



*** Application fee waived until 2021**

If you need help lodging your form, contact us		Office use only		
Email	council@northernbeaches.nsw.gov.au	Form ID	4144	
Phone	1300 434 434	TRIM Ref		
Customer Service Centres	Manly Town Hall, 1 Belgrave Street Manly NSW 2095	Dee Why Civic Centre, 725 Pittwater Road Dee Why NSW 2099	Last Updated	July 2021
	Mona Vale 1 Park Street Mona Vale NSW 2103	Avalon 59A Old Barrenjoey Road Avalon Beach NSW 2107	Business Unit	Property
			Application No.	
			Receipt No.	

Privacy Protection Notice	
Purpose of collection:	For Council to provide services to the community
Intended recipients:	Northern Beaches Council staff
Supply:	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek
Access/Correction:	Please contact Customer Service on 1300 434 434 to access or correct your personal information

Part 1: Lodgement

<ul style="list-style-type: none"> • Please read this form and supplied information carefully before completing the application. • Council will not accept incomplete applications or illegible information. • Application Fee is to be paid at time of lodgement. • Copy of current Public Liability Insurance Policy must be provided with the application. • By signing this application I acknowledge that I understand and agree to abide by the conditions of this Application and that I am authorised to act on behalf of the business/company named below.
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Part 2: Applicant Details

Premises Name			
Premises Address			Postcode
Registered Business Entity Name		ABN	
Applicant Name			
Postal Address*			Postcode
Phone			
Mobile			
Email*			

* A postal address and email address must be provided. Correspondence will be via email when possible.

Part 3: Application Details

Please submit a location plan with this application showing the proposed position of the embellishment/s. The distance to any structure or object in or adjacent to the area is to be a minimum of 2m. Measurements should be shown on the plan. Please also include a photo/brochure of the embellishment/s.
Please pay special attention to avoid obstruction of the pedestrian thoroughfare and in plaza areas ensure that access corridors for emergency vehicles are maintained.

Part 4: Insurance Details

Permits will not be issued unless you have Public Liability insurance for the area you want to use. Please provide a copy of your current policy and note that you are required to arrange for Northern Beaches Council to be named on your policy as a joint insured for the respective rights and interests of yourself and Council in respect of your merchandise on the footpath. Council requires Public Liability Insurance for a minimum of \$10 million for subject Permit.

Part 5: Indemnity

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

Name of Applicant			
(referred to hereafter as the Permit Holder) holds Northern Beaches Council (referred to hereafter as the Council) harmless, and releases and indemnifies and keeps released and indemnified, 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 this public area 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 either solely or in contribution thereto.			
Signature		Date	

Part 6: Proposed Embellishment/s

Embellishments			
Please provide photo, illustration or description of proposed items			
Type of Embellishment/s i.e. Pot plants			
Type		Material	
Size		Number	
Description			

Part 7: Permit Fees

Application Fee for 2 year period : \$250 (paid on lodgement)
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Part 8: Conditions of Permit

Section 125 of the Roads Act 1993 provides that Council may approve the use of part of the footpath for the placing of embellishment/s. Assessment of Permit Applications will consider the following

- Pedestrian access through the footway area is to have a clear minimum width of 2 metres from signposts, rubbish bins, tree surrounds, and other raised structures. Variations may be considered by Council on merit and local constraints.
- Embellishments are to be placed at a safe suitable distance from the kerb and adjacent to the front of the property boundary.
- Council has the right to terminate the Permit at any time and remove the embellishments from the footpath as necessary.
- The provisions of Local DCPs/LEPs and the Commercial Centres Master Plan must be considered when placing embellishments in areas.
- Agreement to and payment of the 2 Year Permit Fee in advance or as otherwise agreed;
- Compliance with the service provision and the definition of the embellishment area as outlined in the Application Form
- Acknowledgment that the Permit does not confer exclusive rights to or possession of the embellishment area.
- Compliance with all statutes, regulations, by-laws or ordinances affecting the use of the embellishment area in particular, the Food Act 2003, the Companion Animals Act 1998, the Work Health and Safety Act 2011, the Roads Act 1993 and indemnification of Council against any failure to comply.
- Compliance with any notice or orders given from time to time by any authorised Council officer in respect of the use and maintenance of the embellishments.
- Agreement to indemnify Council against all claims in respect of the use of the embellishment area and keep a current public liability insurance cover nominating Northern Beaches Council as an interested party (minimum \$10 million) with an approved insurance company against any demand claim or action in respect of injury, loss or damage to any person or property however sustained arising from the use of the embellishment area at any time during the term of the Permit. A copy of the policy must be provided to Council as part of this application and on a reoccurring annual basis or produced at any time on demand.
- The Permit Letter to be kept on the premises at all times and produced if required.
- The approved Permit is valid for a period of 2 years and must be renewed after each 2-year period for continued use of the footpath area.
- The permit may not be assigned or transferred.
- Embellishments should not be placed in the area until approval has been received.
- The final location of embellishments will be decided in conjunction with Council.
- The applicant accepts full responsibility for the maintenance of the embellishments, including litter, vermin, plant health, general cleanliness and structural integrity. The surrounding footpath is also to be kept clean and any damage to the footpath as a result of the embellishment will need to be repaired. Maintenance and repairs need to be done to Council's satisfaction
- The applicant agrees to meet all costs associated with removing the embellishments if requested to do so by Council.
- Other structures in the area such as trees, power poles, signs and other services may not be moved, altered or interfered with unless authorised by Council.

Part 9: Applicant Declaration

- I declare that the information provided on this form is accurate, complete and correct.
- I declare that I have attached all supporting documentation as indicated.
- I understand that this is an application, and approval of this application is not guaranteed.

Name of Applicant			
Signature		Date	

Office Use Only			
Application Fee Paid?	No	Yes	Receipt No:
Photo, illustration or Description of proposed items provided	No		Yes
Public Liability Certificate of Currency Provided	No		Yes
Plan of proposed embellishment/s area provided			

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ACCORDING TO PROCEDURES**

Credit Card Details			
Please charge my	<input type="radio"/> Mastercard	<input type="radio"/> Visa	<input type="radio"/> American Express
Amount	\$		

Name as appears on card														
Card Number														
Expiry Date														

Signature													
Daytime Phone Number													
Date													

Please note: Payment card surcharge of 0.5% applies

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