

Prescribed Activity Application: Conduct a Small Event or Activity on Public Land

Local Law No. 1 (Administration) 2020

You MUST complete ALL questions unless the form indicates otherwise. Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all applications, you must:

- Complete this form and any other forms relevant to your application;
- Provide any mandatory supporting information identified on the forms; and
- Submit the applicable fee.

1. ACTIVITY TYPE	Examples/Description
<input type="checkbox"/> Small event	<i>Events that are not open to the public (invitation only), has minimal impact on the local amenity and environment, does not require road closures, temporary infrastructure, or amplified music. If open to the public or a large event, complete the LL20 form. If a Wedding ceremony or other ceremony, use the LL22 form.</i>
<input type="checkbox"/> Fundraising Stall	<i>Cake Stall, Raffle, Sausage Sizzle, Car Wash if held more than 1 day per month, has more than 1 table over 2 metres and 2 chairs.</i>
<input type="checkbox"/> Educational Display, Information Booth or Research/Scientific Investigation	<i>Scientific or educational promotion/displays. Installation of small scale scientific monitoring equipment, conducting experiments, surveys.</i>
<input type="checkbox"/> Short Term Placement of Skip Bin or Shipping Container	<i>Under 1 week if not on main streets. Under 2 days if using a designated parking space or in congested area. If longer periods and main streets required, use the form LL23 form and fee will be applicable.</i>
<input type="checkbox"/> School sports event.	<i>Athletics day, fun run, cross country.</i>
<input type="checkbox"/> Touting, Soliciting or Distribution of Advertising Material (S8)	<i>To approach another person and publicise either verbally or in writing a business, commercial or trade activity. Handing out or displaying leaflets or brochures. Religious promotion.</i>
<input type="checkbox"/> Other (add description):	

Name of Event:

2. APPLICANT DETAILS

Note: The applicant is the person who will hold the permit and will be legally responsible for complying with the applicable conditions. A business name or trust is not a legal entity and should not be entered in this field as the applicant. Where a person or company operates a business, the applicant is the person or company.

Applicant: _____ DOB (if person): _____

Postal Address: _____ ABN: _____

Telephone: W: _____ M: _____ Email: _____

Contact for Application: _____ M: _____

On-Site/Emergency Contact: _____ M: _____

Are you a not-for-profit or charitable organisation? YES NO

OFFICE USE			
Receipt Type: 111	Payment Amount: \$	Receipt No:	CSO:

3. EVENT DETAILS

Site Address/Location/Description:

Dates of Event:

Times of event:

Set Up Date and Time:

Pack-Up Date and Time:

Activity Description:

How many people will attend the event? Staff: Guests/Participants: Total:

Will you be erecting marquees, tents, tables or other temporary structures? Yes No

Details:

4. PUBLIC LIABILITY INSURANCE

Commercial and not for profit associations must provide a Certificate of Currency prior to the event/activity and:

- Note Douglas Shire Council as an interested party;
- Coverage is for at least \$20 million; and
- Cover the scope and dates of the activity.

Name of Insured:

Name of Insurer:

Policy No:

Policy Expiry Date:

5. RELEASE AND INDEMNITY

In consideration of Douglas Shire Council ("Council") issuing me/us with The Approval for the purpose described or allowed under The Approval ("the activity/activities"), I/we:

1. release and discharge Council and Council's agents, servants, officers and insurers ("the Related Parties") from and in respect of all liability, claims, losses, damages or proceedings which I/we may have (either now or accruing in the future) against Council and/or the Related Parties in respect of, or arising out of, or in connection with the activity/activities;
2. agree that the release and discharge given under clause 1 may be pleaded by Council and the Related Parties as a bar to any action, suit or proceeding commenced now or taken at any time by Council and/or the Related Parties, against Council and/or the Related Parties, or to which Council and/or the Related Parties is or are joined as a party or parties, in respect of, or arising out of, or in connection with the activity/activities; and
3. agree that I/we am/are liable for and shall indemnify Council and the Related Parties against any liability, claim, loss, damage or proceeding in respect of, or arising out of, or in connection with the activity/activities.
4. The release and indemnity provided by you under 1-3 is, however, reduced to the extent that the Council and/or any of the Related Parties have caused or contributed to the relevant liability, claim, loss or damage.

The covenants given under this document are binding upon me/us and my/our heirs, executors, successors and permitted assigns.

6. CHECKLIST AND SUPPORTING DOCUMENTS

	Applicant Supplied	N/A	Officer Checked
Have you read the conditions below and have all sections been completed and form signed?	<input type="checkbox"/>		<input type="checkbox"/>
Attach Public Liability certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attach a Site Plan that outlines location and placement of temporary structures/running course etc	<input type="checkbox"/>		<input type="checkbox"/>

7. DECLARATION

To the Chief Executive Officer, Douglas Shire Council

I / We make application under *Local Law No. 1(Administration) 2020* for approval to conduct the prescribed activity outlined in this application form and declare that the information provided by me in this application is true and correct, and agree to comply with all requirements and conditions as approved. If the application is made by a corporation or incorporated association, the person signing the form must occupy a position that is legally entitled to make an application on behalf of the corporation or incorporated association.

Print Name:

Signature:

Dated:

Douglas Shire Council – Privacy Collection Notice:

Douglas Shire Council collects and manages personal information in the course of performing its activities, functions and duties. We respect the privacy of the personal information held by us. The way in which the council manages personal information is governed by *the Information Privacy Act 2009* (Qld). We are collecting your personal information in accordance with the *Local Government Act 2009* so that we can assess and finalise your application. Generally, we will not disclose your personal information outside of Council unless we are required to do so by law, or unless you have given us your consent to such disclosure. For further information about how we manage your personal information please see our Information Privacy Policy

8. PRESCRIBED FEES (Applicable from 1 July 2022 to 30 June 2023)

Application fee	\$159.00
Some small activities will not require a fee	Nil
<i>Area use and impact fees may apply.</i>	<i>See Fees and Charges schedule</i>

9. CONDITIONS THAT WILL ORDINARILY BE IMPOSED

All Events/Activities

Covid-19 - The activity/event must be undertaken in accordance with applicable Public Health Directions at the time of the activity/event.

Schedule 24-Public Place Activity

1. The approval holder must notify the local government in writing of a suspension or cancellation of a relevant approval for the prescribed activity under an Act within 3 days of the relevant approval being suspended or cancelled.
2. The activity must only be conducted on the days and times, and at the specific locations or areas, specified in the approval;
3. The approval must be displayed in the way stated in the approval and must be produced on demand by an authorised person;
4. The approval holder must maintain a defined access point for emergency vehicles at all times;
5. The approval holder must pay any fees specified in the approval to the local government;
6. The approval holder must maintain the area where the activity takes place in clean, tidy and orderly condition;
7. If the activity involves use of a footpath—a clear unobstructed pedestrian corridor of not less than 1.5 metres must be maintained;
8. The approval holder must comply with relevant workplace health and safety requirements;
9. The approval holder is to comply with any requirements specified in the approval to protect the safety of persons who may be involved in, or affected by, the use or activity authorised under the approval;
10. The approval holder must remove all rubbish created by the use or activity, and to ensure that the area used is kept in the same condition as before the use or activity commenced;
11. Where the local government incurs costs or expenses in rectifying any damage caused or contributed to by the approval holder or by the conduct of the approved use or activity, the approval holder must pay the amount of those costs or expenses to the local government;
12. The approval holder will use the location for the use or activity stated in the approval and for no other use or activity;
13. The approval holder will ensure that no glass or glass receptacles will be used at the location during the activity;
14. The approval holder must maintain any other necessary approval, lease, licence or permit under any other local law, Act or Regulation that is required for the use or activities for the duration of the activity;
15. The approval holder is responsible for the security of the venue and the security and safety of any property of the local government in or around the venue.
16. Maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity;
17. The approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the activity.

Schedule 8 – Commercial use of local government-controlled areas and roads

1. Conditions that will be imposed on the approval are that—
2. Reasonable access to local government staff or contractors must be permitted at all times.
3. The activity must be conducted in accordance with any standards of the local government applicable at the time of the approval.
4. The approval must be displayed in a way that is visible to the public whilst conducting the activity.
5. The approval must be produced for inspection on demand by an authorised person.
6. A defined access point for emergency vehicles must be maintained at all times.
7. If the approval authorises the approval holder to use a specified part of a local government controlled area or road for carrying on a business—
8. pay rental specified in the approval to the local government at specified intervals; and
9. maintain the area where the activity takes place in clean, tidy and orderly condition.
10. If the activity involves playing live or taped performances—
11. a requirement that amplified music does not exceed a decibel limit determined by an authorised person.
12. If the activity involves use of a footpath—maintain a clear unobstructed pedestrian corridor of not less than 1.5 metres or, in the case of high usage footpaths, a distance greater than 1.5 metres stipulated in the approval.
13. The activity must only be conducted on the days and hours specified on the approval.
14. The approval holder must maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity
15. The approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity.
16. The approval holder must pay any costs or expenses incurred by local government to rectify any damage caused by the activity;
17. The approval holder must ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
18. The activity must not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by the local government.