



OUTDOOR DINING Permit Application

APPLICATION / REGISTRATION INFORMATION

OVERVIEW:

The purpose of this application form is to apply for a permit for the use of land in Renmark Paringa Council's care and control for outdoor dining purposes pursuant to Section 222 of the Local Government Act 1999.

In some cases, outdoor dining areas and associated infrastructure require Development Approval.

All food businesses must complete and submit to Council a Food Business Notification Form.

For a café/restaurant to serve alcohol, a further application must be made to Consumer and Business Services and/or Council.

This application form must be read in conjunction with Council's *Outdoor Dining Policy – Guidelines & Procedures*.

APPLICATION DOCUMENTATION:

An application for an outdoor dining permit must include:

- a completed Application Form;
- a Certificate of Currency for public liability insurance;
- a scaled (1:100 minimum) dimensioned site plan showing the proposed location of the tables and chairs and any associated furniture/structures;
- photographs/pictures of the proposed furniture/structures;

The issuing of this Permit is subject to:

- a) The Permit holder agreeing to the general conditions of the Permit as contained herein.
- b) The Permit holder agreeing to all special conditions that the Council may determine.

PERMIT EXPIRY AND RENEWAL:

An Outdoor Dining Permit is granted for a maximum period of 5 years, from the date the permit is issued.

The permit holder may apply for renewal of the permit at its expiration. Each renewal request will be reviewed by Council.

A permit may be transferred by application and determination by Council. Where changes to the existing layout are proposed, a new application will be required.



SECTION 1: APPLICATION

Name of applicant:			
Postal address of applicant:			
Business Name:			
Business Address:			
Telephone Number:		Fax Number:	
Email Address:			

I/we make application to the Renmark Paringa Council for an Outdoor Dining Permit pursuant to Section 222 of the Local Government Act, 1999 and in accordance with the information described below:

Defined area location:			
Defined area:	m	X	m
Hours of operation:		to	Days:
Number of tables:		Number of chairs:	

Details of other items: <i>(all items to be shown on provided plan)</i>	Café Screens	Yes	No	Number
	Umbrellas	Yes	No	Number
	Permanent structures	Yes	No	
	<i>Details:</i>			
	Blinds & retractable awnings	Yes	No	
	<i>Details:</i>			
	Gas heaters	Yes	No	
	<i>Details:</i>			
	Planter boxes	Yes	No	
	<i>Details:</i>			
Energy Absorbing Bollards	Yes	No		
<i>Details:</i>				
Other (please specify):				

Has development approval been granted for the outdoor dining area and associated infrastructure?		
Yes	No	Not required
Has a liquor license application been approved by Council and/or Consumer and Business Services?		
Yes	No	Not required
Has a Food Business Notification Form been submitted to Council?		
Yes	No	FBN Number:



SECTION 2: DECLARATION

I/We acknowledge that I/We have read and understand the General Conditions as well as the Outdoor Dining Policy – Guidelines & Procedures and agree to abide by them.

Documents enclosed:

- a copy of current Public Liability Insurance Policy (Certificate of Currency);
- site plan of the proposed outdoor dining area;
- photographs/pictures of any proposed furniture/structures;
- any other supporting documentation.

Signed for and on behalf of the Permit Holder:

Name:		Position:	
Signature:		Date:	

SECTION 3: OFFICE USE ONLY

Permit:	APPROVED	DENIED	Permit No:
Permit Period:	From:	To:	
Insurance Details Received:	Yes	No	Expiry date:
Site Risk Level:	Low	Medium	High
Site inspected required:	Yes	No	Inspection date:
Inspection notes:			
Approving Officer:		Position:	
Signature:		Date:	

SECTION 4: GENERAL CONDITIONS OF PERMIT

1. Defined Area

- a) The area subject to the Permit is that part of the land located at the Business Address which comprises an area immediately adjacent to the front entry of the premises, as indicated on the approved plan supplied by the applicant.
- b) Subject to any reasonable requirements necessary for the operation of the outdoor dining in the defined area, such as conveying of food and beverages, furniture and equipment, all operations of the outdoor dining must be carried on within the defined area.

2. Hours of Operation

The hours of operation of the outdoor dining area pursuant to this Permit shall be the same as the hours of operation approved by Council for the operation of the adjacent premises.

3. Location of Equipment

- a) When the outdoor dining area is open for business, all furniture and equipment allowed under the Permit must be located only within the defined area.
- b) When the outdoor dining area is not open for business, all furniture and equipment allowed under the Permit must be removed to safe storage within the premises. (tables that are bolted to the ground are excluded)
- c) At no time are tables, chairs, or other equipment to be placed so as to obstruct public access along an appropriate footpath.

4. No Alteration

The terms of the Permit, including but not limited to the defined area, number of tables and chairs or other furniture and hours of operation cannot be altered without the express written permission of the Council, which permission:

- a) shall not be given without a fresh permit application and payment of the appropriate fee therefore to Council;
- b) shall only be constituted by the granting of a fresh Permit by the Council.

5. Serving of Liquor

The premises are licensed pursuant to the Liquor Licensing Act and accordingly the supply of liquor to the outdoor dining area must be approved by the Liquor Licensing Board.

6. Preparation and Handling of Food

- a) All food and beverages for consumption in the area defined must be prepared in the adjoining premises to ensure compliance with hygiene standards and minimise risk to the public.
- b) All food and beverages conveyed from within the adjoining premises to the outdoor dining defined area must be appropriately covered during conveyance to ensure adequate hygiene and safety.
- c) No crockery, glassware, cutlery or beverage container shall be left on any table except where a meal has been ordered and all such items shall be removed from there as soon as practicable after consumption of same.
- d) The operation of the outdoor dining area must at all times be conducted in a manner sufficient to meet the requirements of the Food Act 2001, Australian New Zealand Food Standards Code and any other legislation governing health and hygiene.



7. Cleanliness of Area/Litter Bins

- a) It is the responsibility of the Permit Holder to ensure that at all times the defined area and adjacent footpaths and roadways are kept clean and clear of litter or waste and to ensure that no waste materials or sweepings are deposited into drains.

8. Maintenance and Repairs

- a) The Permit Holder hereby undertakes to keep the tables, chairs and other equipment clean and in a state of repair which is satisfactory to the Council.
- b) Subject to clause (c) below, if it is necessary for the Council to carry out maintenance or repair work to the road or footpath immediately adjacent to the defined area, or to the defined area itself, Council shall give the Permit Holder at least 24 hours notice of its intention to carry out such work and shall proceed to undertake such work, as quickly as practicable, in order to minimise disruption to the operation of the outdoor dining area.
- c) In the case of an emergency Council is not obliged to give to the Permit Holder any notice prior to commencement of work.
- d) In any case where it is necessary for work to be undertaken in or adjacent to the defined area the Permit Holder will co-operate with any reasonable directions of an officer or employee of the Council and will ensure that the area is kept free from obstructions.
- e) If in the opinion of Council the maintenance or repair work has been made necessary as a result of the conducting of the outdoor dining area then the Permit Holder shall be responsible for the payment of the cost of such repairs.

9. Insurance and Indemnity

- a) The Permit Holder shall take out public liability insurance for a minimum sum of Ten (10) Million Dollars.
- b) A Certificate of Currency for the policy must accompany the application for an outdoor dining Permit. The Permit Holder shall annually provide to the Council a certificate from the insurance company as to the currency of such policy.
- c) The Permit Holder hereby indemnifies and will continue to indemnify from the commencement of this Permit until such Permit is transferred or terminated by the Council against any action, demand, claim, loss, damage, costs and expenses arising out of or in connection with the operation of the Outdoor Cafe including all costs associated with any injury or damage.

10. Termination

- a) If the Permit Holder herein is in default of any provision of this Permit then it shall be lawful but not obligatory for the Council to give to the Permit Holder, Notice of Termination of Permit in accordance with Section 225 of the Local Govt Act, 1999.
- b) The Council may, at any time by Notice, vary the conditions of this Permit.
- c) Any such Notice shall be in writing, signed by an Authorised Officer of the Council and shall give not less than 24 hours notice of such termination or variation.