

## Activity Application For Footway Restaurant (Outdoor Dining) Approval (Under Section 125 of the Roads Act 1993)

Details of Applicant				
NAME OF APPLICANT ( <i>Business Owner</i> ):				
APPLICANT POSTAL ADDRESS ( <i>All correspondence sent to this address</i> )				
	State		P/Code	
Details of Business				
BUSINESS NAME:				
			ABN	
BUSINESS ADDRESS:				
			State	P/Code
LEGAL ADDRESS:	Lot/s		DP/s	
CONTACT DETAILS:				
Daytime Telephone		Fax		
Email Address				
APPLICANT SIGNATURE(s):				
<p>.....</p> <p style="text-align: right;">Date: .....</p>				

Please Attach Information Requested below	
<b>** APPLICATION WILL NOT BE PROCESSED IF THIS INFORMATION IS NOT PROVIDED **</b>	
<input type="checkbox"/> Provide a Copy of Certificate of Currency for Public Liability ( <i>Important: Ask your Insurer to include in the <b>Interests Noted</b> section of the policy- Clarence Valley Council's respective rights and interests for <b>outdoor dining permits</b>. Your policy must include Property of Insured, Insurance Cover of not less than <b>\$20M</b>, 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)	
<input type="checkbox"/> Outdoor Dining Area ..... m <sup>2</sup>	
<input type="checkbox"/> Application fee \$103.80 (2020/21)	
Invoice for the current year will be forwarded once approval is given	
<i>(Annual Fee: \$44.15 per m<sup>2</sup> - Grafton, Yamba, Maclean, Iluka and South Grafton; \$25.40 per m<sup>2</sup> for other areas, applies)</i>	

Fee Payable 2020/21 (Office Use Only)					AncillApps>OutDine
<b>Amount</b>	<b>\$103.80</b>	<b>Receipt No</b>	<b>Receipt Date</b>	<b>ACT No</b>	

**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: \_\_\_\_\_

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

of \_\_\_\_\_ (“the occupier”)  
*(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.
3. Council accepts no responsibility or liability for any interruption to business caused by the need for Council or any other Authority to carry out any type of maintenance works on the footway area or any other interruption to the occupier howsoever caused.

**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**