



Application for Outdoor Dining & Footpath Trading Licence

Introduction	This form is required to protect the personal information of individuals and to ascertain the reason for the request. A licence will be issued by Council and renewed annually subject to compliance with Sec 68 LGA 1993, Sections 125, 126, 127, 140, 141 & 142 of the Roads Act 1993; Council Policy C3.27 Use of Public Footpaths for Commercial Purposes, Street Stalls, Goods & Signs on Footpath (as modified by Council from time to time) and payment of relevant annual fees. An approval lapses 2 years after the date from which it operates or earlier for non-compliance with Policy conditions and/or non-payment of fees.		
Fees	*** Fees to be determined annually in line with Council Policy and Fees & Charges ***		
Description of Outdoor Dining and Footpath Trading		
Applicants Details	Applicants Name: _____ Company Name: ABN: Applicant Address: Phone: Mobile: Property Address: Lot / DP:		
Collection	<input type="checkbox"/> Call for Collection <input type="checkbox"/> Please Post		
Signature	I have read Council Policy C3.27 Use of Public Footpaths for Commercial Purposes, Street Stalls, Goods & Signs on Footpath and agree to comply with the conditions of this policy and the conditions associated with DA..... and Licence Approval Conditions. The attached details are true and correct. Signature: Date:		
OFFICE USE Cashier Code	Licence Fee (to be determined) \$ _____ Legal Fee (to be determined) \$ _____ TOTAL \$ _____	Date _____	Receipt Number _____ Council Officer _____
	PLEASE ATTACH A COPY OF \$10 MILLION PUBLIC LIABILITY INSURANCE (minimum)		
PERMIT APPROVAL	Information provided has been checked and is recommended for permit approval Assets & Facilities Manager: Date: Executive Manager - Infrastructure & Assets: Date: DATE OF APPROVAL:- _____		

Last Amended 05/08/2016

Privacy Notification: The personal information you have supplied on this form assists Council Officers in determining your application. The supply of information is voluntary. If you do not provide all details requested, Council may be unable to process your application. The details you provide are stored at Council Offices and are not made publicly available. For more information about your privacy please contact Dungog Shire Council on 49957777

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SKETCH OF LEASED AREA (AS SHOWN ON DEVELOPMENT CONSENT WHERE APPLICABLE)

(Sketch of leased area, drawn to scale, with measurements showing the dining area, number of tables & chairs, distances to the kerb & buildings, etc)

DESCRIPTION OF THE LAND TO WHICH THIS APPLICATION RELATES

House No	Street	Suburb	Post Code
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Lot and DP

Title	Surname (or Company & A.B.N. / A.C.N.)	Given Names
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Title	Surname	Given Names
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Title	Surname	Given Names
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Address for Primary Contact	Phone No (Business Hours)
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As the owner/s of the land to which this Application relates, I/We consent to the making of this Application. Signature/s	Company/Owners Corporation Seal
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A separate letter providing the written consent of all owners to lodge this Application is attached.

IS THE FOLLOWING INFORMATION WITH YOUR APPLICATION?

<i>Description</i>	<i>Tick yes</i>	<i>Tick no</i>
A copy of your current \$10m Public Liability Insurance.		
The written consent of the property owner.		
Paid the relevant fees for the use of the footpath. <i>(Not applicable at this time)</i>		
Submitted the relevant information for Council to assess this application in accordance with Council Policy C3.27 Use of Public Footpaths for Commercial Purposes, Street Stalls, Goods & Signs on Footpaths		
Please ensure that your proposed Footpath Dining or Footpath Trading use is in accordance with a Development Consent for your property.		

Standard Conditions for Outdoor Dining on Public Footpath Licence

1. This approval is for the use of the public footpath adjacent to for the purpose of **Outdoor Dining** and is for a term of two (2) years only following which time all structures are to be removed and the footpath made good to the satisfaction of Council. Should the applicant wish to extend the period the consent operates, formal application must be lodged with Council to modify the conditions prior to the expiry of the consent.
2. This approval is subject to the Business/Property owner entering into a licence agreement attached to this approval, which when executed by the Business/Property owner and Council, will constitute a licence to occupy and use the approved footpath area for the purpose of outdoor dining. An "Outdoor Dining on Public Footpath" licence permits a Property/Business owner to provide a suitable number of approved tables and chairs in the agreed area.
3. Public Liability Insurance Cover, for a minimum amount of \$10 Million, is to be maintained for the duration of the Licence Agreement.
4. A Display Notice indicating the agreed use, hours of operation and licensed area must be displayed in the front window of the business to which the Display Notice refers. Failure to exhibit the "Display Notice" may result in cancellation of the Licence. The Display Notice shall be issued by Council at time of issue of Licence.
5. The requirements, terms and conditions contained in the Licence are conditions of this approval.
6. Only approved tables, chairs, and associated structures are to be used, and these must not be placed outside the approved area under any circumstances. No third party logos, advertising, or display is permitted as part of the licensed use of public footpath. This includes signs, barriers, awnings and umbrellas.
7. Outdoor furniture shall not pose any potential safety hazard, especially with sharp edges or moving parts, to pedestrians, patrons, or employees. The furniture shall be fixed and constructed with smooth and impervious surfaces maintained as such. Unfixed seating is not permitted.
8. All outdoor furniture and structures must be maintained at all times in a structurally sound, clean and aesthetically pleasing condition.
9. To minimise the likelihood of collision between café staff and passing pedestrians, it shall be the responsibility of business operators to inform and train their staff to give priority to passing pedestrians, when traversing between the licensed footpath area and the shop.
10. An appropriate level of table service shall be provided to ensure the footpath dining area is kept clean and free of dirty plates, cups, cutlery and food scraps at all times to ensure the area is maintained in a clean, tidy and hygienic state.
11. The licenced dining area and the footpath area between it and the shop premises shall be kept clean at all times and any spilt food, liquid or other material likely to cause injury shall be removed immediately by the Business operator. The licensee is responsible for appropriate disposal of litter and wastes, and is not permitted to use public rubbish bins. Sweeping of the leased section of footpath area is the responsibility of the licensee.
12. Selling and consumption of alcoholic or intoxicating liquor is only permitted in the public footpath area if the licensee has obtained an appropriate liquor licence and/or approval from Council.
13. No business or financial transactions shall be carried out on the public footpath, outside the Outdoor Dining licensed area. Such activities shall be carried out wholly within the confines of the premise.
14. No part of the public footpath shall be used for storage of any items, including the licensed area.
15. The licensee must be aware of the provisions of the Disability Discrimination Act 1992 and provide and maintain access in accordance with AS 1428 "Design for Access and Mobility" to accommodate people with disabilities.
16. Food shall not be offered for sale or displayed within the footpath thoroughfare area between the licensed outdoor dining area and business premises.
17. All covered outside areas that permit smoking must comply with the Smoke-Free Environment Act 2000 and the Smoke-Free Environment Amendment (Enclosed Places) Regulation 2006.
18. Any specific non-standard conditions (listed below):
 - a. The footpath dining must be located such that a minimum unobstructed contiguous pedestrian corridor of 2.0 metres width and 2.6m height is maintained on the footpath;
 - b. The operator must steam clean the pavement of the footpath dining area when required to do so by the Authorised Council Officer.
19. **Non-compliance with any of the above conditions may result in cancellation of the Outdoor Dining Licence.**