



Burwood ^{Inc.1874}

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

FOOTPATH ACTIVATION POLICY

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Purpose

Any use of the public footpath should enhance and not detract from the social function and enjoyment of the street by the community. This Policy provides advice and guidelines for the use of public footpaths for activities such as outdoor dining, placement of a-frames, merchandise and other articles, busking, promotion or charitable collections.

A licence is required to set up such an area or a permit obtained to conduct activities and this Policy details the process for gaining consent to use Council owned and/or controlled land for footpath activation.

Scope

This Policy applies to footpaths and roads that are under the care and control of Burwood Council and deemed suitable for footpath activation (generally within commercial/retail areas).

All State and Regional Roads (for example, Parramatta Road, Liverpool Road and Georges River Road) are subject to Roads and Maritime Services (RMS) control and the permission of both Council and the RMS may be required for activities on such roads and adjacent road related areas.

Suitable Locations

Suitable locations are limited to streets with sufficient footpath space to accommodate footpath activation without compromising pedestrian access, vehicular traffic, occupants of premises in and around the designated area or any other street activities. Permission to use public footpaths in the Burwood Council area will generally only be granted for footpaths within or adjacent zones as follows:

- B1 - Neighbourhood Centre
- B2 - Local Centre
- B4 - Mixed Use
- B6 - Enterprise Corridor

Consideration will be given to land uses in the vicinity of the proposed footpath activation area. Any activation areas on the footpath will need to fit in well with nearby uses. For example, if the proposed area is close to housing it should not create too much noise or any other disturbance or produce too much of an odour.

Only one permit will be issued for any of the permissible footpath activities in any one location at any one time.

Suitable Areas

The size and shape of any footpath activation area is a matter for Council, with safety and access issues being the main determinants. Whilst each proposed site will be considered on its merits, in general, footpath activation areas will not be approved for locations adjacent bus stops, taxi ranks, community bus stops, mail zones, fire hydrants, fire escapes, emergency exits, services pits, vehicle access points, disabled parking spaces or locations near pedestrian crossings and traffic signals.

In high pedestrian activity areas, Council requires a minimum of 2.0 metres for pedestrians to pass between the building alignment and the footpath activation area. For areas with significantly less pedestrian activity, such as side streets, a minimum of 1.4 metres is required. To minimise conflict between vehicles and footpath activation areas, a minimum 'safety zone' of 600mm clearance is required between the face of kerb and the footpath activation areas. Where planter boxes are used as a barrier instead of fencing or screening, the planter boxes must be contained wholly within the Licensed Area (set back 600mm from face of kerb).

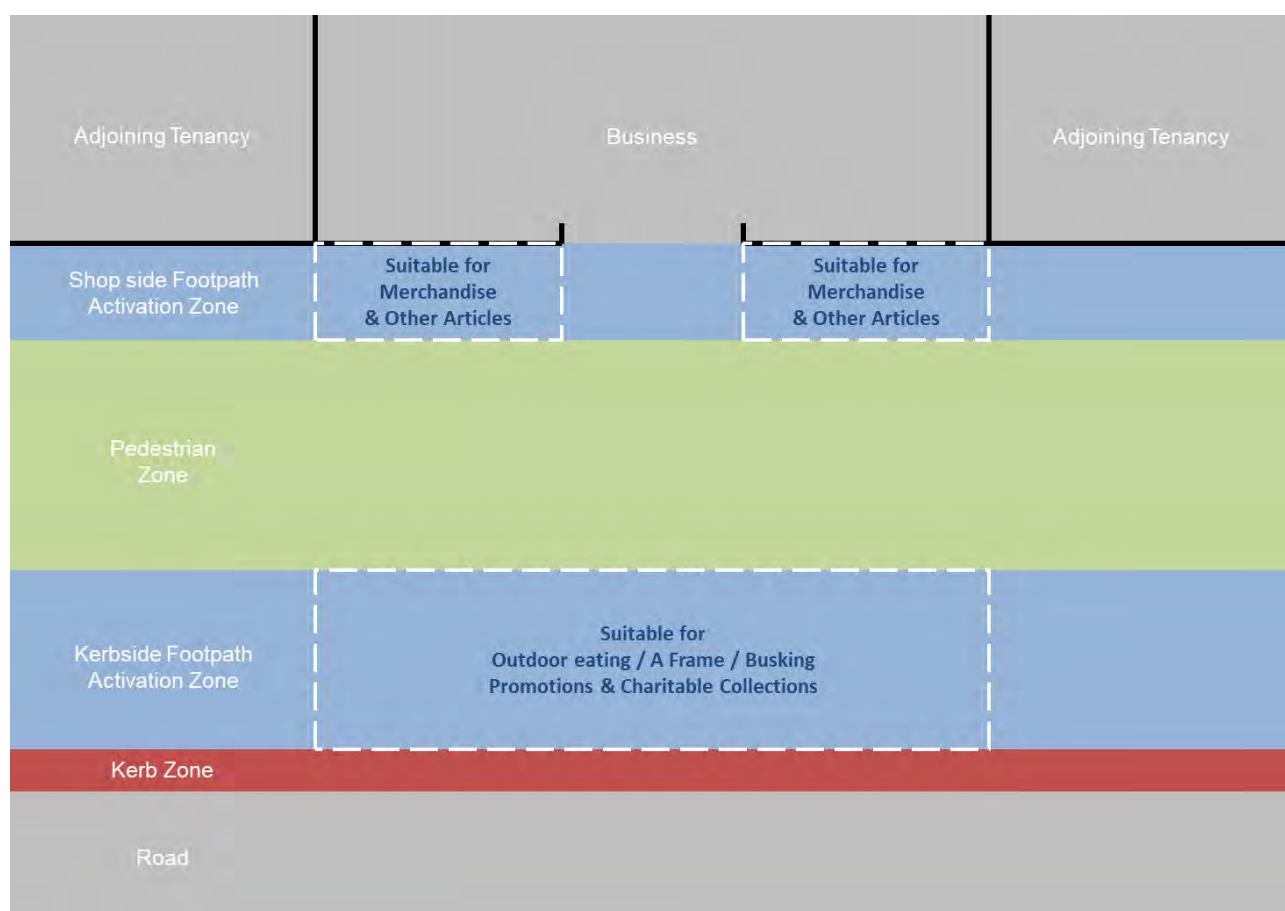


Figure 1: Example Footpath Activation Areas Layout

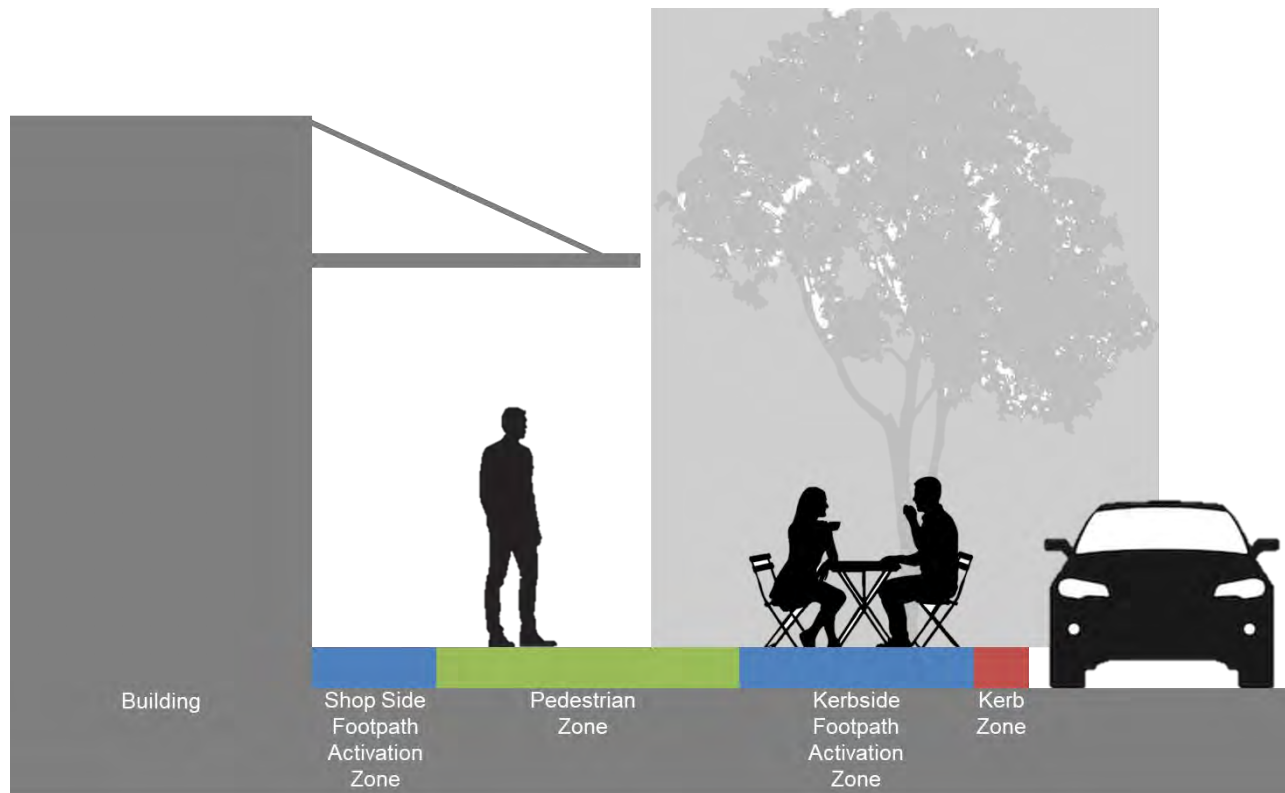


Figure 2: Example Footpath Activation Areas Elevation

Footpath activations related to a local business or organisation will generally only be permitted directly fronting the applicant's premises. Approvals may be provided to expand an approved area beyond the premises frontage only where approval has been provided by the current adjoining business operator.

Accessibility

The footpath activation area must be located so as to minimise conflicts for vision impaired pedestrians who may need to utilise the building alignment (shopfront) for guidance. Therefore, Council will generally only approve footpath activation areas adjacent the kerb line (roadway), rather than the building alignment. In all locations, a pedestrian count will be required during the busiest part of the day/evening. Pedestrian counts will be undertaken by Council and each site will be monitored by Council after installation to enable the pedestrian rate to be verified.

Outdoor Eating Areas

For areas where there is a large footpath (greater than 4.0 metres between the building alignment and the safety zone), Council will generally allocate only 50% of the area for outdoor eating. For example, if the distance between the building alignment and the safety zone is 5.0 metres, the maximum width of the outdoor eating area will be approximately 2.5 metres (depending on the individual circumstances of the site).

Physical Safety Barriers

If Council determines that a particular application for an outdoor eating Licence cannot be granted without the installation of physical safety barriers, Council may recommend/install various safety devices to maximise safety for patrons and pedestrians, such as structural bollards, safety kerbing and/or RMS compliant fencing. Council reserves the right to charge a one-off (cost recovery) fee for the provision of such devices.

Furniture, including umbrellas and heaters, must be positioned so that they are not an impediment to pedestrians, particularly those with a disability and people with prams, and that access to things such as manhole covers, road traffic signs and post office boxes is not obstructed.

Health & Environmental Considerations

Preparation of all food that is served at the outdoor eating area is to be undertaken within the kitchen area of the shop. No food preparation is to be carried out in the outdoor eating area. The opening hours of the eatery should be in accordance with the development consent issued for the restaurant premises concerned. Outdoor eating areas must be maintained in a clean and tidy manner in accordance with the requirements of the Food Act, 2003 and Regulations and also with the relevant requirements of the Local Government Act, 1993 and Regulations.

Ashtrays must be provided on all tables where smoking is permitted and are to be of a windproof design. All litter and rubbish that is generated from the outdoor eating area is to be disposed of through the business premises garbage service and is not to be disposed of in street litter bins, left on the roadway (roadway includes footpath) or swept into the street gutter or storm water drains.

Suitable lighting should be provided if the restaurant will remain open after dark. This lighting should not cause nuisance to any neighbours. The use of a footpath as an outdoor eating area should respect the heritage character and setting of any adjacent or nearby heritage listed items. Please check with Council for heritage listing information.

Furniture & Equipment

Restaurant owners must apply for and receive Council's written approval of the size, design, type of materials and colour of any chairs, tables, umbrellas, fittings or any other equipment, prior to placing such equipment within the Licensed Area.

Furniture and equipment should promote amenity to those enjoying the outdoor eating area and to complement the existing street furniture as provided by Council. No advertising is to be displayed on any furniture, equipment or other structure(s) contained within Licensed Areas.

All restaurant owned furniture and equipment must be placed inside the retail premises when the area is not in use. Under no circumstances are tables, chairs or any other item to be secured to the pavement without the written approval of Council.

Tables & Chairs

Tables and chairs used in outdoor eating areas should be portable, sturdy, safe and comfortable and should make a positive contribution to the streetscape. Table and chair dimensions should be chosen to fit with the licensed outdoor eating area relative to the specific location. Tables and chairs are to be clean, undamaged and set as near as practicable to level to provide a safe and sturdy setting.

Public safety, accessibility and comfort must be considered. All furniture must be strong, durable, waterproof and weather resistant and furniture must be designed to allow a wheelchair to easily replace the restaurant supplied chair. Sharp edges, hinges or other moving parts must not present a hazard to the public. Tables and chairs must have protective feet that provide 'good' grip levels and will not damage the pavement. Wherever possible, the outdoor furniture should visually relate to, and be physically aligned with, the existing street features such as shop fronts, bollards and screens.

Furniture must also be arranged so that there is enough room for restaurant staff and customers to comfortably move around. To ensure compliance with this requirement, Council will include a maximum number of chairs for each Licensed Area.

Umbrellas

Umbrellas must be market style (not beach umbrellas) and be of a colour deemed acceptable by Council. To ensure the safety of patrons and pedestrians alike, all umbrellas must be manufactured from fire retardant material and must be maintained in sound and aesthetically acceptable condition to Council's satisfaction.

Umbrellas must be securely fixed or weighted to withstand the effects of wind and must be closed in extremely windy conditions and removed from the Licensed Area when not in use. Umbrellas must not overhang into the 'safety zone' or across any other shop front. All umbrellas must have a minimum clearance height of 2.2 metres above ground level.

Awnings

Awnings require approval as per the provisions of Council's Development Control Plan.

Heating Devices

Heating devices must be well designed, safely located, be well maintained (to Council's satisfaction) and stored securely within the establishment when not in use. As with all other furniture and equipment, heaters must be located wholly within the Licensed Area when in use. All heating devices must turn off automatically if overturned to prevent injury to patrons and property. To ensure the comfort and safety of pedestrians, the 'radial' zone of influence of any heater must not extend beyond the Licensed Area.

Provision of Planter Boxes

In selected areas Council may permit the installation of planter boxes to delineate between the Licensed Area and the roadway.

Planter box style and plant species are to be determined by Council, and Council reserves the right to charge a one-off (cost recovery) fee for the provision of such devices which will be owned and maintained by Council.

BYO Alcohol Application

Council will consider all applications seeking the consumption of alcohol in the outdoor eating areas as an extension of the BYO Licence. Such applications may be forwarded to the NSW Police Force for comment and reply. Council will base its approval for the consumption of alcohol in the outdoor eating areas on the recommendations from the NSW Police Force and whether all liquor serving staff have completed an approved responsible service of alcohol course.

Licensed Premises

Applications submitted by licensed premises requesting to serve alcohol in the outdoor eating area must be lodged and approved by the Liquor & Gaming NSW prior to the consideration for approval of the outdoor eating area. If such approval requires the installation of screens or other equipment, written approval of Council will be required prior to installation.

Alcohol consumption in the outdoor eating areas will not be permitted if the outdoor eating area has been classified as an Alcohol Free Zone.

Temporary relocation of approved areas during inclement weather

For areas outside the Burwood and Strathfield Town Centres approved outdoor eating areas may be temporarily relocated away from the kerb side footpath activation zone to a location on the footpath against the property boundary in events of inclement weather. The relocated area must remain the same dimensions as the approved area so as to ensure adequate footpath space for pedestrians. Temporarily relocated tables and chairs must not be placed across doorways so as to ensure uninterrupted access and egress from the properties is maintained at all times.

Merchandise and Other Articles

The display of merchandise and other material should be orderly and not constitute visual clutter. Any article or other structure displayed shall be stable and aesthetically pleasing in appearance as approved by Council.

All merchandise and display equipment must be safely anchored and secured to ensure stability in wind gusts. No cardboard, foam or polystyrene boxes shall be displayed unless they are in a suitable enclosure.

No trolleys or shopping baskets shall be displayed or stored on the footpath.

All approved areas for Merchandise and Other Articles will be assigned adjoining the front of the premise except on Burwood Road, between Wilga Street and Belmore Street Burwood where approved areas will be near the kerb side of the footpath.

Display and Storage of Items

No perishable food including meat, fish, poultry, dairy products, cooked rice, eggs and shellfish, excluding flowers, fresh fruit and vegetables, shall be displayed.

All externally displayed fruit and vegetables should be protected from contamination. Any food displayed, including tinned and packaged goods, shall be at a height not less than 750mm above the footpath level.

All Items displayed, including flowers and other perishables must be displayed on an approved structure. Such approval of display structures must be obtained from Council, in writing, and may require certification from a structural engineer and certified drawings. Structural Certifications may be required at the time of application, on licence renewal or at any other time a structure is included outside the original approval.

No sharp and/or protruding objects (eg uncovered hardware items) shall be displayed.

Materials shall not be stored for any period on the footpath during loading or unloading activities.

No items are permitted to be placed or stacked upon each other.

No cooked meals or food items are to be displayed or sold on Council's footpath area unless in an approved outdoor eating area.

No electrical cords or other materials between shop front and display are to be placed on the footpath outside the licensed area.

Maintenance and Cleanliness

The area is to be maintained in a tidy condition during and after use. All equipment shall be removed from the area when the activity ceases or in the case of a shop display at the end of each trading day.

Dry processes, such as sweeping and scrubbing, if necessary, are to be used for cleaning the area. The Licensee will be liable for any damages to Council's assets (kerbs, pits, gutter, footpath, road sheeting, signage poles and trees etc.) resulting from the use of the Licence area. Storage and display of items shall not be made under or against any tree.

On expiry of the license, the licensee shall, at their own expense, remove all materials and ensure the area is returned to its original condition. Where there is evidence of damage, contact shall be made with Council to make arrangement for a mutual inspection in the first instance.

Environment Protection Controls

The licensee is responsible for any environmental contamination resulting from the use of the licensed area. Should contamination occur, the licensee is responsible, at their own cost, for returning the affected area to its condition prior to the contamination. If the licensee does not comply with this condition, Council may carry out the necessary work and the licensee will be required to reimburse Council for the cost of this work.

A-Frames

Any outdoor advertising should complement and be compatible with pedestrian and other activities and the surrounding locality. Signage should minimise the extent of visual clutter and enhance the surrounding urban character. Signage containing information that may be deemed unreasonable and/or offensive will not be permitted.

A-frame advertising signs will only be allowed as follows:

- be professionally made and printed/painted
- be located so that pedestrian areas are uncluttered and access and egress to facilities and vehicles is unimpeded
- have a minimum clearance of two metres to any other obstructions (e.g. bins, seats, etc.)
- be aimed at informing pedestrians (not directed at drivers)
- be in English or have a translation in English of greater weight
- have maximum dimensions of 0.9m high and 0.6m wide
- include the business and proprietor's names clearly marked on the sign

Only one A-frame sign per licence will be permitted. All signs should be safely anchored and secured to ensure stability in wind gusts.

The following areas are excluded from A-frame within the Burwood Local Government Area:

- Burwood Road within the Town Centre, within the B4 mixed use zone
- Strathfield Town Centre, within the B4 mixed use zone

Busking

Each busking permit allows a busker to perform a maximum of 12 times during any financial year. Applications must include the nominated dates and location(s) sought as part of the application. Only areas with sufficient footpath width able to accommodate buskers and a small congregation of audiences will be permitted as deemed acceptable by the General Manager. Locations are subject to change based upon adjacent footpath activities.

Permits for group acts must list the names of all members of the act. One permit will be issued for a maximum of five people within a group act. If the Group consists of more than five people, the group must apply for additional permits. Burwood Council reserves the right not to issue permits to group acts which it considers have too many members or may present a risk to pedestrian safety.

Details of buskers holding permits to busk will be entered into a register of approvals granted by Burwood Council pursuant to Section 113 of the Local Government Act 1993 (the Act). Additionally, pursuant to Sections 113(2) and 113(5) of the Act the information recorded will include the name and address of the person or persons to whom the approval is granted.

Certain activities are not considered to be busking under this Policy and will not be permitted. These activities include balloon sculptors, tarot card and palm readers, fortune readers, artists selling their works (i.e. portrait artists), masseurs or masseuses, vendors of any kind (including vendors of reindeer ears, fluffy toys, jewellery etc.) or soliciting of money for any purpose.

Dangerous materials and implements are strictly prohibited including but not limited to materials and implements that pose risk, hazard or uncertain outcomes for people including flammable materials and chemicals, fire, fireworks, smoke, flairs, heated elements, or anything giving off a level of heat or toxicity that poses a threat of harm or damage to members of the public and public property. Dangerous implements include knives, spears, swords, spikes, and sharp implements of any kind that pose a threat of harm to the general public.

Buskers must display their Permits to busk in a prominent, highly visible position in the busking site at all times during their acts, and must not unreasonably interfere with pedestrian flow or public amenities or cause obstruction to traders or delivery vehicles, including by way of encouraging audience formation in such a manner as to cause such interference.

Buskers may receive a monetary appreciation from the audience for their performance but may not solicit funds in a way which is likely to cause any discomfort to any individual. Buskers may not offer goods and services for sale, display, demonstrate or advertise goods for sale or associate themselves with such advertising in conjunction with their performance.

Buskers may only use amplification that is battery operated. Mains voltage amplification is prohibited. Excessive amplification will not be tolerated. Loud acts may be asked to lower their volume or cease busking. Burwood Council reserves the right to impose a decibel limit on amplified sound in appropriate circumstances.

Where a complaint has been received about the excessive noise, level of noise amplification, music of a percussive or repetitive nature, or excessive duration of an act, particularly in relation to the proximity of that act to a place or work or residence, and the complaint is deemed to be justified, a busker may be directed by authorised Council Officers to cease their performance immediately.

Buskers are strictly prohibited from utilising pavement (chalk) art as a form of entertainment.

Authorised Council Officers may at any time request a busker to cease busking if the officer is of the opinion that the performance is loud or intrusive, or excessively repetitive, or is causing public inconvenience, or is likely to cause harm to the public or property. The busker must immediately comply with such a request.

Buskers must also comply with directions issued by authorised Council Officers and members of the NSW Police Force, Ambulance, Fire and any other Emergency Services.

Promotions & Charitable Collections

This Policy applies to all interested parties that are applying to collect for, or on behalf of, charities and businesses promoting their services in the Burwood Local Government Area.

The following areas are excluded from promotions permit activities within the Burwood Local Government Area:

- Burwood Road, Burwood
- Elsie Street, Burwood
- George Street, Burwood
- Victoria Street, Burwood

The General Manager has the authority to approve activities in these areas under exceptional circumstances.

Persons making the collection must not impede the flow of pedestrians and access must be maintained at all times. Collectors shall not harass pedestrians. A “no thank you” to a request for charity means no thank you. Collectors shall not follow the pedestrians repeating requests. The applicant and personnel involved in the activities shall ensure that the activities do not disrupt normal day to day business operations located in the vicinity of the activities.

A cards table 1m x 1m is permitted at some locations. Details of the locations must be supplied in the application. Use of props, equipment, stages, back drops, A Frame signs, marquees or amplification equipment is prohibited, unless for Council's own events.

A copy of promotional material is submitted to Council on application. Should the promotion involve the handling of food and beverage, all relevant standards and conditions shall be complied with as required by Council's Environmental Health Officers.

The Charitable Fundraising Act 1991 must be adhered to at all times. Collection shall only be conducted in the area and the times specified in the approval. Permits are only valid for the area stated in the approval - roaming the streets is not permitted.

Applications for promotions must clearly detail how the promotion is to be conducted. Any conflict of interest with adjoining or adjacent business operators will not be approved.

Public Liability

Licensee's for Outdoor Eating, A-frame, Merchandise and other Articles areas are required at their own cost to maintain at all times with an insurance company and upon terms approved by the Council a Policy of insurance for public liability in the amount of \$20 million for the respective interest of the Licensee and of the Council.

The Licence Agreement will include a provision whereby the licensee indemnifies the Council from any action or claim that may arise from damage to property or injury to any person as a consequence of the use of the outdoor eating area by the Licensee.

Busking permit holders are included in the Community Support Liability obtained to cover buskers within Burwood LGA provided the following conditions have been met:

- Busker holds a valid busking permit issued by Burwood Council
- Busker is operating within the Burwood Council Local Government Area
- Busker has followed the conditions set out in Burwood Council Footpath Activation Policy of which this information section forms a part.

The Policy is limited to \$10 million for each & every loss, and the busker is responsible to pay first \$2,500 of each and every loss.

Performers wishing to busk outside of the dates for which the busker permit applies, or busk outside of Burwood Local Government Area, or conduct activities defined as dangerous are not covered by the Council's Community Support Liability insurance and must obtain their own Public Liability insurance cover for an amount of not less than \$10 million for each and every occurrence.

All applications for Promotions or Charitable Collections must be accompanied by a Public Liability Insurance. The applicant's name must correspond with the name of the insured. The Public Liability Insurance must include name of the insured, duration of cover, amount insured (minimum \$20 million), name and details of the insurer and policy number.

Licence/Permit and Fees

For Outdoor Eating, A-frame, Merchandise and other Articles areas a Licence Agreement must be signed by the applicant and an annual Licence Fee must be paid to Council before the operation of the area can commence. Fees will be charged in accordance with the Schedule of Fees and Charges adopted for the financial period. Should you require any alteration to the payment terms a letter detailing your request should be submitted to the General Manager.

No items can be placed on the footpath until the Licence Agreement has been signed and returned to Council and the licence fee has been paid. A copy of the Licence Notice must also be displayed within the business, visible from the footpath.

The Busking, Promotion and Charitable Collection Permit fees are charged in accordance with Burwood Council's Fees and Charges. Council charges an Application Fee to cover the processing of the application. All profit based/commercial organisations/ businesses must pay the application fee and prescribed in Council's Fees and Charges. Registered not for profit and charitable organisations are exempt from paying the fee.

A schedule of fees is made public annually and can be found on the Council website, or at the Customer Service Centre at 2 Conder Street, Burwood.

Compliance

Once a footpath activation area is approved and in operation, Council staff will undertake regular site inspections to ensure Licence and Permit Holders are abiding by the Licence/Permit conditions of their approvals. Council may deal with breaches of Licence/Permit conditions through any or all of the following methods:

1. Warning Letter - a warning letter may be issued for a breach of the Licence/Permit conditions as long as the breach did not constitute an imminent danger to the public.
2. Infringement Notice - an infringement notice may be issued for a breach of a Licence/Permit condition.
3. Licence/Permit Revocation - a licence/permit may be revoked, at the discretion of the General Manager, if Council forms a belief that the Licensee/Permit holder has demonstrated a continual non-compliance of the Licence/Permit conditions, if a breach involves an imminent danger to the public, or if any fees or charges are owed to Council relating to the premises.
4. Court Action - court action may commence if the breach of the Licence/Permit is of a serious nature (danger to the public) or if the Licensee/Permit holder has a history of non-compliance with the Licence/Permit conditions.

Related Information/Glossary

Possible matters to consider:

- Roads Act 1993
- Food Act 2003
- Local Government Act 1993
- Temporary Road Closure (including Standing Plant) Policy
- Work Zone Policy
- Skip Bin Policy
- Works on Council's Road Reserve Assets Policy
- Compliance & Enforcement Policy

Review

The Policy will be reviewed every four years.

Contact

Manager Traffic & Transport - Approves and Manages the Policy
Group Manager Compliance - Regulates the Policy

APPENDIX A - A-FRAME, MERCHANDISE AND OTHER ARTICLES APPLICATION

Burwood Inc.1874
Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

RECEIPT _____
DATE _____
AMOUNT _____
CSO _____

2 CONDER STREET, BURWOOD, NSW 2134
PO BOX 240, BURWOOD, NSW 1805
TEL: 9911 9911 FAX: 9911 9900
WEBSITE: www.burwood.nsw.gov.au
EMAIL: council@burwood.nsw.gov.au

A-FRAME, MERCHANDISE & OTHER ARTICLES APPLICATION

Legal Trading Name:.....

Company Name/ Sole Trader name:.....

ABN (Australian Business Number):.....

Business Address:.....

Owner/ Manager Name:.....

Contact Number:..... Mobile:.....

Email Address:.....

Description of Merchandise/other articles:

.....

.....

Note: Applications may be rejected pending the volume of other approved footpath licences in the area, the current activity on the footpath, including pedestrian traffic and the likelihood of maintaining a safe pedestrian zone.

CONDITIONS OF CONSENT

Advertising signboards are permitted on footpaths in approved areas only where the signs comply with the requirements of:

- The advertising board is a free standing A-frame with maximum dimensions of 0.9m high and 0.6m wide
- The Licensee is to provide to Council, on an annual basis, a copy of their public liability insurance policy to the minimum value of \$20 million with the policy noting the interests of Burwood Council for the duration of the License
- The signs have no protrusions, no sharp corners and are stable
- There is a minimum of two metres clearance to any other obstructions on the footpath such as poles, litter bins, seats, etc with a 600mm setback from the face of the kerb
- A-frames will only be permitted in front of licensee premises near the kerb side of the foot path
- The sign is to be in English, or have a translation in English of greater weight
- The business and proprietor's names are to be clearly marked on the sign
- Fees are paid to Council upon applying
- Council reserves the right to remove unlicensed and/or dangerous boards or those with offensive advertisements, or those placed in contradiction to approved location.

Statutory Declaration

1. I certify that I have read and understood the Merchandise, A-Frames and Other Articles Policy and all its conditions

Signed: Date: / /

2. Public Liability Insurance must be submitted with this application (value to exceed \$20 million and current and note Burwood Council)

- ☐ Attached
☐ Not Attached

PRIVACY STATEMENT

If you are applying for consent as an individual, you may be providing Council with personal information (such as your name and address) within the meaning of the *Privacy and Personal Information Protection Act 1998*.

You are obliged by law to provide your name and address. If you do not provide the personal information requested Council may be unable to process your application.

Council is collecting this personal information from you in order to identify and process your application.

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from being made publicly available. Council will consider any such application in accordance with the relevant legislation.

Enquiries concerning this matter can be addressed to Council's Public Officer.

APPENDIX B - OUTDOOR EATING AREA APPLICATION



Burwood Inc.1874
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2 CONDER STREET, BURWOOD, NSW 2134
PO BOX 240, BURWOOD NSW 1805
TEL: 9911 9911 FAX: 9911 9900
WEBSITE: www.burwood.nsw.gov.au
EMAIL: council@burwood.nsw.gov.au

OUTDOOR EATING AREA LICENCE APPLICATION

Legal Trading Name:.....

Company Name/ Sole Trader name:.....

ABN (Australian Business Number):.....

Business Address:.....

Owner/ Manager Name:.....

Contact Number:..... Mobile:.....

Email Address:.....

DETAILS OF PROPOSED ACTIVITY

Proposed hours/days of operation:.....

.....

.....

.....

.....

ADDITIONAL INFORMATION:

Additional Information/Requests (to assist with the assessment of the Application):

.....

.....

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.....

REQUIRED ATTACHMENTS: Please attach the following:

1. A draft site plan of the proposed footpath area indicating:
 - dimensions and boundaries of the proposed seating area
 - number and location of tables, chairs and any other equipment proposed for the outdoor eating area
 - Details of existing and proposed lighting
2. A statement (report) which includes:
 - details (photos/diagrams) of the size, design, type of materials and colour of any chairs, tables, umbrellas, fittings or any other equipment
 - whether the premises are currently licensed to serve alcohol, and whether it is proposed to be served within the outdoor eating area
3. Public Liability Insurance Statement - the Applicant/Licensee is required to obtain Public Liability Insurance. The application should be accompanied by a signed statement to the extent that this insurance has/will be obtained.

Failure to provide any of this information will result in delays in processing of the application. An application cannot and WILL NOT be processed until all necessary information is received by Council. In certain circumstances, Council may request additional information from the applicant beyond the above list in order to assess the application properly.

COUNCIL OFFICE USE:

A/C No. 01755.3201.547

Application Fee Paid \$ Date:

Receipt No:

For more information on Council's Outdoor Eating Policy, please contact Council's Land, Infrastructure & Environment Division on: (02) 9911 9911 or council@burwood.nsw.gov.au

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APPENDIX C - BUSKING ACTIVITIES APPLICATION

Burwood
Inc.1874
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PO BOX 240, BURWOOD NSW 1805
TEL: 9911 9911 FAX: 9911 9900
WEBSITE: www.burwood.nsw.gov.au

APPLICATION FOR PERMIT TO CONDUCT BUSKING ACTIVITIES**BUSKER DETAILS**

Name:

Performance Name:

Address:

Email Address: TFN:

Mobile No: Telephone:

GROUP ACTS

Name of Group: Number in Group: (Max 5).....

Description of Performance:

.....

DANGEROUS / HAZARDOUS MATERIALS / IMPLEMENTS

If you use dangerous / hazardous materials or implements in your busking act, you will need to declare this to Council.

You will not be permitted to use dangerous materials or implements in your busking act.

Have you declared any dangerous / hazardous materials / implements to Council? YES ☐ NO ☐

Permit Details

Annual ☐ Date of Application: /.... /.....

Burwood Location: Victoria Lane ☐ 134A Burwood Road ☐ Railway Square ☐

Requested dates:

- | | | | |
|---------|---------|---------|----------|
| 1. | 4. | 7. | 10. |
| 2. | 5. | 8. | 11. |
| 3. | 6. | 9. | 12. |

Busker's Declaration

I / We the undersigned, declare as follows:

- I will display my Burwood Council Permit to Busk in close proximity to where I am performing at all times.
- I will make my Permit available for inspection by an authorised Officer of Council upon request and follow any lawful direction issued by that Officer.
- I will not transfer this Permit to any other person.
- I agree that this permit does not give me sole use or reservation of a site.
- I will use designated sites in restricted areas in accordance with the conditions.
- I will not create a threat to public safety, whether real or perceived.
- I agree to be bound by the conditions attached to this Permit contained in the Burwood Council Footpath Activation Policy.

Signed:

Date: / /

Office Use Only:

Date: / /

Cashier Code:

File No: T207- 01171.3480.569

Receipt #:

CSO:

Received: \$.....

Permit No.:

PRIVACY STATEMENT

If you are applying for consent as an individual, you may be providing Council with personal information (such as your name and address) within the meaning of the *Privacy and Personal Information Protection Act 1998*.

You are obliged by law to provide your name and address. If you do not provide the personal information requested, Council may be unable to process your application.

Council is collecting this personal information from you in order to identify and process your application.

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from being made publicly available. Council will consider any such application in accordance with the relevant legislation.

Enquiries concerning this matter can be addressed to Council's Public Officer.

BUSKING PERMIT – PARENTAL CONSENT FORM

BUSKER DETAILS

Name (*please print*)

Performance Name:

.....

GROUP ACTS

Name of Group: Number in Group:

Name of Group Members:

.....

NB: A parental consent form is required for each and every busker in the group aged under 18 years.

Parental Consent Details

I (*parent/guardian*)
(*please print*)

of (*address*)

.....

HEREBY consent to my child/ward (name):
performing as a busker in the Burwood Council Local Government Area.

I understand that:

1. Burwood Council provides no supervision of Buskers under the age of 18 years.
2. Buskers under the age of 18 must comply with the conditions of the Burwood Council Busking Policy.

Signed: Date: / /

Printed Name (Parent/Guardian):

Please provide proof of parent/guardianship:

☐ Birth Certificate ☐ Passport ☐ Licence

APPENDIX D - PROMOTIONS & CHARITABLE COLLECTIONS PERMIT APPLICATION

Burwood Inc.1874
Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

2 CONDER STREET, BURWOOD, NSW 2134
PO BOX 240, BURWOOD NSW 1805
TEL: 9911 9911 FAX: 9911 9900
WEBSITE: www.burwood.nsw.gov.au
EMAIL: council@burwood.nsw.gov.au

PROMOTIONS & CHARITABLE COLLECTIONS PERMIT

Please allow at least seven days to process this application. If the application requires representation to the Local Traffic Committee and Council, please allow six weeks for approval.

SECTION A – APPLICANT DETAILS

Name:

Organisation:

Postal Address:

Contact Number(s):

Fax Number/Email:

Name of Charity:

OFFICE USE ONLY

Cashier Code: 23

Receipt:

Date: / /

Amount \$:

SECTION B – LOCATION DETAILS

Street:

Between Street and

Property No:(if known)

Number of Persons Involved:

Reason / Purpose:

Requested Date/s:to.....

Requested Time/s:to.....

Other specific information:

*A Copy of the Company's Public Liability Insurance must be submitted with this application (value to exceed \$20 million - must be current) **Attached /Not attached***

SECTION C – CONDITIONS OF CONSENT

1. Permits are issued for promotion upon the payment of appropriate fee
2. Standard hours for promotions are:

- 7.00am – 5.00pm Monday to Friday
 - 7.00am – 1.00pm Saturday
3. Any variation to these hours must have written consent by the Manager Traffic & Transport
 4. Copy of promotional material submitted to Council
 5. Public not to be hindered or harassed and the site must be kept clear of all tripping hazards
 6. Every care to be taken not to damage Council property
 7. All Council signs and all directions from Council or NSW Police to be complied with
 8. All promotional material to be disposed of in an appropriate manner and area to be left clean and tidy at the end of activities
 9. Council to be provided with a contact name and number for the promotion if any problems occur
 10. All associated Fees & Charges are in accordance with Burwood Council's Schedule of Fees & Charges
 11. **A Copy of the Company's Public Liability Insurance must be submitted with this application** (value to a minimum of \$20 million and must be current)
 12. **The permit fee must be paid prior to the promotion** (does NOT apply to Charity Organisations which have provided appropriate documentation). Any additional Fees & Charges will be invoiced to the Company at a later date.

The application can be lodged by the following methods:

In Person:

Burwood Council
2 Conder Street
Burwood NSW 2134
Mon – Fri 8.30am to 4.45pm

Post:

Burwood Council
PO Box 240
Burwood NSW 1805

Email:

council@burwood.nsw.gov.au

SECTION D – APPROVAL – Office Use Only:

Please refer to the Manager Traffic & Transport for approval.

Approval: ☐ Granted ☐ Denied

Name: Position: Date: / /

Specific Conditions / Comments:

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