



APPLICATION TO PLACE ARTICLES AND ITEMS ON THE FOOTPATH - STREETSTALLS

I,
(Name of Applicant)

on behalf of
(Name of Organisation or Shop)

Address

Phone

Hereby apply for permission under the Roads Act 1993, to place the following items on a public footpath for the purpose of a community street stall/raffle :

Table and Chairs - Maximum 1 Table and 4 Chairs

Other

Location of Articles and Items
.....

Date (s) Required:
.....
.....

Signature / Consent of adjacent shop proprietor

Signature..... Date

The following information must be included before your application can be processed

- **Site Plan** – The siting and dimensions of the proposed article or item. This plan should also indicate the location of any existing street trees, street furniture, pedestrian or vehicle crossings near the article or item and distance away from the door of the shop.
- A copy of your **current public liability insurance** policy to a minimum value of \$20,000,000 as security against any claims which may be made as a result of the use of the footpath. The policy shall be suitably endorsed **indemnifying Council** against any claims resulting from placement or use of any article or item and associated fittings. The indemnification will normally be shown on the Certificate of Currency as an “Interested Party” and you should speak to you insurance broker regarding this requirement.

Signature of Applicant Date

USE OF PUBLIC FOOTPATHS STREET STALLS

OBJECTIVE

To establish a set of guidelines for the control and use of public footpaths for Community Street Stalls.

General

- (i) Persons wishing to place articles or items on public footpaths shall be required to make formal written application and to hold a Public Liability Policy of at least \$20,000,000.
- (ii) An agreement shall be entered into between the Applicant and Council to embody the conditions, which may be imposed pursuant to Section 125 of the Roads Act 1993. The agreement is to contain provisions indemnifying Council against any claims resulting from the placement of any article or item on the public footpath.
- (iii) The area subject to the agreement shall be clearly marked on a plan accompanying the application.
- (iv) The Applicant will be responsible for all legal costs (if any) associated with the agreement.
- (v) Placement of any article or item on pedestrian thoroughfares shall maintain clearance for such pedestrian traffic.
- (vi) The Applicant shall be responsible for disposal of litter and cleaning of the footpath in the area occupied by any article or item.
- (vii) Placement of any article or item shall be confined to the area of footpath adjacent to the subject business premises. Before consideration would be given to areas not adjacent to the subject business, the written consent of the adjoining owners (and/or tenants) must be obtained by the Applicant (for use of the adjoining footpath frontage).
- (viii) No article or item is to restrict access to public seating facilities. The General Manager may in certain circumstances agree to the relocation of such facilities at the expense of the Applicant. No interference or use of the facilities will be permitted without the approval of the General Manager.
- (ix) The Applicant shall be responsible for the removal of all articles or items from the footpath at the close of daily trading. No article or item shall remain on the footpath between the hours of 9.00pm and 8.00am unless otherwise approved in writing by the General Manager.
- (x) The proprietor shall bear all costs associated with the necessary removal and or relocation of existing street furniture including garbage bins and public seating.
- (xi) All articles or items placed on the public footpath shall be of good quality, properly maintained, kept clean at all times and be securely anchored.
- (xii) No sound generating devices are to be installed within the approved area without special approval.
- (xiii) The Applicant is to ensure the good conduct of patrons and that noise is kept to a minimum at all times.
- (xiv) No more than two (2) approved articles or items per business shall be permitted on the public footpath within the area subject to the agreement.
- (xv) All articles shall be placed adjacent to the shop front and shall not encroach upon the public footpath by more than 1.2 metres (1200 mm) from the front facade of the building.

General Manager
Warrumbungle Shire Council
P O Box 191
COONABARABRAN NSW 2357