



# Application for

## Outdoor Dining and / or

## Footpath Trading

*Environmental Planning & Assessment Act 1979 & Local Government Act 1993 & Roads Act 1993*

- ❖ Use this form to apply for approval to:
  - Occupy footpath as an outdoor dining area
  - Occupy footpath for the purposes of trade / display
- ❖ This form indicates what plans and documents you must provide with this application.
- ❖ Applications must satisfy the requirements set out in Councils "Outdoor Dining & Footpath Trading Policy"
- ❖ This form is to be returned to the Council

<p>1. Person completing this form</p> <p>– name and address details etc.</p>	<p>Applicants Name: <input style="width: 100%;" type="text"/></p> <p>Postal Address: <input style="width: 100%;" type="text"/> Post Code <input style="width: 150px;" type="text"/></p> <p style="text-align: center;"><i>Your reply will be posted to the above address</i></p> <p>Phone: <input style="width: 150px;" type="text"/> Company Contact Person <input style="width: 150px;" type="text"/></p> <p>Mobile: <input style="width: 150px;" type="text"/></p> <p>Fax: <input style="width: 150px;" type="text"/> email: <input style="width: 200px;" type="text"/></p>
<p>2. Location of the land and the title description of the property</p>	<p>Unit No: <input style="width: 50px;" type="text"/> Street No: <input style="width: 50px;" type="text"/> Street: <input style="width: 150px;" type="text"/></p> <p>Town: <input style="width: 250px;" type="text"/> Site Area m<sup>2</sup>: <input style="width: 80px;" type="text"/></p> <p>Lot(s): <input style="width: 50px;" type="text"/> Section: <input style="width: 50px;" type="text"/> DP/SP <input style="width: 100px;" type="text"/></p> <p style="text-align: center;"><i>The above information is available from your rate notice, property deeds, or from Council's property maps</i></p>
<p>3. Description of your proposed Development</p>	<p><input type="checkbox"/> Outdoor Dining</p> <p><input type="checkbox"/> Footpath Trading</p> <p><input type="checkbox"/> Free Standing Signage, flags and the like</p> <p>_____</p> <p>_____</p>
<p>4. What is the property used for at present?</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>5. Public Insurance Liability</p>	<p>Proprietors must provide Council with an indemnity covering activities related to their use of the footpath area.</p> <p>Copy of Indemnity Agreement Attached (see appendix 1) <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

6. Privacy Policy	The information collected by Berrigan Shire Council will be used for the purpose of processing this application under the <i>Environmental Planning and Assessment Act 1979</i> and <i>Roads Act 1993</i> . Personal Information collected by the Council will be treated as per the Council's Privacy Management Plan and the <i>Privacy and Public Information Protection Act 1998</i> . This Application lodged by you or information contained therein may be provided to members of the public in accordance with the provisions of the <i>Government Information (Public Access) Act 2009</i> . Supply of personal information is legally required and failure to supply could cause delay in your application.
7. How to lodge your application	<p><b>Applications should be addressed to:</b> The General Manager Berrigan Shire Council</p> <p><b>Phone:</b> 03 5888 5100 <b>Fax:</b> 03 5885 2092 <b>Email:</b> mail@berriganshire.nsw.gov.au</p> <p><b>Mail:</b> PO Box 137 BERRIGAN NSW 2712</p> <p><b>Personal Delivery:</b> 56 Chanter Street BERRIGAN NSW 2712</p>
8. Fees	Fees are calculated according to Councils "Management Plan Fees & Charges" and "Outdoor Dining and Footpath Trading Policy".

### Your Declaration

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

- If incomplete, the application may be delayed or rejected.
- More information may be requested within 21 days of lodgment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*If the applicant is a company or owner's association, the form must be signed by a director or secretary under common seal.*

### CHECKLIST

1. Application Form	Have you completed all the spaces on the application form?	
2. Plans or drawing describing the proposed development	<p>Have you prepared the plans, elevations and sections in accordance with Council's Outdoor Dining and Footpath Trading Policy?</p> <p>These drawings will clearly document the proposed development. You should provide photos of any items proposed to be placed on the footpath.</p>	
3. Adjoining Property Notification	<p>Have you discussed the application with affected neighbours / properties?</p> <p>We strongly recommend that you discuss this application with your neighbours.</p>	
4. Required Attachments	<p>Have you attached the following supporting information</p> <ul style="list-style-type: none"> <li>➤ 2 copies of plans or drawings describing the proposed development</li> <li>➤ 2 copies of the location plan of the land</li> <li>➤ Public Liability Indemnity</li> <li>➤ Manufacturer's pamphlet that specifies the quality and style of item to be located on the footpath?</li> <li>➤ Application Fees</li> </ul>	

**SECTION 5 - INDEMNITY & INSURANCE**

This indemnity form must be completed and signed before a permit can be issued.

NAME OF APPLICANT: .....

(referred to hereafter as the Permit Holder) holds Berrigan Shire Council (referred to hereafter as the Council) harmless, and releases and indemnifies and keeps released and indemnified the Council from and against all actions, suits, claims, demands, costs, charges and expenses for which Council, its servants, agents or employees may be held liable in respect of any loss, damage, accident or injury of whatsoever nature or kind and however sustained or occasioned and whether to property or persons in connection with the use of the public area referred to in this Application and any work connected therewith pursuant to this permit but excluding such liability arising from any negligent act, default or omission, on the part of Council, its servants, agents or employees.

INSURANCE DETAILS

Permits will not be issued unless you have public liability insurance for the area you want to use. Please complete this form, giving details of your public liability insurance.

I HEREBY DECLARE that the Permit Holder is insured for legal liability to the public in respect of personal injury and property damage for a limit of indemnity of not less than \$20 million.

Name of insurance company	.....
Public liability	.....
Period of insurance	.....
Limit of indemnity	.....

Declarant .....

Signature  
.....

Please print full name

Dated: ..... / ..... / .....