

Public Unleased Land Permit
Issued 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 some types of events or activities. Please check the website at www.tccs.act.gov.au or contact the Land Use Team on (02) 6205 8794 for details. Fees for exclusive use of a recreation site or for on-line camping bookings must be paid in advance. Payment for events and activities with a per-person charge must be made within 14 days of the end of the event after final numbers are known, unless otherwise arranged. For information on camping or to book a campsite within the TCCS estate, please see www.tccs.act.gov.au or phone Access Canberra on 13 22 81.

Guarantee

A Guarantee or Bond may be required depending on the type of event 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 event or 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. Call Access Canberra on 13 22 81.

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.

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>.

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Power access

If your event 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 power is required please contact the City Rangers on (02) 6207 7132 for further information.

Damage to Territory property

The Applicant will be responsible for any damage to Territory property caused by the event or 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 event 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, spectators and members of the general public in the event or 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. Organised groups and commercial operators must provide evidence of a current Public Liability Insurance Policy to a value of at least \$10 million, or as determined by the ACT Insurance Authority in conjunction with TCCS.

Cancellation or modification of approval

TCCS may add Additional Conditions or cancel an event or activity at any time if required for safety or other 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 event or 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 event 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 seek however, to avoid any conflicts arising with other approved events.

Some areas of unleased territory land which can only be accessed with prior permission may have exclusive use granted. These include Blue Range Recreation area and the Old Homestead Recreation area at Kowen.

Sound

Applicants intending to conduct public performances 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.

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

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.

Food

If your own BBQs or cooking equipment is being used, the area of grass or pavement under the BBQ must be covered with a fireproof mat or similar to prevent damage to the area.

Where you have indicated you will be conducting a sausage sizzle, guidelines for conducting a sausage sizzle in a public place have been enclosed.

The applicant is to ensure that no food from the event is to be fed to any domestic animals or wildlife, e.g. local birdlife.

Operating in a Public Place

In August 2017, the Australian Government released its Strategy for Protecting Crowded Places from Terrorism (the Strategy). The aim of the Strategy is to protect the lives of people working in, using, and visiting crowded places by making these places more resilient.

The ACT Government in consultation with ACT Police have conducted audits and assessments for all sporting grounds in the ACT. As event organisers you should understand the main factors that influence terrorist target selection.

All owners and operators of crowded places have the primary responsibility for protecting their sites, including a duty of care to take steps to protect people that work, use or visit their site from a range of foreseeable threats, including the threat of terrorist attack.

Crowded places such as stadiums, shopping centres, pedestrian malls, and major events will continue to be attractive targets for terrorists. The current National Terrorism Threat Level in Australia is PROBABLE, as outlined on www.nationalsecurity.gov.au.

The Crowded Places Self-Assessment Tool found at [www.nationalsecurity.gov.au/ Crowded Places](http://www.nationalsecurity.gov.au/Crowded_Places) offers information and guidance on how to assess such factors for a crowded place.

Depending on the outcome of this assessment, owners and operators may need to take further action including, but not limited to, engaging directly with state and territory police, undertaking a formal risk assessment of their site, engaging with private security contractors, and, based on expert advice, implementing effective and proportionate protective security measures.

This includes how security arrangements and plans may need to change if the national threat level is raised or lowered, and how long it would take to implement these changes. This should be achieved by accessing information and guidance provided by governments, both online and through state and territory networks. Owners and operators also have a responsibility to raise awareness of possible security threats among their staff and patrons.

Structures on designated land

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

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Additional conditions

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

Weddings

Vehicle access to the park maybe permitted in certain areas but must be restricted to the bridal party only. Where you have indicated access is required for the bridal vehicle and you have paid the relevant fee, a City Ranger will attend on the day to provide access. Please ensure the area is managed in an orderly manner and that it is left clean and tidy when vacated. Please be advised that the use of confetti, rice or similar is not permitted.

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*.