

The issuing of this approval is subject to:

- *The approval holder agreeing to the Conditions of the approval.*
- *The approval holder agreeing to all Directions which the City of Charles Sturt may determine from time to time.*
- *The approval holder paying the prescribed fees as out in the City of Charles Sturt's Fee's and Charges Register.*

Section 200 of the Local Government Act 1999 provides:

- (1) *A person must not use community land for a business purpose unless the use is approved by the council.*

...

- (3) *The council's approval may be given on conditions the council considers appropriate.*

- (4) *A person must not—*

(a) use community land for a business purpose in contravention of subsection (1); or

(b) contravene a condition of an approval for the use of community land for a business purpose.

Maximum penalty: \$5,000.

Permit Conditions of Approval

This approval is given by the City of Charles Sturt (**Council**) subject to the following conditions:

1. This approval is not transferable.
2. This approval is valid only for activity prescribed on the approval.
3. This approval is valid only for times and dates described on approval.
4. The approval is only valid for the area stipulated on the approval.
5. This approval document must be carried at all times and made available for inspection upon request by an authorised officer or a police officer.
6. This approval does not provide exclusive usage rights at the approved location. Approved activities must give way to vehicles, pedestrians and animals. The approval holder shall not interfere with the use of any area by the general public in line with the non-exclusive permission granted by way of this approval.
7. Commercial advertising by means of signs, banners or leaflets on local government land is prohibited unless authorised by special exemption under the provisions of the Council's By-Law No. 3 – Local Government Land and Bylaw No 2 – Moveable Signs.
8. The approval holder is responsible to ensure that no Council infrastructure is damaged as a result of the activity.
9. The approval holder must ensure that the activity does not cause any damage or disturbance to Council turf, vegetation, equipment or facilities. The approval holder must not place any pegs or stakes in the ground.
10. Prior to the commencement of the approved activity, the approval holder should inspect the immediate area to ensure no hazards are evident. In the event that a hazard is identified, the approval holder should take appropriate action to remove this hazard or alternatively ensure that the training area used is safe and report the matter to Council without delay.
11. The sale of any goods, equipment, clothing food or beverages is not permitted whilst occupying public land.
12. A person qualified to provide first aid to the minimum level of St Johns Senior First Aid or equivalent must be on duty during the activity. A first aid kit meeting the requirements of a Basic Workplace First Aid kit must be available at all times in accordance with Workplace Health and Safety requirements.
13. The approval holder agrees to indemnify and keep the Council and its respective officers, employees and agents indemnified against all claims, demands, expenses, (including legal costs), loss or damage which may be incurred by or imposed upon the Council and its respective officers, employees and agents in respect of loss or damage to any property, or the death of or personal injury to any person arising out of or related to the approval and caused or contributed to (but only to the extent contributed to) by any wilful, unlawful or negligent act or omission of the approval holder.
14. The approval holder shall obtain and maintain a current a public liability insurance policy in the name of the approval holder insuring the approval holder for the minimum sum of ten million dollars (\$10,000,000) against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the approval holder in relation to the activity.
15. The approval holder must provide confirmation of insurance to Council. Such a policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by the approval holder.

16. The approval becomes immediately invalid if the approval holder ceases to have current public liability insurance as set out above.
17. The approval holder must abide by all other State and Commonwealth legislation. The issue of this approval does not absolve the approval holder or their agents from compliance with any other legal duty (whether imposed by statute or otherwise). If any permission or approval is required from any other authority this permission or approval must be current at all times. Failure to comply with this requirement will result in immediate revocation of this approval.
18. The approval conditions may be amended at any time by the Council with or without consultation with the approval holder.
19. The Council may issue directions to the approval holder in addition to these conditions at any time and require that they be complied with from time to time. Failure to comply with a direction will be taken as failing to comply with a condition of the approval.
20. This approval is subject to fees and charges as set in the Council's Fees and Charges Register.
21. Failure to comply with these conditions will result in the approval being withdrawn and may result in the approval holder being liable for any penalty prescribed by the Local Government Act 1999 or the Council's by-laws.