

Goondiwindi Regional Council

LMB 7,
Inglewood QLD 4387

Telephone 07 4671 7400 Facsimile 07 4671 7433
Email mail@grc.qld.gov.au
Website www.grc.qld.gov.au



Local Government Act
2009

Local Law No. 1
(Administration) 2011
Subordinate Local Law
1.2
(Commercial Use of
Local Government
Controlled Areas and
Roads)

Footpath Dining

Application for a Footpath Dining Approval

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.

Application is for

- New approval Fee _____
 Renewal of approval Fee _____

Applicant/s details

Title Mr Mrs Ms Miss Other (specify)

Family name

Given names

Position

Title Mr Mrs Ms Miss Other (specify)

Family name

Given names

Position

Indemnity

I / We acknowledge that any approval issued pursuant to this application shall be subject to the following conditions:

- An approval 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 approval holder or agents or employees or any of them in connection with any activity carried out or purporting to be carried out under the approval or in the observance, fulfilment, non-observance or non-fulfilment of any condition of the approval.
- The approval holder shall ensure a Public Liability Insurance Policy taken out by him / her, to the minimum \$ value required by Council, is kept in force for the whole of the period that the approval covers, and includes the Council as an interested party.

I / We agree to abide by the conditions of the approval as set by Council.

Signature _____ Date / /

Signature _____ Date / /

Description of footpath dining facilities

| | | | |
|--|-----------------------------|------------------------------|--------|
| Area to be used for footpath dining | | m ² | |
| Proposed no. of chairs | | | |
| No. | | Materials | |
| Dimensions | width | height | |
| Proposed no. of tables | | | |
| No. | | Materials | |
| Dimensions | width | height | |
| Proposed shade structures (if any) | | | |
| No. | | Materials | |
| Dimensions | width | height | |
| Proposed screens / bollards (if any) | | | |
| No. | | Materials | |
| Dimensions | width | length | |
| Proposed landscape planter boxes (if any) | | | |
| No. | | Materials | |
| Dimensions | width | height | length |
| Method of storage / security of tables, chairs etc. | | | |
| | | | |
| Is decking proposed? | <input type="checkbox"/> No | <input type="checkbox"/> Yes | |
| If yes, the area to be used | m ² | | |
| Materials | | | |

A copy of a Public Liability Insurance Policy, to the minimum \$ value required by Council, must accompany applications. The policy shall name the insured as 'the applicant for the Approval and the Council'.

Public liability insurance

| | |
|---------------------------|---|
| Name of insurance company | |
| Name of insured | |
| Policy no. | Amount of cover \$ |
| Policy expiry date | <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

Lodgement

Please attach the following:

1. A Site Plan drawn to scale not smaller than one to one hundred (1:100). The scope to extend:
 - from the kerb's edge, the full width of the footpath, to the frontage of the building; and
 - from within 2 metres of one adjoining premises, the full length of the property frontage, to within 2 metres beyond the other adjoining premises.

The Site Plan shall show:

- the boundaries of the site, the outline of buildings, and the use of adjoining buildings;
 - the area (including dimensions) intended to be used for outdoor dining (shown in red) and the location of all proposed outdoor dining facilities;
 - any trees, fire hydrants, transformers, telephone booths, mail boxes, bus seats and shelters, traffic signal boxes, fixed rubbish bins, pillars and posts (supporting signs or other objects) and other obstructions.
2. A copy of your Public Liability Insurance Policy to the minimum \$ value required by Council. The public liability must indemnify the Council, in the prescribed form and manner, against all public liability claims arising from the operation of this business.
 3. A copy of your License under the *Food Act 2006*.
 4. Photographs including:
 - A colour photograph of the site frontage and proposed area to be used for outdoor dining; and
 - A photograph (or brochure) detailing furniture, accessories and fittings intended to be placed on the footpath.
 5. A copy of the additional owner/s consent (if applicable). This consent must state the applicant/s name, the premises to which the application refers, provide details regarding the owner/s consent to the application and be signed by the owner/s.

Please see attached information sheet for important notes relating to this application.

Please note: This application and fee MUST be lodged with your Council.

Office use only

| | | | |
|--------------------|---|----------------------|----------|
| Application fee | | Reg. no. | |
| Receipt code | | ID no. | |
| Authorised officer | | Inspection date | |
| Recommendation | | | |
| | | | Rec. no. |
| Date | <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> | Account property no. | |

Outdoor Dining Permit Information Sheet

Requirements to Hold a Permit

To be read in conjunction with Local Law.

Outdoor Dining

For outdoor dining areas, (which means designated areas on footpaths, where tables and chairs may be provided by the food premises for customers comfort and consumption of food) unless otherwise approved by Council.

Prescribed Conditions

1. Footpaths with a minimum dimension of 1.5m clear, shall be maintained at all times. A larger minimum dimension may be required where pedestrian traffic density as assessed by an authorised person as requiring an increased clear footpath;
2. The footpath area shall be located adjoining the frontage of the subject premises and at least 0.3m from any street fixture or fitting. Alternative arrangements may be considered by Council on an individual basis on submission of an application specifying all aspects of proposal;
3. The minimum width of the footpath dining area shall be 600mm;
4. The footpath dining area shall generally not extend longitudinally along the length of the footpath beyond the frontage of the subject food premises. Notwithstanding this, subject to the written approval of the adjacent shopkeepers, a more extensive footpath dining area may be approved by Council;
5. On issue of the permit, the extent of the footpath dining area shall be marked by the applicant by way of ropes, planter boxes, or other temporary barriers approved by Council. If the applicant does not carry out this work then Council will mark the footpath at the applicant's expense;
6. No footpath dining areas that are raised above the adjacent footpath level or that encroach onto the roadway will be permitted;
7. No footpath dining areas shall be located in a position, which in the opinion of an authorised person, will impair visibility for traffic;
8. In each application and from time to time thereafter an authorised person will assess the pedestrian density in the vicinity of the footpath outdoor dining area. If in the opinion of an authorised person the traffic density is such that free flow is, or would be restricted or obstructed by the footpath dining area, Council reserves the right to refuse such an application, cancel any current permit or amend the permit conditions;
9. The applicant shall indemnify the Council against any claim for damage or injury to any person or thing as a result of the use of the area allocated by the Council;
10. The applicant shall take out and shall keep in force at all times during the term of approval, public risk insurance to a minimum \$ value required by Council, in the joint names of the Council and other parties as required by Council, with a proof of the policy to be supplied to the Council prior to the commencement of the operations;
11. Tables, chairs and all moveable objects and structures shall be set out only when a business is being conducted, exemptions may be allowed at the absolute discretion of Council;
12. The applicant shall at all times be responsible for the cleanliness of the footpath, tables and chairs and its immediate surrounds to the satisfaction of an authorised person;
13. Advertising on umbrellas shall only have the food premises' name. Third party advertising is prohibited;
14. All umbrellas used at approved tables in a outdoor dining area shall for safety reasons, have a minimum clearance above the footpath of two meters from the lowest point for extended arms(spokes) of the umbrella;
15. The state of repair and type of tables and chairs provided in the outdoor dining area shall be specified in the application for the permit and shall conform with the general amenity of the neighbouring precinct to the satisfaction of an authorised person;
16. Consumption of alcohol must be accompanied with the consumption of a meal whilst dining;

17. Food premises selling liquor for the footpath dining area must be licensed with the liquor licensing division;
18. Food premises offering B.Y.O. liquor service must have the following minimum facilities:
 - (a) one water closet for each sex; and
 - (b) one wash basin for each sexLocated within the food premises, unless otherwise approved by Council;
19. Food premises offering B.Y.O. liquor service must ensure that alcohol is not stored upon the footpath. Eskies, large cooling container, boxes of alcohol are examples of prohibited items;
20. Food premises offering a B.Y.O. liquor service must ensure that a notice is placed at the footpath dining area with the following wording not less than 15mm "Liquor may only be consumed within the permitted footpath dining area with a meal";

This permit and conditions must be displayed prominently in the front window adjacent to the food premises'