

## APPLICATION FORM AND CONDITIONS

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# PERMIT FOR BUILDING MATERIALS / MOBILE STRUCTURES ON FOOTPATHS

North Sydney Council is responsible for managing footpaths within the North Sydney local government area. To ensure pedestrian access and safety is maintained, a permit is required to place building materials on the footpath.

This form includes five sections:

- applicant's details
- locality sketch
- indemnity
- insurance details
- permit conditions

To apply for a permit, please complete all relevant sections and return with payment to the Customer Service Centre, Council Chambers, 200 Miller Street, North Sydney.

**Permits are issued subject to the conditions attached to this application form.**

Please make sure you read the conditions before applying for a permit

## FEES FOR 2011/2012

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<b>Permit fee:</b>	\$68
<b>Storage fee:</b>	\$28 per m <sup>2</sup> for first week \$34 per m <sup>2</sup> for second week \$46 per m <sup>2</sup> for third and all subsequent weeks
<b>Impounding fee:</b>	Actual cost plus overheads.
<b>Release fee:</b>	\$1,650

Please note: fees are reviewed annually

# PERMIT FOR BUILDING MATERIALS / MOBILE STRUCTURES ON FOOTPATHS

## SECTION 1 - APPLICANT'S DETAILS

I \_\_\_\_\_ (name) wish to apply for a permit to place  
building materials/mobile structure on a Council footpath.

Applicant's Name:	Phone no. (business hours):
Business Name:	Fax no:
Business Address:	Mobile No:

## ADDRESS OF PROPERTY WHERE PERMIT WILL APPLY

Number and Street: \_\_\_\_\_ Suburb and Postcode: \_\_\_\_\_

## DETAILS OF PERMIT REQUEST

Size of area required (in square metres): \_\_\_\_\_

Type of materials \_\_\_\_\_

Length (in metres):	Width (in metres):
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## DURATION OF PERMIT

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

I have read and understood the application and operating conditions for this permit and agree to abide by these for the duration of the permit.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **PRIVACY STATEMENT**

Personal details requested on this form will only be used for the purpose of processing your application. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, the Council may not be able to process your application. Access to the information is restricted to Council officers and other authorised people. You may make application for access or amendment to information held by Council. Applications by members of the public to view Council's records are subject to the provisions of Council's Privacy Management Plan, *Section 18 Government Information (Public Access) Act 2009 & Schedule 1 - Government Information (Public Access) Regulation 2009.*

I have read and understand the Privacy Statement

Signed: ..... Date: .....

## **FOR COUNCIL USE**

Permit No: \_\_\_\_\_

Permit Fee (Code 160): \$ \_\_\_\_\_

Bond: \$ \_\_\_\_\_

Total Paid: \$ \_\_\_\_\_

Receipt No: \_\_\_\_\_ Date: \_\_\_\_\_

Authorised by (name): \_\_\_\_\_

Conditions/Comments: \_\_\_\_\_

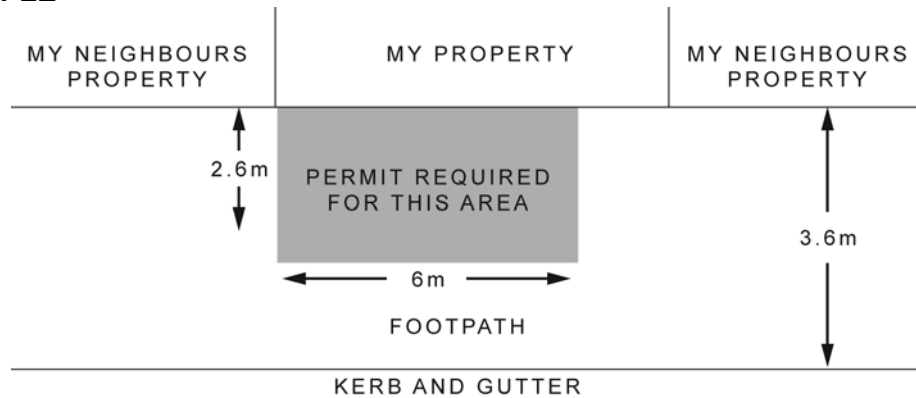
\_\_\_\_\_

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## SECTION 2 - LOCALITY SKETCH

Please draw a rough sketch indicating the street, the property, adjacent properties, the kerb and the area of footpath for which a permit is required.

### EXAMPLE



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## **SECTION 3 - INDEMNITY**

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

Name of Applicant: \_\_\_\_\_

(referred to hereafter as the Permit Holder) holds North Sydney 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.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

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## SECTION 4 - INSURANCE DETAILS

Permits will not be issued unless you have public liability insurance for the area you want to use. Please complete this form, giving details of your public liability insurance.

A Certificate of Currency must be provided to Council by the insurance company before a permit is issued.

All Certificates must include the following information:

- North Sydney Council to be noted as an interested party.
- A limit of liability of at least \$10M.
- Amounts to be denominated in Australian dollars (AUD) in the first instance.
- Relevant jurisdiction to include the Australian Commonwealth.

### Insurance Information

I hereby declare that I (name of applicant) \_\_\_\_\_  
as permit holder and North Sydney Council are insured for legal liability to the public in respect of personal injury and property damage for a limit of indemnity of not less than \$10 million.

Name of Insurance Company: \_\_\_\_\_

Public Liability Policy No: \_\_\_\_\_

Period of Insurance from: \_\_\_\_\_ to: \_\_\_\_\_

Limit of Indemnity: \$ \_\_\_\_\_

I understand that this insurance shall not be cancelled or lapse without the agreement of North Sydney Council and the policy document shall be endorsed to this effect. This insurance includes the cross liability clause.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

# PERMIT FOR BUILDING MATERIALS / MOBILE STRUCTURES ON FOOTPATHS

## **SECTION 5 - PERMIT CONDITIONS**

### **1 TERM**

Permits are issued on a weekly basis.

### **2 FEES**

Fees are calculated according to the time taken for placement of building materials. Extension of the time period may be made by arrangement with the Council. Permit fees must be paid at the time of lodging the permit application.

### **3 SITE CONDITIONS**

Not all sites are suitable for placement of building materials. Council reserves the right to reject an application if the stored material would obstruct pedestrians.

### **4 LOCATION**

The applicant shall include a locality sketch on the application form. This sketch shall be approximately to scale and shall show the proposed dimension, location of existing building frontage, existing kerb and gutter and footpath width. It is helpful to include other adjacent streetscape items such as parking meters, service poles and street trees.

### **5 INDEMNITY AND PUBLIC LIABILITY INSURANCE**

The indemnity statement and public liability sections of the application form must be completed and signed before a permit is issued.

### **6 DEVELOPMENT CONSENT**

Permits will only be issued where appropriate development consent exists for the site concerned.

### **7 MAINTENANCE OF PERMIT AREA**

The building materials shall not cover or prevent access to public or private utilities and drainage pits. The materials shall not obstruct the view of advisory and regulatory signs and traffic controls.

### **8 PERMIT PRODUCED ON DEMAND**

The permit shall be retained at the site and produced for inspection by an authorised Council officer at any time during the period of the permit.

# PERMIT FOR BUILDING MATERIALS / MOBILE STRUCTURES ON FOOTPATHS

## SECTION 5 - PERMIT CONDITIONS (continued)

### 9 PEDESTRIAN SAFETY

The permit holder must ensure that the site for placement of building materials is maintained and operated safely and that pedestrians have free access to the remaining area of the footpath. A clear passage of at least one metre must be maintained at all times in front of exit doorways from adjoining and adjacent premises.

If directed by Council, the permit holder will immediately remove or make safe any building materials. If the permit holder does not comply with this direction, Council may remove the materials concerned and the permit holder will be required to reimburse Council for the cost of the removal. A release fee for recovery of the materials will also apply.

### 10 SITE SAFETY

All traffic control shall be in accordance with the current version of AS 1742.3 and its associated handbooks and the RTA document - Traffic Control at Work Sites. Plans modified from those that appear in the above mentioned documents shall contain a reference to the standard plan on which they are based.

North Sydney Council does NOT approve Traffic Control Plans. If a Traffic Control Plan is submitted with the application, it is viewed as a document containing information about the impacts on traffic flow only and is NOT evaluated from the viewpoint of risk assessment or Occupational Health and Safety. If a Permit for Building Materials/Mobile Structures on Footpaths is granted, it does not imply approval of the Traffic Control Plan.

Where the works to be undertaken are likely to affect vehicular traffic or pedestrian access, the Police Local Area Traffic Branch are to be contacted for their approval (Phone: 02 9969 1933).

Where the works to be undertaken are likely to affect vehicular traffic within 100m of any set of traffic lights, or on the following roads, a Road Occupancy Permit will be required from the RTA:

- Falcon Street - Pacific Highway to Military Road
- Military Road - Falcon Street to Macpherson Street
- Pacific Highway - Harbour Bridge to Christie Street
- Berry Street - Pacific Highway to Arthur Street
- Arthur Street - Berry Street to Mount Street
- Miller Street - Falcon Street to Suspension bridge

Pedestrian and vehicle access to private properties shall be maintained wherever possible. Where property access is affected, a minimum of 48 hours written notice must be given to residents.

Responsibility for pedestrian and other road users' safety rests with the applicant from the commencement of work until permanent restoration of the roadway or footpath by Council.

All traffic control plans shall be available on-site at all times.

### 11 ENVIRONMENTAL PROTECTION CONTROLS

The permit holder is responsible for any environmental pollution resulting from the building materials. Should pollution occur, the permit holder is responsible, at their own cost, for returning the affected area to its condition prior to the pollution. If the permit holder does not comply with this condition, Council may carry out the necessary work and the permit holder will be required to reimburse Council for the cost of this work. On-the-spot fines of up to \$75,000 can apply to corporations or individuals who fail to prevent pollution of public land.

# PERMIT FOR BUILDING MATERIALS / MOBILE STRUCTURES ON FOOTPATHS

## SECTION 5 - PERMIT CONDITIONS (continued)

### 12 REINSTATEMENT

When the permit expires, the permit holder shall, at their own expense, remove all building materials and ensure the area is returned to its original condition.

### 13 CANCELLATION

Council reserves the right to cancel the permit if the building materials do not conform to the description provided in the application or the materials extend beyond the approved permit area. Council also reserves the right to cancel the permit should there be a change of Council policy on this issue.