

## Activity Application Request for Transfer of Footway Restaurant Approval (on Sale/Purchase of Business)

<b>Details of New Owner</b>			
NAME OF APPLICANT ( <i>Business Owner</i> ):			
APPLICANT POSTAL ADDRESS ( <i>All correspondence sent to this address</i> )			
		State	P/Code
<b>Details of Business</b>			
BUSINESS NAME:			
		ABN	
BUSINESS ADDRESS:			
		State	P/Code
LEGAL ADDRESS:	Lot/s	DP/s	
<b>CONTACT DETAILS:</b>			
Daytime Telephone		Fax	
Email Address			
<b>APPLICANT SIGNATURE(s):</b>			
.....			Date: .....

<b>Please Attach Information Requested below</b>	
<b>** APPROVAL WILL NOT BE TRANSFERRED IF THIS INFORMATION IS NOT PROVIDED **</b>	
<input type="checkbox"/>	Copy of Current Public Liability Insurance Cover (minimum \$20m) ( <i>Noting Name of Insured, Property of Insured, Insurance Cover and commencement and expiry date of Insurance Cover</i> )
<input type="checkbox"/>	Completed and Signed Indemnity Form (attached)
<input type="checkbox"/>	Location Plan drawn to scale showing location of tables and chairs (Council may have plan on file)
Outdoor Dining Area ..... m <sup>2</sup>	
If Council is notified of sale of business within 1 month of the sale – the approval can be transferred with <b>no application fee to apply</b> .	
Council will forward a letter annually requesting advice as to whether you wish to renew the outdoor dining approval for the next financial year. Once advice has been received the application will be either cancelled, or an invoice will be forwarded for payment for that current year, together with a request for new signed Indemnity, updated Public Liability details and plan (if amended).	

<b>Fee Payable (Office Use Only)</b>				AncillApps>OutDine
Amount	N/A	Receipt No	Receipt Date	ACT No

**Privacy Advice**

The personal information collected on this form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIPA). Clarence Valley Council (CVC) will only use this information in accordance with the PPIPA.

**The supply of this information by you is voluntary. However,** if you cannot provide or do not wish to provide the information sought, CVC may be limited in dealing with your request.

You may make application for access or amendment to your personal information held by CVC. CVC will consider any such application in accordance with the PPIPA. CVC is to be regarded as the agency that holds the information.

# INDEMNITY

**IN CONSIDERATION** of **Clarence Valley Council** (*“the Council”*) consenting to

Name of Applicant: \_\_\_\_\_ (*“the Business Owner”*)

Trading as: \_\_\_\_\_

of \_\_\_\_\_  
(*business address*)

using part of \_\_\_\_\_

footpath/road reserve for outdoor dining purposes:

1. The business owner hereby indemnifies and agrees to keep indemnified the Council against all actions, liabilities, suits, proceedings, demands, claims, costs, fines, fees and expenses suffered or incurred by Council as a result of
  - (a) any injury, loss or damage sustained by any member of the public or by the occupier or by any employee, servant or agent of the occupier where such injury, loss or damage is caused by, or as a result of,
    - (i) the use of the footpath/road reserve for outdoor dining purposes, or
    - (ii) anything placed or brought on to the footpath/road reserve,by the business owner or by any employee, servant or agent of the business owner, or
  - (b) any damage to the footpath/road reserve caused by its use for outdoor dining purposes.
2. The business owner shall effect public liability insurance for an amount of not less than \$20 million and shall produce evidence of that policy to Council, by way of a Certificate of Currency for Public Liability Insurance or a copy of the policy stating that payment is made monthly, if requested by a Council officer during the term of the approval.

**SIGNED** by the Business Owner on the \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_\_  
(*Insert date*)

\_\_\_\_\_  
**Business Owner** (*Please print*)

\_\_\_\_\_  
**Witness** (*Please print*)

\_\_\_\_\_  
**Business Owner Signature**

\_\_\_\_\_  
**Witness Signature**

\_\_\_\_\_  
**Business Owner** (*Please print*)

\_\_\_\_\_  
**Witness** (*Please print*)

\_\_\_\_\_  
**Business Owner Signature**

\_\_\_\_\_  
**Witness Signature**