

**APPLICATION FOR COMMERCIAL USE OF LOCAL GOVERNMENT  
CONTROLLED AREAS AND ROADS  
Landing Aircraft on Public Land  
*Local Law No. 1 (Administration) 2018***

To allow Mareeba Shire Council sufficient time to assess and consider your application, please ensure the application fee is paid and the following form and all relevant documentation is submitted at least **2 weeks** prior to the proposed activity.

APPLICANT DETAILS			
Business Trading Name			
ABN			
Applicant Name (Person/s or Company)			
Postal Address			
Email Address			
Contact Person for Application		Mobile No	
On Ground Contact person		Mobile No	
DESCRIPTION OF ACTIVITY			
Type of Aircraft			
Event / Reason			
Location (booking of facility or public area may also be required)			
Day and Date			
Estimated Times	Landing		Take-off
Number of People	Staff		Customers
SUPPORTING INFORMATION			
<b>What measures will be taken to ensure that the activity will not:</b>			
1. Cause a nuisance or danger to neighbouring residents/businesses?			

2. What measures will be taken to ensure that the amenity and services of the surrounding area will not be adversely affected?

### Resident Notification

Local residents are to be notified of the proposed landing by the giving of at least 24 hours notice. This may include a Public Notice being published in the local newspaper or alternatively a Public Notice being erected at the location where the landing will occur. Written notification must be provided to all adjoining landowners.

Notice Method

Date Residents to be Notified

### OTHER PERMITS / LICENCES / CERTIFICATES

Does the activity require approvals under other legislation?

- Yes – complete this section  
 No – proceed to Public Liability Insurance section

Provide details and attached supporting documentation

Licence No.

Expiry Date

### PUBLIC LIABILITY INSURANCE

The applicant must provide current public liability insurance of \$20 million and a copy of the policy or Certificate of Currency must be submitted to Council. Mareeba Shire Council **MUST** be listed as an interested party.

Name of Insurance Company

Policy Number

Date Policy Expires

Sum insured

### CHECKLIST

To avoid any potential delays in processing this application please complete the form thoroughly and attach all the necessary documentation:

- Current Public Liability Insurance Certificate of Currency (\$20 million) nominating Mareeba Shire Council as an interested party.
- Site Plan
- A Site Specific Safety Management Plan including but not limited to emergency procedures, risk assessment and exclusion zones.
- A copy of any other permits or licenses required to conduct the activity (Air Operators Certificate)

### CONDITIONS

1) For all approvals, the conditions that will ordinarily be imposed on approval are below:

- a) The approval holder must comply with the Guidelines for Commercial Use of Local Government Controlled Areas and Roads.
- b) For the duration of the term of the approval, maintain in full force and effect a 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 *Standard Requirements for Public Liability Insurance for Approval Holders* published on the local government's website.
- c) Prior to the commencement of the prescribed activity, provide the local government with a certificate of currency for the public liability insurance policy.
- d) Indemnify the local government against all actions, proceedings, claims, demands, costs, losses, damages and expenses which may be brought against or made up on the local government as a result of the activity.

- 2) For an approval for the landing of a helicopter, aircraft, parachute or other aircraft, additional non-standard conditions that will be imposed on an approval are that the approval holder must:
- a) Accept full responsibility for the safe transportation of customers and all other persons undertaking the activity;
  - b) 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;
  - c) Ensure that any motor vehicle, vessel, aircraft 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 and any State or Commonwealth authority;
  - d) Identify the points at which an operator is to access the site for the purpose of undertaking the commercial recreation activity;
  - e) Provide site specific safety management plan;
  - f) State the number of customers to be taken to the site at any one time; and
  - g) Obtain all necessary approvals required from the Civil Aviation Safety Authority and any other relevant authority or body.

## APPLICANT RELEASE, INDEMNITY AND DECLARATION

### 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.
4. The release and indemnity provided by you under 1-3 is, however, reduced to the extent that Council and/or any of the Related Parties have caused or contributed to relevant liability, claim, loss or damage.
5. The covenants given under this document are binding upon me/us and my/our heirs, executors, successors and permitted assigns.

### Declaration

- I declare that the information provided by me in this application is true and correct.
- I have attached all the required supporting documentation to this application.
- I understand that as the applicant I will be legally responsible for complying with the applicable conditions.
- I am aware that the waste management and clean up requirements are to be arranged by the applicant (contact waste contractors).

<b>Name</b>			
<b>Signature</b>		<b>Date</b>	

**Privacy Notice:** Mareeba 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.