

APPLICATION FOR TEMPORARY VEHICLE ACCESS THROUGH COUNCIL PARKS & RESERVES TO PRIVATE PROPERTIES

Local Law No 4 (Local Government Controlled Areas, Facilities and Roads) Part 2 Section 6(2)

- Please read the attached "Terms & Conditions – Use of Council Controlled Parks & Reserves" prior to completing your application.
- Access through your own property should be the first consideration.
- There are no private or commercial vehicle access rights through Council controlled land therefore regular and/or minor access requests will not be approved.
- A minimum of 10 business days' notice is required to process your application.

APPLICANT DETAILS

| | | | |
|---------------------------|--------|------|----------|
| Applicant name | | | |
| Postal address | | | |
| | | | Postcode |
| Telephone | Home | Work | |
| | Mobile | Fax | |
| Email | | | |
| Best Days/Time to Contact | | | |

CONTRACTOR DETAILS (if applicable)

| | | | |
|--------------------------|-----------------|--|----------|
| Business Name | | | |
| Street Address | | | |
| | | | Postcode |
| Preferred Contact Person | | | |
| Business Phone | Alternate Phone | | |
| Mobile Phone | Fax | | |
| Email | | | |

PARK DETAILS

| | | | |
|--|------|-----|----------|
| Park Name | | | |
| Park Location (Street Address) | | | |
| Date & Time of Use | From | / / | at am/pm |
| | To | / / | at am/pm |
| Reason access is required (i.e. how access through own property is insufficient) | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Have alternative options been explored? Please detail:

DETAILS OF WORK

Construction Earthworks Landscape Works Swimming Pool

Other (Please Specify): _____

Further detail of nature of work: _____

DETAILS OF VEHICLES/MACHINERY REQUIRING ACCESS THROUGH COUNCIL CONTROLLED LAND

Car Registration Number/s: _____

Truck Registration Number/s: _____

Excavator

Trailer Registration Number/s: _____

Crane Registration Number/s: _____

Other (Please Specify): _____ Registration Number/s: _____

Traffic Control required (to be provided by a registered traffic control firm)

INSURANCE AND PUBLIC SAFETY

Copy of Public Liability Insurance for at least \$20,000,000.00 is attached. Yes No

Detail how the safety risk to park users and Council staff is to be managed (e.g. signage, traffic cones, hazard barriers, use of spotter, etc.). (Attach safety plan if available):

Other supporting information attached.

SITE PLAN

A Site Plan Sketch is required. Accurately show the proposed access route through the park/reserve to the relevant property. Indicate any structures, services, etc. and indicate the location of nearest or landmark roads by name. *(Draw below or attach separate sheet if more space is required)*

NORTH ↑

| | | Key | Bond | Indicate which category of access |
|--|--|---------|------|-----------------------------------|
| Passenger Vehicles (Less than 4.5 tonnes) | Weekdays between 7am & 3pm | No* | No | <input type="checkbox"/> |
| | Weekends, Public Holidays, Weekdays between 3pm & 7am | Yes (A) | Yes | <input type="checkbox"/> |
| Heavy Vehicles (4.5 tonnes or more) | Weekdays between 7am & 3pm | No* | No | <input type="checkbox"/> |
| | Weekends, Public Holidays, Weekdays between 3pm & 7am | Yes (A) | Yes | <input type="checkbox"/> |

**If the access is required between 7am & 3pm on a weekday and the vehicle is less than 4.5 tonnes, a Scenic Rim Regional Council officer will attend the park/reserve and open the gate/bollards for access. No key or bond is required where Council staff attend the park or reserve to provide access.*

(A) If fenced and gated park/reserve

OTHER INFORMATION REQUIRED

Please note that the key deposit is \$25.00 and is refunded upon return of the key.

Do you require a key for access to facilities? Yes No
(if yes, please complete Application for Issue of Key Form)

Do you require a gate to be unlocked by Council? Yes No
(if yes, please specify on plan the location of the gate)

Do you require access through leased fields & facilities? Yes No

Have you contacted the club associated with the leased facilities? N/A Yes No
(if yes, please detail name of the person contacted and their contact details)

FEES AND BOND

You may be asked to pay a bond as a condition of any approval issued depending on the type of works and vehicle/machinery used. Please note that the bond is not payable until Council grants approval. If required, you may only access Council land after receipt of the bond. The bond is commensurate with the potential for damage to the park/reserve and providing no damage has occurred to the park it is refunded after inspection.

PLEASE NOTE

Applications for Temporary Vehicle Access Through Council Parks & Reserves to Private Properties will be considered by Council as conducting a prescribed activity under Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) Part 2 Section 6(2) and is subject to the provisions of the *Local Government Act 2009* and Local Law No. 1 (Administration). Applications will only be considered by Council upon receipt of a completed application form with required supporting information. Further information may be requested from you for a decision to be made with respect to your Application.

IMPORTANT NOTICE - Privacy Statement

Scenic Rim Regional Council is collecting your personal information on this form in order to issue the requested approval. The information will only be accessed by Scenic Rim Regional Council for Council business related activities. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.

Signature

Date

Council Use Only






| Receipt # | Amount \$ | Date | Receipting Details (GL # or application creation) |
|-----------|-----------|------|--|
|-----------|-----------|------|--|

Other particulars:

Doc set:

Referred to:

To submit your form to Council

| | | | |
|--|---|---|--|
|  | Scenic Rim Regional Council, PO Box 25, BEAUDESERT QLD 4285 | | |
|  | Beaudesert Customer Service Centre | 82 Brisbane Street, Beaudesert | |
| | Boonah Customer Service Centre | 70 High Street, Boonah | |
| | Tamborine Mountain Library & Customer Service | Cnr Main St & Yuulong Rd, Tamborine Mountain | |
|  | (07) 5540 5111 |  | (07) 5540 5103 |
| | |  | mail@scenicrim.qld.gov.au |

TERMS AND CONDITIONS COUNCIL CONTROLLED PARKS & RESERVES

1.0 General

- 1.1 A written confirmation of park use does not mean that other members of the public can be excluded from an area. Therefore, "a first in best dressed" situation applies. Parks are for the use and enjoyment of all, hence exclusive use of an area is not provided for except in the instance of major approved private events.
- 1.2 Compliance with all Federal, State and Local legislation and/or laws as they relate to the applicant's use of parks is mandatory. This includes, but is not exclusive to, compliance with the Workplace Health and Safety Act, the Liquor Act (consumption of alcohol in a public place is prohibited) and Council's Local Laws.
- 1.3 All beverages consumed in the park must be in containers other than glass.
- 1.4 Noise generated from the event (e.g. amplifiers, generators) should be of a reasonable level that does not disturb other park users or neighbouring properties. All noise above background noise levels should cease by 10.00pm.
- 1.5 In the event of wet weather, precautions should be taken to ensure damage to the grounds does not occur. If damage does occur, the applicant may be invoiced for rectification works and/or any bond paid may be retained.
- 1.6 Council makes every effort to maintain parks and facilities to a high standard, however the park will typically not be serviced specific to the needs of the park usage detailed.

2.0 Facility Use

- 2.1 No posters, notices or boards are to be affixed to any structures or trees within the park.
- 2.2 The area used is to be left in a clean and tidy condition (all litter generated is to be deposited in a refuse bin or if there is overflow or no bins, litter is to be removed from site). All fixtures or other items brought into the park are to be removed immediately after the event is completed.
- 2.3 For special functions, the applicant is to ensure that facilities such as toilets, car parking and refuse receptacles are capable of catering for the needs of the function. Any additional toilet facilities are to be erected to the satisfaction of the Council Officers and the servicing of the units is the responsibility of the applicant. If car parking is inadequate, a **traffic management plan** is required to be submitted with your application.
- 2.4 Due to the high risk associated with the use of electricity, Council does not approve general public access to power supplies. This excludes approved major

events where there is a requirement to produce a **safety plan** for power use that addresses participant and public safety.

- 2.5 Should use of the **Jubilee Park bandstand** be required, a refundable fee of \$25.00 is required for the Bandstand key deposit. Please ensure a key application form is completed and returned to Council, along with the deposit, 10 working days prior to the event.

3.0 Access in General

- 3.1 Car parking is to be restricted to designated parking areas unless otherwise approved. Additional car parking may be approved for special events with conditions for remediation of the site.
 - 3.2 While the impact of vehicle access is often underestimated, it does have a massive impact on the health and aesthetics of the trees and grass. Vehicles cause compaction and general damage. To remedy vehicle impact is expensive and in some cases impossible. Therefore, **vehicles are not permitted within the perimeter of the park without specific prior approval based on a valid reason.**
 - 3.3 Should approval for access be justified and granted then the vehicle is to be removed immediately after it has served its purpose, it is not to remain within the park. Driving near trees and over their root zones is to be avoided and temporarily parking under trees is not permitted. Pedestrians are to be given right of way at all times and driving over footpaths is to be avoided wherever possible.
 - 3.4 If the parkland or any equipment within the parkland is damaged by any vehicle, the owner and driver of such a vehicle and each of them shall be liable for the cost of repairing such damage and for the value of any property which has been damaged beyond repair.
 - 3.5 All gates must be closed and locked after entry and again after vehicles exit from the park.
- ### 4.0 Temporary Vehicle Access
- 4.1 Vehicle access through a person's private property should be the first consideration.
 - 4.2 There are no private or commercial vehicle access rights through parks/reserves, therefore regular and/or minor access requirements will not be approved.
 - 4.3 Council is not obliged to allow vehicle access and each application will be assessed considering the potential impact on the park/reserve, parks users, and surrounding residents.
 - 4.4 Vehicle access will not be granted where significant trees and shrubs would need to be removed to enable access.

4.5 Temporary Vehicle Access Applications are made for the purpose of seeking approval to traverse Council controlled parks or reserves to access private property.

4.6 No materials, equipment, machinery, etc. are to be stored on the parks or reserves during this period.

4.7 General access for park/reserve users should be maintained and the safety of persons using the park/reserve must be considered.

4.8 Any required bond will be held until completion of the usage period and will be released after inspection and confirmation that the area has not sustained any damage as a result.

5.0 Weddings

5.1 Approval for weddings will only be for small, simple ceremonies that do not interfere with the use of infrastructure by the public. Only biodegradable confetti may be used and is not to be thrown over hard surfaces.

6.0 Animals

6.1 With the exception of designated dog off-leash areas, the applicant must ensure that all animals are secured at all times.

7.0 Insurance

7.1 **The applicant's temporary use of an area is subject to the applicant accepting to indemnify Scenic Rim Regional Council in respect to claims for property damage and/or personal injury that result from or are attributed to the applicant's usage of an area. The applicant is further advised that whilst Council carries Public Liability Insurance covering all of its properties and its own operations, circumstances could arise where uses of Council facilities could become liable as a result of some incident relating directly to the activities being carried out by the applicant. Council strongly suggests that the applicant arrange for the event to have Public Liability Insurance cover, indemnifying Scenic Rim Regional Council and providing indemnity of ten million dollars. Where a copy of the certification is specifically requested or required, approval for the event is only effective when the documentation is received and processed by Council.**

8.0 Other

8.1 Prior to consideration of an application, where mechanical amusement rides are to be operated the following documentation must be sighted and endorsed in writing by the applicant and submitted to Council: a copy of the current registration for the ride(s); a copy of the inspections and maintenance records; a copy of a site and equipment specific risk assessment; two references to the competence of the operator; copies of the training performed by the operators; and how

compliance has occurred with the Electrical Safety Act and Workplace Health and Safety Act.

9.0 Administrative

9.1 Submission of an application does not constitute approval. Approval is only finalised where all required bonds, payments and documents have been received by Council and a letter of confirmation of park use has been issued to the address nominated by the applicant.

9.2 At the time of park usage, the letter of confirmation of park use should be available to be sighted by a Council officer (as should a bond receipt if a bond was required).

9.3 Dependent on the activity, Council may impose additional conditions to these or in exceptional circumstances provide exemptions. Any additional conditions will be documented in the letter of confirmation.

9.4 Council reserves the right to revoke any approvals at its discretion or impose a usage fee for commercial activities in parks.

10.0 Refundable bonds

10.1 A refundable bond commensurate with the type of infrastructure or activity may be required where Council deems that the use may cause damage to the parkland. Criteria used to determine the bond amount:

Category 1 Use - \$200 to \$1000 Minimal low impact infrastructure (e.g. basic tent, small animal farm or jumping castle) or low impact, passenger vehicle through access.

Category 2 Use - \$1000 to \$3000. More than basic infrastructure is to be erected and/or involving multiple pieces of infrastructure (e.g. multiple mechanical amusement rides, multiple stalls) or infrequent heavy vehicle through access.

Category 3 Use - \$3000 to \$10,000 . Extensive infrastructure with a likely high impact on the park access and amenity (e.g. large public attractions) or high impact frequent heavy vehicle through access.

10.2 When a bond is required, it is to be paid after the letter of confirmation has been received.

10.3 To enable inspection of the site, a bond will be held for at least ten working days, after the completion of the usage period. Where turf or other plants need to be reinstated, the bond will be held until they are deemed by Council to be fully established. The bond will be refunded only after a Council officer is satisfied with the condition of the site.

10.4 If unrectified damage is identified at the time of inspection, the bond may be utilised to provide rectification of the damage incurred (any remaining bond will be reimbursed to the applicant).