



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>Business Name: <input type="text"/></p> <p>Postal Address: <input type="text"/></p> <p style="text-align: right;">Post Code <input type="text"/></p> <p><i>Your reply will be posted to the above address.</i></p> <p>Phone: <input type="text"/> Business (application) Contact Person: <input type="text"/></p> <p>Mobile: <input type="text"/></p> <p>Email: <input type="text"/></p>
<p>2. Location of the land and the title description of the property</p>	<p>Unit No: <input type="text"/> Street No: <input type="text"/> Street: <input type="text"/></p> <p>Town: <input type="text"/> Site Area m²: <input type="text"/></p> <p>Lot(s): <input type="text"/> Section: <input type="text"/> DP/SP <input type="text"/></p> <p><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 application</p>	<p><input type="checkbox"/> Outdoor Dining <input type="checkbox"/> Footpath Trading <input type="checkbox"/> Free Standing Signage, flags and the like</p> <p>_____</p> <p>_____</p> <p>Plans and photos:</p> <p>Have you prepared the plans, elevations and sections in accordance with Council's Outdoor Dining and Footpath Trading Policy?</p> <p>These drawings should clearly document the proposal in this application.</p> <p>➤ You should provide photos of any items proposed to be placed on the footpath along with Manufacturer's pamphlet (in regards to tables and chairs) that specifies the quality and style.</p>

4. What is the property used for at present?	_____ _____ _____
5. Public Liability Insurance	Proprietors must provide Council with an indemnity covering activities related to their use of the footpath area. Copy of Indemnity Agreement Attached (see appendix 1) <input type="checkbox"/> YES <input type="checkbox"/> NO
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	Applications should be addressed to: The General Manager Berrigan Shire Council Personal /Postal Delivery: OR Email: mail@berriganshire.nsw.gov.au 56 Chanter Street BERRIGAN NSW 2712
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. Adjoining Property Notification	Have you discussed the application with affected neighbours / properties? We strongly recommend that you discuss this application with your neighbours.	
3. Required Attachments	Have you attached the following supporting information ➤ Copies of plans or drawings describing the proposed signage/layout of dining area ➤ Manufacturer's pamphlet that specifies the quality and style of item to be located on the footpath? ➤ Copy of the location plan of the land ➤ Public Liability Indemnity ➤ Application Fees	



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: / /