

# USE OF LOCAL GOVERNMENT LAND - INSURANCE POLICY



COUNCIL POLICY	
Reference Number	722266
Responsible Business Unit	City Assets
Responsible Officer	Manager, City Assets
Legislation	Local Government Act, 1999 Work Health and Safety Act, 2012
Relevant Delegations	Procurement and Financial Delegations
Related Policies Management Guidelines Frameworks	Use of Local Government Land – Insurance Management Guidelines Hire of Council Facilities Policies and Guidelines Fees & Charges Schedule Procurement and Financial Delegations Risk Management Framework
Link to Strategic Plan	Goal 2 – Great people and lifestyle 2.1 A modern city with country charm
Council resolution	Item 149.4
Date Adopted	12 September 2022
Review Date	2025
Previous Revisions	27 Jan 2015 item 17.5

## POLICY STATEMENT

The purpose of this policy is to ensure that all authorised events, activities and permits for work undertaken on local government land are adequately assessed for risks and are covered by the relevant insurances for the types of activities to be undertaken.

Council requires **all authorised users** to hold:

- a minimum of \$20,000,000 Public Liability Insurance;
- a minimum of \$5,000,000 Product Liability Insurance,
- if providing advice, a minimum of \$5,000,000 Professional Indemnity Insurance.

**UNLESS** the Chief Executive Officer or his delegate have been provided the outcome of a thorough risk assessment review and approved the lower insurance cover of:

- a minimum of \$10,000,000 Public Liability Insurance;
- a minimum of \$1,000,000 Product Liability Insurance;
- if providing advice, a minimum of \$2,000,000 Professional Indemnity Insurance.

A Management Guideline outlines the process for ensuring insurance requirements are met. The guideline also outlines the process for establishing the likelihood and consequence of a risk occurring and a guideline for reducing and eliminating risk. A risk assessment rating table, in accordance with AS/NZ ISO 31000:2018 *Risk Management Principles and Guidelines* is provided. For Further information refer to the LCIS website at [www.localcommunityinsurance.com.au](http://www.localcommunityinsurance.com.au),

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## OBJECTIVES

The objective of this policy is to provide guidance for staff and users of local government land to ensure the appropriate cover is held by the user.

## SCOPE

All uses of local government land that could include but not be limited to:-

- Events and activities in Council buildings and on Council reserves
- Section 221 authorisations covering alterations to public roads by contractors
- Section 222 permits for business use of a public road
- Leases approved by Council providing for exclusive use, or
- Licences approved by Council authorising use for specified periods.

## IMPLEMENTATION

Through the implementation of this policy and management guidelines, Council aims to assist users to maximise the benefits arising from the use of local government land while ensuring levels of insurance are reflective of the risks involved with the use of the Reserve / Property or Road.

It also aims to set out the basis for identifying the risks and apply the hierarchy of controls to reduce and eliminate risks where possible. It aims to ensure that the insurance limits applied are consistent and transparent across different users.

## DEFINITIONS

**Products Liability Insurance:** is a form of insurance that protects Council against claims that a product, including food, sold by an authorised user caused injury, damage, or death to an individual or property.

**Professional Indemnity Insurance:** is a form of insurance that provides financial protection for consultants, businesses or individual professionals that in turn protects Council in situations where the professional advice provided to Council result in a loss or damage either through a failure to meet a contract or by not performing with adequate professional standards.

**Public Liability Insurance:** is a form of insurance that provides financial protection to Council in situations where a third party is injured as a consequence of the use of Local Government Land by an authorised user.