

# Business Use of a Public Footpath Application



*Approval to use footway for restaurant purposes under Section 125 of the Roads Act 1993  
Consent to use footway for street vending purposes under Section 139A of the Roads Act 1993*

## Applicants details

Applicant Name/s _____	
Private Address _____	
Postcode _____	
Telephone ( ) _____	Fax ( ) _____
Email _____	
<b>Signature of Applicant/s</b> _____	<b>Date</b> ____/____/____

## Business details

Trading Name of Business _____
Property description for purpose of activity _____
Address _____
Lot(s) _____ DP(s) _____
Business Telephone _____
This application is for:
<input type="checkbox"/> Outdoor Dining
<input type="checkbox"/> Street Vending
<input type="checkbox"/> Fixed Structures (umbrellas, awnings, pavilions, landscaping, planter boxes)
to use the area described as :
<input type="checkbox"/> the deck adjacent to the above mentioned property
<input type="checkbox"/> shown on the attached plan
<input type="checkbox"/> being square metres measuring _____ m by _____ m adjacent to _____
<input type="checkbox"/> other _____

## Serving of Alcohol (Outdoor Dining Only)

Liquor Licence

BYO Arrangements

Details required when serving of alcohol

Business Name:

Address:

Liquor Licence No

Licensee

Hours of Service

Footway Dining Licence No:

## Insurance

I have enclosed a copy of my current Public Liability Insurance Cover for \$10 million for any one event, which indemnifies the interest of Central Coast Council against any damage that may arise out of the conduct of the outdoor dining activity.

This section is intentionally left blank.

**SITE PLAN** (required)

Blank area for the Site Plan.

**Office Use Only**

Application No _____	CCO name _____
Owners Consent on behalf of Council	
Name _____	Signature _____

## CONDITIONS OUTDOOR DINING AND STREET VENDING

### Approvals

- \* This approval is only applicable to the current licenced Operator contained on the approval.
- \* A new application is required in the case of change of the current licenced Operator.
- \* The Operator must:
  - a. display evidence of a current approval whenever footway activities are being conducted,
  - b. provide proof of identity whenever requested by an authorised Council employee or by the Police,
  - c. comply with relevant food and/or traffic regulations.
- \* No sub-leases, licences or sub-licences or other approvals may be granted by the Operator in respect of the approved area without the prior consent of Council.
- \* No alterations or additions to the licenced property are to be undertaken without the prior consent of Council.
- \* This approval is issued subject to payment of the annual fee and current public liability insurance as specified.

### Damage

- \* The Operator shall not cause or allow to be caused, any damage to any part of Council property or any structures within the approved area. In the event of any damage being caused it is to be repaired / restored by Council at the Operator/s cost.

### Notices

- \* Should the current licenced Operator receive any notice from any statutory or public authority relating to the site, notice in writing, is to be provided to the Council.

### Insurance

- \* The Operator is required to hold a current Public Liability Insurance cover of \$10 million for any one event, which specifically indemnifies the interest of Central Coast Council against any claim that may arise out of the conduct of the activity proposed. Such cover to be varied at the discretion of Council and the Operator is to provide proof of renewals.

### Termination

- \* The Council may terminate the approval without notice if the Operator ceases to use the area in conjunction with the adjacent premises conducted by the Operator or if the Operator is in breach of any of the terms and conditions of the consent.
- \* In the event of the business ceasing or the lapsing of the approval, the Operator is responsible for the removal of any improvements installed by the Operator and re-instatement of the area as directed.

### Furniture

- \* All street furniture and/or equipment (racks/stands) to be placed on the footpaths subject to this licence is to be supplied and maintained by the Operator at no cost to Council.
- \* Placement of outdoor furniture and/or equipment (racks/stands) on pedestrian footpath shall retain a minimum clearance for pedestrian traffic of 2 metres.
- \* All footpath dining and/or street vending adjacent to streets shall retain a minimum clearance to the kerb of 600mm
- \* Furniture and/or equipment (racks/stands) must not be fixed to the pavement unless directed to do so by Council, and then only in the manner stipulated. However, care should be taken to ensure stability in windy conditions. Off-street storage is required for all furniture and/or equipment (racks/stands) when not in use.

## Safety

- \* No temporary flooring shall be allowed on the existing pavement.

## Use of area

- \* Use of the approved area is only for the approved purpose and the area is not to be used for any other purpose.
- \* Activity is to be confined to the approved area. No undue hindrance is to occur to footway pedestrians adjacent to the approved area.
- \* The Operator will be responsible for the conduct of the business to ensure that the requirements of all Acts and Regulations pertaining to the operation are fully met at its own cost.
- \* The Operator is responsible for ensuring the good conduct of patrons utilising the area and ensuring that noise is kept to an acceptable level.

## Cleaning

- \* The Operator shall steam clean the pavement of the licensed area as required or as directed by Council.
- \* All outdoor furniture, other facilities and the pavement shall be kept, at all times, clean and free from food scraps and litter.

## Litter bins

- \* The Operator shall provide litter bins (if required) as approved by Council which shall be located within the licensed area. These bins are to be emptied by the operator at least daily or as required.