

Medium/Major Impact Regulated Activities on Council Controlled Areas and Roads Application Form

Privacy Notice: Council is collecting the personal information you supply on this form for the purpose of processing your application. Council is authorised to do this under the *Rockhampton Regional Council Local Law No. 1 (Administration) 2011*, specifically *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*. Council deals with your personal information in accordance with law, including the *Information Privacy Act 2009*.



This form is to be completed when applying for approval to undertake certain regulated activities on a Council controlled area or road. Please refer to the factsheet for further information and Council's Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy.

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Applicant Details (organisation, company, partnership or individual taking responsibility for the management of the activity and must be the holder of the public liability insurance)

Applicant name:

ABN:

Trading name:

Postal address:

Contact number/s:

Email:

Organisation type: Local Not for Profit Private/Public Company Government Body

Other:

Preferred delivery method: Email Post Collect – Rockhampton, Gracemere, Mount Morgan

Email is the standard form of delivery. If this method is unsuitable, please select an alternative.

Activity Details

- Type of activity:
- Driving or leading of animals to cross a road (complete Activity A below)
 - Depositing of goods or materials (complete Activity B below)
 - Holding of a Public Place Activity, specifically: (complete Activity C below)
 - Placing of a display or information booth
 - Film and television production

Activity A: Detail the number and type of animals:

Activity B: Detail the type, quantities, and purpose for the deposit of goods or materials:

Activity C: Detail the purpose of the booth:

Date/s, time/s and duration of activity:

Location/s of activity:

Locations held in trust by Council under the Land Act 1994 may require the issue of a trustee permit prior to the approval being granted.

On-site contact name and number:

OFFICE USE ONLY

Date:

CSO:

Information checked: Y / N

Amount:

Receipt number:

Application number:

Details of any plant, equipment, and structures to be used in the undertaking of the prescribed activity:

Method of waste disposal:

Details of signage and how it will be secured whilst displayed:

Public Liability Insurance *(please note a copy of your public liability insurance and indemnity statement must be provided)*

Name of insurer:

Policy number:

Policy limit:

Expiry date:

Is Rockhampton Regional Council noted as an interested party? Yes No

Supporting Documentation

Please remember to provide the following supporting documentation when submitting this form:

All applications:

- Certificate of Cover for Public Liability Insurance to the minimum value of \$20 million dollars and noting Rockhampton Regional Council as an interested party – ensure the name on the insurance policy is the same name as the applicant name on this application.
- A copy of the approval provided by the Queensland Police Service allowing for the partial road closure *(if applicable)*
- Completed Risk Assessment
- Certificate of Incorporation *(if applicable)*
- Copy of Not-for-Profit registration *(if applicable)*

Driving or leading of animals to cross a road

- A map showing the roads/streets on which the driving or leading of animals will take place.
- A traffic management plan detailing anticipated impact of the activity on pedestrian and vehicular traffic and how the applicant will minimise the impact on the movement of the traffic.

Depositing of goods or materials

- Site plan to scale 1:100 showing the proposed location for the placement of the goods or materials showing the layout of the activity including the boundaries of the site and the locations of any buildings, roads or structures. Structures include fire hydrants, power poles, road signage, telephone boxes etc.

Holding of a Public Place Activity

- Site plan to scale 1:100 showing the proposed location and layout of the activity including the boundaries of the site and the locations of any buildings, roads or structures. Structures include fire hydrants, power poles, road signage, telephone boxes etc.

Standard Conditions of Approval

- (1) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to 1 or more of—
 - (i) a single specified location;
 - (ii) a number of specified locations;
 - (iii) a specified area;
 - (iv) a number of specified areas; and
 - (b) limit the activities to specified days and times; and
 - (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and

- (d) produce the approval for inspection on demand by an authorised person; and
 - (e) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
 - (f) give the local government specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (g) take specified measures to ensure that the activities authorised by the approval do not cause environmental harm or environmental nuisance; and
 - (h) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the undertaking of the activity — pay a specified rental to the local government at specified intervals; and
 - (i) submit the undertaking of the activity, including any vehicle or premises used in the undertaking of the activity, for inspection by an authorised person; and
 - (j) prominently and permanently display at a specified location each of—
 - (i) the approval number granted by the local government in numbers not less than 50mm in height; and
 - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
 - (k) if the approval relates to an activity on a road—give a written indemnity to each of the State and the local government; and
 - (l) display specified warning notices for the safety of users of the local government controlled area or road; and
 - (m) limit the undertaking of the prescribed activity so that it does not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
 - (n) limit the undertaking of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the prescribed activity is undertaken; and
 - (o) ensure that the undertaking of the prescribed activity does not create a safety risk; and
 - (p) at all times keep and maintain all facilities and equipment used in the undertaking of the prescribed activity—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition; and
 - (q) if the undertaking of the prescribed activity involves a temporary road closure—
 - (i) give public notice of the temporary road closure, for example, by the publication of notice of the temporary road closure in a newspaper circulating generally in the local government area of the local government; and
 - (ii) at least 7 days prior to the temporary road closure, inform persons residing, occupying or operating a business adjacent to the place at which the prescribed activity is to be undertaken or road to be closed, in writing, by letterbox drop, of the approximate prescribed activity/road closure date and time, the nature and scale of the prescribed activity, and (if applicable) adequate arrangements for the persons to enter or exit their property by vehicle for the duration of the prescribed activity or road closure, and
 - (r) if required, enter into and comply with the requirements of a trustee permit for areas held in trust by the local government under the *Land Act 1994*, and
 - (s) 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, and
 - (t) if the local government controlled area or road is listed on the Queensland Heritage Register:
 - (i) the condition and historical, cultural and environmental value of the area or road must be preserved, and
 - (ii) refrain from any action or using any equipment, item or product that may damage or permanently alter the area or road, and
 - (u) ensure the area or road is left in the same condition at the end of the term of the approval, and
 - (v) ensure that no motor vehicles are brought onto, or driven on the local government controlled area or road unless the part of the area or road is:
 - (i) physically defined and constructed as a road, or
 - (ii) constructed by the local government as a carpark, and
 - (w) acknowledge that the local government has not made any claim, statement or interference with regard to the suitability of the local government controlled area or road and the applicant has satisfied themselves in this regard, and
 - (x) provide to the local government security (which may include a deposit of money, a guarantee or an insurance bond) prior to the undertaking of the prescribed activity to ensure that any damage caused is made good, and
 - (y) reimburse the local government for any damage caused to the local government controlled area or road as a result of failure to comply with the Conditions of Approval to ensure that the damage is made good.
- (2) If the prescribed activity is the driving or leading of animals to cross a road, the conditions of the approval may also require that the approval holder—
- (a) restrict the number of animals that may be driven or led across the road; and
 - (b) not conduct the prescribed activity in a manner which is, or may be, a risk to road safety.
- (3) If the prescribed activity is the depositing of goods or materials on a local government controlled area or road, the conditions of the approval may also require that the approval holder—
- (a) deposit the goods or materials—
 - (i) in a specified manner; and

- (ii) for only 1 or more specified periods; and
 - (b) limit the deposit of the goods or materials to—
 - (i) a specified area; and
 - (ii) only 1 or more specified periods; and
 - (c) if the goods or materials are deposited on a footpath—keep and maintain a clear unobstructed pedestrian corridor—
 - (i) of a specified width depending on the density of pedestrian traffic; and
 - (ii) during 1 or more specified periods; and
 - (d) only use, for the purposes of the deposit of the goods or materials, a structure which is—
 - (i) of safe construction; and
 - (ii) in good condition and repair; and
 - (iii) securely fixed to the land on which the prescribed activity is undertaken; and
 - (e) remove the goods or materials, and any structure used for the purposes of the depositing of the goods or materials, at a specified time, or after a specified period.
- (4) If the prescribed activity is the holding of a public place activity prescribed under a subordinate local law, the conditions of the approval may also require that the approval holder—
- (a) provide specified facilities and amenities; and
 - (b) provide specified illumination for the purposes of the undertaking of the prescribed activity and take specified measures to reduce light spillage from the undertaking of the prescribed activity; and
 - (c) take specified measures to reduce noise emission from the undertaking of the prescribed activity; and
 - (d) provide specified equipment, or take specified measures, to reduce adverse effects of the undertaking of the prescribed activity on the surrounding neighbourhood to acceptable levels; and
 - (e) not discharge trade waste generated by the undertaking of the prescribed activity otherwise than in accordance with an approval under the *Water Supply (Safety and Reliability) Act 2008*; and
 - (f) for waste generated by the undertaking of the prescribed activity—
 - (i) only dispose of the waste—
 - (A) in a safe and sanitary manner; and
 - (B) in a manner which maintains the site of the prescribed activity and its surrounds in a clean, tidy, sanitary and hygienic condition; and
 - (ii) not dispose of the waste—
 - (A) so as to attract pests; or
 - (B) into a water course; or
 - (C) at another location other than a location properly intended for the receipt of the waste; and
 - (g) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct; and
 - (h) not place or display any sign or device advertising the undertaking of the prescribed activity in the area identified in the approval otherwise than in accordance with an approval of the local government for example, under *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011* which authorises the use of the area for that purpose.

Declaration and Indemnity

I submit this application form with the relevant fee and supporting documentation as required.

In consideration of Council granting the approval of this application, the Applicant:

1. Shall, at all times, hold harmless and keep indemnified the Rockhampton Regional Council and its officers, employees, members, agents and contractors (“Indemnified parties”) from and against all actions, suits, proceedings, claims, demands, losses, costs, charges and expenses (“Claim”) arising out of or in any way connected to or resulting from Rockhampton Regional Council granting the approval of this application and any activity carried out or purported to be carried out under any approval of this application (in all circumstances whether directly or indirectly), including:
 - (a) Any personal injury, illness, death to any person or damage to any property; and
 - (b) Any breach, non-observance or non-fulfilment of any condition of the approval; and
 - (c) Any act, matter, negligence or thing done or omitted to be done by the Applicant or its employees, agents or contractors.
2. Accepts that by proceeding with the activity, they will be taken to have agreed to the Standard Conditions of Approval outlined on this form.
3. Accepts that Council may impose additional non-standard conditions of approval after the application has been assessed which will be noted on the information notice issued at the time approval of the application is granted. For example, a non-standard condition may require the applicant to give reasonable security (deposit of money, a guarantee or an insurance bond) to ensure any damage caused is made good.
4. Acknowledge that Council has not made any claim, statement or interference with regard to the suitability of the facility or land for the activity and I have satisfied myself in this regard.

Applicant name:

Signature:

Date:

Fees and Charges

For a full list of fees and charges please refer to Council's [Fees and Charges Schedule](#).

Payment Information

In person | You can pay at Council's Customer Service Centres: 232 Bolsover Street, Rockhampton; 32 Hall Street, Mount Morgan; 1 Ranger Street, Gracemere.

By phone | Customer Service staff will contact you regarding payment via credit card or debit once this form is received.

By post | Make your cheques/money order payable to 'Rockhampton Regional Council' and send to PO Box 1860, Rockhampton, Queensland, 4700.



Regulated Activities on Council Controlled Areas and Roads

Council has a role in regulating activities undertaken on local government controlled areas and roads to ensure associated impacts and risks are appropriately managed resulting in the safety and wellbeing of the community, infrastructure and environment and to ensure no undue interference with the usual use or amenity of the area or road.

What is a Regulated Activity?

Activities regulated and assessed pursuant to *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Council Controlled Areas and Roads) 2011*, including:

- ✦ Driving or leading of animals to cross a road;
- ✦ Depositing of goods or materials (eg. chattels, stone, timber, metal, fluid, building and landscaping materials/plant/equipment and also includes an animal);
- ✦ Holding of certain public place activities (excluding the operation of a temporary entertainment event), specifically:
 - (a) The placing of a display or information booth;
 - (b) Film and television production (eg. tourism/media promotion/activities/campaigns, documentaries, feature/short films, corporate/music videos, and commercials).

These activities require a conditional approval under Council's local laws and consideration against Council's Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy before the activity can be undertaken.

Approval Exemptions

Certain activities are not governed by, or are exempt from requiring conditional approval under Council's local laws. Exempt activities include:

- (a) a picnic, day outing, walk or the like undertaken by not more than 50 persons;
- (b) an invitation only gathering of friends or family, including, for example, a barbecue or birthday party, undertaken by not more than 50 persons, provided the undertaking of the activity does not include the placing of temporary entertainment equipment (eg. jumping castle or an inflatable water slide) on a local government controlled area or road;
- (c) a cake stall, sausage sizzle, car wash or similar fundraising event;
- (d) an authorised public assembly undertaken in compliance with the requirements of the *Peaceful Assembly Act 1992*;
- (e) film and television live-to-air reporting, news or current affairs for an existing program with a definite on-air schedule, and, audio/visual recording of a private wedding/ceremony/celebration.

Please Note: Council recommends contacting Customer Service should you wish to undertake an exempt activity listed above to ensure that any likely restrictions/limitations (eg. unavailability of desired location) can be communicated.

Council will also provide a registration confirmation for non-exclusive use which ensures Council is aware of your activity and prevents other approvals being issued that may overlap.

Please refer to Council's Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy for more information in this regard.

Activity on Private Land

Approval is not required for private land, however you should check with Council's Development Assessment unit to see if planning approval is required.

Activity on a Main Road

Approval is not required from Council for a main road (State government-controlled), however you should check with the Department of Transport and Main Roads to see if approval is required.

Liquor Licensing

Liquor consumption is regulated under the *Liquor Act 1992*. Approval is required by the Office of Liquor and Gaming Regulation.

Should Council advise that your activity will require a conditional approval under Council's local laws you will need to submit a completed Medium/Major Impact Regulated Activities on Council Controlled Areas and Roads Application Form with supporting documentation and pay the relevant fees and charges.

How to Apply for an Approval

Applications are encouraged well in advance. Please contact Council to discuss your proposed activity and gain an understanding of specific requirements, timeframes, fees and charges that will be relevant.

Council will then assess the application in accordance with the timeframes stated within the Temporary Entertainment Events and Regulated Activities on Council Controlled Areas and Roads Policy, which may range from 60 – 120 working days, depending on the nature of your activity.

Applications that are received that do not allow Council adequate assessment time may incur additional express application fees.

Please note that submitting an application does not guarantee approval.

An application form can be obtained from one of Council's Customer Service Centres, downloaded from Council's website or by phoning 4932 9000.