

APPLICATION FOR APPROVAL OF PRESCRIBED ACTIVITY
Alteration or Improvement to Local Government Controlled Areas and Roads

APPLICANT DETAILS			
Business Trading Name			
ABN			
Applicant Name (Person/s or Company)			
Postal Address			
Contact Phone Number/s			
Email Address			
LOCATION INFORMATION - where activity is to be carried out			
Property Address			
Description of Location			
Property Description (Lot and Plan)			
Days and Times of Operation			
PUBLIC LIABILITY INSURANCE			
Name of Insurance Company			
Policy Number		Date Policy Expires	
Sum Insured			
ACTIVITY INFORMATION			
Date From		Date To	
Hours of Work			
Description of Activity (nature of alteration or improvement)			
SUPPORTING INFORMATION			
What measures will be taken to ensure that the amenity of the surrounding area will not be adversely affected?			

CONDITIONS

- 1) The following conditions are the conditions that will ordinarily be imposed on an approval³:
 - a) Will be constructed of suitable weather resistant material.
 - b) At the expiration or earlier cancellation of the approval, remove any structure erected or installed within 14 days or such other period as the local government may agree to in writing.
 - c) For the duration of the term of the approval, maintain in full force and effect a standard public liability insurance policy:
 - i) Listing the local government as an interested party;
 - ii) Covering their respective rights, interests and liabilities to third parties in respect of accidental death of, or accidental bodily injury to, persons or accidental damage to property; and
 - iii) For an amount of no less than the amount listed in the local government requirements for Public Liability Insurance for Approval Holders published on the local government's website.
 - d) Prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the standard public liability insurance policy/
 - e) Indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made upon the local government as a result of the prescribed activity;
 - f) Ensure that any prescribed activities are undertaken to protect public utility services and before undertaking any ground disturbing works a "Dial 1100 Before You Dig" search must be undertaken;
 - g) Prior to commencing any activities which may affect or disrupt public access to the area set out on the site in accordance with the requirements of the Manual of Uniform Traffic Control Devices;
 - h) Not damage any local government infrastructure in the course of any approved works, except as permitted in the approval; and
 - i) Comply with any reasonable direction of an authorised person, local government or emergency services in relation to controlling traffic or ensuring the safety of persons.
- 2) The following criteria are the criteria that must be considered in deciding whether or not to grant an approval⁴. For all approvals, the additional criteria are:
 - a) The physical suitability of the site for the proposed activity; and
 - b) The suitability of any proposed structure including satisfactory compliance with relevant standards of the local government; and
 - c) The likelihood of the activity interfering with public access to public areas and roads.

APPLICANT DECLARATION

- I declare the information provided by me in this application is true and correct.
- I will adhere to the conditions related to this application.

Name	
Signature	Date

Privacy Notice: Mareebee Shire Council is collecting applicant details in accordance with Council's Local Law in order to assess your application for approval. This information will only be accessed by Council employees and other persons authorised under the *Local Government Act 2009*. Your information will not be given to any other person or agency unless you have given us permission, or we are required by law.

¹ See *Subordinate Local Law No. 1 (Administration) 2018* sch 7(3).

² See Council's Standard Requirements for Public Liability Insurance for Approval Holders s3, Insurance contracts and policies for public liability insurance – Council as an interested party options a) and b). Council will not accept policies under option c) listing Council as 'noted' interest.

³ See *Subordinate Local Law No. 1 (Administration) 2018* sch 7(6).

⁴ See *Subordinate Local Law No. 1 (Administration) 2018* sch 7(4)(1).

RELEASE AND INDEMNITY

In consideration of Mareeba Shire Council ("Council") issuing me/us with *The Approval* for the purpose described or allowed under the Approval ("the activity/activities"),

I/we: _____

1. Release and discharge Council and Council's agents, servants, officers and insurers ("the Related Parties") from and in respect of all liability, claims, losses, damages or proceedings which I/we may have (either now or accruing in the future) against Council and/or the Related Parties in respect of, or arising out of, or in connection with the activity/activities;
2. Agree that the release and discharge given under clause 1 may be pleaded by Council and the Related Parties as a bar to any action, suit or proceeding commenced now or taken at any time by Council and/or the Related Parties, against Council and/or the Related Parties, or to which Council and/or the Related parties is or are joined as a party or parties; in respect of, or arising out of, or in connection with the activity/activities; and
3. Agree that I/we am/are liable for and shall indemnify Council and the Related Parties against any liability, claim, loss, damage, or proceeding in respect of, or arising out of, or in connection with the activity/activities.

The covenants given under this document are binding upon me/us and my/our heirs, executors, successors and permitted assigns.

If the Approval Holder is **an individual**:

SIGNED by:

(print name of approval holder)

(signature of approval holder)

in the presence of:

(print name of witness)

(signature of witness)

on this _____ day of _____ 20____.

If the Approval Holder is **a Corporation**:

SIGNED for and on behalf of:

(print name of corporation)

by:

(print name and position of representative person)

(signature of representative person)

by:

(print name and position of representative person)

(signature of representative person)

in the presence of:

(print name of witness)

(signature of witness)

On this _____ day of _____ 20____.