



Footpath Dining Permit Application

Footpath Dining Local Law 2011

Please read the **Footpath Dining Permit Guide** information on Council's website before completing and submitting your application.
Applications that are incomplete will not be accepted.

1 Application type *Select ONE only*

 New Permit *Complete Parts A, B, C, F and G*

or **Variation to Permit** *Complete Parts A, C, D, F and G*

Existing Permit no.

or **Transfer of Permit** *Complete Parts A, B, E, F and G*

Existing Permit no.

Office Use Only

DART Application no.

DART Permit no.

2 Licence for the Food Business

Do you hold a Current Licence under the Food Act 2006?

Yes Licence reference numberNo Provide details of the business (eg. types of food sold, licence application made)

Including yourself, how many people are currently employed by your business? Please include any part-time and casual staff.

 1 2-4 5-19 20-199 200+

PART A

3 Premises address *Use official address of premises location*

Unit no.	Street no.	Street	Suburb	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

4 Real Property description

Lot	Plan	Lot	Plan
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

5 Trade Zone *Where site is located*

Trade Zone A – Brisbane City (not including Queen Street Mall) Trade Zone B – Suburban Centres Trade Zone C – All other areas

PART B

6 Applicant

Individual's full name *Person/s applying to be the new permit holder*

Title	Surname/Family name	First name	Middle name
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

or Organisation's full name *Organisation applying to be the new permit holder*

PART B *Continued*

7 ABN Mandatory

8 Registered address *Not a PO Box*

9 Postal address

10 Business/Trading name *If applicable*

11 Contact person's name

12 Contact details

Business phone no.	Business fax no.	Business mobile no.
<input type="text"/>	<input type="text"/>	<input type="text"/>
E-mail		
<input type="text"/>		

13 Agent or Consultant *Details of person making application on behalf of the operator*

Name		
<input type="text"/>		
Address		
<input type="text"/>		
Business phone no.	Business fax no.	Business mobile no.
<input type="text"/>	<input type="text"/>	<input type="text"/>
E-mail		
<input type="text"/>		

PART C

Permit specific details

14 Total area proposed to be used for footpath dining

15 Proposed operating hours

Monday to Friday	Saturday	Sunday
<input type="text"/>	<input type="text"/>	<input type="text"/>

PART D

16 Variations to Permit *Provide details of proposed variations*

PART E

17 Transfer of Permit

The current operator MUST sign this section. NOTE: If the existing premises has been modified without Council approval the permit cannot be transferred.

Current Permit Holder's name *Individual or organisation*

Current Permit Holder's name *Individual*

Name of Signatory *If applicant is an organisation*

Position *Proprietor, Director, Manager*

Signature

PERMIT HOLDER 1

Signature

PERMIT HOLDER 2

Date

Date

PART F

18 Completion checklist *(Required with this application)*

Tick box/es

- | | |
|---|--------------------------|
| 1. Completed and signed Application form | <input type="checkbox"/> |
| 2. Correct fee paid or enclosed | <input type="checkbox"/> |
| 3. Completed Footpath dining design checklist
Note: You can access the Footpath dining design checklist on Council's website. | <input type="checkbox"/> |
| 4. Detailed plans to scale
Note: Plans must show existing site details and the proposed footpath dining area details. Please refer to Supporting Information and Documents information on Council's website for further information about what details must be included in the plans (maximum A3). | <input type="checkbox"/> |
| 5. Proof of public liability insurance:
Note: Public liability insurance must be to the value of twenty million dollars with Council named as an interested party. | <input type="checkbox"/> |
| 6. Photos of the site and proposed footpath dining area
Note: Please refer to Supporting Information and Documents information on Council's website for further information about the details must be shown in the photos. | <input type="checkbox"/> |
| 7. Photos or brochure of proposed furniture | <input type="checkbox"/> |
| 8. Department of Transport and Main Roads approval if footpath dining if the proposed footpath dining area is adjoining a state-controlled road. | <input type="checkbox"/> |
| 9. Attachment relating to suitability statement if answering 'yes' to question 19 | <input type="checkbox"/> |

PART G

19 Applicant's suitability statement, declaration and signature

Have you ever had a permit for footpath dining refused, suspended or cancelled, or been found guilty of an offence against the Local Law or a corresponding law in Queensland or other States and Territories?

No Yes *Give details in an attachment*

I understand that the information provided in and with this application may be disclosed publicly under the Freedom of Information Act 1992 and the Evidence Act 1977.

I confirm all information provided in and with the application is true and correct to the best of my knowledge.

Applicant 1

Name of Individual/Corporation/Association/other Organisation

Applicant 2 *If applicable*

Name of Individual/Corporation/Association/other Organisation

Name of Signatory *If applicant is an organisation*

Name of Signatory *If applicant is an organisation*

PART G *Continued*

Position *Director/President/Treasurer/Secretary etc if applicant is a Corporation/Association/other Organisation*

Signature

Date

Position *Director/President/Treasurer/Secretary etc if applicant is a Corporation/Association/other Organisation*

Signature

Date

Application lodgement options

By mail:

Return completed application to:

Brisbane City Council
GPO BOX 1434
BRISBANE QLD 4001

In person:

At Brisbane City Council's Customer Service Centres
or Regional Business Centres.

For further information:

Please contact Brisbane City Council's Business Hotline
on **133 BNE (133 263)** or visit Council's website at
www.brisbane.qld.gov.au

Footpath Dining Permit Application Guidelines

Notes in relation to specific fields

For all fields, if the space is insufficient please provide the required information in a clearly marked attachment.

1 Application type

As this form can be used for several different application types in relation to footpath dining, you must determine the purpose of your application. This also determines the fee payable for the application.

- Select **New Permit** where premises have not previously been approved for this purpose, or where a previous approval has lapsed. You would also select **New Permit** if you take over a business **and** plan to significantly alter the premises or operation.
- Select **Variation to Permit** if you already hold the permit and intend on making significant alterations to the operation, eg. *changing the approved area*.
- Select **Transfer of Permit** only where you are taking over an existing permit. The premises must have a current permit, no changes to the operation have been made and you must obtain the current permit holder's written consent. Note that you must also hold the licence for the food business, see question 2 below.

2 Licence for the Food Business

You must ensure the business is being conducted lawfully in accordance with the Food Act 2006. The Food Act 2006 exempts certain food businesses from licensing. If you have made an application for a food business licence or design assessment provide the application details.

PART A

3 Premises address

You must use the official address of the location where the activity will be carried out, and include any unit or shop number if applicable. If you are unsure of the official (rateable) address, please confirm with the landowner or phone Council on 3403 8888.

4 RPD

This is the Real Property Description. If you are unsure of the RPD, please confirm by contacting the landowner or alternatively phone Council on 3403 8888.

5 Trade zones for footpath dining permits

Zone A: Brisbane City (not including Queen Street Mall).

Zone B: Fortitude Valley and Spring Hill Area; Racecourse Road, Hamilton and Ascot; Given Terrace, Paddington; Caxton Street (between Petrie Terrace and Hale Street), Brisbane; Brunswick Street and Merthyr Road, New Farm (Merthyr Village, corner Brunswick Street); Oxford Street, Bulimba; Jephson Street, High Street and Sherwood Road, Toowong; Park Road, Milton; Logan Road, Stones Corner; Kedron Brook Road, Wilston; Boundary Road, West End.

In addition, other properties in close proximity to the locations listed above are included in Zone B.

Zone C: All other areas.

Phone Council on 3403 8888 and ask to speak with the relevant Compliance and Regulatory Services Regional Office for more information.

PART B

6 Applicant

The operator/primary applicant must be the person who will hold the permit and be legally responsible for the operation.

- Where the applicant is an individual, provide full name, eg. *Mr John Peter Smith*
- Where the applicant is a partnership of individuals, provide full name of all individuals, eg. *Mr John Peter Smith, Mr David Geoffrey Smith and Miss/Mrs/Ms Mary Jane Smith*
- Where the applicant is a corporation, provide full name of corporation as registered, eg. *Queensland Best Pty Ltd* or *My Company Ltd*. Note a business name is not a legal entity and **cannot** be the permit holder.

8 Registered address

This is the address of the registered office where you can receive legal documents. This may be the same address as the location of your food premises or your home address. A post office box **cannot** be a registered office.

11 Contact person

You may wish to nominate a contact person for the application, eg. *your manager*. An organisation **must** nominate a contact person.

12 Contact details

Give the contact details where you can be reached on a daily basis during business hours.

13 Agent or Consultant

If an agent or consultant is assisting you with the application, the relevant details must be supplied. *Leave this section blank if you are not using an agent.*

PART C

Permit specific details

14 Total area proposed to be used for footpath dining

Give proposed area intended to be used for footpath dining, including any area used for planter boxes and other items (*refer to 'Footpath Dining Permit Guide'*).

15 Proposed operating hours

Give the hours of operation for each day of the week.

PART D

16 Amendment to permit

This section is only applicable if you are requesting an amendment to your current permit. You need to clearly indicate the proposed amendment, eg. *change to approved area, operating hours or change to approved furniture*. Please attach supporting documentation if relevant.

PART E

17 Transfer of permit

The current permit holder must consent to the transfer of the permit to the applicant. A transfer may only be considered where there have been no alterations to the operation. It is strongly recommended to obtain an Inspection Report (pre-sale report) prior to finalising purchase of a food business, as this report will indicate any outstanding issues with the current permit. Please phone Council on 3403 8888 for more information about an Inspection Report.

PART F

18 Completion checklist

The checklist is used by the applicant to make sure that the application is complete and to allow Council officers to quickly assess if all vital elements of the application have been included. Please note that where you are required to attach additional information and plans, these need to conform to the requirements as listed in this guideline or in the Footpath Dining Permit Guide.

PART G

19 Applicant's suitability, declaration and signature

If you are supplying commercially sensitive or confidential information please ensure you mark such information clearly. If the application is made on behalf of an organisation, the person signing this form must occupy a position that is legally entitled to make application on behalf of the organisation.

Notes in relation to Plan Requirements

Plans are required for any new premises where the activity has not been previously approved or where any significant alterations are proposed. Plans are **not** required for transfers or an amendment of permit not involving structural alterations.

- one copy of all plans, not larger than A3 and clearly legible
- all plans showing location of area proposed to be used for footpath dining
- site plan showing location of site in relationship to surrounding land uses
- all plans drawn to scale 1:100 or 1:200, with elevations and details not more than 1:50

Technical reports and other information such as brochures or photos can be attached as necessary to accompany the plans.

Please refer to Council's publication 'Footpath Dining Permit Guide' for detailed information about plan requirements.