



APPLICATION FORM

Wyndham City Council
PO Box 197 Werribee 3030
45 Princes Hwy Werribee 3030
mail@wyndham.vic.gov.au

FOOTPATH TRADING PERMIT

Note: Permit applications will be processed within five (5) business days of receipt providing all relevant information is received.

APPLICATION TYPE

New Application Amendment to Existing Permit Renewal of Existing Permit

Existing Permit Number:

APPLICANT'S DETAILS

Applicant's Name:

Business Trading Name:

ABN:

Business Address:

Suburb: Post Code:

Telephone: Mobile:

Business: Fax:

Email:

Operating Hours: (Mon-Fri) (Sat-Sun)

PERMIT DETAILS

Type of permit: A Frame Sign Goods Displayed Real Estate Signage

Outdoor Dining Is your establishment Licensed? Y N

Number of Tables Required:

A COPY OF YOUR CURRENT PUBLIC LIABILITY MUST BE ATTACHED/SUBMITTED WITH THIS APPLICATION OR YOUR PERMIT WILL NOT BE GRANTED

DECLARATION

I hereby submit my application for a Footpath Trading Permit and agree to abide by the conditions of Wyndham City's Footpath Trading Policy and Guidelines. I hereby consent to the disclosure of any information and publication of any document or part thereof as may be required by the Mayor, Councillors and staff of Wyndham City with respect to my application. I declare that all of the information contained in my application is true and correct to the best of my knowledge.

INDEMNITY CLAUSE

The applicant agrees to indemnify and keep indemnified Wyndham City (The Council) and its servants and agents and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made or claimed against them, or any of them, arising out of or in any way related to the granting of this permit and be directly related to the negligent acts, errors or omissions of the Applicant. The Applicant's liability to indemnify the Council shall be reduced proportionately to the extent that any act or omission of the Council, contributed to the loss or liability. The Applicant also agrees to hold harmless the Council, its servants and agents, and each of them from claims resulting from damage, loss, death, or injury whatsoever which may otherwise be brought or made or claimed by the Applicant against the Council, except to the extent that the Principal is negligent.

I/we have read and understand the Footpath Trading Policy and Guidelines and the above indemnity clause and agree to accept responsibility as set out in these documents.

Signature: Date:

Name:

Position/Authority: *If acting on behalf of the proprietor.*

PRIVACY COLLECTION STATEMENT: Your personal information is being collected by Council for a Footpath Trading Permit. Your information will be stored in Council's Customer Database and used to identify you when communicating with Council and for the delivery of services and information. For further information on how your personal information is handled, visit Council's Privacy Policy at <https://www.wyndham.vic.gov.au/privacy-policy>.

OFFICE USE ONLY

Approved: Y N

Furniture Type:

Permit No:

Expiry Date:



APPLICATION FORM

OUTDOOR DINING AREAS

APPLICANT DECLARATION – COVID19 INFECTION CONTROL MEASURES

I(applicants name), acknowledge my responsibility to adhere to the requirement to have a COVIDSafe Plan, the ‘Department of Health COVID19 infection control measures’ and the Victorian Chief Health Officer directions relating to outdoor dining & trading requirements.

OCCUPYING PUBLIC SPACE IN FRONT OF ADJOINING PREMISES

CONSENT

Consent must be granted where the applicant seeks to occupy a public place, immediately adjacent to the Outdoor Dining Area, consent from the owner/occupier of the adjacent building/s is required. Should the owner/occupier wish to withdraw their consent, Council must be notified in writing.

PREMISES 1

I
(owner of adjoining premises)

and/or I
(occupier of adjoining premises)

of the adjoining premises at
(address)

hereby give consent to
(applicant's name)

of the premises at
(applicant's trading address)

to trade across the front of my premises.

Owner/Occupier Signature: Date:

PREMISES 2 (if applicable)

I
(owner of adjoining premises)

and/or I
(occupier of adjoining premises)

of the adjoining premises at
(address)

hereby give consent to
(applicant's name)

of the premises at
(applicant's trading address)

to trade across the front of my premises.

Owner/Occupier Signature: Date:



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FURTHER INFORMATION

NEW APPLICATIONS

New applicants must submit a completed application (including all required information), and description/photo's of your furniture type and design; Council will assess the trading operation in accordance with the Footpath Trading Policy and Guidelines.

AMENDMENTS TO AN EXISTING PERMIT

Permit holders must submit an application for any amendment to their existing Permit. Amendments may include; consent from adjacent business to occupy space in front of their premises, changing furniture design, adding furniture or increasing advertising. The council will notify the Permit holder at their earliest convenience of their decision on the amendment.

TRANSFER OF OWNERSHIP

A Footpath Trading Permit applies only to the premises for which it is issued and is not transferable from one premises to another or one proprietor to another. A new owner of a premises with an existing Footpath Trading Permit, must submit a New Application for a new permit for that premises.

PERMIT DURATION

Permits are valid from the date of issue until 31 August 2021, it is the applicant's responsibility to apply for a renewal within 5 days before the expiry date.

PROOF OF PERMIT

Permit holders must produce confirmation of permit upon request from any staff member of Wyndham City Council.

NOTE: A FOOTPATH TRADING PERMIT APPLIES ONLY TO THE PREMISES FOR WHICH IT HAS BEEN ISSUED. NO GOODS, SIGNS OR FURNITURE ARE TO BE DISPLAYED OUTSIDE OF THE BUSINESS OPERATING HOURS. NO GOODS, SIGNS OR FURNITURE ARE TO BE DISPLAYED UNTIL YOUR APPLICATION HAS BEEN APPROVED.



APPLICATION FORM

SITE PLAN DRAWING

PLEASE PROVIDE A DRAWING OF THE EXISTING AND THE PROPOSED SITE

DRAWINGS SHOULD SHOW THE FOLLOWING MEASUREMENTS:

- Width of the Shop Front
- Width of the Footpath
- Pedestrian, Trading and Kerb Zones
- A Frame Sign Dimensions (H x W)
- Location of the Sign, Furniture or Goods
- Existing Public Infrastructure



APPLICATION FORM

APPLICATION PROCESS

CHECK LISTS / REQUIRED DOCUMENTS

Please use the following checklist to ensure you have included all required information

Have you...

- Familiarised yourself and have a clear understanding of your responsibilities to conform with Department of Health COVID19 infection control measures and the Victorian Chief Health Officer directions relating to outdoor dining requirements.**
It is your responsibility to ensure that you are conforming to the requirements at all times. Contraventions to the requirements will be referred to Victoria Police. For more information visit: www.dhhs.vic.gov.au
- Implemented your COVIDsafe Plan**
It is mandatory for all operating businesses in Victoria to have a COVIDSafe Plan. It is your responsibility to arrange and implement this. For templates and to find out more visit www.coronavirus.vic.gov.au/covidsafe-plan.
- Read and understood Council's Footpath Trading Policy and Guidelines**
It is recommended that you read and familiarise yourself with the Code of Practice so that you understand the design requirements, legal obligations, costs and responsibilities involved in managing Council land.
- Read and understood Wyndham Outdoor Dining and Trading Public Health and Food Safety Guide.**
It is recommended that you read and familiarise yourself with Wyndham Outdoor Dining and Trading Public Health and Food Safety Guide.
- Completed application form**
All questions must be completed to ensure prompt processing of your permit application.
- Completed Site Plan of proposed Footpath Trading activity**
Sketch of the site accurately showing the area layout of the proposed footpath activity. This includes the proposed location of chairs, tables, screens, heaters, umbrellas, advertising signs etc
- Provided Details of Furniture**
Colour photographs or detailed design drawings and measurements of proposed furniture to be used including screens, planter boxes, heaters and umbrellas.
- Provided Details of Advertising**
A colour photograph or detailed design drawings of any proposed advertising logo and clear indication of its size and all locations within the Trading Zone.
- Attached a copy of your Public Liability Insurance**
Council requires the policy to be for the amount of **no less than \$20 million** in respect of any single occurrence. Public Liability insurance must remain current and valid for the life of the Permit and a Certificate of Currency must be produced annually at the time of application, at renewal or upon request by an Authorised Officer.
- Completed the Indemnity Clause**
This indemnifies Council against all claims of any kind arising from any negligent act either by the Permit holder or the Permit holder's agents and users.
- Attached a copy of your Liquor Licence**
(If applicable) For licensed outdoor dining areas only.
- Completed Consent from adjoining premises**
Consent is required from the adjoining premises owner and/or occupiers if the applicant wishes to operate in front of the adjacent property. This permission must be submitted to Council each year and be included in the application.

FAILURE TO SUMIT THE REQUIRED INFORMATION MAY RESULT IN DELAYS IN PROCESSING THE APPLICATION OR A REFUSAL OF THE APPLICATION

On receiving your completed application form along with your public liability, Council will:

1. Check that all relevant information has been submitted
2. Check that the footpath trading would be associated with a land use legally established under the Planning and Environment Act 1987
3. Check the application to ensure it meets the intent and requirements of Wyndham City's Local Law and the Footpath Trading Policy and Guidelines and any other relevant legislation
5. Undertake an assessment of compliance with the Permit conditions
6. Take into consideration any other information that the applicant may wish to provide to Council
7. Approve or refuse the permit application