

## Footpath/Outdoor Dining Licence Application

Please complete this application in BLOCK LETTERS and tick or fill in boxes where applicable. If a question does not apply, please indicate 'N/A'.

### Section 1 – Application Type (Please refer to Council's current Fees & Charges for applicable fees)

Licence Type	<input type="checkbox"/> New Licence Application Fee (Once only fee – not refundable) <input type="checkbox"/> Licence Transfer (Please refer to Section 3)
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### Section 2 – Applicant Details

Applicant Name			
Business Name			
Postal Address			
Contact Phone	B	H	M
Email Address			

### Section 3 – Transfer Authority (If transferring a current licence)

Licencee Name	
Business Name	
Dining Area	
Property Address	

Agreement of Current Licence holder – I hereby authorise the applicant to transfer this Footpath Dining licence into their name as detailed in the 'Applicant Details'.

Signature		Date	
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**Correspondence:** Chief Executive Officer, Whitsunday Regional Council, PO Box 104, Proserpine, QLD 4800  
 P: 1300 WRC QLD (1300 972 753) F: (07) 4945 0222 E: [info@whitsundayrc.qld.gov.au](mailto:info@whitsundayrc.qld.gov.au) [www.whitsundayrc.qld.gov.au](http://www.whitsundayrc.qld.gov.au)

**Bowen**  
Cnr Herbert & Powell Streets  
Bowen QLD 4805

**Proserpine**  
83-85 Main Street  
Proserpine QLD 4800

**Collinsville**  
Cnr Stanley & Conway Streets  
Collinsville QLD 4804

**Cannonvale**  
Shop 23, Whitsunday Plaza  
Shute Harbour Road, Cannonvale QLD 4802

#### Section 4 – Site Location of Business

Business Name			
Property Address			
Property Description	Lot		Plan
Contact Person			
Contact Phone	B	H	M
Email Address			

#### Section 5 – Property Owner Consent

Owner Name			
Postal Address			
Contact Phone	B	H	M
Email Address			

I/We being the owner/s of the property described in this application, hereby consent the abovementioned applicant making an application for Footpath Dining in front of my premises.

Property Owner Signature		Date	
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## Section 6 – Description of Outdoor Dining Facilities

Are these premises registered as a takeaway/café/restaurant under provisions of the Food Hygiene Regulations Act 1989?

☐ Yes

☐ No

Total area footpath to be used for dining

m<sup>2</sup>

Proposed shade structures

No.

Materials

Proposed screens/bollards

No.

Materials

Proposed landscape/planter boxes

No.

Materials

Method of storage/security of tables, chairs etc.

Total Amount of Equipment

Tables

Chairs

## Section 7 – Applicant Agreement with Local Government

Surname

Given Name

I acknowledge that any licence issued pursuant to this application shall be in accordance with the following conditions:

- a) The licence holder shall, at all times, keep indemnified the Council, its members, officers, employees and agents from all actions, suits, proceedings, claims, demands, losses, costs, charges and expenses which may be taken against, made on, or suffered by it or any of them directly or indirectly on account of or in respect of or arising out of any act, matter or thing done or omitted to be done by the licence holder or its agents or employees or any of them in connection with any activity carried out or supporting to be carried out under the permit or in observance, fulfilment, non-observance, or non-fulfilment or any condition of the licence;
- b) The holder of the licence must take out a public liability insurance policy to the value of TWENTY MILLION DOLLARS (\$20,000,000.00) with the Local Government being endorsed as an interested party;

Signature

Date

## Section 8 – Proof of Public Liability

NOTE: A copy of your Public Liability Insurance Policy must be attached to this completed application.

Name of Insurance Company	
Expiry Date:	

## Section 9 – Supporting Documentation

A site plan to a scale of 1:100 is required to be attached to this application. The scope which extends;

- a) From the kerb's edge, the full width of the footpath, to the frontage of the building; and
- b) From within two (2) metres of one adjoining premises, the full length of the property frontage, and within two (2) metres beyond the other adjoining premises.

The site plan shall show;

- a) The boundaries of the site, the outline of the buildings and the use of the adjoining buildings;
- b) The area (including dimensions) intended to be used for outdoor dining (shown in red) and the location of all proposed outdoor dining facilities; and
- c) The square metres of Council land to be utilised for Dining on Footpath; and
- d) Any trees, fire hydrants, transformers, telephone booths, mail boxes, bus seats and shelters, traffic signal boxes, fixed rubbish bins, pillars and posts (supporting signs or other objects) and other obstructions.

## Section 10 – Application Lodgement

On completion of this application, please forward the original application together with the required supporting documentation and application fee to Whitsunday Regional Council.

Whitsunday Regional Council Local Law No. 1 (Administration) 2014; requires that this application must include or be accompanied by:

- a) Details of other approvals, licences or permits required under another law.
- b) Details of any promotional or advertising material intended to be used in connection with the activity.
- c) Details about any procedures which will be taken to ensure that the amenity of the surrounding area will not be adversely affected.
- d) Details about any procedures which will be taken to ensure that the activity will not cause a nuisance to neighbouring residents.
- e) Plans of any temporary structures that will be placed on the road, and
- f) If relevant, details about procedures which will be taken to ensure that the activity does not significantly detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare.

## Section 11 – How to Pay

In Person	Payment can be made at Council's Customer Service Centres in Proserpine, Cannonvale, Bowen & Collinsville by cash, cheque, money order or credit card. EFTPOS facilities are available.
By Mail	Mail the entire notice together with your Cheque or Money Order, payable to: <b>Whitsunday Regional Council</b> <b>PO Box 104</b> <b>Proserpine QLD 4800</b>

Please note, commencing 1 August 2020, Council will only be accepting Mastercard and Visa cards. A surcharge of 0.5% will be incurred per transaction.

## Indemnity Agreement

Agreement with Local Government, indemnifying the State Government against claims for personal injury and damage to property in connection with the Licence.

### Section 12 – Applicant/Indemnifier Details

Name			
Postal Address			
Business Address			
Contact Phone	B	H	M
Email Address			

### Section 13 – Agreement

I, the proposed holder of a licence under Whitsunday Regional Council Local Law No. 1 (Administration) 2014, agree to enter into this binding agreement with Whitsunday Regional Council, indemnifying the State Government against claims against the holder of the licence for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the licence.

Signature		Date	
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### Section 14 – Witness of Applicant/ Indemnifier's Signature

Witness Name			
Signature		Date	

### Section 15 – Privacy Statement

Privacy Statement Your information is being collected for the purpose of processing your application. Your information is handled in accordance with the Information Privacy Act 2009 and will be accessed by persons who have been authorised to do so. Your information will not be given to any other person or agency unless you have given Council permission to or the disclosure is required by law.