

Title	Use of Jumping Castles and Similar Equipment on Council Property
Council Resolution	Item 11 (20 March 2017) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council Resolution Date
Strategic Plan Reference	<u>Leading our Community</u> 4.1 <i>Govern in an open and responsible manner in the best interests of the community.</i> 4.2 <i>Manage our resources to achieve community outcomes</i>
ECM	Council Policy

PURPOSE

This policy provides guidance as to the circumstances under which Council will permit the use of inflatable jumping castles and other similar “land-borne inflatable devices” on land that is owned or administered by Council.

SCOPE

This policy applies to any land-borne inflatable device that is covered by the Standard, which is used or intended to be used on Council Property. This includes inflatable jumping castles, but also applies to similar inflatable play equipment.

Refer to the ‘Definitions’ section of this policy (below) for the relevant definitions.

STATUTORY REQUIREMENTS

Acts	Not currently applicable
Regulations	Not currently applicable
Australian/International Standards	AS 3533.4.1-2005: Amusement rides and devices), Part 4.1– Specific requirements – Land-borne inflatable devices

DEFINITIONS

land-borne inflatable device	<p>Either of the following, as defined in the Standard:</p> <p>(a) an inflatable structure or device (continuously blown); or</p> <p>(b) an inflatable structure or device (sealed).</p> <p>For ease of reference, the definitions in the Standard are as follows:</p> <p><i>Inflatable structure or device (continuously blown)</i> <i>A structure or device relying on a continuous supply of air pressure to maintain its shape, on which patrons may play.</i></p> <p><i>Inflatable structure or device (sealed)</i> <i>A structure or device on which patrons may play that is inflated by means of air supply and, having achieved the design pressure, is sealed with a bung or stopper and does not require continuous inflation.</i></p>
device	Unless expressly stated otherwise, the use of the term ‘device’ refers to a land-borne inflatable device
Council Property	Any land owned or administered by Council
General Manager	The General Manager of Council, or delegate
Authorised person	The General Manager, or a person authorised by the General Manager to make decisions in accordance with this policy
the Standard	AS 3533.4.1-2005 (Amusement rides and devices), Part 4.1– Specific

	requirements – Land-borne inflatable devices and any amending, replacement or additional Standard, code, law, rule or requirement that may apply from time to time.
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POLICY STATEMENT

1. Land-borne inflatable devices must not be operated on Council Property, except with the prior written approval of the General Manager, which may be withheld at the absolute discretion of the General Manager.
2. Council (through the General Manager) will only provide its written approval to operate a land-borne inflatable device on Council Property where:
 - (a) the land-borne inflatable device is to be used in association with an event (e.g. a fete or festival) that has been approved by Council
 - (b) the applicant can demonstrate that the device will be constructed, installed and operated in accordance with the Standard
 - (c) the applicant has taken out public liability insurance coverage that names Glenorchy City Council as an insured party, in a form satisfactory to Council and for a minimum of \$20,000,000 for any single occurrence, and
 - (d) the applicant is able to comply with any conditions placed upon the approval by Council.
3. All written approvals provided by Council will be subject to the following mandatory conditions:
 - (a) the applicant must provide evidence satisfactory to Council that the land-borne inflatable device complies with the Standard, including certification that the device has been installed by a competent person and in accordance with the Standard
 - (b) the device may only be operated during the times that the event with which it is associated is authorised to be operated
 - (c) the applicant must provide Council with certificates of currency for all insurance policies held in relation to the operation of the device prior to commencing the operation
 - (d) all persons operating the device must hold a current Working with Children Registration in accordance with the *Registration to Work with Vulnerable People Act 2013* (commonly referred to as a 'Blue Card'), and
 - (e) the applicant must provide evidence satisfactory to Council that any person who will or may be operating the device or in any way in control of or associated with the use of the device must be competent, experienced and skilled in the use or operation of the device and must provide any information reasonably required by Council in relation to such persons.
4. In addition to the conditions in clause 3, Council may impose any conditions on an approval that it considers appropriate in the circumstances.
5. Council, in its absolute discretion, may cancel an approval where:
 - (a) the applicant has breached, or in the reasonable opinion of Council is likely to breach, any condition of the approval or any law
 - (b) inclement weather conditions have caused, or may cause, the operation of the device to be unsafe, or
 - (c) an authorised person has formed the reasonable opinion that, in the circumstances, it is unsafe, impractical or contrary to this Policy to allow the continued operation of the device.
6. Where an approval is cancelled, the operator must immediately cease operating the device, and remove the device from the Council Property as soon as practicable. If the operator refuses to remove the device, Council may remove the device and may charge the operator for any reasonable costs incurred by Council in doing so.

BACKGROUND

Council supports activities which encourage physical activity and social interaction, provided they are operated safely. If operated correctly, land-borne inflatable devices can be a safe and enjoyable activity for children, which can enhance the atmosphere and success of events held on Council Property.

In line with community expectations and Council's responsibility to govern responsibly and in the best interests of the community, Council must take active steps to minimise the risk of injury to the public and to Council's exposure to claims for liability caused by land-borne inflatable devices.