

All conditions

The conditions of this permit must be complied with by the permit holder and other persons as required under the local laws.

1. Permit conditions (see Section 11 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016)

The following conditions are imposed for this permit:

- (a) conduct the activity on the days and hours specified in the permit - [days] [times];
- (b) adhere to safety standards;
- (c) adopt best practice management for the activity; and
- (d) comply with all reasonable directions of an authorised person in the time specified by the authorised person.

2. Permit conditions (see Section 12 Local Law No. 11 (Local Government Controlled Areas and Roads) 2016)

(1) The following conditions are imposed requiring the permit holders, its contractors or agents to:

- (a) supply a written report to the chief executive officer on an annual basis advising of the level of compliance with the permit signed by the operator and contains the following particulars:
 - (i) the total number of persons (including employees or agents) who undertook the activity during each month of its operation together with:
 - (A) a breakdown of the number of persons who undertook the activity each day (with the number of employees or agents and the number of customers separately identified); and
 - (B) the times on which the activity was undertaken each day;
 - (ii) details of any accidents which took place during the conduct of the activity each month;
- (b) indemnify the local government against all liability directly or indirectly associated with the activity;
- (c) take out a public liability insurance policy in the amount of twenty million dollars (\$20,000,000.00) in the name of the permit holder and noting Cairns Regional Council as an interested party;
- (d) provide to its customers or any other persons undertaking the activity all necessary or appropriate safety equipment, warnings and instruction;
- (e) be responsible for any costs or expenses incurred by local government for rectifying any damage caused by the activity;
- (f) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
- (g) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by local government;
- (h) not erect any permanent or temporary buildings, signs or structures upon the permitted activity area unless specifically permitted under the permit;
- (i) ensure that all areas used are left in a clean and tidy condition and litter is collected and lawfully disposed at a local government waste transfer station;

- (j) ensure that portable toilets are supplied, as directed by local government; and serviced for the use of the people attending the activity should insufficient facilities be available onsite;
- (k) ensure that waste from portable toilets is collected by a regulated waste transporter and disposed of lawfully at a facility licensed to accept such waste;
- (l) ensure that serving or selling any food, refreshments, souvenirs or other retail items is prohibited unless specifically permitted under the permit;
- (m) ensure that cleaning, maintaining or repairing any vehicle, vessel or other equipment except for emergency repairs is prohibited;
- (n) advise the means by which impacts on the environment are to be minimised;
- (o) advise the means by which impacts on the amenity of neighbouring areas are to be minimised;
- (p) ensure that a person holding a recognised first aid certificate and all other certifications required by any State or Commonwealth authority is present;
- (q) only permit experienced and competent guides, agents or supervisors to oversee the operation of the activity;
- (r) accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;
- (s) provide information, explanations, cautions and warnings to customers and all other persons undertaking the activity regarding the hazards likely to be encountered by them when the activity is undertaken;
- (t) ensure that any motor vehicle, vessel or other machinery used in connection with the activity, complies with all safety requirements and regulations and are operated in accordance with requirements, guidelines or recommendations published from time to time by the manufacturer or any State or Commonwealth authority;
- (u) identify the points at which an operator is to access the site for the purpose of undertaking the general activity;
- (v) state the number of customers to be taken or permitted on the site at any one time;
- (w) include the programming of the general activity on the site;
- (x) include the use of any roads, jetties, foreshores or other means of accessing the site;
- (y) obtain any necessary permits or approvals by any government department and provide copies to the local government;
- (z) ensure activities on roads are carried out so as not to compromise road safety or unduly disrupt traffic. In all instances, the necessary approvals are to be obtained from bodies such as Department of Transport and Main Roads, Queensland Transport, Queensland Police, etc;
- (aa) ensure the local government is kept fully informed in writing of any proposed alterations to the activity or its timing; and
- (bb) No smoking is permitted in the approved area for general activities approved under the Local Laws.

(2) In addition to subsection 12(1) the following type of conditions will ordinarily be imposed on a permit which involves the sale of food:-

- (a) where the application involves any food other than whole fruit and vegetables, the applicant must submit evidence that the food was prepared in the approved premises;

- (b) if the application is for a vending activity that involves food preparation in the vehicle, the applicant must submit copies of current certificates of Registration and Licence under the *Food Act 2006*.

3. Non-Standard Conditions (Section 10(1) Local Law No. 1 (Administration) 2016)

The following conditions are imposed requiring the permit holders, its contractors or agents to:

- (a) The permit holder must ensure that the conditions of this Approval are complied with.
- (b) Floodlighting will not be provided by Council.
- (c) Council may restrict use of approved sites with short notice due to inclement weather conditions, ground conditions or other matters that may compromise safety or increase risk of damage to the site.
- (d) The permit holder must accept responsibility that the reserve is suitable for the desired activities. Council accepts no responsibility for the condition of the approved site or the associated amenities. The permit holder should carry out an assessment of the area to be used and ensure they are satisfied it is safe to perform set activities. The permit holder must report to Council, without undue delay, the hazard or any other hazardous matters observed during the training that may require attention.
- (e) The permit holder is required to remove any rubbish created by the activity, and to ensure that the area used is kept in the same condition as before the use or activity commenced. If the area is not left in an adequate state, it will be cleaned by Council at the cost of the permit holder.
- (f) Maintenance work undertaken on the approved site by Council takes priority and should maintenance crews arrive during allocated hours, permit holders are required to relocate within the site if requested.
- (g) Maximum group training size per session is 20 people not including the instructor/s.
- (h) The use of large equipment such as weight benches, plate weights and bars, stationary bikes, treadmills, steppers, tyres etc is not permitted.
- (i) Organised sporting activities are not permitted under this approval and require a separate application to conduct activities.
- (j) Aggressive or intimidating activities including combat/fighting or training is not permitted.
- (k) No nuisance or disturbance shall be caused to persons on neighbouring properties by any activities associated with the approved use. No whistles or similar equipment shall be used prior to 9am or after 7pm.
- (l) All electrical cords, fittings, switches and other electrical equipment in use during the approved period will comply with the appropriate Australian Standards and display a current electrical test tag.
- (m) Facilities within the approved site are for public use and must be shared. A permit of use of the reserve for the purposes of health or fitness activities does not confer exclusive use and other groups retain the right to use the site or facilities during the hours of the permit.
- (n) The permit issued by Council is required to be presented should an authorised Council Officer request confirmation of approval to utilise a given space or facility.
- (o) Council reserves the right to terminate the permit, either before or during an activity, if the permit holder is in breach of the terms of this approval.
- (p) Council reserves the right to cancel the permit at any time for any reason it deems to be relevant.
- (q) In the event of a dispute or difference arising as to the interpretation of these conditions, or of any matter or thing contained therein the decision of the (nominated Council officer) thereon shall be final and conclusive.