



Footpath Permit Application

Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2018.
Please allow 7 days to process applications.

Applicant's Details:

Business/Organisation:		
Contact Name:		
Address:		
Suburb:	State:	Postcode:
Business Phone:	Mobile:	
Email:		
Postal Address (if different):		
Suburb:	State:	Postcode:

Use of Footpath Details:

Proposed use of footpath: _____	
Date of use:	
Hours of use:	

Owner's Consent:

If the applicant is not the owner of the business which is sought to occupy a public space, consent of the owner is required.

Business Name:		
Proprietor/Director's Name:		
Business Phone:	Mobile:	
Email:		
Postal Address (if different):		
Suburb:	State:	Postcode:
I/we being the owners of the property described in this application hereby consent to the above mentioned applicant making application for a footpath permit to trade on footpath.		
Signature: _____		Date ___/___/___

Important: Declaration, Checklist and space for Site Plan to be drawn on next page...

Checklist:

- Detailed site plan to scale
- Copy of Certificate of Currency (Public Liability Insurance) for a minimum of \$10 million (must indemnify the Balonne Shire Council against any claims and cover the situation occupied by the footpath activity)
- Complete the Indemnity Form (attached)

Declaration:

I/we hereby indemnify Balonne Shire Council against all claims made in relation to actions in using footpath and have a policy of Public Liability for which details are provided

Full Name of Applicant: _____

Signature of Applicant: _____ Date ___/___/___

Full Name of Applicant: _____

Signature of Applicant: _____ Date ___/___/___

Site Plan:

You can use this page to record your site plan of the proposed activity which must clearly identify the following:

- The type of obstructions that are presently on the footpath outside the business (power pole, street bin, parking, plants, etc)
- Details of the footpath area to be used, i.e. length, width, area of use; width of the footpath outside the business, preferred location of table, chairs etc.

Privacy Collection Notice:

Balonne Shire Council is collecting your name, the name and location of your business in order to assess your application. The information will only be accessed by employees and/or Councillors of Balonne Shire Council for Council business related activities only. Your information will not be given to any other person or agency unless you have given us permission, or we are required or authorised by law to do so.

Office Use Only		
Doc ID:	Fee Paid:	Appl No.
Receipt No:	Date Received: ____/____/____	Receipting Officer:

Balonne Shire Council
FORM OF INDEMNITY

THIS INDEMNITY is given the _____ day of _____ 20_____

By _____ (Name of Guarantor/Applicant)

Hereinafter called "the Indemnifier"

Of _____ (Address)

To the BALONNE SHIRE COUNCIL (hereinafter called "THE COUNCIL").

WHEREAS the Indemnifier has applied to the Council for authority to use a portion of a road or other public area within the shire under *Balonne Shire Council Local Law No 20 (Commercial Use of Roads)*.

NOW THIS INDENTURE WITNESS that in consideration of the Council granting such authority for footpath trading the Indemnifier agrees to take out and keep current during the period of authority a public liability insurance policy in a form approved by Council in the name of the indemnifier insuring, for a minimum sum of ten million dollars (or more), the Indemnifier against all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against the Indemnifier arising out of or in relation to the authority granted. The public liability insurance policy shall also cover such risks and be subject only to such conditions and exclusions as are approved by the Council and shall extend to cover the Council in respect to claims for personal injury or property damage arising out of the negligence of the Indemnifier.

The Indemnifier agrees to indemnify and keep indemnified and to hold harmless the 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 them or any of them arising out of or in relation to the authority to use granted by the Council and be directly related to the negligent acts, errors or omission of the Indemnifier. The Indemnifier's liability to indemnify the Council shall be reduced proportionally to the extent that any act or omission of the Council, its servants or agents, contributed to the loss or liability.

SIGNED by

Name _____

Signature _____

In Queensland in the presence of:

Witness _____

Signature _____

OR

THE COMMON SEAL of _____ was hereunto affixed in

Accordance with its Articles Association in the presence of

Director _____

Secretary _____

Privacy Statement

The personal information collected on this form will be used by Balonne Shire Council for the purposes of fulfilling your request and undertaking associated Council functions and services. Your personal information will not be disclosed to any third party without your consent, unless this is required or permitted by law.