



Application Use of Footpath Permit

Local Law No 20 (Commercial Use of Roads)

Please allow seven (7) days to process application.

Applicant Details				
Business/Organisation				
Contact Name				
Street Address				
Town		State		Postcode
Postal Address		State		Postcode
Bus. Phone		A/H Phone		Mobile
Email Address				
Use of Footpath Details				
Proposed use of footpath:				
Date of use:			Hours of use:	
Business 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.				
I,		(Business Owner) hereby give consent to		
		(Applicant) to trade on footpath.		
Business Owner or authorised delegate's signature				
Checklist – requirements to be submitted with your application.				
1. Detailed Site Plan to Scale				<input type="checkbox"/>
2. Copy of Certificate of Currency (Public Liability Insurance) for a minimum \$10 million (\$10,000,000) (must indemnify the Balonne Shire Council against any claims and cover the situation occupied by the footpath activity).				<input type="checkbox"/>
3. Complete the Indemnity form attached to this application				<input type="checkbox"/>
4. Seven (7) days are required to process your application				<input type="checkbox"/>
Declaration: I/we hereby indemnify council against all claims made in relation to actions in using footpath and have a policy of public liability for which details are provided.				
Signature			Date	
Office Use Only				
Application Number	Amount Paid	Receipt Number	Date Paid	Initial

Balonne Shire Council PO Box 201 St George Qld 4487 118 Victoria Street St George Qld 4487
 T 07 4620 8844 F 07 4620 8889 Email council@balonne.qld.gov.au

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.

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.

**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 _____

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