

# OUTDOOR DINING APPLICATION FORM

UNDER SECTION 125 ROADS ACT 1993 AND SECTION 68 OF THE LOCAL GOVERNMENT ACT 1993

## Type of approval required

Outdoor dining within a road reserve requires approval under the Roads Act 1993, while outdoor dining in a public space requires approval under the Local Government Act 1993.

Roads Act 1993 – Footpaths, Road/Road Reserve

Local Government Act 1993 – Public Spaces, Parks

## Type of application

New application (including change of business ownership)

Permit renewal

Permit amendment

## Property details

Street number          Street name

Suburb

Postcode

## Applicant details

Must be operator / owner of the business.

First name

Surname

Mailing address

Street number          Street name

Suburb

Postcode

Phone number

Mobile number

Email address

## Business Details

Australian Business Number (ABN)

Phone number

Email address

Trading name of business

Business Name

Business type

Is there a current or pending Development Application (DA) / Consent to operate as a food/licensed premises at this address?

Yes          DA number

No          You must have development consent to operate as a food/licensed premises before you can apply for an outdoor dining permit

### Application Details

Dimensions of the proposed outdoor dining area

Length (m)                                                  Width (m)                                                  Total area (m²)

..... ♦  
Building shoreline to  
front of kerb

Total width of the  
footpath (m)                                                  Total width left for  
pedestrians (m)

Proposed Permit  
Commencement Date

### Details Of Furnishings

..... ♦  
The applicant is required  
to submit photos or  
diagrams of all proposed  
furniture with this  
application including  
dimensions and materials.

Associated temporary structures to be placed on the footpath

Chairs                                                  Tables

Barriers                                                  Screens                                                  Planter boxes                                                  Umbrellas                                                  Heaters

Other - specify below

### Neighbour Approval

Are you applying to use the adjoining owner's footpath?

Yes                          No                          *If no, please proceed to the next section*

..... ♦  
See supporting  
documentation.

If yes, have you obtained your neighbour's (business owner's) approval?

Yes                          No                          *If permission is not granted by the adjoining business owner, this application will be declined.*

Please note the original signed copy of the approval will need to be submitted with this application.

### Location Plan

..... ♦  
See supporting  
documentation.  
Location Plan  
  
A grid page is available  
in the supporting  
documentation section  
of this application to  
assist you with your  
design however alternate  
location plans may be  
accepted.

Applicants must provide a plan to scale of either 1:100 or 1:200 on A4 paper with measurements detailing:

- the address of the premises
- the boundary line of the premises and the adjoining premises
- the location of doorways and service openings
- the location of the proposed outdoor dining area on the footway including the width and length of the area and total metres squared
- clearances around the outdoor dining area including from the face of the kerb and the pedestrian clearance
- the total width of the footpath
- any existing street fixtures labelled including trees, bench seats, bins or any other fixed structures
- location of taxi and bus stops, parking areas, loading zones, pedestrian crossings and street intersections (if any), and
- demonstrated adherence to the minimum clearances, property boundaries and line of sight outlined in these guidelines.

*Where possible the preferred location for seating in an outdoor dining area is away from the building shoreline. Alternative configurations can be considered based on their merit and the principals contained in the Outdoor Dining Policy and Guidelines. The merit assessment will also depend on the space available and other relevant constraints.*

### Operating Details

..... ♦  
The hours of operation  
cannot exceed the hours  
permitted under the  
current Development  
Consent for the operation  
of the associated  
business premises.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Opening Time							
Closing Time							

.....♦  
The applicant is responsible for seeking a liquor licence from the relevant authorities if alcohol is to be served in the approved area.

## Liquor Licensing

It is proposed to serve liquor within the outdoor dining area

Yes No *If no, proceed to the next section*

Liquor Licence number

Is the proposed area located within an alcohol-free zone?

Yes No

If yes, how will you control the licensed area from the alcohol-free zone?

.....♦  
See Councils Fees and Charges.

## Fees And Charges

Applications incur an application fee, payable on submission of this application. Annual permit fees are to be paid annually in advance and will be invoiced directly to the applicant on permit approval. Please refer to Council's Fees and Charges on our website. All fees are subject to change.

.....♦  
It is the applicant's responsibility to hold a valid Certificate of Currency for Public Liability Insurance with a minimum cover of \$20 million and with Penrith City Council listed as an Interested Party.

## Insurance Details

Name of insurer

Policy number Valid from to

Public liability limit \$

.....♦  
This policy must be kept current at all times.

Council is shown as an interested party in the policy

Yes No *If no, you must update your policy before submitting this application*

## Submission Checklist

Completed Outdoor Dining Application Form

A copy of your Public Liability Insurance Policy

Location Plan

Details and Images showing any furniture, umbrellas, heaters, barriers and the like

Outdoor Dining Adjoining Business Permission (if applicable)

Application fee payable on submission

## Declaration

I declare that all the information and material stated or supplied with this application is true and correct.

I declare all sections of the application have been completed and all information required, as outlined in the above checklist, has been supplied.

If granted approval, I agree to comply with all relevant conditions as detailed in this application, the permit and Penrith City Council's Outdoor Dining Policy and Guidelines.

I hereby indemnify Penrith City Council against all claims that may arise whether from negligence or otherwise as a result of the dining activities within the road reserve or public space at the location specified in this approval.

I am authorised to submit this application.

First name

Surname

Signature

Date

## Acceptance Of Application

Council will not process applications that are incomplete or non-complying with lodgement requirements. These applications will not be accepted or may be returned to applicants within 14 days.

## Lodgement Details

.....◆  
Faxed or photocopied applications will not be accepted.

Applicants are required to lodge the completed application form and associated documents to Penrith City Council, by one of the following methods;

Email: [council@penrithcity.nsw.gov.au](mailto:council@penrithcity.nsw.gov.au)

Post: PO Box 60 PENRITH NSW 2751

In person:

Penrith Civic Centre

601 High Street Penrith

St Marys Business Office

207-209 Queen St, St Marys

Marked Attention: Property Development

.....◆  
See Council's adopted fees and charges at [penrith.city](http://penrith.city). All fees subject to change

## Payment Method

Application fees can be paid by cash, cheque or credit card.

- cash, cheque or credit card payments can be paid in person
- cheque or credit card payments are accepted by post
- only credit card payments are accepted by email

### IMPORTANT

If you are emailing payment details, please include the Credit Card Authorisation Form as a separate attachment to your Application or any other information.

## Paying By Credit Card?

Please complete the Credit Card Authorisation Form located in the list of Downloadable Forms and ensure that you provide the full details of the purpose of your payment on this form.

If you are sending your payment by email, please ensure the Credit Card Authorisation Form is included in your email as a separate attachment to your Application or any other information.

**Please do not merge forms together.**

## Office Use Only

Fee applicable:      Yes      No

Application Fee Receipt Number

Date

Amount

### CONTACT US

# SUPPORTING DOCUMENTS OUTDOOR DINING ADJOINING BUSINESS PERMISSION

This Outdoor Dining Adjoining Business Permission gives the business owner the authority to conduct its business along the footpath frontage of any consenting adjoining business. This requires the written consent of all required adjoining business owners.

It is a requirement that this permission may be revoked at any time by the adjoining business owner without notice and any approval will automatically lapse on change of ownership of the adjoining business.

.....◆  
Must be completed  
by the outdoor dining  
permit applicant.

## Applicant Details

Australian Business Number (ABN)

Registered name of the business

Trading name of business

Business address

Street number

Street name

Suburb

Postcode

.....◆  
Must be completed by  
the adjoining business  
owner.

## Adjoining Business

I agree to provide the business owner referred to above with the authority to use my property's street frontage for the purpose of outdoor dining.

First name

Surname

Phone number

Email address

Adjoining Business Address

Business name

Street number

Street name

Suburb

Postcode

Total square metres to be used in front of my premises

Signature

Date

