

Application Form | Outdoor Dining

Pursuant to Chapter 2, Division 6 of the Local Government Act 1999

175 The Parade, Norwood SA 5067
PO BOX 204, Kent Town SA 5071

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ABN 11 390 194 824



City of
Norwood
Payneham
& St Peters

I/We
(the "Applicant")

of
(Business / Company Name)

located at
(Address)

Hereby apply to the City of Norwood Payneham and St Peters for a Permit to use all/part of the road
for business purposes at

.....
(describe exact location of proposed business)

Contact Person: Phone:.....

Mobile: Fax:..... Email:

Note 1: A road extends from property boundary to property boundary and includes the carriageway, footpaths and verges.

Note 2: Where this Application involves the use of a portion of a road where there is an Alteration to a Public Road (as indicated below), this Application is also to seek authorisation of that road alteration, pursuant to Section 221 of the Act. The following are considered road altering activities pursuant to the Act:

- Alter the construction or arrangement of the road to facilitate access to/from property;
- Erect or install a structure (including fixed tables, bollards, podiums, pipes, wires, cables, fixtures, fittings or other objects) in, on, across, under or over the road;
- Change or interfere with the construction, arrangement or materials of the road;
- Change, interfere with or remove a structure (including fixed tables, bollards, podiums, pipes, wires, cables, fixtures, fittings or other objects) associated with the road;
- Plant, interfere with or remove a tree or vegetation from the road.

Please provide below all relevant details and specifications for the proposed outdoor dining area(s) (refer Attachment A for example layouts to assist you in completing the following):

AREA 1

Road Name:	Total Footpath Width:	<input type="text" value="m"/>
Kerbside Buffer Zone Width:	<input type="text" value="m"/>	Pedestrian Zone Width: <input type="text" value="m"/>
Dining Zone Length:	<input type="text" value="m"/>	Dining Zone Width: <input type="text" value="m"/>
Is the Area licensed for liquor?	<input type="text" value="Yes / No"/>	Is it an Enclosed Area*? <input type="text" value="Yes / No"/>
Number of Fixed Tables:	<input type="text"/>	Is the Area within the Parade Core**? <input type="text" value="Yes / No"/>
Number of Chairs:	<input type="text"/>	Number of Movable Tables: <input type="text"/>

Other Fixed Items: Umbrellas / Screens / Blinds / Planter Boxes / Bollards / Heaters / Podium

Other (specify)

Other Movable Items: Umbrellas / Screens / Heaters / Other (specify)

.....

AREA 2 (corner sites only)

Road Name:	Total Footpath Width:	<input type="text" value="m"/>
Kerbside Buffer Zone Width:	<input type="text" value="m"/>	Pedestrian Zone Width: <input type="text" value="m"/>
Dining Zone Length:	<input type="text" value="m"/>	Dining Zone Width: <input type="text" value="m"/>
Is the Area licensed for liquor?	<input type="text" value="Yes / No"/>	Is it an Enclosed Area*? <input type="text" value="Yes / No"/>
Number of Fixed Tables:	<input type="text"/>	Is the Area within the Parade Core**? <input type="text" value="Yes / No"/>
Number of Chairs:	<input type="text"/>	Number of Movable Tables: <input type="text"/>

Other Fixed Items: Umbrellas / Screens / Blinds / Planter Boxes / Bollards / Heaters / Podium

Other (specify)

Other Movable Items: Umbrellas / Screens / Heaters / Other (specify)

.....

* an Enclosed Area means any area of a footpath used as an outdoor dining area, which is enclosed at any time by a screen, blind, fence or other physical feature, such that as a result of such enclosure, the public have limited and restricted access to the footpath.

** the Parade Core includes all properties fronting the Parade between Sydenham Road and Portrush Road and also includes side street frontages to those properties.

The issuing of this Permit is subject to:

- A. The Applicant agreeing to the General Conditions of Permit as contained herein;
- B. The Applicant agreeing to any/all Special Conditions that the Council may determine and attach to this Permit;
- C. The Applicant paying the prescribed fee.
- D. The Applicant providing to the Council evidence of all appropriate insurances as required by the General Conditions and/or the Special Conditions of Permit.

General Conditions of Permit:

The Applicant further agrees:

- 1. For the term of the Permit, to comply with the City of Norwood Payneham & St Peters Outdoor Dining Code all applicable industry standards, health or safety standards, current standards of Standards Australia and any applicable Codes of Practice.
- 2. To ensure that all works carried out are undertaken to the highest standard and are carried out promptly and with all due care, skill and diligence.
- 3. To ensure that any alteration to the road does not interfere with or cause damage to or in any way affect the property of any other person.
- 4. To comply with any direction given by any authority, statutory authority or Council to remove, maintain or otherwise modify the alteration to the road subject to this Permit.
- 5. That all fixtures and equipment erected or installed in, on, across, under or over the road remain the property of the Applicant pursuant to Section 209 of the Local Government Act, 1999.
- 6. For the term of the Permit, to maintain all fixtures and equipment erected or installed, or vegetation planted, in good condition and to recognised standards.
- 7. To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of any negligent act or omission of the Applicant in relation to the alteration to the road, the granting of this Permit and the General Conditions and Special Conditions contained herein and such indemnity shall be in addition to any statutory immunity in favour of the Council.
- 8. For the term of the Permit, to take out and keep current a public liability policy of insurance to an appropriate level of cover per claim in respect of any negligent act or omission of the Applicant in relation to any alteration to the road or any activity arising out of or from any business use granted under this Permit.
- 9. To not assign or otherwise transfer this Permit without first obtaining the consent of the Council in writing.
- 10. In the event that the Applicant has failed to comply with any of the conditions of Permit or for any other justifiable circumstance, including reinstatement, maintenance, repair or removal, the Council may revoke the Permit.
- 11. At the expiration or earlier termination of this Authorisation to remove, if so directed by the Council, | any structure or object erected or installed on the road and to reinstate the road to the satisfaction of the Council.

12. This Permit is subject to the Applicant obtaining appropriate Development Act approval for any structures, fixtures or equipment.
13. This Permit does not confer on the Applicant any exclusive right, entitlement or interest in the road (unless specifically provided pursuant to Section 223 of the Local Government Act, 1999) and does not derogate from the Council's powers arising under the Local Government Act, 1999.
14. This Permit will not come into operation until proof of all insurances has been provided to the Council and a copy of this document, signed by the Council has been returned to you.

In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of Permit and declare that the particulars provided by me/us with regard to the Business and the Proposed Alteration to the road are true and accurate.

Dated the Day Of 20

Signed by Applicant/s

.....

OFFICE USE ONLY

Permit – APPROVED / DENIED Approval Expiry:

Council Specification for Alteration to Road attached – YES / NO

Special Conditions attached – YES / NO Insurance – YES / NO

Name of Authorised Officer of Council:

Position:

Signature:

Date: / / Fee: