

ALFRESCO DINING LICENCE INFORMATION PACKAGE

This information package is to be read in conjunction with the
City's Trading in Public Places Local Law 2005.

For further information, telephone 9267 9153.



Revised June 2008
Amended July 2015

ALFRESCO DINING LICENCE

Initial Application

Before placing chairs and tables on the footpath outside your food premises, you are required to obtain:

1. **Development Approval.** For advice on what is required to obtain a development approval please contact the City on **9267 9267**.
2. **Alfresco Dining Licence**

Once you have received development approval the attached *Application for Alfresco Dining Licence form* should be completed and forwarded to the City's Health Services together with:

- (a) a copy of the development approval issued by the City of Swan or your DA number;
- (b) the licence fee
- (c) a plan or plans to a scale of 1:50 showing –
 - (i) the location and dimensions of the proposed area (as approved by planning services) to be used for alfresco dining;
 - (ii) the dimensions of the thoroughfare including the footpath and the location and nature of any street furniture, trees, utilities, foot paths, parking or service bays in the area;
 - (ii) the number and position and dimensions of all proposed, tables, chairs etc;
- (e) the licensee is required to provide a **public liability insurance** policy in accordance with the City's requirements as detailed further in this guideline.

Renewal of Licence

Where approved the Alfresco Dining Licence is valid until the 30th June each year.

An application for renewal of an Alfresco Dining Licence will be forwarded to you every 12 months. Upon renewal, a licence will be issued for the following financial year.

RESPONSIBILITIES OF THE LICENSEE

The licensee shall –

1. Ensure tables, chairs or anything placed on the verge do not obstruct the sight line of vehicles emerging from driveways or intersecting roads.
2. Manage the area subject of the alfresco dining licence in accordance with all conditions imposed by the licence.
3. Ensure that the eating area is conducted at all times in accordance with the provisions of the local law.
4. Ensure that the eating area is kept in a clean and tidy condition at all times.
5. Maintain the chairs, tables and other structures set up in the eating area in good and serviceable condition at all times.
6. Keep the outdoor dining area free of any unnecessary obstacles or any matter likely to cause injury to persons or property and maintain a minimum clear way width of 2m for pedestrian access.
7. Ensure furniture and equipment remains within the outdoor dining area and location approved on the plan endorsed as part of the licence and does not impede pedestrian flow or access.
8. Repair any damage to the surface area, fixtures, fittings or utility services caused as a result of or attributable to the operation of the alfresco dining area and any associated activities.
9. Ensure trading within the alfresco dining area is limited to only the operating hours where stated in the licence
10. Remove all tables, chairs and non permanent fixtures and fittings from within the outdoor dining area at the conclusion of operating hours each day.
11. Pay all costs associated with the alteration, removal, repair, reinstatement, or reconstruction of all or part of the outdoor dining area arising from any works proposed or done in the thoroughfare by or on behalf of a government department, instrumentality of the Crown or the local government and shall not have any claim for compensation or damages as a result of any disruption to business or loss incurred due to such works.
12. Display the licence in a conspicuous place in the adjoining food business and whenever requested by a City of Swan Environmental Health Officer or authorised person to do so shall produce the licence.

PUBLIC LIABILITY INSURANCE AND INDEMNITY

As part of the requirements of the Alfresco Dining Licence, the licensee, is required to provide public liability insurance indemnifying the City against all actions, suit, claims, damages, losses and expenses made against or incurred by the City arising from any activity, action or thing performed or erected in accordance with the licence. In particular, the licensee shall:

- (a) take out a public liability insurance policy in the name of the licensee for a minimum of \$10 million dollars or such other amount as considered appropriate by the City to the risk involved;
- (b) ensure that the City of Swan is expressly listed on such policy as an 'interested party';
- (c) advise the City if the policy lapses, is cancelled or is no longer in operation; and
- (d) on the request of an Authorized Person, provide for inspection a certificate of currency for the required insurance policy.

Where, as a condition of a licence a licensee is required to provide a public liability insurance in accordance with sub-section 2.14 (1) and that insurance policy is terminated for whatever reason then the licence shall also be terminated simultaneously.

A licensee is required to provide a current certificate of insurance within 2 working days upon request of the City of Swan.



APPLICATION FOR AN ALFRESCO DINING LICENCE

To: The Chief Executive Officer

I,	
(Given names)	(Family name)	
of:		<i>Your residential or business address for correspondence</i>
Suburb	Post code	
Telephone number (daytime):	Mobile:	
Facsimile:	Email:	
apply for a licence to set up and conduct Alfresco Dining under the City's Consolidated Local Laws 2005.		

I declare that the following details are true and correct:

Details of Proposed Alfresco Dining Area			
Name and address of Eating House			
Location of proposed alfresco dining area			
Proposed days and hours of operation			
A description of all premises immediately adjacent to the alfresco dining area			
Does the eating house have a liquor licence. If not, do you intend to apply for a liquor licence for the eating house?			
Proposed number of tables & chairs			
Description of tables and chairs including materials and dimensions			
List any facilities other than tables and chairs i.e. planter box, umbrellas	Item or Facility	Material	Dimensions

In making this application for a licence, I agree, upon issue of a licence, to indemnify the City of Swan against any claim for loss, damage or injury however arising from the operation of the alfresco dining area; and not to claim from the City of Swan or any person acting on their behalf, for any loss, damage or injury however arising from any public work on the public place.

Date _____

Signature of Applicant _____

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