



# Hawkesbury City Council

## Guidelines for the use of Windsor Mall

### Applications

Windsor Mall forms part of the Windsor Town Centre and both community and business activities are suitable uses in the Mall. A person seeking to undertake an activity in Windsor Mall requires permission so that all permits required by law are obtained in a timely manner and Council is not exposed to risk.

Applications for a permit to conduct activities in Windsor Mall must be made on the application form available from Hawkesbury City Council (Council) or on Council's website. When the application has been approved, and the relevant fee has been paid, the authorised permit must be carried at all times, to be shown on demand, to an Authorised Officer of Hawkesbury City Council if required. Permits are not transferable.

To be granted a permit, applicants must agree to comply with the Conditions for all activities, as set out in Hawkesbury City Council's Windsor Mall Policy, the General Conditions specified below and any specific conditions imposed by Council having regard to the nature of the event or activity.

#### Notes:

- # The application fee must be lodged with the application.
- # An activity fee, including rental fees, will be paid after a permit is issued and in accordance with any conditions of a permit.

### Windsor Mall

Windsor Mall is located between Fitzgerald and Baker Streets, Windsor intersected by Kable Street. The area available for activities, is the area through the centre and is outside the shopfronts. See below:

#### 1. General conditions for Windsor Mall activities

Additional Conditions relating to Specialised Activities are provided under Item 4.

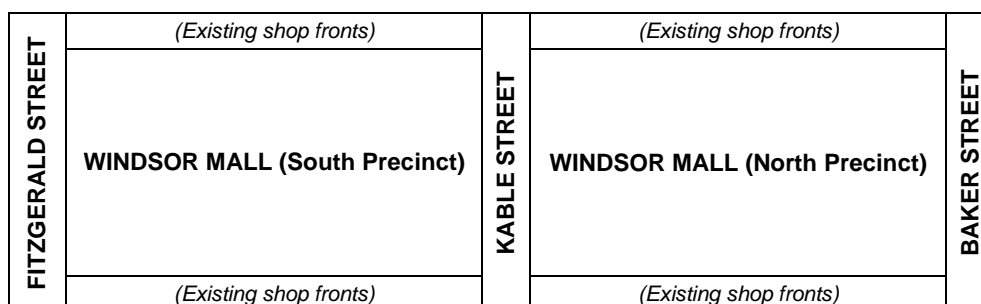
##### a) Permit for Use

*Activities undertaken without permission or contrary to permit.*

A person who undertakes an activity not approved or permitted, contrary to the Windsor Mall Policy, or contrary to a Permit, may be prosecuted under relevant legislation, and/or termination of the permit by Council.

##### b) Fees

An application fee and/or an activity fee, may be charged for any activity in Windsor Mall, in accordance with the adopted Fees and Charges in Hawkesbury City Council's Management Plan. A security deposit or bond to cover the possibility of damage to Council property or assets may apply.



**c) Insurance**

- (i) Any damage or injury caused to a member of the public, arising from an activity for which a permit has been issued, will be the responsibility of the permit holder.
- (ii) A permit holder will maintain a minimum \$10 million public liability insurance policy for the activity undertaken in Windsor Mall. Evidence of the insurance policy cover must be provided with the application or at time to be determined.
- (iii) Workers Compensation Insurance where required by law.

**Notes:**

# **The insurance policy shall include a statement that clearly states Council is indemnified in respect to the activity**

**d) Operation of Permit**

A permit may include conditions that address the general operation of an activity, including hours of operation, dates, times and duration. A permit will be limited to not more than 12 months. An application to renew a permit may be lodged up to three months before the permit expiry date.

**e) Clean and Tidy**

A permit holder is responsible for maintaining the operating area free of waste and shall leave it in a clean and tidy condition. Cleaning costs will be met by the permit holder.

**f) Damage to Infrastructure**

A permit holder is responsible for any damage to infrastructure in Windsor Mall from undertaking the activity, and this extends to any person involved in the activity at any time. Such damage does not extend to fair wear and tear. Damage costs will be met by the permit holder.

**g) Food preparation**

Food prepared in conjunction with an activity shall comply with the Food Act, 2003, Food Regulations 2004, other food safety standards, and any other related legislation or policies.

Food preparation and display shall only be undertaken with a non-permeable barrier to protect the surface of Windsor Mall.

**h) Amplification of Sound (Public Address Systems)**

Amplification of sound is allowed in conjunction with any activity, but it must not be to a point that it is considered to be "offensive noise", as defined under the Protection of the Environment Act, 1998. Details of the proposed amplification of sound shall be supplied with an application.

The use of microphones and amplification with any activity may be limited if it is deemed to be loud by a Police Officer, Compliance Enforcement Officer or Environmental Health Officer.

**i) Maintaining good relations**

- (i) With other activities and uses

Windsor Mall is a place in which a variety of activities may take place at any given time. It is also a central business district in which trade takes place on a daily basis. The permit holder is responsible for maintaining good relations with other activities undertaken in Windsor Mall, and with traders on adjacent properties. Likewise, traders on adjacent properties shall maintain good relations with activities in Windsor Mall.

- (ii) With visitors and patrons

Pedestrians and visitors in Windsor Mall shall not be harassed by advertising, religious, political or commercial messages in any way.

**j) Vehicle Access to Windsor Mall**

There is no unauthorised vehicular access to Windsor Mall, except where provided below:

- (i) Emergency and Service Vehicle Access

The following vehicles are allowed in Windsor Mall at any time, while involved in day-to-day operations:

- Emergency Services Vehicles;
- Public Utility Service Vehicles; and
- Council Vehicles undertaking authorised work.

**WARNING – Vehicles parked illegally will be fined.**

- (ii) Windsor Mall Service/Delivery Vehicle Access

Services and delivery vehicles to activities in Windsor Mall may access the area and stand to load/ unload for a maximum time of 45 minutes:

- On Thursday from 9pm to Friday 9am;
- On other days, between 6pm and 9:30am; or
- Access outside times shown in (i) and (ii) above, in accordance with an approved activity.

- (iii) Adjacent Properties to Windsor Mall Vehicles Access

Services and delivery vehicles to adjacent properties to Windsor Mall may access the area and stand to load/ unload for a maximum time of 45 minutes, where no other road or laneway access is available:

- Thursday from 9pm to Friday 10am; and
- On other days, between 6pm and 9:30am.

**k) Bicycles, Skateboards and Rollerblades**

Bicycles, skateboards, roller skates and roller blades are prohibited at all times within the Mall.

**l) Indemnity**

The applicant will indemnify Hawkesbury City Council in respect of any claims for injury, loss or damage by any third party arising from the operations of the applicant during those activities whether subject of this agreement or not.

**m) Activity & Safety Feedback Form**

Hawkesbury City Council would appreciate feedback from applicants regarding the use of the Windsor Mall, and importantly, in the event that a safety incident or accident may have occurred. Please provide feedback on FORM 3 - Activity and Safety Feedback form (included in this package).

Refer to Item 5 which provides specific instructions to follow in the event that a safety incident or accident occurs during your activity.

**2. Additional conditions for specialised activities**

**a) Stalls**

No person shall set up or use any basket, box, stall, stand or standing vehicle in the Mall without prior permission of Council.

**b) Banners/Signs**

- (i) Banners are only allowable for the promotion of events of a non-commercial nature e.g. community festivals, StreetFair, and Australia Day. Banners may only be hung for a limited period of time. Banners proposed to be erected on private property require the owners consent, and you will need to demonstrate that you have permission as part of your application.
- (ii) Signs are allowable, provided they meet the definition of the type of advertisement, which is Exempt Development under Hawkesbury Local Environmental Plan, 1979 (i.e. Sandwich boards -A-frame).

**c) Busking**

Buskers must comply with the Protection of the Environment Operations Act 1997 available from <http://www.austlii.edu.au/>

*Proof of parental consent for applicants under the age of 18 years.*

*Consent forms signed by applicants' parents or guardians must be lodged at the time of application for a permit to busk. Consent forms can be obtained from the Customer Services Centre at Council's Administration Centre.*

**Parents or guardians take full responsibility for the actions of minors.**

**d) Specialised Displays**

Use by specialised groups i.e. water sports, where boats, water ski and other similar equipment is displayed, additional Conditions will apply in relation to traffic management, and these requirements will be advised on application.

**General Information**

**Contact in the event of a safety incident or accident:**

Police 000  
Medical Emergency 000

**Contact to discuss any compliance issues relating to your activity:**

Hawkesbury City Council  
Property Section  
Phone: (02) 4560 4435  
(02) 4560 4660  
Email: [council@hawkesbury.nsw.gov.au](mailto:council@hawkesbury.nsw.gov.au)  
Web: [www.hawkesbury.nsw.gov.au](http://www.hawkesbury.nsw.gov.au)

Additionally, Hawkesbury City Council Authorised Officers (e.g. Council Rangers) regularly visit Windsor Mall, and can be approached for assistance at any time.



This document contains important information. If you do not understand it, contact the Telephone Interpreter Service on 131 450.



**Hawkesbury City Council**

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Council Website: [www.hawkesbury.nsw.gov.au](http://www.hawkesbury.nsw.gov.au)  
Office Hours: Monday to Friday 8:30am-5pm