



# Application to Modify Outdoor Dining Application

Section 125, Roads Act 1993 & Section 68 Local Government Act 1993 No:.....

818 Pacific Highway, Gordon NSW 2072 / Locked Bag 1006, Gordon NSW 2072  
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## About this form

Use this form to apply for consent to:

**Modify an approved outdoor dining area - Council Footway/Plaza/Park**

## Documentation

Our guide explains which plans and other documents you must provide with this application.

## Lodgement & fees

Please follow the instructions on Page 5.

## Any questions?

Phone Customer Services on (02)9424 0000, or call in to Council (see Page 5)

## 1. Applicant name, address and contact details

Title: Mr  Mrs  Ms  Other

Name: .....  
Surname Given Names

Company name: .....

ABN: .....

Postal address: .....

.....Post code: .....

Phone (B) (...)..... Mobile phone .....

E-mail .....

## 2. Current Approval Number

Approval Number: OD ...../.....

Expiry Date: .....

## 3. Hours of Use

Day Only From \_\_\_\_\_ am to \_\_\_\_\_ pm

Day & Evening From \_\_\_\_\_ am to \_\_\_\_\_ pm

Weekdays Only From \_\_\_\_\_ am to \_\_\_\_\_ pm

Weekends Only From \_\_\_\_\_ am to \_\_\_\_\_ pm

7 days From \_\_\_\_\_ am to \_\_\_\_\_ pm

#### 4. Public Liability

A copy of your Public Indemnity Insurance policy must accompany this application (minimum cover \$10 million for any claim. Council shall be named on the policy indemnifying it against claims.

#### 5. Location Plan

Scale 1:100. Attach plan if insufficient space provided.

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#### 6. Outdoor Dining / Display Goods

Proposed Furniture	No. of items	Dimensions	Material
Tables			
Chairs			
Umbrellas			
Heaters			
Display Stands			
Other			

#### 7. Outdoor Dining

No. of patrons & staff: Internal \_\_\_\_\_ External \_\_\_\_\_ Staff \_\_\_\_\_

## 8. Toilet Facilities

Toilet facilities provided within premises	Water Closet	Wash Hand Basin	Urinal
Male			
Female			
Disabled / Unisex			

(See note at end of application form)

## 9. Type of Service

- Full Service
  Self Service Tables

Only Restaurant/Cafes which intend to clear tables after use will be approved. Traditional 'Take away' will be assessed if table service is provided and disposal of waste on the premises is provided.

## 10. Service Pits Access rights

The applicant agrees that they will provide unlimited access to service pits to relevant authorities.

Applicant's Signature: ..... Date: .....

## 11. Signatures

### The owner(s) of the land where works are to be undertaken.

If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the Department of Land and Water Conservation must sign the application.

As the owner(s) of the above property, I/we consent to this application:

Further, we waive the requirements of Section 193 of the Local Government Act 1993 regarding notice of entry by Council and instead consent to Ku-ring-gai Council's authorised person entering the premises, without first giving notice, for the purpose of carrying out all or any inspections which it may deem necessary and appropriate in connection with the assessment, processing and determination of this Application for the property and in connection with any inspections required.

Signature	Signature
Name	Name
Date	Date
Address of owner if not the same as applicant	

### The applicant or the applicant's agent must sign the application.

Signature	In what capacity are you signing if you are not the applicant
Name, if you are not the applicant	Date

## 12. Privacy policy

The information you provide in this application will enable your application to be assessed by the consent authority and any relevant state agency. If the information is not provided, your application may not be accepted. The application will also be kept in a register by the council that can be viewed by the public at any time. Please contact the council if the information you have provided in your application is incorrect or changes.

## 13. Applicant's Declaration

*If the applicant is a company or owner's association, this section must be signed in accordance with s127 of the Corporations Act 2001.*

I, .....apply for consent to carry out the works described in this application. I declare that all the information supplied is true and correct. I also understand that:

- if incomplete, the application will not be accepted, and that
- more information may be requested to enable the proper consideration of the application.

Applicant Signature: ..... Date: .....

## 14. Note:

### Sanitary Requirements

- Where the number of patrons and staff exceeds 20, sanitary facilities in accordance with the table below must be provided.
- Should additional facilities be required, a Development Application must be lodged with Council for consideration and approval granted before the facilities are installed.
- Approval for outdoor dining will not be issued until these facilities are provided.
- Access to toilets shall not be through any food preparation or storage areas.
- Wash hand basins shall be supplied with an adequate supply of warm water at 40°C through a common spout, a supply of soap and single use toweling.

### Sanitary Facilities

<b>Male</b>	1 WC per 100 patrons 1 Urinal per 50 patrons	1 wash hand basin per 50 patrons
<b>Female</b>	1 WC per 25 patrons 2 WC per 50 patrons 1 WC per additional 50 patrons.	1 wash hand basin per 50 patrons
<b>Disabled</b>	1 Wheelchair accessible WC and handbasin.	

## 15. How to lodge this application:

Lodge the application by either of the following methods:

### Post

General Manager  
Ku-ring-gai Council  
Locked Bag 1056  
Pymble NSW 2073

### Courier or personal delivery

Council Chambers  
818 Pacific Highway  
Gordon NSW 2072

### Contacting Council:

**Phone:** (02) 9424 0000  
**Fax:** (02) 9424 0001  
**Email:** [kmc@kmc.nsw.gov.au](mailto:kmc@kmc.nsw.gov.au)  
**Web:** [www.kmc.nsw.gov.au](http://www.kmc.nsw.gov.au)

### Hours:

#### Lodging an application

Monday to Friday, 8:30am – 5:00pm

### Fees:

Fees are based on Council's adopted schedule of fees.

### Payment methods

You may pay by cash, eftpos or cheque. Make cheques payable to 'Ku-ring-gai Council'. Please do not send cash in the mail.

### Transport and Parking:

#### Bus or Rail

The Council is located within five minutes walking distance from Gordon train station. From the station, head west up via St Johns Ave to the Pacific Highway. Turn right and walk to the end of the block along the Pacific Highway. Cross the Pacific Highway at the lights and walk right to Council Chambers.

#### Parking

Some short-term Visitor Parking spaces are available on site behind the Council Chambers in Radford Place. A lift is accessible from within the building on level one. This lift is accessible to people using wheelchairs via a ramp.

Limited on-street parking is also available in nearby streets.

#### Accessible Parking

Radford Place, behind Council Chambers, provides parking spaces for people with disabilities. These spaces are adjacent to the accessible ramp to Level 1 and lift which may be taken to the Customer Service Counter on Level 4 and the Pacific Highway main entrance.

## Outdoor Dining on a Public Footpath/Park/Plaza

This guide provides you with information to enable you to identify the plans and supporting documentation you will need to provide.

### Council will not accept your application if you fail to provide all relevant documentation

#### General requirements

##### Application form

The application form requires you to answer specific questions and provides you with prompts to provide other information that is required for the assessment of the application. All questions must be answered and other information requested must be submitted.

##### Standards of Documents

The plans and documents must be accurate and legible. Any misleading details may result in the refusal of the application.

##### The Plans shall:

- show the subject site, adjoining sites, the kerb, all other Council street furniture, planters, signs, power poles and trees/shrubs and the area proposed for the activity.
- show the dimensions of the length of the subject site, the width of the footpath, the area proposed to be used and have a clear 1.8 metre pedestrian access.
- all dimensions to be in metric.
- be to a scale of 1:100 or other readily legible scale.
- show the seating inside and outside of the premises to assist in determining the required sanitary facilities in accordance with Table F2.3 and F2.4 of the Building Code of Australia.
- show the location and number of male, female and disabled sanitary facilities provided for patrons and staff within the premises.
- show all public utilities that may be located within the proposed area of use.
- indicate location and direction of focus of any outdoor lighting associated with the activity.

#### Supporting material and documentation

- The Public Liability Insurance policy to be provided shall cover the outdoor dining use and include Ku-ring-gai Council on the policy so that Council is indemnified for claims arising from the use of the outdoor dining facility
- Provide brochures of the proposed furniture to be used. (Dimensions, colour and finishes)
- Submit photographs of any pre-existing damage to footways in the proposed area of use.
- If the premises are Liquor Licensed submit copy of license.
- Photographs of the front of the site and adjoining premises.

#### Statement of Environmental Effects

##### Use/Attendances/Noise

- Provide details of how the proposed use is in the public interest.
- Provide details as to the slope and surface conditions of the area proposed to be used and how the area is appropriate for the intended use.
- In the event a clear 1.8 metre pedestrian access is not able to be achieved provide details of how reasonable access will be achieved.
- Provide details of the proposed operation of the outdoor dining area so the environment is protected from litter and associated waste from the use.
- Specify the method of controlling the number of persons being admitted to the venue so the maximum occupancy cannot be exceeded.
- If it is intended to serve alcohol within the outdoor dining area, how is this activity to be controlled/monitored.