Application for a Footpath Dining Permit



Use this form to apply for a permit for Footpath Dining. This form is in keeping with

*Local Government Act 2009,* Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011. Contact Council if you have any specific enquiries regarding fees or how to complete this form. Type or print clearly and select boxes where applicable. Enter “n/a” if the question does not apply.

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| **Applicant Details** | | |
| **In signing and lodging this application, the applicant is responsible for ensuring the information provided is true and correct.** | | |
| **Applicant 1 Surname** |  | **Given Name** |
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| **Applicant 2 Surname** |  | **Given Name** |
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| **Business Trading Name (if applicable)** |  | **ABN** |
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| **Company Name (if applicable)** |  | **ACN** |
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| **Postal Address** | | |
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| **Email Address** | | |
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| **Business Address** | | |
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| **Business Contact Number** |  | **Applicant Contact Number** |
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| **Description of food business** (e.g. cafe, restaurant, cannery etc.) | | |
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| **Hours and days of operation** | | |
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| **Description of footpath dining facilities** | | | | |
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| **Proposed no. of chairs** |  | **Proposed no. of tables** |  | **Proposed no. of shade structures** |
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| **Proposed no. of Landscape Planter Boxes** |  | **Proposed no. of Screens / Bollards** |  | **Size of the area for Footpath Dining e.g. 10m2** |
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| **Method of storage / security of tables, chairs etc.** | | | | |
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| **Public Liability Insurance** | | |
| **Take out and maintain public liability insurance for a minimum of $20 million for Council controlled areas and roads indemnifying Barcaldine Regional Council against any or all claims of damages resulting from the activity.** *A copy of your public liability insurance and indemnity statement MUST be provided with your application* | | |
| **Name of Insurer:** |  | **Policy Number:** |
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| **Policy Limit:** |  | **Expiry Date:** |
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| **Have you noted Barcaldine Regional Council as an interested party?**  Yes  No | | |

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| **Privacy Statement** |
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| Council is collecting your personal information in accordance with current legislation to process your application. The information will only be accessed by authorised council employees. Your personal details will not be disclosed to a third party outside the process of dealing with your application, except where required by legislation (including *Right to Information Act 2009)* or as required by Queensland State Government. |

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| **General Requirements** |
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| * Footpath dining approval is not required when trading on your private land * Legislation requires outdoor eating places to be smoke-free * Take measures to protect the safety of persons who may be involved, or affected by, the activity * Allow for the operation of the activity to be inspected by an authorised person * Footpath dining equipment must be removed when the business Is not operating/open for business * All footpath dining equipment must be kept in a good state of repair, of safe construction and visually aesthetic * Footpath dining area to be maintained in a clean condition at all times * Provision of a clear unobstructed passageway of at least one (1) metre wide to allow access to shop * Provision of a clear unobstructed passageway of at least one point five (1.5) metres wide for pedestrian traffic * If selling food, hold a current Food Business Licence * A permit holder shall, at all times, hold harmless and keep indemnified the Council, its members, employees and agents from and against all actions, suits, proceedings, claims, demands, losses, costs, charges and expenses which may be taken against, made on or suffered by it or any of them directly or indirectly on account of or in respect of or arising out of any act, matter or thing done or omitted to be done by the permit holder or his / her agents or employees or any of them in connection with any activity carried out or purporting to be carried out under the permit or in the observance, fulfilment, non-observance or non-fulfilment of any condition of the permit. |

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| **Checklist** |
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| This application and fee must be lodged with Council with the following attachments:-  A site plan drawn to scale not smaller than one to one hundred (1:100) showing the proposed outdoor dining area showing the  location of all proposed screens, bollards, signage, tables, chairs and other street furniture  A copy of your Public Liability Insurance Policy to the sum of not less than twenty million dollars ($20,000,000.00). The public liability must indemnify Council, in the prescribed form and manner, against all public liability claims arising from operating the business.  **PERMIT REQUIREMENTS INCLUDE**  • A one point five (1.5) metre wide clearway for pedestrians to be maintained at all times.  • Receptacles for waste are provided and area thoroughly cleaned at the conclusion of each day.  • Suitable barriers provided to protect diners from parking vehicles, if relevant. |

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| **Declaration** | | |
| In the making of this application I/We, the licensee, acknowledge that any permit issued pursuant to this application shall be subject to the following conditions:   * I/We agree to indemnify Barcaldine Regional Council from and against all actions, claims, demands, notices, losses, damages, costs and expenses which Council may incur or become liable in connection with any activity carried out or purporting to be carried out under the permit in any condition of the approval. * I/We agree to keep in effect during the continuance of this permit, a Public Liability Insurance Policy of not less than twenty million dollars ($20,000,000.00) which will remain in force for the whole of the period that the approval covers, said policy shall indemnify Barcaldine Regional Council in respect of such actions. * I/We agree to abide by the conditions of the approval set by Council. | | |
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| **Applicant Signature** |  | **Date** |
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| **Lodgement of your application** | | | |
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| MAIL | Post to ‘PO Box 191, Barcaldine QLD 4725’  Email to [council@barc.qld.gov.au](mailto:council@barc.qld.gov.au) | | |
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| IN PERSON | Visit any BRC Administration Office from 8.00am to 4.30pm Monday to Friday with cash, cheque or EFTPOS | Alpha Aramac Barcaldine | 43 Dryden Street  35 Gordon Street  71 Ash Street |
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| PAYMENT | Cheques or money order to be made payable to “Barcaldine Regional Council  Credit Card – Contact Council to arrange to pay (1% surcharge applies)  Cash or EFTPOS (in person only)  Direct Deposit *– paying direct to Bank account “Barcaldine Regional Council General Account” BSB 124001 Account Number 100026378. Use the Licence Number & Surname as the Reference. Email a remittance advice to* [*council@barc.qld.gov.au*](mailto:council@barc.qld.gov.au) | | |

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| **Application Fees for 2023 / 2024 Financial Year** | | | |
| 1361-1000-0000 | Annual Licence Fee (Local Business) | $ | 30.00 |
| 1361-1000-0000 | Annual Licence Fee (Community Group) | $ | Nil |

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| **Office Use Only** | Date received: | Amount Paid: $ |
| Receipt No.: | Date Paid: |
| CSO: | Licence No.: |