

# Prescribed Activity Application: Bringing or Driving Motor Vehicles onto Local Government Controlled Areas

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.

- This form is to be used only when the bringing or driving of motor vehicles on public land is not associated with another event. Use the LL20 form for application for approval to conduct an event.
- If applying for a Quad or UTV for Wonga Beach area, please use the LL34 form.

## 1. ACTIVITY DESCRIPTION

- One-Off Access  Annual/Regular Access
- Other (add description):

## 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:** \_\_\_\_\_

**Contacts:**    **W:** \_\_\_\_\_    **M:** \_\_\_\_\_    **Email:** \_\_\_\_\_

**Contact for Application:** \_\_\_\_\_ **M:** \_\_\_\_\_

**On-Site/Emergency Contact:** \_\_\_\_\_ **M:** \_\_\_\_\_

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

## 3. PROPOSED LOCATION

**Site Address/Location/Description:** \_\_\_\_\_

**Entry/Exit Points:** \_\_\_\_\_

**Does your activity require exclusive use of a public place (park, foreshore or beach)?**

No – proceed to next section.     Yes – you may need to make a booking (see FL01 Form)

## 4. DATES OF PROPOSED ACTIVITY

**Dates of Event:** \_\_\_\_\_

**Times of Event:** \_\_\_\_\_

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

**5. DESCRIPTION OF MOTORISED VEHICLES**

Provide a brief description of the number and types of vehicles associated with the operation of the proposed activity include Current Qld Registration details.

**6. VEHICLE OPERATOR DETAILS**

Provide the full names of any person/s who will be required to operate the vehicle/s (N.B. operators must be the holder of a current open class QLD driver's licence).

**7. PUBLIC LIABILITY INSURANCE**

Certificate of Currency must be provided 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:

**8. 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.

**9. SUPPORTING INFORMATION**

What measures will be taken to ensure that the activity will not:

1. Cause a nuisance or danger to neighbouring residents/businesses? \_\_\_\_\_
2. Significantly detract from the capacity of the road/location to provide a vehicular and/or pedestrian thoroughfare?

## 10. COMMUNITY NOTIFICATION

If your activity will affect residents and businesses (noise, obstructed access, use of public facilities), list what actions will be taken to notify these parties of your activity? (e.g. advertisements, letters). The notification must address all activities that may affect residents and include a contact number. Distribution of the notice must be issued at a time that is appropriate to the impact of the activity. Copy of notifications to be provided to Council.

**Proposed Communication Mode/s:**  Email  Letter Drop  Signage  Media  Other

**Proposed Date of Notification:**

**Additional Details:**

## 11. CHECKLIST AND SUPPORTING DOCUMENTS

	Applicant Supplied	N/A	Officer Checked
<b>All applications:</b>			
Have you read the conditions below and have all sections been completed and form signed?	<input type="checkbox"/>		<input type="checkbox"/>
Attach a copy of your <b>Public Liability Insurance</b> .	<input type="checkbox"/>		<input type="checkbox"/>
Attach a <b>site plan</b> , which clearly indicates the proposed location, entry/exit point/s.	<input type="checkbox"/>		<input type="checkbox"/>
Copy of Organisation's <b>incorporation/charity certificate</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 12. LOCAL NOT FOR PROFIT ORGANISATION OR SCHOOL FEE EXEMPTION APPLICATION

*Not for profit organisations and schools located within the Douglas Shire that can demonstrate that the event/activity is beneficial to the community and is operated directly by the organisation.*

*Fee exemption applies to one-off/temporary events/activities only.*

*Eligible applicants must submit a Charity Certificate, Certificate of Incorporation and other evidence to demonstrate fee exemption criteria. A Statutory Declaration may be required.*

	YES	NO
<b>Are you applying for the Local Not-for-Profit Organisations and Local Schools fee?</b>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please supply additional information:		
<b>Are you a not-for-profit or charitable organisation located within the Douglas Shire region?</b> <i>If yes, attach Certificate of Incorporation or Charity Certificate with a local address.</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Are you a school located within the Douglas Shire region?</b>	<input type="checkbox"/>	<input type="checkbox"/>

**If you cannot supply any of the evidence above, a Statutory Declaration may be required.**

**How is the event/activity beneficial to the Douglas Shire community?**

*Details:*

## 13. DECLARATION

I \_\_\_\_\_ make application under *Local Law No. 1(Administration) 2020* for approval to conduct the prescribed activity outlined in this application form, agree to comply with all requirements and conditions as approved and declare that the information provided by me in this application is true and correct and I consent to the making of enquiries and exchange of information with authorities of any Local, State/Territory or Commonwealth department in regards to any matters relevant to this application.

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

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**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.

## 14. CONDITIONS

Conditions that will be imposed on the approval are that—

- (a) the approval will be valid only for the dates specified in the approval;
- (b) the approval will be valid only for the specific vehicle or type of vehicle specified in the approval;
- (c) the approval is not transferable;
- (d) the approval holder will comply with any restrictions specified in the approval regarding of the parts of the local government controlled area that may be accessed by vehicle and notwithstanding any contrary restrictions in the area;
- (e) the approval must be displayed on the dashboard of the vehicle while it is within the local government controlled area;
- (f) the approval holder must ensure the safety of other users of the local government controlled area arising from the carrying out of the approved activity;
- (g) the approval holder must give at least 24 hours' notice of the vehicle access to affected neighbours of the area; and
- (h) the approval holder will be liable to pay to the local government the cost of rectifying any significant damage caused by the use of the vehicle in the area to the satisfaction of an authorised person.

## 15. PRESCRIBED FEES (Applicable from 1 July 2023 to 30 June 2024)

*Area Use Fees may be applicable.*

<input type="checkbox"/> Application fee	\$166.00
<input type="checkbox"/> Security Bond	\$1,500.00