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DX 29596 Chatswood  
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Email: email@willoughby.nsw.gov.au  
Web: www.willoughby.nsw.gov.au  
ABN 47 974 826 099



WILLOUGHBY CITY COUNCIL

## APPLICATION FOR FOOTWAY RESTAURANT LICENCE

### APPLICATION FOR:

Footway restaurant area – application to place cafe restaurant furniture on a footway

### SITE AND BUSINESS DETAILS

Name of business \_\_\_\_\_ ABN \_\_\_\_\_

Address of business (including shop number) \_\_\_\_\_

Name of Licensee \_\_\_\_\_

Address \_\_\_\_\_

Contact phone number/s \_\_\_\_\_

Development Consent number (for existing businesses) \_\_\_\_\_

Proposed duration of the Permit \_\_\_\_\_

### INSURANCE DETAILS (A certificate of currency for this insurance MUST be attached to this application)

Name of insurance company \_\_\_\_\_ Policy number \_\_\_\_\_

Period of insurance from: \_\_\_\_\_ to: \_\_\_\_\_

Limit of indemnity (at least \$10,000,000) \_\_\_\_\_

Name of policy holder \_\_\_\_\_

### INDEMNITY CLAUSE

I (name of applicant) \_\_\_\_\_ (referred to hereafter as the Licensee) holds Willoughby City Council (referred to hereafter as Council) harmless, and releases and indemnifies and keeps released and indemnified from and against all actions, suits, claims, demands, costs, charges and expenses from which Council, its servants, agents or employees may be held liable in respect of any loss, damage, accident or injury whatsoever nature or kind and however sustained or occasioned and whether to property or persons in the connection with the use of this public area and any work connected therewith pursuant to the Licence but exceeding such liability arising from any negligent act, default or omission on the part of Council, its servants, agents or employees either solely or contribution hereto.

Signed \_\_\_\_\_ Date \_\_\_\_\_

### FEES Payable on lodgement

Licence Application fee \$

Administration fee \$

(includes GST)

Annual rental is charged per square metre/per annum, GST inclusive. **Payable by Direct Debit only.**

Fees and charges are available on [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au) or phone (02) 9777 1000 for details.

Office Use Only: Application no. \_\_\_\_\_ Amount \$ \_\_\_\_\_ Receipt no. \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: A copy of the approved Licence must be kept on site to be viewed by Council Officers on request. Council Officers can request the temporary removal of structures if the applicant has not complied with Council policies, if the structure poses a threat to public safety, or in the event of a public event occurring.**

# CHECKLIST FOR FOOTWAY RESTAURANT AREA



**REFERENCE: Footway Restaurant Policy, Willoughby City Council**

**The following information must be submitted with your application**

- Application form and **appropriate fees.**
- Full colour photograph of shop frontage and proposed area to be used as footway restaurant area.
- Colour photographs (or colour brochure) showing details of ALL furniture and equipment to be used in the footway restaurant area.
- Colour detail of proposed advertising logos to be used within the footway restaurant area, including dimensions and positioning. Advertising must only be related to the footway restaurant.
- Site plan drawn to scale of 1:50 (A4 size) showing the following details:
  - From the edge of the kerb, the full width of the footpath to your shop boundary and extending at least 2 metres to either side of your shop
  - The use of the adjoining buildings/premises and names of those shops
  - The access points of your shop
  - The area (including dimensions) proposed to be used for the footway restaurant area
  - The proposed layout and positioning of all furniture, screens, umbrellas, etc
  - Any trees, planter boxes, post boxes, bus stops, sign posts, rubbish bins, telegraph poles, traffic signal boxes, fixed seating and any other obstructions
- Certificate of currency for public liability insurance (minimum \$10,000,000).
- A letter/s of consent from the adjacent tenant and landlord if you wish to operate in front of the adjacent property. This permission must be provided to Council annually or at any time the business or property ownership changes. If at any time permission from the adjacent proprietor or property owner is withdrawn or the premise becomes a food premises and the proprietor wished to operate a footway restaurant, Council permission for your use of the area will be revoked and you will be required to operate only in front of your own shop. Rental will be adjusted, however no compensation is payable for this reduction. Please attach letters of consent, if applicable.
- Liquor licence (if applicable).

**INSURANCE AND INDEMNITY**

A footway restaurant permit shall only be issued when a public liability insurance policy covering the use of the area is held by the permit holder. The minimum public liability insurance indemnity is \$10,000,000. You are required to submit a certificate of currency for your public liability insurance policy which notes Council's interest and extends the insurance cover to the use of the footway restaurant area.

**FOOTWAY RESTAURANT FURNITURE**

Please indicate the type of furniture and equipment proposed to be contained in the footway restaurant area and the proposed numbers of each item. This information must be provided for all applications, including renewals.

**NB - Full colour photographs of each item proposed must be included with the application.**

ITEM	NO OF EACH
Tables	
Chairs	
Umbrellas	
Dimensions	
Gas Heaters	
Cafe Screens	
Dimensions	
Planter Boxes	

**NB - Only items included in this application and subsequently approved by Council may be used in the footway restaurant area.**

**PROPOSED ITEMS TO BE SERVED IN THE FOOTWAY RESTAURANT AREA**

- Food and beverage (table service)
- Beverage only (table service)
- Take-away food and/or beverage (no table service)
- Alcoholic/intoxicating liquor to be sold
- BYO service

If alcoholic or intoxicating liquor is to be served, a copy of the liquor licence is to be provided with this application.

The use of take-away food containers within footway restaurants is discouraged. However, if take-away food and/or beverages are to be served, the applicant must provide details of adequate rubbish disposal facilities within the shop (NOT within the footway restaurant area) and must carry out regular litter patrols. All rubbish must be disposed of within the shop premises, not public waste bins.

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## DIRECT DEBIT APPLICATION

**NOTE: Council offers a Direct Debit facility for the payment of ongoing rents. However, direct debiting is not available on a full range of accounts, so if in doubt, please refer to your Financial Institution.**

**TO THE GENERAL MANAGER OF WILLOUGHBY CITY COUNCIL:**

**NOTE: A separate application is required for each property.**

I / We hereby make application to pay Permit Fees on my / our property by the Direct Debit System.

Name / s of Applicant \_\_\_\_\_

Address of property \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Payment is made (*please tick one box only*)  Annually  Quarterly  Monthly

I / We will advise the Council of the cancellation of this authority and will not hold the Council responsible for any action arising from my /our not doing so.

Signature / s \_\_\_\_\_

Date \_\_\_\_\_

**NOTE: To be signed by the owner personally or by the authorised officer of the company / business or other owner body. Company seal to be affixed where applicable.**

**REQUEST FOR DEBITING AMOUNTS TO ACCOUNTS BY THE DIRECT DEBIT SYSTEM**

**To the BANK Manager:**

Name of Bank / Financial Institution where Account is held \_\_\_\_\_

Address of Bank / Financial Institution \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Name / s of Account Holder (in full) \_\_\_\_\_

Company or Business Name (if applicable) \_\_\_\_\_

ABN (if applicable) \_\_\_\_\_

BSB Number \_\_\_\_\_ Account Number \_\_\_\_\_

I / We, the above named Account Holder, request you, until further notice in writing, to debit my / our account described above, amounts which Willoughby City Council (the User) (User ID No. 017761), may debit or charge me / us through the direct debit system.

I / We understand and acknowledge that:

- The Financial Institution may, in its absolute discretion, determine the order of priority of payment by it of moneys pursuant to this request or any authority or mandate.
- The Financial Institution may, in its absolute discretion, at any time by notice in writing to me / us, terminate this request as to future debits.
- The User (Willoughby City Council) may, by prior arrangement and advice to me / us, vary the amount or frequency of future debits.

Signature / s \_\_\_\_\_

(*If a Joint Account, all signatures may be required*)

Date \_\_\_\_\_