

Outdoor Dining Area Approval Application 22/23



Section 125 Roads Act 1993

If you need help lodging your form, contact us		
Email	council@northernbeaches.nsw.gov.au	
Phone	1300 434 434	
Customer Service Centres	Manly Town Hall, 1 Belgrave Street Manly NSW 2095	Dee Why Civic Centre, 725 Pittwater Road Dee Why NSW 2099
	Mona Vale 1 Park Street Mona Vale NSW 2103	Avalon 59A Old Barrenjoey Road Avalon Beach NSW 2107

Office use only	
Form ID	4066
TRIM Ref.	
Last updated	June 2022
Business unit	Property
Application no.	
Receipt no.	

Privacy Protection Notice	
Purpose of collection	For Council to provide services to the community
Intended recipients	Northern Beaches Council staff
Supply	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek
Access/Correction	Please contact Customer Service on 1300 434 434 to access or correct your personal information

Please tick one:		
New Application	Renewal of Approval	Change of business operator
New Business operator start date		

Part 2: Applicant Details

Premises Name			
Premises Address			Postcode
Registered Business Entity Name		ABN	
Applicant Name			
Postal Address*			Postcode
Phone			
Mobile			
Email*			

* A postal address and email address must be provided. Correspondence will be via email when possible.

Part 2: Development Consent Details

Northern Beaches Council Development Consent Details:			
DA Number		Date of Approval	

Part 3: Toilet Facility Details

Please state the current number of toilet facilities at your premises:					
Male	No.	Female	No.	Disabled	No.
Hand Basin		Hand Basin		Hand Basin	
WC		WC		WC	
Urinal					

Part 4: Seating Details

All premises must comply with the provisions of the Building Code of Australia, 1996 as amended. The maximum number of chairs to be used within the Outdoor Dining Area is to be specified at the time of application and again at any subsequent renewal.			
Number of existing tables inside Restaurant			
Number of existing chairs inside Restaurant			
Area of Proposed Outdoor Dining Area (sq metres)			
Number of proposed tables			
Number of proposed chairs			
Other Items - NB All intended items must be declared here in order to be assessed for Approval			
Applicant's Signature		Date	

Part 5: Application Details

Please read through the following application details.
A location plan drawn to scale (min 1:50) is to be attached to this Application Form. The plan is to show the area required for the Approval. The distance to any structure or object in or adjacent to the area is to be a minimum of 2 metres (2.5 metres on a Classified Road). Measurements are to be shown on the location plan for all of the above matters. Location and number of proposed tables and chairs must also be shown.
Special attention is to be given to avoid the obstruction of pedestrian thoroughfares (a minimum clearance of 2 metres is required to any object in the vicinity of the Approved area) and, in plaza areas, ensuring that access corridors for emergency vehicles are kept clear. Approved areas in Rialto Square must place furniture within the paved area specifically designed for outdoor seating.
A photo/brochure nominating the proposed design of the tables and chairs must be attached to the Application Form. NB: Chairs made entirely from PVC will not be accepted.

Part 5: Application Details Continued

Please read through the following application details.						
An application fee (as per attached Schedule of Fees & Charges) is to be paid when submitting the Application Form. The application fee is not refundable if the application is unsuccessful.						
A Bond is to be paid by the applicant at the commencement of the use of the Outdoor Dining Area (as per attached Schedule of Fees & Charges).						
A copy of Product & Public Liability insurance to the value of at least \$20 million is to be attached to this application. If the Approval is granted the policy will require endorsement noting Northern Beaches Council's respective rights and interests and indemnifying Northern Beaches Council for the Approved area. A copy of the revised policy is to be attached to the Approval Agreement upon execution.						
All such Approvals are subject to consent by Council. Reports on such proposals incorporate the views of all Divisional Directors and have regard to Council's Management Plan in respect of the area involved. A minimum of four weeks is required to determine the application.						
Approvals are granted only to restaurants/cafes which supply table service and are willing to extend such table service to the Outdoor Dining Area, including china plates, cutlery, glassware etc (no disposable materials).						
The Licensee will not sell or serve or permit to be sold or served any alcoholic or intoxicating liquor in or from the licensed area except, where Council has granted specific approval and an appropriate liquor Licence has been obtained from the relevant Licensing Authorities. Alcohol can only be sold ancillary to a meal in the outdoor dining area. This provision shall apply as a covenant between the Licensee and Northern Beaches Council despite any provision of the Liquor Act, 1982 (as amended) which may permit the sale of alcoholic beverages to a person without consumption of a meal (eg a Dine or Drink Licence).						
The Proprietor shall not permit any patron or other person to smoke on any part of the Approved Area and shall ensure that, at all times, notices advising that smoking is prohibited are prominently displayed on each table.						
Approval occupation fees currently charged are based on the number of square metres used in the Outdoor Dining Area and the proximity of the area to the Town Centre. Fees are set in accordance with Council's annual Fees and Charges. All occupation fees for Approvals must be payable quarterly in advance.						
All new Approvals granted by Council will be subject to a six months trial with automatic continuation if no objections or other problems arise, but if objections are raised or problems arise, Council at its absolute discretion shall determine whether the Approval should be continued.						
What are your approved trading hours?						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
The hours of operation of the Outdoor Dining Area shall generally be restricted to the hours of 7am to 10pm Monday to Sunday. If hours of operation have been granted to the premises under a Development Application, they should not exceed the hours of operation stated in the Development Consent for the restaurant. If no hours are stipulated in the Development Consent the operation of the outdoor dining area shall be in accordance with those set out in SEPP (Exempt & Complying Development Codes) 2008, Schedule 8, part 4, Clause 21("the procedure hours").						
I hereby apply for an Outdoor Dining Area Approval under Section 125 of the Roads Act 1993 for a period of three years, and undertake to comply with the terms of any Approval that may be granted.						
Applicant's Signature			Date			
Applicant's Name						
OFFICE USE ONLY:						
Fee Paid (no GST):			Receipt No:			
Customer Service Officer:			Date:			

Part 6: Applicant's Checklist

Complete this Checklist to ensure you have completed all the necessary parts of your application						
Have you submitted an application fee with this form? Note: The application fee is not refundable if the application is unsuccessful.					Yes	No
Have you attached a location plan to scale showing : a) All measurements b) Number of existing tables and chairs c) All other fixtures i.e. umbrellas, heaters					Yes	No
Have you attached photos/brochures of the tables and chairs you intend to use in the Outdoor Dining Area?					Yes	No
Is your Product & Public Liability Insurance Cover current and to the value of \$20 million (or such higher amount as the Council/RTA may require from time to time)?					Yes	No
Does your plan allow for the minimum clearance requirements? See Clause 1.					Yes	No
Do you currently supply table service?					Yes	No
Are you willing to extend such table service to the Outdoor Dining Area?					Yes	No
Does your premises comply with the requirements of the Building Code of Australia, 1996 as amended?					Yes	No
Have you provided your Development Consent details on Pg 1 of this form?					Yes	No
Are you intending to sell or serve any alcoholic or intoxicating liquor in or from the area?					Yes	No
If yes, what are your licensed hours? Complete the table below.						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

Part 7: Schedule of Fees & Charges 2022/2023 - Outdoor Dining Areas

Location	Fee per square metre, per annum (No GST)
Minimum annual usage fee for outdoor dining approvals	\$500.00
PW - Palm Beach	\$345.00
PW - Avalon	\$375.00
PW - Newport	\$350.00
PW - Mona Vale	\$375.00
PW - North Narrabeen	\$295.00
PW - Warriewood	\$295.00
PW - Whale Beach	\$290.00
WS - Collaroy - Other Area	\$255.00
WS - Collaroy - Pittwater Road Strip	\$405.00
WS - Dee Why Other Areas	\$440.00
WS - Dee Why Beachfront (The Strand)	\$745.00
WS - Forestville Shopping Centre	\$430.00
WS - Freshwater	\$480.00
WS - Narrabeen	\$415.00
WS - North Balgowlah	\$320.00

Part 7: Schedule of Fees & Charges 2022/2023 - Outdoor Dining Areas Continued

Location	Fee per square metre, per annum (No GST)
WS - Brookvale	\$320.00
WS - Frenchs Forest	\$320.00
WS - Narraweena	\$320.00
WS - Curl Curl	\$275.00
WS - Queenscliff	\$275.00
MC - The Corso (between Darley Rd & Nth Steyne incl cnr Sydney Rd)	\$1,275.00
MC - South Steyne (The Corso - Wentworth)	\$1,275.00
MC - The Corso (between East Esp & Darley Rd)	\$840.00
MC - North Steyne (Corso-Raglan)	\$765.00
MC - Market Lane	\$765.00
MC - Sydney Road Plaza	\$765.00
MC - Rialto Square	\$765.00
MC - Short Street Plaza	\$765.00
MC - Raglan Street	\$685.00
MC - Darley Road (The Corso & Wentworth St)	\$705.00
MC - North Steyne (north of Raglan & south of Carlton St)	\$705.00
MC - South Steyne (south of Wentworth)	\$705.00
MC - North Steyne (north of Carlton St)	\$630.00
MC - Victoria Parade (all incl crn South Steyne)	\$630.00
MC - Wentworth Street (South Steyne - Darley Rd)	\$630.00
MC - Darley Road	\$630.00
MC - Marine Parade	\$630.00
MC - Belgrave Street	\$630.00
MC - Whistler Street	\$630.00
MC - Beatrice Street, Balgowlah Heights	\$393.00
MC - Sydney Road Seaforth, Fairlight and all other local shopping strips	\$393.00
MC - Pittwater Road	\$465.00
Unspecified Other Areas	\$255.00
Initial Application Fee (Non-refundable)	\$450.00
Initial Approval Fee (to be paid if successful in your application)	\$200.00
Renewal/New Owner Transfer Fee	\$285.00
Bonds - Security & Performance (refundable - to be paid for each approval)	3 months approval usage fee
Late Payment Fee	\$110.00

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ACCORDING TO PROCEDURES**

Credit Card Details			
Please charge my	<input type="radio"/> Mastercard	<input type="radio"/> Visa	<input type="radio"/> American Express
Amount	\$		

Name as appears on card														
Card Number														
Expiry Date														

Signature													
Daytime Phone Number													
Date													

Please note: Payment card surcharge of 0.5% applies

Office Use Only														
Application No.														

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ACCORDING TO PROCEDURES**