

Cook Shire Council

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Local Government Act 1993

Outdoor Dining

Local Law No. 24 (Commercial Use of Roads)

Application for a Commercial Use of Roads Licence

Contact Council if you have any specific enquiries regarding fees or how to complete this form. Type or print clearly and select boxes where applicable. Enter "n/a" if the question does not apply.

Application is for

New Licence Renewal of Licence (Licence No.: _____)

Applicant/s details

Title Mr Mrs Ms Miss Other (specify)

Family name
Given names
Position

Title Mr Mrs Ms Miss Other (specify)

Family name
Given names
Position

Indemnity

I / We acknowledge that any licence issued pursuant to this application shall be subject to the following conditions:

- a) the holder of the licence must take out a public liability insurance with the local government being endorsed as an insured party; and
- b) the public liability insurance policy referred to in paragraph (a) must be submitted to the local government prior to the carrying out of the activity; and
- c) the holder of the licence must enter into a binding agreement with the local government against claims (including claims made against the holder of the licence by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the licence; and
- d) if relevant - the holder of the licence must comply with the provisions of the *Health Act 1937*, the *Health Regulation 1996*, the *Food Act 2006* and the *Food Hygiene Regulation 1989*; and
- e) the holder of the licence must repair any damage caused to the road by the activity to the satisfaction of the local government, or pay to the local government the cost of the local government carrying out the repairs to the road;
- f) the holder of the licence must not adversely obstruct the movement of vehicles and pedestrians along the road; and
- g) the holder of the licence must ensure that the activity does not cause a nuisance to neighbouring residents; and
- h) the holder of the licence must ensure that the activity does not have an adverse effect on the amenity of the surrounding area; and
- i) the holder of the licence must not interfere with the existing services located in, or on or over a road.

I / We agree to abide by the conditions of the licence as set by Council.

Signature	Date <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Signature	Date <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Description of outdoor dining facilities

Area to be used for outdoor dining	m ²
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Proposed no. of chairs

No.	Materials	
Dimensions	width	height

Proposed no. of tables

No.	Materials	
Dimensions	width	height

Proposed shade structures (if any)

No.	Materials	
Dimensions	width	height

Proposed screens / bollards / landscape planter boxes (if any)

No.	Materials	
Dimensions	width	length

Method of storage / security of tables, chairs etc.

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Is decking proposed? No Yes

If yes, the area to be used:	m ²	Materials
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A copy of a Public Liability Insurance Policy, to the value of \$10,000,000; must accompany applications. The policy shall name the insured as 'the applicant for the Licence and the Council'.

Public liability insurance

Name of insurance company	
Name of insured	
Policy no.	Amount of cover \$
Policy expiry date	<input type="text"/> / <input type="text"/> / <input type="text"/>

Lodgement

Please attach the following:

1. A Site Plan drawn to scale not smaller than one to one hundred (1:100). The scope to extend:
 - from the kerb's edge, the full width of the footpath, to the frontage of the building; and
 - from within 2 metres of one adjoining premises, the full length of the property frontage, to within 2 metres beyond the other adjoining premises.The Site Plan shall show:
 - the boundaries of the site, the outline of buildings, and the use of adjoining buildings;
 - the area (including dimensions) intended to be used for outdoor dining (shown in red) and the location of all proposed outdoor dining facilities;
 - any trees, fire hydrants, transformers, telephone booths, mail boxes, bus seats and shelters, traffic signal boxes, fixed rubbish bins pillars and posts (supporting signs) and other obstructions.
2. A copy of your Public Liability Insurance Policy to the minimum \$ value required by Council. The public liability must indemnify the Council, in the prescribed form and manner, against all public liability claims arising from the operation of this business.
3. A copy of your registration under the *Food Regulation 2006*.
4. Photographs including:
 - A colour photograph of the site frontage and proposed area to be used for outdoor dining; and
 - A photograph (or brochure) detailing furniture, accessories and fittings intended to be placed on the footpath.

Please see attached information sheet for important notes relating to this application.

Please note: This application and fee MUST be lodged with your Council.

Privacy Statement

You are providing personal information which will be used only for the purpose of delivering services and carrying out Council activities or business specific to your enquiry, request, or application. Your personal information is defined, and handled in accordance with the *Information Privacy Act 2009* and will be accessed only by persons who have been authorised to do so. Your personal information will not be disseminated unless you have given us permission or the disclosure is required by law.

Office use only

G/L number: 3105-1000-0012

Application fee: Receipt number:

Date: Received by:

DWs #:

Application: approved refused

Authorised officer:

Comment:
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Date: