



# APPLICATION FORM

## PERMIT TO OCCUPY FOR WORKS

### COMMUNITY AMENITY LOCAL LAW (2015) – CLAUSES 57 AND 133

**Note:** The permit application, together with the required documents, must be received at least **21 days** prior to the proposed commencement date. The land or road must not be occupied until Council has issued a Permit.

#### APPLICANT'S DETAILS

Name: .....

Business/Company: .....

ABN/ACN: .....

Address: .....

Suburb: ..... Post Code: .....

Telephone: ..... Mobile: .....

Email: .....

#### PROPOSED OCCUPATION DETAILS

Commencement Date: ..... Completion Date: .....

Proposed Site/Address: .....

Suburb: ..... Post Code: .....

Space Required:  Road  Nature Strip  Footpath  Parking Bay/s

Type of Works/Activity: .....

Minor Works (*works taking less than 48 hours*)

Major Works (*works exceeding 48 hours*)

Full Footpath Closure (*Pedestrian Management Plan is required*)

Partial Footpath Closure (*Pedestrian Management Plan is required where the width of the footpath is reduced to less than 1.5 metres*)

Pedestrian Diversion (*Pedestrian Management Plan is required*)

#### DOCUMENTS REQUIRED

- Copy of current Public Liability Insurance (must be for an amount of at least \$20 million per single event)
- Detailed Site Plan
- Traffic Management Plan (where the proposed Works/Activity require)
- Pedestrian Management Plan (where the proposed Works/Activity require)

#### FEES

CALCULATE YOUR FEES HERE

<u>Application Fee (excluding Parking Bay Hire)</u>		= \$ 277.00	<input type="checkbox"/>	\$272.00	+
<b>Road/Footpath/Nature Strip Occupation</b> per m <sup>2</sup> per week	\$3.35 x ..... m <sup>2</sup> x ..... weeks	= \$.....	<input type="checkbox"/>	\$.....	+
<b>Site Sheds</b> (per week)	\$89.00 x ..... weeks	= \$.....	<input type="checkbox"/>	\$.....	+
<u>Parking Bay Hire Application Fee</u>		= \$ 123.00	<input type="checkbox"/>	\$.....	+
<b>Parking Bay Occupation</b> (per bay per day)	\$65.30 x ..... bays x ..... days	= \$.....	<input type="checkbox"/>	\$.....	+
<b>Construction Zone Fee</b> (Up to 4 bays for max 6 months)		= \$3,763.00	<input type="checkbox"/>	\$.....	+
	<i>Each bay thereafter</i> \$753.00 x ..... bays	= \$.....	<input type="checkbox"/>	\$.....	+
Infrastructure Works (No fees applicable)		= \$ 0.00	<input type="checkbox"/>	\$.....	+
<b>TOTAL:</b>				<b>\$ .....</b>	

#### OFFICE USE ONLY: GL Narrative

Application Fee	1LL Permit No GST	Occupy Space Permit	Fees do NOT fall within the scope of the GST
Other Fee	1LL Permit GST	E.g. Parking Bays, Site Shed, Hoarding	Fees DO fall within the scope of the GST

**SAFETY MANAGEMENT**

Type of devices used for site safety management:

- Signs
- Bollards
- Witches Hats/Traffic Cones
- Tape
- Lights
- Other: .....

**SITE PLAN** (Site plan must include, precise measurements of intended occupied area and unobstructed area free for public use. A minimum of 1.5m clear footpath space required for pedestrians unless approved under a Traffic/Pedestrian Management Plan. All existing infrastructure i.e. Light poles, fire hydrants, footpath furniture must be noted)

# PAYMENT OPTIONS

## IN PERSON

Payment can be made with cash, cheque/money order, eftpos and credit card in person at: *Civic Centre, 45 Princes Hwy, Werribee.*

## BY POST

Forward your cheque/money order along with your completed application form and all additions documents to:

*Wyndham City Council, PO Box 197, Werribee 3030.*

## BY PHONE

Payment can be made by calling the City Amenity and Safety Department on (03) 9742 0777.

**CHEQUES/MONEY ORDERS SHOULD BE MADE PAYABLE TO WYNDHAM CITY COUNCIL AND BE CROSSED WITH NOT NEGOTIABLE. POST DATED CHEQUES WILL NOT BE ACCEPTED.**

# PERMIT CONDITIONS

## 1. OCCUPATION FOR WORKS

The Permit Holder is permitted to undertake the Permitted Occupation at the Location during the Permit Period only.

## 2. ALLOCATED PARKING BAYS AND APPROVED VEHICLES

- 2.1. The Permit Holder may reserve the Allocated Parking Bays during the Permit Period using bollards, tape, witches hats or appropriate signage only. The Permit Holder must ensure any items used to reserve the Allocated Parking Bays are maintained in good condition and are confined to the Allocated Parking Bays only.
- 2.2. The Permit Holder must ensure that a copy of the Permit is displayed on the dashboard of all Approved Vehicles at the Location during the Permit Period.

## 3. PEDESTRIAN AND TRAFFIC MANAGEMENT

- 3.1. The Permit Holder must comply with all approved Traffic Management Plans, Pedestrian Management Plans and any additional conditions that these plans may impose at all times during the Permit Period.
- 3.2. All pedestrian and traffic control devices provided by the Permit Holder must comply with Australian Standard AS 1742.3 at all times during the Permitted Occupation.

## 4. OTHER PERMITS

The Permit Holder acknowledges that this Permit only authorises the Permit Holder's Occupation of the road or Council land to undertake works and that the Permit Holder may need to obtain other permits or consents from Council and/or other authorities to carry out the works, including, but not limited to, an Asset Protection Permit under clause 28 of Council's *Community Amenity Local Law 2015*.

## 5. SAFETY

- 5.1. The Permit Holder must ensure that the works conducted during the Permitted Occupation are carried out in a safe manner.
- 5.2. The Permit Holder must immediately notify Council of any incident, accident, injury, damage or loss that occurs at the Location during the Permit Period.
- 5.3. The Permit Holder must not do or allow anything to be done during the Permitted Occupation which, in the opinion of Council, may be a risk to any person or property.

## 6. DAMAGE AND REINSTATEMENT

- 6.1. The Permit Holder must not damage, remove or otherwise interfere with any asset owned or managed by Council or a third party. The Permit Holder is responsible for all costs associated with the replacement of any such assets and/or repairs required to assets.
- 6.2. The Permit Holder must ensure that at the end of the Permit Period, the Location and vicinity are left clean and tidy with all rubbish and materials removed, free from damage and all non-Council items and equipment associated with the Permitted Occupation have been removed ('reinstatement').
- 6.3. Where the reinstatement of the Location is not to the satisfaction of Council. Council will advise the Permit Holder of the further reinstatement required and the time period for completion. If such reinstatement does not occur within the time specified, Council will undertake the reinstatement at the Permit Holder's cost. Any non-Council items and equipment not removed by the time specified will be treated as abandoned and will be disposed of as Council sees fit.

**7. INSURANCE**

- 7.1. The Permit Holder must hold and maintain public liability insurance in a minimum sum of \$20 million per single event and must submit a copy of its certificate of currency with its permit application.
- 7.2. If the Permit Holder engages third parties in connection with the Permitted Occupation, the Permit Holder must submit a copy of the third party’s certificate of currency for public liability insurance not later than 7 days before the start of the Permit Period.

**8. LIABILITY**

- 8.1. The Permit Holder undertakes the Permitted Occupation at the Location entirely at its own risk.
- 8.2. To the extent permitted by law, Council accepts no responsibility for any loss, damage, claim or expense suffered, including property loss or damage, personal injury and death, arising from the Permitted Occupation.

**9. INDEMNITY**

The Permit Holder agrees to hold harmless, indemnify and keep indemnified Council, its Councillors, staff and contractors ('Council') against any action, claim, demand, cost (including legal costs) or other liability claimed against or incurred by Council in respect of any accident, damage, injury or loss arising from the Permit Holder’s works at or occupation of the Location and the Permit Holder’s compliance or purported compliance with these Permit Conditions.

**10. BREACH OF PERMIT**

In the event of a breach of these Permit Conditions, Council may opt to serve the Permit Holder with a Notice to Comply or revoke the Permit acting entirely in its discretion.

**11. AMENDMENT OR CANCELLATION OF PERMIT**

Council may correct, amend or cancel this Permit in accordance with the *Community Amenity Local Law 2015*.

**12. GENERAL**

The Permit Holder:

- 12.1. must ensure the Permitted Occupation does not adversely impact surrounding residents or the public;
- 12.2. must allow Council staff, its contractors, persons authorised by Council and emergency services access to the Location at any time during the Permit Period;
- 12.3. must follow all directions of Council staff in relation to the Permitted Occupation;
- 12.4. must follow all directions of emergency services;
- 12.5. is responsible for the conduct and behaviour of its employees, agents and contractors including in respect of their compliance with these Permit Conditions;
- 12.6. must not transfer this permit to a third party;
- 12.7. must advise Council of any changes to the works which may affect the Permitted Occupation; and
- 12.8. must comply with all laws, rules and regulations; and
- 12.9. must produce a copy of this Permit on request by a member of Council staff or Victoria Police.

**DECLARATION**

I confirm that I have authority to sign this application form on behalf of the business/company named above (if applicable).

I acknowledge and agree that this application is subject to the Permit to Occupy for Works Conditions, which I confirm that I have read and understood.

Applicant signature ..... Date .....

**PRIVACY STATEMENT:** Your personal information is being collected by Council for the purpose of obtaining a Permit to Occupy for Works. Your information will be stored in Council’s Customer Database and used to identify you when communicating with Council and for delivery of services and information to you. For further information about how your personal information is handled, visit Council’s Privacy Policy at: [www.wyndham.vic.gov.au/privacy-policy](http://www.wyndham.vic.gov.au/privacy-policy).