

**Prescribed Activity Application:**

**Application to Land an Aircraft on Public Land**

*Local Law No. 1 (Administration) 2020*

You MUST complete ALL questions unless the form indicates otherwise.

Incomplete forms or forms without all necessary information and documentation will result in your application not being a properly made application.

For all applications, you must:

- Complete the form;
- Complete any other forms relevant to your application;
- Provide any mandatory supporting information identified on the forms as being required to accompany your application; and
- Submit the applicable fee.

**1. APPLICANT DETAILS**

**Note:** The applicant is the person who will hold the permit and will be legally responsible for complying with the applicable conditions. A business name or trust is not a legal entity and should not be entered in this field as the applicant. Where a person or company operates a business, the applicant is the person or company.

**Applicant (person/s or company):** \_\_\_\_\_ **DOB (if person)** \_\_\_\_\_

**Business Trading Name:** \_\_\_\_\_ **ABN:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_

**Telephone:** **H:** \_\_\_\_\_ **W:** \_\_\_\_\_ **M:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Contact Person for Application:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**On-Ground Contact Person:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**2. DESCRIPTION OF ACTIVITY**

**Type of Aircraft:**     Helicopter     Aeroplane     Parachute     Hot-air balloon  
                                Ultralight     Glider     Hang-glider     Other:

**Event/Reason:**     One-off landing/take off     Event     Display  
                                Other:

**Location:** *(Note: booking of facility or public area may also be required-Form FL01).* \_\_\_\_\_  **Site Map attached**

**Lot & RP or GPS Co-ord:** \_\_\_\_\_

**Day & Date:** \_\_\_\_\_

**Estimated Times:**    Landing: \_\_\_\_\_    Take-off: \_\_\_\_\_

**Number of People:**    Staff: \_\_\_\_\_    Customers: \_\_\_\_\_

**OFFICE USE**

<b>Receipt Type: 111</b>	<b>Payment Amount: \$</b>	<b>Receipt No:</b>	<b>Date:</b>	<b>CSO:</b>
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### 3. SUPPORTING INFORMATION

What measures will be taken to ensure that the activity will not:

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 Port Douglas & Mossman Gazette *or alternatively* a Public Notice being erected at the location where the landing will occur. Written notification must be provided to all adjoining land owners.

Notice Method:

Date Residents to be notified:

### 4. OTHER PERMITS/LICENSES /CERTIFICATES

Does the activity require approvals under other legislation?

Yes – complete this section.

No – proceed to Section 5

Details:

Licence No.

Expiry Date

Attached

### 5. PUBLIC LIABILITY INSURANCE

Certificate of Currency must be provided prior to the event/activity and:

Note Douglas Shire Council as an interested party;

Coverage is for at least \$20 million; and

Cover the scope and dates of the activity.

Name of Insured:

Name of Insurer:

Policy No:

Policy Expiry Date:

### 6. RELEASE AND INDEMNITY

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

- 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;
- 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
- 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.

### 7. CHECKLIST AND SUPPORTING DOCUMENTS

YES

Officer  
Checked

Have you read the conditions below, have all sections been completed and the form signed?

Attach a copy of your **Public Liability Insurance** as documented above.

Attach a **Site Specific Safety Management Plan** including but not limited to emergency procedures, risk assessment, exclusion zones etc...

Attach a **Site Setup Map** of the proposed location and layout of the activity including details of, building and other structures, all entry and exit points to the site; and any other relevant details.

Attach a copy of any **other permits or licenses** required to conduct the activity (Air Operators Certificate)

## 8. DECLARATION

To the Chief Executive Officer, Douglas Shire Council

I / We make application under *Local Law No. 1(Administration) 2020* for approval to conduct the prescribed activity outlined in this application form and declare that the information provided by me in this application is true and correct, and agree to comply with all requirements and conditions as approved.

Print Name:

Signature:

Dated:

### ***Douglas Shire Council – Information Privacy Statement***

Your personal information has been collected for the purpose of assessing your Application for Approval. The collection of your information is authorised under the Local Government Act 2009. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the Information Privacy Act 2009 and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission or the disclosure is required by law.

## 9. PRESCRIBED FEES (Applicable from 1 July 2020 to 30 June 2021)

*Area Use Fees may apply.*

Helicopter/Parachute Landings (One-Off Landing)

\$87.00

## 10. CONDITIONS (Schedule 8 – Commercial use of local government controlled areas and roads)

- (1) For all approvals, the conditions that will ordinarily be imposed on an approval are as follows—
  - (a) Reasonable access to local government staff or contractors must be permitted at all times.
  - (b) The activity must be conducted in accordance with any standards of the local government applicable at the time of the approval.
  - (c) The approval must be displayed in a way that is visible to the public whilst conducting the activity.
  - (d) The approval must be produced for inspection on demand by an authorised person.
  - (e) A defined access point for emergency vehicles must be maintained at all times.
  - (f) The activity must only be conducted on the days and hours specified on the approval.
  - (g) maintain public liability insurance for an amount as determined by the local government covering the activity which indemnifies the local government in respect to any liability arising from the activity
  - (h) the approval holder must indemnify the local government against claims for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the works or activity.
  - (i) pay any costs or expenses incurred by local government to rectify any damage caused by the activity;
  - (j) ensure that vegetation, soil, sand, rocks, native animals or natural things are not interfered with, damaged or removed;
  - (k) not interfere with, paint, permanently mark, damage or remove any buildings, structures, fixtures, fittings or facilities provided by the local government.
- (2) For an approval for the landing of a helicopter, aircraft, parachute or other aircraft, additional conditions that will ordinarily 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 a 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.