



65 Rankin Street  
PO Box 154  
MAREEBA QLD 4880  
**P** 1300 308 461  
**W** [www.msc.qld.gov.au](http://www.msc.qld.gov.au)  
**E** [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

**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?			

**What measures will be taken to ensure that the activity will not cause a nuisance or danger to neighbouring residents/businesses?**

**What measures will be taken to ensure that the activity does not significantly detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare?**

**What measures will be taken to ensure existing services located in, along, over or adjacent to the road/local government – controlled area will not be adversely affected?**

## **SUPPORTING DOCUMENTS ATTACHED**

Please complete the checklist in full<sup>1</sup>. Tick or indicate N/A where the item is not applicable.

\_\_\_\_\_ Safety plan

\_\_\_\_\_ Quality plan

\_\_\_\_\_ Visual plan or map showing details of location, inclusive of location of all work materials, details of all barriers and associated temporary objects (including location of any warning notices for the safety of road users), location of all Council services and location of all drainage paths.

The above plans are assessed against the *Manual of Uniform Traffic Control Devices* (Department of Transport and Main Roads)

\_\_\_\_\_ Copy of Public Liability Insurance Certificate of Currency to the value of \$10,000,000 noting Mareeba Shire Council as 'named insured' party or an 'interested' party<sup>2</sup>.

\_\_\_\_\_ Payment of application fee

\_\_\_\_\_ Where the proposal includes erection or installation of a structure on, over or under the road – details of any structural plans and specification are required.

\_\_\_\_\_ Approvals from Planning or Building where relevant

## CONDITIONS

- 1) The following conditions are the conditions that will ordinarily be imposed on an approval<sup>3</sup>:
  - 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 approval<sup>4</sup>. 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:** Mareeba Shire Council is collecting your personal information in accordance with the Council's Local Law, for the purpose of processing your application. If you choose not to provide your personal information, the application may not be approved. Your personal information will only be accessed by authorised Council employees. Your personal information will not be used for any other purpose or disclosed to any other person or entity unless you have given us permission, or we are required by law. Please refer to Council's QPP Privacy Policy for further information on access or correction of personal information held by Council.

<sup>1</sup> See Subordinate Local Law No. 1 (Administration) 2018 sch 7(3).

<sup>2</sup> 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.

<sup>3</sup> See Subordinate Local Law No. 1 (Administration) 2018 sch 7(6).

<sup>4</sup> 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\_\_\_\_.