should be read in conjunction with Council's [Event Guide](#).