

Application to use public land for Footpath Activity / Outdoor Dining

Under Sections 125, 126, 138 and 139A of the *Roads Act 1993* and Sections 46 and 68 of the *Local Government Act 1993*.

About this form

1. Use this form to apply to use Public Land for the following activities and associated structures:

- **Outdoor Dining/footway restaurant:** the service of food and/ or drinks to seated patrons in relation to a restaurant, cafe or licensed premises; where approval is required under the Roads Act 1993 and/or the Local Government Act 1993; or
- **Footpath Activity/street vending:** where approval is required under the Roads Act 1993 and/or the Local Government Act 1993.

2. Outdoor Dining (footway restaurant): Food and drink need to be prepared in an appropriately approved / licensed premises immediately adjacent to the public land to which this application relates. The associated premises must have existing valid Development Consent to operate as a food premises, or confirmed as exempt development, and / or a licence under the *Liquor Act 2007* (if applicable) prior to an approval for use of public land being granted.

3. Footpath Activity (street vending): Street vending activity needs to be located in front of, or in close proximity (in a space approved by Council) to an associated premises which is lawful and approved. The associated premises must have existing valid Development Consent, or be confirmed as Exempt Development.

4. This form is an application only, not an approval.

5. Application fees are payable on submission of this application as specified in Council's Management Plan.

6. Rental fees are applicable and public liability insurance is required

How to complete this form

1. Please refer to the applicable policies before making an application.

These are:

- Outdoor Dining Policy (Amended version, effective 6 January 2010);
- Footpath Activity Controls – Council Policy (adopted 1 February 2011, effective 1 March 2011).

These policies can be found and are available for download at:

<http://www.ryde.nsw.gov.au>

2. Ensure that all parts of the form have been filled out correctly.

3. Once completed you can submit this form by mail or in person. Please refer to the Lodgement details section in Part 5 for further information.

4. Please indicate the application type below:

New Application

Renewal

Change of Ownership

Part 1: Applicant Details

Title: _____ Given Name/s: _____

Family Name: _____

Business/Company Name: _____

Postal Address (include Street Number or PO Box, Street, Suburb and Postcode)

Telephone Numbers

Home: _____

Business: _____

Mobile: _____

Email Address: _____

Part 2: Application Details

To enable Council to assess this application you must:

For both Outdoor Dining and Footpath Activity - Street Vending Proposals:

- attach an accurate site plan of the proposed dining/street vending area including furniture /structure placement, location of shop entry;
- attach photos of the proposed seating area that show clearly the proposed site relative to buildings and other existing features on the footpath (ie: trees, bus stops, sign posts, other street furniture, sign posts, etc);
- attach photos / diagrams of the proposed furniture and/or structures to be used.

1. Name of the Premises _____

2. Street Address (include Street Number, Street and Suburb) _____

3. Lot No: _____ Deposited Plan: _____

Next Step:

Outdoor Dining Proposals: Go to Question 4 (next page). ►

Footpath Activity (Street Vending) Proposals: Go to Question 5 (page 4). ►

4. For Outdoor Dining proposals:

Is there a current Development Application / Consent to operate a food / licensed premises at this address?

No = You must have development consent to operate as a food / licensed premises.

Yes = Please provide details of the approved or pending development application:

Development Approval Number: _____

Date Determined (if available): _____

5. Is the proposed outdoor dining an exempt development? If not, you need to contact Customer Service staff on 99528222 for further information on how to lodge a development application.

6. Proposed number of chairs and tables to be used for outdoor dining

Number of Chairs: _____ Number of tables: _____

Type of furniture to be placed on public land (tick box for Yes):

Chairs Couches Dining tables Coffee tables Other
No _____ No _____ No _____ No _____ No _____

Please provide dimensions of the relevant furniture. If 'Other' is selected, please also provide a description of the furniture (or attach product brochures and specifications):

7. Total proposed area in square metres for outdoor dining (4 sqm minimum for the purposes of fee calculation): _____

8. Proposed hours of operation:

9. Associated structures to be used for outdoor dining:

Barriers Plants Heaters Umbrellas Menu Board Other
No _____ No _____ No _____ No _____ No _____ No _____

Please provide dimensions of the structures. If 'Other' is selected, please also provide a description of the structure:

10. Please state the number of toilet facilities available at the adjacent food premises in the table below.

Type	Male	Female	Accessible/Disabled
Hand Basin			
Toilet / WC			
Urinals		N/A	N/A

Next Step: Now go to Part 3 (page 5) ►

5. For Footpath Activity (Street Vending) proposals:

Is there a current Development Application / Consent to operate an associated retail/commercial/industrial premises at this address?

No = You must have development consent to operate a retail/commercial/industrial a food / licensed premises.

Yes = Please provide details of the approved or pending development application:

Development Approval Number: _____

Date Determined (if available): _____

5. Is the proposed outdoor dining an exempt development? If not, you need to contact Customer Service staff on 9952 8222 for further information on how to lodge a development application.

6. Proposed number of structures to be used for street vending

Total Number of structures: _____

Breakdown by type: Type of furniture to be placed on public land:

Barrels Boxes Shelves Racks Table Booth Other
No _____ No _____ No _____ No _____ No _____ No _____ No _____

Please provide dimensions of the structures. If 'Other' is selected, please also provide a description of the structure (attach product brochures and product specifications where possible):

7. Total proposed area in square metres for street vending: _____

Display size for fee calculation: (refer Fees and Charges)

Full Display: over 3m²

Half Display: up to 3m²

Single table only: up to 1.25m²

8. Proposed hours of operation: _____

Next Step: Now go to Part 3 (next page) ►

**Part 3: Previous Approval for Outdoor Dining OR
Approval for Footpath Activity – Associated Premises**

Name of the Premises: _____

Street Address: _____

Area (square metre): _____

Date of Approval: _____ Date of Termination: _____

Reasons why approval lapsed: _____

Comment: _____

Part 4: Checklist and Applicant Declaration

Please ensure the checklist below has been completed and the required supporting documentation is attached to this application.

A Development Consent - adjoining food / licensed premises (for Outdoor Dining application) OR adjoining retail/commercial/industrial premises (for Footpath Activity application)

Is there a DA for the existing premises?

Yes No

Please ensure DA number is stated in Part 2

B Development Consent - use of public land

Is the proposed outdoor dining/street vending (footpath Activity) an exempt development?

Yes No

If the answer is No, please contact Customer Service Officer on 9952 8222 for further information on how to lodge a development application.

C Documentation - please ensure the following are included with your application

- Public Liability Insurance Certificate of Currency for a minimum of \$20 Million with the City of Ryde Council named on the Certificate
- Photos of the proposed area, indicating any trees, bus stops, etc
- Photos / diagrams of proposed furniture / structures
- Site plan including dimensions indicating the proposed area and seating / furniture layout and showing the adjacent food premises.

D Declaration

- I declare that the information provided on this form is accurate, complete and correct.
- I have attached all supporting documentation indicated above.
- I will comply with all conditions imposed by the City of Ryde in relation to this application.
- I have read and understood all conditions for use of public land for:
 - outdoor dining purposes in the Outdoor Dining Policy (adopted Nov 2009) and the Conditions of Approval attached to this application;
 - footpath activity/street vending in the Footpath Activity Controls – Council Policy and the Conditions of Approval attached to this application
- I understand that this is an application, and use of the proposed outdoor dining area/footpath activity area is not permitted until approval of this application by Council.

Applicant Name

Applicant Signature

Date

Part 5: Lodgement Details

You can lodge the completed application by:

MAIL: City of Ryde, Locked Bag 2069, North Ryde NSW 1670

IN PERSON: Customer Service Centre, Ground Floor, 1 Devlin Street, Ryde

WHAT HAPPENS NOW:

1. After your application has been received, a Council Officer will contact you to discuss your request.
2. Once the application has been approved, a Letter of Offer will be issued by Council.
3. After approval you need to provide a security deposit equivalent to six months rental to Council together with the first month rental fee.
4. Council will then provide the Approval Notice within 7 days, which must be displayed in a prominent position on the premises.

For further information regarding your application please contact us by:

TELEPHONE: (02) 9952 8073 or email: propertyofficers@ryde.nsw.gov.au