

HOARDING PERMIT – STREETS AND ROADS, LOCAL LAW NO.2 (Part 5)

Conditions:

- 1.** The Permit Holder shall take all reasonable precautions to prevent risk of injury to the public. In any case, a Public Liability Insurance is to be maintained with an approved Insurer for a minimum indemnity of ten million dollars (\$10 Million) in the name of the permit holder.
- 2.** The Policy must be suitably extended to cover all contingencies arising out of the equipment etc., on the road and to include a cross liability clause. Proof of cover in the form of a Certificate of Currency or copy of Policy must be submitted to Council on initial application. It is further required that the Policy of insurance be held current during the full term of this Permit or subsequent Permits issued.
- 3.** The applicant agrees with Mildura Rural City Council (Council) that it will indemnify and keep indemnified and hold harmless Council, its servants and agents and each of them from and against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against Council or myself or both however arising out of or in relation to this approved permit or activity.
- 4.** All equipment used shall be of a professional standard and of substantial and safe construction and it is the permit holder's responsibility to remove the equipment if weather conditions create a possible risk.
- 5.** The Council may direct that the Hoarding location, size and form be altered, modified or removed at its discretion.
- 6.** All works on Council roads must meet relevant Australian, Council, OH & S and Work Cover regulations/standard and be in accordance with the Road Management Act.
- 7.** The surface of the footpath, kerb, pits and road must be protected at all times, equipment and fencing should not sit directly on the surface i.e. temporary fencing to have feet and equipment to sit on timber boards or similar.
- 8.** The hoarding and barriers must be placed as per the supplied plan including, a reflective barrier to be visible at night. Car Parking used must be marked off with bollards/tape when in use.
- 9.** This Permit is not transferable, therefore if a change of ownership occurs, the Permit becomes void.
- 10.** The Permit and proof of insurance is to be available for inspection at the request of an Authorised Officer.
- 11.** Failure to comply with the conditions set out shall result in Council exercising its rights to revoke this Permit and to remove the facilities from the roadway.
- 12.** Any person who is aggrieved by any matter under this Local Law, may apply to the Council to be heard and may make a written submission for consideration by the Council, but this right will not in any way remove that person's obligation to act in accordance with any directions or notices which are applicable under the Local Law.
- 13.** Any damage to Council's infrastructure will be the responsibility of the applicant and must be reinstated to Council's satisfaction. Otherwise Council will execute the works required to

reinstate, repair or replace with the applicant being invoiced. In the event that payment is not forthcoming, Council will take legal action to recover monies outstanding.