

## APPLICATION FOR REGULATED ACTIVITIES ON LOCAL GOVERNMENT CONTROLLED AREAS AND ROADS

### Conduct a Small Event or Activity in Public Place

*Local Law No. 1 (Administration) 2018*

To allow Mareeba Shire Council sufficient time to assess and consider your application, please ensure the application fee is paid and the following form and all relevant documentation is submitted at least **2 weeks** prior to the proposed activity.

| ACTIVITY TYPE   |   |       |          |  |
|---|---|-------|----------|--|
| Activity  | Examples / Description  |       |          |  |
| Small Event   | 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 application for Temporary Entertainment Event form. |       |          |  |
| Fundraising Stall   | Cake stall, raffle, sausage sizzle, car wash (if held more than 1 day per month).   |       |          |  |
| Educational Display, Information Booth or Research / Scientific Investigation | Scientific or educational promotion/displays. Installation of small scale scientific monitoring equipment, conducting experiments, surveys.   |       |          |  |
| Short Term Placement of Shipping Container or Skip Bin                        | Under 1 week if not on main streets. Under 2 days if using a designated parking space or in congested area.   |       |          |  |
| Sporting Event on road reserve  | Athletics day, fun run, cross country.  |       |          |  |
| Touting, Soliciting or Distribution of Advertising Material                   | 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.  |       |          |  |
| Other (add description)   |   |       |          |  |
|   |   |       |          |  |
|   |   |       |          |  |
| APPLICANT DETAILS   |   |       |          |  |
| Business Trading Name   |   |       |          |  |
| Applicant Name  |   |       |          |  |
| Postal Address  |   |       |          |  |
| Contact Phone Number/s  |   |       |          |  |
| Email Address   |   |       |          |  |
| Are you a Not-for-Profit organisation?  |   |       |          | <input type="radio"/> Yes <input type="radio"/> No |
| EVENT DETAILS   |   |       |          |  |
| Name of Event   |   |       |          |  |
| Location of Event   |   |       |          |  |
| Address of Event  |   |       |          |  |
| Date of Event   | Start Date  |       | End Date |  |
| Time of Event   | Start Time  | am/pm | End Time | am/pm  |

|  |  |                     |  |
|--|--|---------------------|--|
| Description of the Event / Entertainment   |  |                     |  |
|  |  |                     |  |
|  |  |                     |  |
|  |  |                     |  |
|  |  |                     |  |
| How many people will attend the event?   |  |                     |  |
| Will you be erecting marquees, tents, tables or other temporary structures   |  |                     | <input type="radio"/> Yes <input type="radio"/> No |
| <b>PUBLIC LIABILITY INSURANCE</b>  |  |                     |  |
| The applicant must provide current public liability insurance of \$20 million and a copy of the policy or Certificate of Currency must be submitted to Council. Mareeba Shire Council <b>MUST</b> be listed as an interested party.  |  |                     |  |
| Name of Insurance Company  |  |                     |  |
| Policy Number  |  | Date Policy Expires |  |
| Sum insured  |  |                     |  |
| <b>CHECKLIST</b>   |  |                     |  |
| To avoid any potential delays in processing this application please complete the form thoroughly and attach all the necessary documentation:   |  |                     |  |
| <input type="radio"/> Current Public Liability Insurance Certificate of Currency (\$20 million) nominating Mareeba Shire Council as an interested party.   |  |                     |  |
| <input type="radio"/> Site Plan  |  |                     |  |
| <b>CONDITIONS</b>  |  |                     |  |
| Conditions that would ordinarily be imposed are:   |  |                     |  |
| a. Ensure safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic, erection of warning lights and barricades;<br>b. Maintain public liability insurance for an amount of no less than the amount listed in the local government's Requirements for Public Liability Insurance for Approval Holders published on the local governments website which indemnifies the local government in respect of any liability arising from the activity;<br>c. Reinstate the area following the ceasing of the activity;<br>d. 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;<br>e. The activity must only be conducted on the days and times, and at the specific locations or areas, specified in the approval;<br>f. The approval must be displayed in the way stated in the approval and must be produced on demand by an authorised person;<br>g. The approval holder must maintain a defined access point for emergency vehicles at all times;<br>h. The approval holder must pay any fees specified in the approval to the local government;<br>i. If the activity involves use of a footpath – a clear unobstructed pedestrian corridor of not less than 1.5 metres must be maintained;<br>j. The approval holder must comply with relevant workplace health and safety requirements;<br>k. 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;<br>l. Where the local government incurs costs or expenses in rectifying any damage cause 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;<br>m. The approval holder will use the location for the use or activity stated in the approval and for no other use or activity;<br>n. The approval holder will ensure that no glass or glass receptacles will be used at the location during the activity;<br>o. 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;<br>p. 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;<br>q. 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. |  |                     |  |

## APPLICANT RELEASE, INDEMNITY AND DECLARATION

### Release and Indemnity

In consideration of Mareeba 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 Council and/or any of the Related Parties have caused or contributed to relevant liability, claim, loss or damage.
5. The covenants given under this document are binding upon me/us and my/our heirs, executors, successors and permitted assigns.

### Declaration

- I declare that the information provided by me in this application is true and correct.
- I have attached all the required supporting documentation to this application.
- I understand that as the applicant I will be legally responsible for complying with the applicable conditions.
- I am aware that the waste management and clean up requirements are to be arranged by the applicant (contact waste contractors).

|           |  |      |  |
|-----------|--|------|--|
| Name      |  |      |  |
| Signature |  | Date |  |

**Privacy Notice:** Mareeba Shire Council is collecting your personal information in accordance with the Council's Local Law, for the purpose of processing your application. If you choose not to provide your personal information, the application may not be approved. Your personal information will only be accessed by authorised Council employees. Your personal information will not be used for any other purpose or disclosed to any other person or entity unless you have given us permission, or we are required by law. Please refer to Council's QPP Privacy Policy for further information on access or correction of personal information held by Council.