



**ACT**  
Government

Transport Canberra and  
City Services

Australian Capital Territory  
Transport Canberra and City Services

Version 1.2

## Application to use a public place

### For construction activities under

### Section 45, *Public Unleased Land Act 2013*

#### Public Land Use Team

Ground Floor  
255 Canberra Ave, Fyshwick ACT 2609  
Transport Canberra and City Services  
GPO Box 158 Canberra ACT 2601  
Telephone: Access Canberra 13 22 81  
Fax: (02) 6207 7133  
[tccs.publiclanduse@act.gov.au](mailto:tccs.publiclanduse@act.gov.au)

**Permit Number:**  
(Office use only)

**Please note: A minimum of 28 days is required for processing.**

All applications have a maximum length of two years.

**The following supporting documentation must be attached to the application:**

#### Detailed sketch plan

This needs to detail the location, objects, boundaries, dimensions, footpaths and nature strip trees etc. The Applicant needs to clearly indicate the nature of the object and give particulars of its design, position and size, specify the use to which the object will be put and include what type of substances, materials or items will be stored, placed or used.

#### Risk assessment plan

Identifying possible risks and risk reduction methods.

#### Evidence of public liability insurance

\$20 million public liability insurance required for all construction activities.

Please ensure you give full details of your activity including objects or size of structures to be used, requirements for access to gates and any other points which may help in the processing of your application. Attach additional information if needed.

### Applicant's details

Name of organisation

Name of applicant

Surname

Given name

Applicant's address

 Suburb  State  Postcode 

Email address

ABN

ACN

Telephone

Business hrs

Mobile

Fax

**Locality details**

Address

Suburb  State  Postcode

Date from and time from

/  /  :  am or pm (please circle)

Date to and time to

/  /  :  am or pm (please circle)

Block (if known)

Section (if known)

Amount of public land used in m<sup>2</sup>

**Activity (please tick)**

- Scaffolding
- Hazardous or flammable materials
- Hoarding over pedestrians
- Skips (industrial bins)
- Site compound fence
- Hoarding on fence

Other (please Specify)

Other details relating to the use of public land that may support your application:

**Public liability insurance**

**Indemnity**

In consideration of the Territory permitting the Applicant to use the public place, the Applicant indemnifies the Territory, its employees and agents against liability in respect of all claims, costs and expenses in relation to all loss, damage, injury or death to persons or property caused by the Applicant, in connection with the use of the public place, except to the extent that the Territory caused the relevant loss, damage or injury.

**Claims to be made good**

The Applicant must make good at their expense the amount of all claims, loss, damage, costs and expenses subject to the above indemnity.

**Public liability insurance**

During its occupation and use of the public place, the Applicant must effect and maintain:

1. all insurance coverage required to be effected by it by law; and
2. public liability insurance coverage in the amount of not less than \$20 million (or any other amount notified by the Territory) in respect of each claim, with an insurance provider

Application to Use a Public Place

approved by the Territory and must produce evidence of that insurance as required by the Territory.

I acknowledge and accept all attached standard conditions & will also abide by any additional conditions attached on approval.

Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Witness \_\_\_\_\_

**Please note: It is an offence to carry out work on public unleased land without prior approval.**

**It is an offence not to produce a copy of this approval when requested to by a police officer or officer authorised under the *Public Unleased Land Act 2013*.**

**The below section is for office use only.**

**Approved/Not approved** \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

on behalf of Australian Capital Territory

Address

Suburb

Block

Section

Fees

Approved from

Approved to

Additional conditions

## **Approval under section 57 of the *Public Unleased Land Act 2013***

### **Standard Terms and Conditions**

#### **Definitions**

The '**Applicant**' is defined as the person who completes and signs this 'Application to Use a Public Place'. Where the applicant represents an organisation or company, the applicant is assumed to have authority from the organisation or company to act on its behalf and enter into this agreement.

The '**Territory**' refers to the Australian Capital Territory Government and its agencies.

'**Transport Canberra and City Services**' (TCCS) is a Directorate within the Australian Capital Territory Government responsible for the management and use of unleased Territory land.

#### **Applicant responsibilities**

This permit authorises the permit holder for the use of unleased Territory land only. It is the responsibility of the Applicant to seek all necessary advice on further licensing requirements by other agencies (eg. Justice and Community Services for liquor licences, Roads ACT for Road opening and closing, Environment Protection Authority for noise related permits and the National Capital Authority for the use of national land) in relation to the event.

#### **Fees**

Fees are charged for the use of public unleased land for construction. Please check the website at [www.tccs.act.gov.au](http://www.tccs.act.gov.au) or contact the Land Use Team on (02) 6205 8794 for details.

#### **Guarantee**

A Guarantee or Bond may be required depending on the type of works and possible potential damage to Territory land. This determination will be made by the Public Use Coordinator.

#### **Legal compliance**

The Applicant must ensure that all persons involved in the activity are aware of and abide by laws and regulations governing the area, as shown by local regulatory signage and any additional conditions that may be attached to the approved application.

#### **Gates/vehicle access**

It is the Applicant's responsibility to leave the gate as found (open or closed, locked or unlocked), unless otherwise authorised by TCCS. A gate unlocked by the Applicant must be attended while open then locked after use. A fee may apply for gate access. If access to gates is required please provide additional information on this application.

Vehicle access into irrigated parks will not be generally supported. If vehicle access is permitted, access must be kept to a minimum and must be for set-up and emergency purposes only. Vehicles over 4 tonne are not permitted under any circumstances.

#### **Power access**

If your activity is using power, any power leads crossing pedestrian areas must be suspended at least 2.4 metres above the pavement. Power cables must carry an inspection tag which is less than three months old. For further information please contact WorkSafe ACT on (02) 6207 3000.

If access to public power is required please provide additional information on this application.

#### **Damage to Territory property**

The Applicant will be responsible for any damage to Territory property caused by the activity. This includes damage to roads, footpaths, kerbs and gutters, fences, gates, furniture, signs, BBQs, trees, lawn, turf, irrigation systems or any other property. The Applicant agrees to report any such

damage to Land Use Team on (02) 6205 8794 as soon as practicable, and to repair or make good the damage or reimburse the Territory for costs incurred in repairing the damage.

### **Removal of litter and waste**

The Applicant will ensure that all litter and rubbish resulting from the activity is removed from the site immediately after the event. This includes temporary signage. In formal recreation areas where bins are provided, these may be used for rubbish disposal. In areas where no bins are provided, waste must be removed and properly disposed of by the Applicant. Temporary toilets may be required as a site-specific condition of approval. If extra bins are required for waste collection, please contact Access Canberra on telephone 13 22 81. A fee will apply for the provision of extra bins.

### **Public safety and insurance**

The Applicant will take all reasonable steps to ensure the safety of participants and members of the general public in the activity. In particular, the Applicant will inspect the area immediately prior to use to ensure that it is safe for that use and report to the Territory as soon as possible any hazard detected on that inspection. Commercial operators must provide evidence of a current Public Liability Insurance Policy to a value of at least \$20 million, or as determined by the ACT Insurance Authority in conjunction with TCCS.

### **Cancellation or modification of approval**

It may be necessary to include additional conditions or for an activity to be cancelled at any time if required for safety reasons including the likelihood of damage to Territory property as a result of rainfall, Total Fire Ban or other natural event or conditions. In such cases, the Territory will not be liable for any losses incurred by the Applicant(s), but will refund any fees paid. Should the need arise the area is to be vacated within a period specified by the Territory.

The Applicant should, as a matter of courtesy, inform the Land Use Team if an approved activity is to be cancelled by the Applicant for any reason.

A full refund will be provided for cancellations by the Applicant, if notification is given to the Land Use Team at least seven days before the scheduled activity date. Cancellations within seven days of the event date may be refunded, at the discretion of the Land Use Team.

### **Exclusive use**

It should be noted that, although approval has been given to use unleased Territory land for your event, it does not guarantee exclusive use of that land as it always remains a public place. TCCS will, however, seek to avoid any conflicts arising with other approved events.

### **Irrigation**

Where there is an irrigation system in the park, it must be protected where activities include erecting structures and/or driving pegs or stakes into grassed areas. Pegs should not be driven more than 200mm deep within irrigated areas. Where appropriate, you may be referred to park maintenance contractors to arrange for the marking of the irrigation system and to ensure that it is turned off at the time of your event.

### **Sound**

Applicants must ensure the sound generated does not impact adversely on nearby businesses or residents and must comply with the levels list below.

Further information on acceptable noise levels can be obtained by contacting the Environment Protection Authority on 13 22 81.

Location	7am–10pm (8am-10pm Sunday & Public	10pm–7am (10pm-8am Sunday & Public
----------	---	---

	<b>Holidays)</b>	<b>Holidays)</b>
Civic centre and other major town centres (Belconnen, Gungahlin, Woden and Tuggeranong)	60dB(A)	50dB(A)
Group centres such as Dickson and Kingston	55dB(A)	45dB(A)
Smaller local centres such as Griffith and Lyneham	50dB(A)	35dB(A)
Residential areas	45dB(A)	35dB(A)

### **Structures on designated land**

Several parks within the ACT require Works Approval from the National Capital Authority for the erection of any structures. You will be advised if this requirement applies upon application.

### **Additional Conditions**

Approval for activity may include site or event-specific conditions as determined by TCCS.

### **Damage to Public Artworks**

It is the applicants responsibility to check if public artworks are located within their permit footprint. Where an artwork is located within an permit booking zone it must be protected from damage. All damage to ACT Artworks must be repaired to the satisfaction of Arts ACT and at the expense of the applicant. A list of Arts ACT public artworks and a map of their locations can be located <http://www.arts.act.gov.au/public-art/list>.

### **Privacy Statement**

Transport Canberra and Community Services adheres to the ACT Information Privacy Act 2014. As a general rule the personal information that is provided to us is not passed on to other organisations or third parties without your written consent. However, your information may be provided to the ACT Civil and Administrative Tribunal or another court or tribunal if required by law. You can view our privacy policy on the About US page of the Directorate's website (<https://www.tccs.act.gov.au/about-us/privacy-policy-statement>).

**Failure to comply with the conditions of a public unleased land permit is an offence under the *Public Unleased Land Act 2013*.**